

# Educational Stability Checklist

This checklist provides guidelines to Juvenile Court Judges regarding the determination of a juvenile's educational stability following removal from the home. While all elements of this checklist should be considered, the final determination should be tailored to the individual circumstances of each case and meet the requirements of Pennsylvania's Juvenile Act and Rules of Juvenile Court Procedure.

There is a presumption that a juvenile shall remain in their school of origin unless the court finds remaining in the school of origin is not in the juvenile's best interest or protective of the community. This checklist applies to any point in a delinquency proceeding when the juvenile is removed from home, including pre-dispositional detention placement and post-dispositional modification resulting in the juvenile's out of home placement or a change to that placement.<sup>1</sup>

**Pa.R.J.C.P. 148 requires a juvenile shall remain in their school of origin unless consideration of the following factors indicates that a change of school placement is in the juvenile's best interest: Appropriateness of Current Educational Setting Considering the Juvenile's Needs, Proximity of the School of Origin Relative to Placement Location, and Protection of the Community.**

The following questions are provided to assist Juvenile Court Judges in making a determination for each factor. Depending upon the individual circumstances of each case, it may not be necessary to answer all of the questions to make a determination.

## **Appropriateness of Current Educational Setting Considering the Juvenile's Needs:**

The current educational setting demonstrates the juvenile is engaged in programs and activities that appropriately address the unique needs and interests of the juvenile.

### **Academic Performance:**

Is the juvenile on track academically for their current grade level at their school of origin?

Yes

No

Is the juvenile on track to obtain their educational and career goals (High School Diploma, Vocational Certifications, Post-Secondary Education, GED Accessibility, Credit Recovery, etc.) at their school of origin?

Yes

No

### **Educational Disruption:**

Does the juvenile have a history of multiple school transfers and would fall further behind academically if they were removed from their school of origin?

Yes

No

Would removal from the school of origin disrupt the juvenile's ability to earn full academic credits, advance to the next grade/graduate from high school or participate in extra-curricular/pro-social activities?

Yes

No

**Pro-Social Considerations:**

Is the juvenile involved in any extra-curricular activities (Sports, Music/Art Programs, Clubs, etc.) at their school of origin?

Yes

No

**School Engagement Challenges:**

Does the juvenile have school engagement challenges related to attendance, enrollment, or truancy at their school of origin?

Yes

No

Does the juvenile have school engagement challenges related to discipline (ISS, OSS, Expulsion, etc.) at their school of origin?

Yes

No

Does the juvenile have the appropriate family and social supports to be academically successful at their school of origin?

Yes

No

**Security and Safety of the Juvenile:**

Is the environment at the school of origin negatively impacting the security and safety of the juvenile (i.e. Victim of Bullying)?

Yes

No

**Specialized Instruction:**

Are the juvenile's needs for specialized instruction and related services (Special Education, Emotional Support, IEP, Credit Recovery, Vocational Programming, Advanced Placement, etc.) appropriately addressed by the school of origin?

Yes

No

**Treatment Needs:**

Does the juvenile have treatment needs (physical, emotional, mental health/behavioral health) that are appropriately addressed by the school of origin?

Yes

No

**Proximity of the School of Origin Relative to the Placement Location:**

The length of the commute to the school of origin should not have a negative impact on the juvenile.

**Commute:**

Is the commute from the placement to the school of origin greater than one hour?

Yes

No

Do the advantages of remaining in the school of origin outweigh any potential disadvantages presented by the length of the commute?

Yes

No

**Transportation:**

Is it feasible for the school of origin, placing agency or placement provider to transport the juvenile to and from the school of origin?

Yes

No

Is the school of origin, placing agency or placement provider willing to provide transportation to and from the school of origin?

Yes

No

Is the school of origin, placing agency or placement provider willing to be responsible for funding transportation to and from the school of origin?

Yes

No

**Length of Anticipated Stay in Placement:**

Would removal from the school of origin cause academic disruption relative to the anticipated length of stay in placement?

Yes

No

**Protection of the Community:**

Community protection occurs when the juvenile justice system effectively identifies, manages, and minimizes the risk of continued crime and delinquency.

**Security and Safety of the School/Community:**

Would it be protective of the school/community to allow the juvenile to remain in the school of origin?

Yes

No

**Treatment Needs:**

Does the juvenile have treatment needs (physical, emotional, mental health/behavioral health) addressed by the school of origin in a manner that is protective of the school/community?

Yes

No

**Victim Consideration:**

Would it be protective of the juvenile's victim(s) to allow the juvenile to remain in the school of origin?

Yes

No

**Parental Consideration:**

**Preference of the Juvenile's Parent(s)/Guardian(s):**

Does the juvenile's parent(s)/guardian(s) believe it would be in the best interest of the juvenile to remain in the school of origin?

Yes

No

### Juvenile Consideration:

#### Preference of the Juvenile:

Does the juvenile believe it would be in their best interest to remain in the school of origin?

Yes

No

### Educational Determination:

- The Court finds it is in the juvenile's best interest and/or protective of the community to remain in the school of origin.
- The Court finds it is **not** in the juvenile's best interest and/or protective of the community to remain in the school of origin. Select one of the following:
  - Public School Located Within District Where Placement is Located
  - School Located Within the Placement