

**Nebraska Children’s Commission**

Thirty-Eighth Meeting

May 17, 2016

**HANDOUT TABLE OF CONTENTS**

**Agenda Item IV: Consent Agenda**

- [March 15, 2016 Meeting Minutes.....](#)2-8
- [Nominating Committee Report for the Juvenile Services Committee.....](#)9

**Agenda Item V: Membership Appointments for the Strengthening Families Act, Normalcy Task Force**

- [Nominating Committee Report for the Normalcy Task Force.....](#)10

**Agenda Item VI: Chairperson’s Report**

- [Conflict Disclosure Statement and Policy Against Private Benefit.....](#)11-14

**Agenda Item IX: Education Panel**

- [Panel Handouts.....](#)15-38

**Agenda Item XI: Psychotropic Medication Committee Update**

- [Psychotropic Medication Committee Handout.....](#)39

**Agenda Item XIII: Behavioral Health System of Care Initiative Update**

- [System of Care Handout.....](#)40-56

**Agenda Item XIV: Probation Update**

- [Juvenile Justice Evaluation Pilot Project.....](#)57-59
- [Juvenile Justice Wraparound Pilot Project.....](#)60-62
- [Monthly Juvenile Probation Reform Efforts.....](#)63-67

**Agenda Item XV: Workforce Workgroup Update**

- [Respect and Worker Retention Handout.....](#)68
- [Nebraska Families Collaborative Handout.....](#)69-79

**Agenda Item XVI: Legal Parties Taskforce Update**

- [Legal Parties Taskforce Executive Summary.....](#)80-88

**Nebraska Children's Commission**  
 Thirty-Seventh Meeting  
 March 15, 2016  
 9:00 AM – 3:00 PM  
 Country Inn & Suites, Lincoln Room  
 5353 N. 27<sup>th</sup> Street  
 Lincoln, NE 68521

**I. Call to Order**

---

The Nebraska Children's Commission Chair, Beth Baxter, called the meeting to order at 9:02 a.m.

**II. Roll Call**

---

*Commission Members present (12):*

Teresa Anderson	Jennifer Chrystal-Clark	Deb O'Brien
Karen Authier	Kim Hawekotte	Mary Jo Pankoke
Beth Baxter	Gene Klein	Susan Staab
Holly Brandt	David Newell	Diana Tedrow (9:15)

*Commission Members absent (3):*

Andrea Miller	Dale Shotkoski	Paula Wells
---------------	----------------	-------------

*Ex Officio Members present (5):*

Ellen Brokofsky (9:18)	Judge Linda Porter	Doug Weinberg
Katie McLeese Stephenson	Julie Rogers (9:12)	

*Ex Officio Members absent (6):*

Dr. Matthew Blomstedt	Senator Kathy Campbell	Senator Patty Pansing-Brooks
Senator Kate Bolz	Steve Milliken	Courtney Phillips

A quorum was established.

*Guests in Attendance (10):*

Dr. Katie Bass.....	Nebraska Court Improvement Project
Doug Beran.....	DHHS, Division of Children and Family Services
Jeanne Brandner.....	Administrative Office of Probation
Bethany Connor Allen.....	Nebraska Children's Commission
Amanda Felton.....	Nebraska Children's Commission
Sarah Helvey.....	Nebraska Appleseed
Dan Jenkins.....	Nebraska Legislative Council
Joselyn Luedtke.....	Nebraska Legislative Council
Jane Sutherland.....	Administrative Office of Probation
Lana Temple-Plotz.....	Nebraska Children's Home Society

*a. Notice of Publication*

Recorder for the meeting, Amanda Felton, indicated that the notice of publication for this meeting was posted on the Nebraska Public Meetings Calendar website on February 25, 2016 in accordance with the Nebraska Open Meetings Act. The publication will be kept as a permanent attachment with the meeting minutes.

b. *Announcement of the placement of Open Meetings Act information*

A copy of the Open Meetings Act was available for public inspection and was located on the sign-in table near the entrance of the meeting room.

**III. Approval of Agenda**

---

Chair Baxter presented the agenda to the Commission. Dave Newell noted that he would need to leave the meeting prior to his DTAR Workgroup Update and asked that the agenda item instead be presented by Karen Authier, a member of the Workgroup.

