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Pa. Court Strikes Down Delinquents Law

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HARRISBURG, Pa. -- A court on Wednesday overturned part of a Pennsylvania law that places Philadelphia delinquents in alternative schools rather than allowing them to quickly return to public school.

Three students sued over the law, saying the alternative schools offered them fewer academic opportunities.

Under the 2002 law, any student convicted in the juvenile justice system _ whether sent to a day-treatment program, group home or incarcerated _ must go through a transitional counseling program before returning to the Philadelphia public schools.

After the transitional program, the students are automatically put in alternative schools. Only later are they given periodic reviews that might let them return to their original schools.

The students who sued said they were never given a chance to argue that they had been rehabilitated after leaving residential programs for nonviolent offenses, such as drug possession, and should be allowed to resume their studies.

The Commonwealth Court cited due process rights in ruling that the students must be allowed a hearing after completing the transitional program.

Paul Vallas, the district's chief executive, said officials are considering whether to appeal but he believes the district can comply with the ruling _ although it might have good reasons not to.

Before the law went into effect, students were allowed to go straight back to their neighborhood schools, but only half of them would show up for class, Vallas said.

"The other half _ within a month, two months _ would drop out. A lot of the students who did return would be a disruptive influence," he said.

Since the law went into effect, the school district has placed 2,641 students in alternative schools through its 10-day transition program, which provides counseling and other services, spokesman Fernando Gallard said.