

DELINQUENT CHILD AND RELATED COURT RECORDS

This policy describes the School's policies and procedures regarding the maintenance of records for a delinquent child and related court records. If a court orders juvenile records to be sealed by lawful order pursuant to O.R.C. 2151.356, the School shall expunge all records relating to the case that are the subject of sealing order except that the School may maintain a record of the adjudication or arrest or taking into custody for compiling statistical data and that does not contain any reference to the person who is the subject of the order.

If the School maintains records of an individual who has been permanently excluded pursuant to O.R.C. §§ 3301.121 and 3313.662, it is permitted to maintain records regarding an adjudication that the individual is a delinquent child that was used as the basis for the individual's permanent exclusion regardless of a court order to seal the record. An order to seal the record of an adjudication that an individual is a delinquent child not revoke the adjudication order of the superintendent of public instruction to permanently exclude the individual who is the subject of the sealing order. An order to seal the record of an adjudication that an individual is a delinquent child may be presented to the Superintendent as evidence to support the contention that the Superintendent should recommend that the permanent exclusion of the individual who is the subject of the sealing order be revoked. Except as otherwise authorized by O.R.C. §§ 2151.357 (response respecting sealed records), 3301.121 (adjudication procedure to determine whether to permanently exclude pupil), and 3313.662 (adjudication order permanently excluding pupil from public schools), any School employee in possession of or having access to the sealed adjudication records of an individual that were the basis of a permanent exclusion of the individual is subject to Ohio law.

No officer or employee of the School shall knowingly release, disseminate, or make available for any purpose involving employment, bonding, licensing, or education to any person or to any department, agency, or other instrumentality of the state or of any of its political subdivisions any information or other data concerning any arrest, taking into custody, complaint, indictment, information trial, hearing, adjudication, or correctional supervision, the records which have been sealed pursuant to O.R.C. § 2151.356 and the release is not expressly permitted by law. Any officer or employee who does so is guilty of divulging confidential information, a misdemeanor of the fourth degree.

LEGAL REFS: O.R.C. §§ 2151.357, 3301.121, 3313.662, 2151.356

Adopted: May 15, 2017