**It was moved by Mary Jo Pankoke and seconded by Jennifer Chrystal-Clark to approve the agenda with Karen Authier as the presenter for the DTAR Workgroup Update.** There was no further discussion. Roll Call vote as follows:

**FOR (11):**

Teresa Anderson  
Karen Authier  
Beth Baxter  
Holly Brandt

Jennifer Chrystal-Clark  
Kim Hawekotte  
Gene Klein  
David Newell

Deb O'Brien  
Mary Jo Pankoke  
Susan Staab

**AGAINST (0):**

**ABSENT (4):**

Andrea Miller  
Dale Shotkoski

Diana Tedrow  
Paula Wells

**ABSTAINED (0)**

**MOTION CARRIED**

**IV. Consent Agenda**

---

a. *Minutes of the January 20, 2016 Nebraska Children's Commission Meeting*

Chair Baxter brought the minutes from the previous January 20, 2016 meeting to the Commission's attention. She inquired as to if there were any corrections. No corrections were provided.

**Susan Staab moved to approve the items of the Consent Agenda as presented. Deb O'Brien seconded the motion.** There was no discussion. Roll Call vote as follows:

**FOR (9):**

Karen Authier  
Beth Baxter  
Holly Brandt

Jennifer Chrystal-Clark  
Kim Hawekotte  
Gene Klein

Deb O'Brien  
Mary Jo Pankoke  
Susan Staab

**AGAINST (0):**

**ABSENT (4):**

Andrea Miller  
Dale Shotkoski

Diana Tedrow  
Paula Wells

**ABSTAINED (2)**

Teresa Anderson

David Newell

**MOTION CARRIED**

## **V. Chairperson's Report**

Chair, Beth Baxter, took the opportunity to thank all of the subgroups for their hard work. She informed the Commission members that she had provided testimony at the hearing for LB1034, the bill to reauthorize the Nebraska Children's Commission. The bill had been recently amended to LB746, covering the Strengthening Families Act, which would be discussed in a later agenda item.

## **VI. Department of Health and Human Services (DHHS) Update**

Doug Weinberg, Director of the Division of Children and Family Services with DHHS, presented the Department update in Courtney Phillip's absence. Mr. Weinberg discussed the increase in the out of home youth population and efforts being made to address the issue. Also discussed was the expansion of Alternative Response to 6 additional counties and how the additional data from the expansion will allow for a better vision of how the program is working.

Mr. Weinberg briefly touched upon the update of the Heritage Health contract recommendations to reflect WellCare of Nebraska, Nebraska Total Care (Centene), and United Healthcare. Other topics of discussion included the upcoming Healthcare Conference on June 2<sup>nd</sup>, monthly stakeholder meetings regarding Developmental Disabilities, and Legislative Bills from the current session.

## **VII. Presentation on Round 3 Children and Family Services Review (CFSR)**

The Chair welcomed Doug Beran, Research, Planning and Evaluation Administrator with the Division of Children and Family Services, to present on the Round 3 Children and Family Services Review (CFSR). Mr. Beran explained that while the 7 Data Indicators of focus were important, there were an additional 36 System Factors (18 Outcome Measures and 18 Systemic Factors) in the overall CFSR.

A point of discussion was the difficulty in identifying successful models to exemplify. Mr. Beran noted that the practices, systems, and circumstances for each state differ greatly from one another. He gave the example of how a state could have failed a majority of the Outcome Measures, but still have passed many of the 7 Data Indicators. Lengthy discussion occurred over various elements of the Round 3 CFSR.

Mr. Beran thanked the Commission for allowing him to present and indicated that he would be interested in presenting at a future meeting to provide additional information as data was gathered.

## **VIII. Legislation Overview and Legislative Resolution Discussion**

Joselyn Luedtke, with the office of Senator Kathy Campbell, presented on legislation relevant to the Commission. Ms. Luedtke touched on LB1034 and the amendment to have it added to LB746. She expanded on the funding complications. These complications occurred due to the Commission's sunset date falling in the middle of a biennium budget cycle. A solution of appropriating unexpended funds from the previous budget and Healthcare Cash funds from the HHS Legislative Committee was implemented.

Other bills of interest included LB1032 regarding the expansion of Medicaid, LB1033 looking at the Developmental Disabilities population, and LB1081 regarding public assistance and a proposed study. Dan Jenkins, with the office of Senator Kate Bolz, expanded on LB866 covering a program to extend services to juvenile justice aging out of the system. Due to a lack of priority on the bill and confusion regarding the fiscal impact, the likelihood of the bill passing in the current session was low. The Taskforce originally investigating the possibility of the program would continue to work in refining the supporting data for the next legislative session.

