

**WASHINGTON-SARATOGA-WARREN-HAMILTON-ESSEX  
BOARD OF COOPERATIVE EDUCATIONAL SERVICES**

**ADMINISTRATIVE REGULATION**

**PROCEDURE FOR FILING A PINS PETITION/DIVERSION - BOCES STAFF**

I. PINS Definition (Person In Need of Supervision)

Someone less than 16 years of age who does not attend school, in accordance with the Education Law, or who is incorrigible, ungovernable, or habitually disobedient and beyond the lawful control of the parent or other legal authority, or is found to be in possession of marijuana. (From: Saratoga County Probation Department, PINS Program brochure)

II. Filing of PINS:

Responsibility for filing a PINS petition/diversion rests with the student's home school district. However, BOCES staff will be available to the home school district to assist in material preparation, and to appear and speak in court, if necessary.

III. BOCES Process:

If the criteria for filing a PINS petition/diversion have been met and documentation is available, this process will be followed:

1. The teacher will ask the student's team to meet with the supervisor/principal to discuss the student's behavior.
2. The supervisor/principal will notify the student's CSE Chairperson or home school principal of the team meeting and ask the CSE Chairperson/principal to participate.
3. Once a recommendation to file a PINS petition/diversion is made, the supervisor/principal will notify the home school district CSE Chairperson or principal, in writing, of the need to have a PINS filed.
4. BOCES supervisor/principal will supply the home school district CSE Chairperson or principal with the written evidence to support the PINS.
5. BOCES staff will be available to the home school district to appear and speak in court as necessary.
6. The home school district will be responsible for filing the petition/diversion and for providing legal representation, if necessary. In addition, copies of the PINS filing will be sent to the BOCES supervisor/principal for distribution to appropriate staff.
7. The home school district also should notify the BOCES supervisor/principal when a court date has been set.

A PINS can only be filed by the student's home school district; BOCES staff however, play a major supportive role in the process.