## **IX. Discussion of LB746: Change of provisions relating to the Nebraska Children's Commission**

Chair Baxter brought attention to LB746 into which LB1034 had been amended. The bill included several additional provisions to the Nebraska Children's Commission. Additional responsibilities in the bill were the focus on juvenile justice youth, emphasis on addressing workforce issues, and developing a system-of-care plan.

Questions were raised regarding the membership and application process, should the Commission be extended. Chair Baxter explained that all governor appointed members would need to reapply should they be interested in continuing on the Commission. Information would be distributed to the members regarding the application process.

## **X. Foster Care Reimbursement Rate Committee Report**

Gene Klein, Vice Chair of the Children's Commission and Co-Chair of the Foster Care Reimbursement Rate Committee (FCRRC), presented the report from the FCRRC. Mr. Klein explained that, in their review, the Base Rate Subcommittee reviewed rates and gathered feedback from various entities and found no indication that the rates needed to be adjusted.

Other work included two surveys. The first survey included asking agency providers if additional compensation was needed for instances of providing support to foster parents who cannot meet the needs of their foster youth. The second survey was distributed to foster parents in regards to the Nebraska Caregiver Responsibility (NCR) tool. Both surveys yielded results showing that no significant adjustments were necessary.

Recommendations from the report touched on the various pay rates, updates to the NCR, and monitoring actions by the FCRRC. The group outlined a priority to complete the task of recommendations regarding a rate structure with treatment components adequate to serve youth in out-of-home care for whom placement is problematic.

**Gene Klein moved to accept the Foster Care Reimbursement Rate report. Karen Authier seconded the motion.** There was no discussion. Roll Call vote as follows:

### **FOR (11):**

Teresa Anderson  
Karen Authier  
Beth Baxter  
Holly Brandt

Jennifer Chrystal-Clark  
Kim Hawekotte  
Gene Klein  
David Newell

Deb O'Brien  
Mary Jo Pankoke  
Susan Staab

### **AGAINST (0):**

### **ABSENT (4):**

Andrea Miller  
Dale Shotkoski

Diana Tedrow  
Paula Wells

### **ABSTAINED (0)**

### **MOTION CARRIED**

## **XI. Court Improvement Project Update**

Katie McLeese Stephenson, Director of the Court Improvement Project (CIP), began the update with an overview of the recent work of the CIP. She detailed the transition from a subcontract with the Center for Children, Families, and the Law (CCFL) at UNL to a direct project under the Administrative Office of the Courts. Within the CIP were the Through the Eyes of the Child Teams that examined how the court system was performing for its involved youth.

Other areas of focus for the CIP were Native connections, training opportunities, the Community & Evidence Based Services Grant, the Strengthening Families Act, and the Nebraska Human Trafficking Task Force.

Ms. McLeese Stephenson introduced Dr. Katie Bass, Data Analyst with the CIP, who presented on the JUSTICE 2013-2015 Statewide Child Welfare & Juvenile Justice Trend Analysis. Dr. Bass discussed how the analysis was a compilation of the information from the various Through the Eyes of the Child Teams as gathered from the JUSTICE case management system. She highlighted the improved timeliness across the state, the decrease in missing data being inputted into the system, and the efforts moving forward to provide additional data entry training to filing clerks. Overall, Dr. Bass noted that the information included in the report showed and overall improvement in processes.

## **XII. Lunch**

---

The Committee recessed for lunch at 12:08 p.m.

The meeting resumed business at 12:47 p.m.

## **XIII. Probation Report**

---

Ellen Brokofsky, Administrator with the Administrative Office of Probation (AOP), and Jeanne Brandner Deputy Probation Administrator of the Juvenile Services Division with the AOP, provided an update. Ms. Brandner reviewed the monthly report on Probation Juvenile Justice Reform Efforts. She discussed the five outcomes covered in each report: Risk Reduction, Non-Delinquent Status Youth, Placement, Detention, and Education and Employment. One item of attention was the pilot project happening in Lancaster County specific to the Status Offender population. With research that showed the increase in recidivism for low risk youth entering the system, efforts were being made to focus on the needs of the Status Offender population.

Another issue that raised discussion was placement of out-of-home youth. The group discussed the lack of placement options that address the multiple levels of youth needs. Ms. Brandner noted the difficulty in finding family settings for youth involved in the juvenile justice system. With the proposed LB746 including a clause for “no eject, no reject” policies, it will become important to ensure that our levels of care appropriately match the needs of these youth. Ms. Brokofsky mentioned that while there is a way for the Commission to help on these issues, what exactly that help looks like was yet to be determined.

Final topics of review were the efforts being made to reduce the number of low risk youth in detention and providing education and employment opportunities to system involved youth. Ms. Brandner explained that for youth with education and job skills, transition back into their communities had increased success. All youth on intensive supervision are required to participate in the Rural Improvement for Schooling and Employment (RISE) program, which offered support to build up those necessary skills.

### *a. Review of Annual Juvenile Justice System Statistical Report*

Ms. Brokofsky introduced Jane Sutherland, Data Analyst with the AOP, and Corey Steel, Deputy Administrator of the Juvenile Services Division with AOP. Ms. Sutherland opened with stating that the report would serve as a benchmark for future reviews. She explained how information was gathered, noting that a recidivism table was not provided. Mr. Steel explained that the JUSTICE system follows cases rather than individuals. To determine recidivism, information would need to be cross-walked between multiple databases. The fiscal impact of such a task would prove impossible to tackle with the current tracking abilities.

Ms. Sutherland and Mr. Steel thanked the Commission members for the opportunity to present on the Report.

#### **XIV. Strengthening Families Act (SFA) Taskforce Update**

The Strengthening Families Act Taskforce Update was provided by the group's Co-Chairs, Sarah Helvey, Child Welfare Program Director with Nebraska Appleaseed, and Katie McLeese Stephenson, Director of the CIP. Ms. Helvey reviewed the various meetings to date and the identified issues that arose from those meetings.

A recently established Steering Committee worked to recruit Co-Chairs for the five subcommittees. Ms. McLeese Stephenson listed the five subcommittees which were Community & Family Voice, Grievance, Normalcy, Trafficking, and Training. Meetings of the various subcommittees were in the process of scheduling. The next meeting of the full Taskforce would be on July 13, 2016 at which point the subcommittees would present initial recommendations.

Interested individuals were directed to the Nebraska Children's Commission website page for the Taskforce or to contact Ms. Helvey or Ms. McLeese Stephenson.

#### **XV. Workforce Workgroup Update**

The floor was given to Susan Staab, Chair of the Workforce Workgroup, to provide an update. Ms. Staab reviewed the increased responsibilities of the Commission regarding the case management workforce issues. Lengthy dialogue occurred surrounding the future efforts to strengthen the workforce. It was agreed that communication should take place with DHHS and their current work towards workforce issues. Other suggestions included looking into reflective supervision training, use of IV-E and private funding for workforce education, and the potential of re-classifying positions.

#### **XVI. Data, Technology, Accountability, and Reporting (DTAR) Workgroup Update**

Karen Authier, Past Chair of the Children's Commission and member of the DTAR Workgroup, provided an update in the absence of David Newell. Ms. Authier highlighted the work being done by various groups in which the DTAR Workgroup planned to monitor. Discussed were the Data Mapping and Analysis (DMA) Taskforce and the Out-of-Home Data Pilot. The DTAR Workgroup planned to take a hiatus from regular meetings with the hopes of reconvening once the two groups had sufficient information to report out. The Workgroup also intended to work with DHHS to receive CFSR information for review and discussion before being presented to the Children's Commission on a quarterly basis.

#### **XVII. Legal Parties Taskforce Update**

Bethany Connor Allen, Policy Analyst with the Children's Commission, reported on the work of the Legal Parties Taskforce in the absence of Kim Hawekotte. Ms. Connor Allen informed the Commission members that the Taskforce was continuing to meet and focus on the practices and issues of the various legal parties in juvenile court. Specifically, the Taskforce was forming potential recommendations regarding Neb. Rev. Stat. §43-247. A survey had been distributed and results would be compiled and shared at the May Children's Commission meeting.

#### **XIII. Juvenile Services (OJS) Committee Update**

Bethany Connor Allen continued by giving an update on the Juvenile Services Committee. Ms. Connor Allen stated that the group was receiving regular updates from stakeholders within the juvenile justice community to promote awareness and collaboration. Other tasks the Committee was working on were the monitoring of the pending juvenile justice legislation and the work of the DMA Taskforce.

#### **XIX. Public Comment**

Chair Baxter invited any members of the public forward. No public comment was offered.

## **XX. New Business**

---

There was no New Business to present.

## **XXI. Upcoming Meeting Planning**

---

Chair Baxter opened the floor to suggestions for future meeting topics. Ms. Brokofsky indicated that she would like to have Julie Scott present on the regional pilot projects at the next Children's Commission meeting. The Chair noted that a panel on Education and how it relates to the child welfare and juvenile justice system would be on the next meeting agenda. Other potential agenda items for the future included a presentation on the System of Care work from the Division of Behavioral Health, discussion of membership application/re-application, distribution of the conflict of interest forms for members, and an update on the Community and Evidence Based Services grant.

## **XXII. Adjournment**

---

It was moved by Susan Staab and seconded by Jennifer Crystal-Clark to adjourn the meeting. The meeting adjourned at 2:27p.m.

03/25/2016

AF

# Nominating Committee Report

Juvenile Services Committee Nomination  
Report to the Nebraska Children's Commission  
May 17, 2016

The following individuals have been nominated for positions on the Juvenile Services Committee.

- **Vicki Thompson** (to serve in a voting capacity)
  - Ms. Thompson has managed CEDARS Diversion and Teen Court program for well over ten years
  
- **Rico Zavala** (to serve in an non-voting, resource capacity)
  - Mr. Zavala is the Service Director over all CEDARS Juvenile Justice programming

The Nominating Committee supports two nominations and recommends their appointment to the Juvenile Services Committee.

# Nominating Committee Report

Normalcy Task Force Nomination Report  
to the Nebraska Children's Commission

May 17, 2016

The following individuals have been applied for positions on the Normalcy Task Force. All members will have voting capacity unless indicated otherwise:

- **Current or former foster parent**
  - Anna Brummer - Outreach Coordinator, PTI Nebraska
  - Jude Dean - Foster Parent, CEDARS
  - Lisa Story - Foster Parent, Foster Parent Representative - Rural Nebraska
- **Executive Director of the Foster Care Review Office**
  - Kim Hawekotte - Executive Director, Foster Care Review Office
- **Guardian Ad Litem**
  - Heather Colton - Associate Attorney/Guardian Ad Litem, Pollak & Ball, LLC
- **Other: Representative of the Department of Education**
  - Patricia Frost - Education Specialist II, Nebraska Department of Education
- **Professional who has relevant practical experience**
  - Erin Bader - Director of Permanency and Well Being Programs, Lutheran Family Services
  - Cassy Blakely - Assistant VP of Youth Policy, Nebraska Children and Families Foundation
  - Claudette Grinnell-Davis - Assistant Professor, University of Nebraska, Omaha
- **Representative from a child welfare advocacy organization**
  - Sarah Helvey - Child Welfare Program Director / Staff Attorney, Nebraska Appleseed
  - Ronda Newman\* - Associate Vice President, Project Everlast, Omaha
  - Juliet Summers - Policy Coordinator for Child Welfare and Juvenile Justice, Voices for Children in Nebraska
- **Representative from a child welfare service agency**
  - Ashley Brown - Program Director, Nebraska KVC
  - A'Jamal Byndon - Administrator, Community Initiative Consultant, Nebraska Families Collaborative
  - Nikki Novak - Foster Family Services Supervisor, Boys Town
- **Representative from an agency providing independent living services**
  - Deb Shuck - Central Service Navigator for the Older Youth System of Care, CAPWN
- **Representative from the Juvenile Probation System**
  - Jim Bennett\*\* - Director of Placement, Supervision Services, Administrative Office of Probation, Juvenile Services Division
- **Representative of a child care institution.**
  - Marti Beard - Director of Service Delivery, CEDARS Youth Services
- **Representative of the Executive Branch of Government**
  - Stacy Scholten - Service Delivery Administrator, DHHS, Division of Children and Family Services
- **Representative of the Judicial Branch of Government**
  - Katie McLeese Stephenson\*\* - Project Director, Nebraska Court Improvement Project
- **Representative of the Legislative Branch of Government**
  - Timoree Klingler\*\* - Legislative Aide to Senator Sara Howard, Nebraska Legislative Council
- **Young adult currently or previously in foster care**
  - Payne Ackerman - Former Foster Youth, Project Everlast
  - Mickey Sampson - Former Foster Youth/ B2I Coordinator, DHHS, Division of Children and Family Services

The Nominating Committee supports these applicants and recommends their appointment to the Normalcy Task Force.

\*Children's Commission Structure guidelines restrict the number of voting members from a single stakeholder organization to one representative.

\*\*LB746 indicates that the Legislative and Judiciary representatives shall be non-voting, Ex-Officio members of the Task Force.

## Nebraska Children's Commission

### Conflict Disclosure Statement and Policy against Private Benefit

#### Purpose:

1. To ensure that the Nebraska Children's Commission is governed exclusively for the purposes of achieving its vision statement ("To improve the safety and well-being of all children and families in Nebraska"),
2. To achieve transparency, and
3. To provide context for the statements, positions, and votes of each member.

#### Policy:

1. No member of the Commission or any member of a committee of the Commission created pursuant to Neb. Rev. Stat. §43-4203 shall have any private financial interest, profit, or benefit from any work of such Commission and/or committee.
2. Each member of the Commission shall provide a brief, written statement of conflict, as per the Structure Workgroup Memo.

#### Procedure:

1. **Who is covered by the Policy against Private Benefits?**
  - a. Members of the Commission, whether ex officio or voting members, pursuant to Neb. Rev. Stat. §43-4202 (6), and members of any Committee created pursuant to Neb. Rev. Stat. §43-4203.
2. **What is to be disclosed in the Conflict Disclosure Statement?**
  - a. Any actual, potential, or perceived conflicts of interest. A member could have a conflict of interest if they are faced with taking an action or making a decision in the capacity of Commission member which could result in a financial benefit or detriment to the member or an outcome that is likely to be directly adverse or favorable to the interest of the member's employer.
3. **When should I file a Conflict Disclosure Statement?**
  - a. Each member should file a Conflict Disclosure Statement annually. Members should file an updated Conflict Disclosure Statement when the member experiences a significant change in circumstances that would render the information in the member's statement inaccurate or incomplete.

**4. Who will collect and retain my conflict of interest statement?**

- a. The Conflict of Interest Statement will be collected by Commission staff and retained, either in paper or electronic form, at the Commission's administrative office.

**5. Can my conflict of interest statement be disclosed to someone outside of the Commission?**

- a. Yes, your conflict disclosure statement is a public record and can be disclosed according to the provisions in the Nebraska Public Records Law.

**6. Can this statement prevent me from voting?**

- a. This statement is not necessarily intended to prohibit any member from voting. Refraining from a vote is at the individual discretion of each member. Members should consider any actual, potential, or perceived conflict and the statutory prohibition against private benefit in arriving at their decision.

**7. Can this statement prevent me from participating in a discussion?**

- a. No, this statement is not intended to prohibit any member from engaging in discussion in any way. This statement will provide transparency and context for participation in discussions.

**8. What should I do if I believe a member has not disclosed all conflicts of interest, or has a private financial interest, profit, or benefit from the work of the Commission or a Committee?**

- a. You should inform the Commission Chairperson to resolve the matter.

**Nebraska Children's Commission**  
**Conflict Disclosure Statement**

1. Member Name: \_\_\_\_\_

2. Member Position on Commission: \_\_\_\_\_

3. Voting Status

I am a voting member of the Nebraska Children's Commission

I am an ex-officio member of the Nebraska Children's Commission

4. I am currently an officer, partner, employee, Board member, trustee, or committee member (please indicate which) of the following organizations (use additional sheets if necessary):

Organization	Role

5. Please describe any additional potential conflicts of interest below (use additional sheets if necessary):

---

---

---

---

---

---

---

---

**I have received and carefully read the Conflict Disclosure Statement and Policy against Private Benefit of the Nebraska Children’s Commission. By signing this Conflict Disclosure Statement, I hereby affirm that I understand and agree to comply with the Conflict of Interest Policy. I affirm that I have made a complete and accurate disclosure of any actual, potential, or perceived conflicts of interest. I also agree to file an updated conflict of interest statement if I experience a change in circumstances that renders the information contained in this statement incomplete or inaccurate. I further understand and affirm that I shall not have any private financial interest, profit or benefit from the Nebraska Children’s Commission or any of its Committees.**

---

**Commission Member Signature**

---

**Date**

# NEBRASKA'S "FOSTERING CONNECTIONS IN EDUCATION" INITIATIVE

**Population Served:** Any School-Age Child or Youth involved or at risk of becoming involved in the Child Welfare, Juvenile/Criminal Justice or Behavioral Health System.

## JUVENILE AND CRIMINAL COURTS

- Children and Youth under Jurisdiction of Juvenile Court (*Birth to 19 Years Old*)
  - Abused, Neglected, Abandoned, or Dependent Children (NRS §43-247(3a))
  - Traffic Violators (NRS §43-249(4))
  - Status Offenders (NRS §43-247(3b))
  - Juvenile Law Violators (Delinquents)
    - Misdemeanor Offenses
    - Felony Offenses (NRS §43-247(1) or (2))
  - Mentally Ill and Dangerous (NRS §43-247(3c))
- Juvenile Law Violators (and Adults) under Jurisdiction of County or District Court
  - Traffic Violators
  - Status Offenders
  - Criminal Offenders
    - Misdemeanors (*16 or Older*)
    - Felonies

### 2013

10,534 Juvenile Arrests  
 3,464 Juv. Diversion Referrals  
 9,751 Juvenile Court Cases  
 2,192 Juveniles in Adult Court  
 2,703 Juvenile Detention Facility Admissions  
 237 Juvenile Admissions to Adults Jails and Prisons

## DEPT. OF HEALTH AND HUMAN SERVICES - CHILDREN AND FAMILY SERVICES

- Children and Youth in Abuse, Neglect, Abandonment, or Dependency **3(a)** Investigations (*Birth to 18 Years of Age*)
  - In Parental Home
  - In Kinship Care
  - In Out-of-Home Placement
- State Wards with **3(a)** Cases Committed to DHHS—CFS (*Birth to 19 Years of Age*)
  - In Parental Home
  - In Out-of-Home Placement
- Older State Wards with **3(a)** Cases Voluntarily Participating in DHHS Bridge to Independence Program (*18 to 21 Years of Age*)
- Juvenile Law Violators Committed to Youth Rehabilitation and Treatment Center (YRTC) in Kearney (males) or Geneva (females)
  - Misdemeanors
  - Felonies (*Under 19 Years of Age*)

### 2013

8,447 State Wards  
 4,084 Foster Children  
 3,868 Abuse/Neglect Cases  
 350 YRTC-K Admissions  
 110 YRTC-G Admissions

## PROBATION

- Juvenile Law Violators Adjudicated and Placed on Probation by Juvenile Court
  - Traffic Violators
  - Status Offenders
  - Delinquents (*Under 19 Years of Age*)
    - In Parental Home
    - In Out-of-Home Placement
- Juveniles (and Parents) Participating in Truancy Court due to School Absenteeism (*Under 18 Years of Age*)
- Juveniles (and Adults) Participating in Drug Court due to Drug or Alcohol-Related Offenses (*Under 19 Years of Age*)
- Juvenile Law Violators (and Adults) Convicted and Sentenced to Probation by County or District Court
  - Traffic Violators
  - Status Offenders
  - Criminal Offenders
- Juvenile Law Violators Released from a Youth Rehabilitation and Treatment Center (YRTC) to Probation's Supervision (*Under 19 Years of Age*)

### 2014

1,826 Juv. Intake Screenings  
 2,989 Pre-Disposition Investigations (PDIs)  
 6,125 Juveniles on Probation

## DEPT. OF HEALTH AND HUMAN SERVICES – BEHAVIORAL HEALTH

- Children and Youth with Serious Emotional and Behavioral Health Needs served by a Behavioral Health Region contracting with local programs for inpatient, outpatient, and emergency mental health and substance abuse services (*Under 19 Years of Age*)
- Juveniles with Serious Mental Illnesses Committed by the Court for Specialized Psychiatric Services (*14 to 18 Years of Age*)
- Male Juveniles with Sexual Offending Behaviors Committed by the Court to Lincoln Regional Center's White Hall Residential Treatment Program (*13 to 18 Years of Age*)
- Male Juveniles Paroled from YRTC-Kearney to Hastings Regional Center's Juvenile Chemical Dependency Program (JCDP) or Court-Ordered to Hastings JCDP for residential substance abuse and addiction treatment (*13 to 19 Years of Age*)

### 2008

90,000 Juveniles Estimated to have Mental Health or Substance Abuse Disorder

## EDUCATION

- School-Age\* Children and Youth Involved or At Risk of becoming Involved in Child Welfare, Juvenile/Criminal Justice, or Behavioral Health System (NRS §79-201(1) (*4 to 18\* Years of Age*))
- School-Age\* Children and Youth with Disabilities receiving Special Education (*4 to 21\* Years of Age*)
- Homeless Students Eligible for McKinney-Vento Act's Educational Services (*4 to 18\* Years of Age*)
- Students Temporarily Attending Interim-Program Schools (IPS) in Juvenile Detention Centers, Emergency Shelters, Institutions, and Residential Programs (*Under 19 Years of Age*)
- Students Attending Special Purpose Schools (SPS) in Youth Rehabilitation and Treatment Centers (YRTCs), Pine Ridge Job Corps, or Nebraska Department of Correctional Services' NCYF Community High School (*Under 24 Years of Age*)

### 2013/2014

47,257 Special Ed. Students  
 3,449 Homeless Students  
 3,941 IPS Students  
 598 SPS Students

## STUDENT SUCCESS AND ACCESS

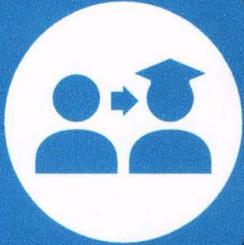


### Positive Partnerships, Relationships & Student Success

The State Board believes that student engagement through positive partnerships and relationships is fundamental to successful schools and districts. The State Board seeks to support schools and districts to implement best practices in student, parent/guardian and community engagement to enhance educational experiences and opportunities.

#### Areas of Focus

- Individualized or Personalized Learning Plans
- Attendance and Participation
- Parent/Guardian Involvement
- Community and support services



### Transitions

The State Board believes that quality educational opportunities focus on supports for students transitioning between grade levels, programs, schools, districts and ultimately college and careers.

#### Areas of Focus

- Early Childhood-Elementary
- Elementary-Middle School
- Middle School-High School
- High School-Post High School



### Educational Opportunities and Access

The State Board believes that all students should have access to comprehensive instructional opportunities to be prepared for postsecondary education and career goals.

#### Areas of Focus

- Early Childhood Education
- Comprehensive Learning Opportunities
- Expanded Learning Opportunities
- Blended Learning Opportunities

## TEACHING AND LEARNING



### College & Career Ready

The State Board of Education believes that every student upon completion of secondary education shall be prepared for postsecondary educational opportunities and to pursue their career goals.

#### Areas of Focus

- Rigorous College & Career Ready Standards for All Content Areas
- Technological & Digital Readiness
- Support for Career Awareness and Career/College Goals



### Assessment

The State Board believes the results of multiple assessment sources (national, state, and classroom-based) should be used to measure student achievement of college and career ready standards, and be used as an integral part of the instructional process.

#### Areas of Focus

- Individualized/Adaptive Assessments
- Classroom Based Assessments
- State Assessments
- National/International Assessments



### Educator Effectiveness

The State Board believes that students should be surrounded by effective educators throughout their learning experiences such that schools and districts develop effective teachers and leaders who establish a culture of success.

#### Areas of Focus

- Nebraska Teacher & Principal Performance Framework
- Professional Development
- Building Leadership Supports
- Effective Local Policy Makers & Superintendents

# The Six Tenets of A QuESTT

The framework is designed around the following six tenets:



**E**ach tenet is further defined by areas of focus. For each area of focus, specific indicators, measures (data points) and timelines will be developed. The Nebraska Department of Education is currently working on the indicators, measures and timelines. Linkages of the indicators to other state or federal requirement will also be incorporated into the framework.



# APPROVED INTERIM-PROGRAM SCHOOLS AND ACCREDITED SPECIAL PURPOSE SCHOOLS

## INTERIM-PROGRAM SCHOOLS IN JUVENILE EMERGENCY SHELTERS

<i>Facility and School</i>	<i>Type of Facility</i>	<i>Address</i>	<i>Contact Person</i>	<i>Phone</i>	<i>Email</i>
<b>Boys Town Intervention and Assessment Shelter – Grand Island</b>	Emergency Shelter	3230 Wildwood Road Grand Island 68801	Suzan Dancer	(308) 381-4444	<a href="mailto:suzan.dancer@boystown.org">suzan.dancer@boystown.org</a>

## INTERIM-PROGRAM SCHOOLS IN JUVENILE DETENTION FACILITIES AND STAFF SECURE PROGRAMS

<b>Douglas County Youth Center</b>	County Juvenile Detention Facility and Staff Secure Program	1301 South 41 <sup>st</sup> Street Omaha 68105	Mark LeFlore Jennifer Beck	(402) 444-4767 (402) 444-3833	<a href="mailto:mark.leflore@douglascounty-ne.gov">mark.leflore@douglascounty-ne.gov</a> <a href="mailto:jennifer.beck@douglascounty-ne.gov">jennifer.beck@douglascounty-ne.gov</a>
<b>Lancaster County Youth Services - Pathfinder Education Program</b>	County Juvenile Detention Facility and Staff Secure Program	1200 Radcliff Street Lincoln 68512	Randall Farmer	(402) 441-6817	<a href="mailto:rfarmer@lps.org">rfarmer@lps.org</a>
<b>Northeast Nebraska Juvenile Services, Inc.</b>	Regional Juvenile Detention Facility and Staff Secure Program	P.O. Box 50 1313½ North Main Street Madison 68748	Dave Erb	(402) 454-3955	<a href="mailto:daverb911@hotmail.com">daverb911@hotmail.com</a>
<b>Patrick J. Thomas Juvenile Justice Center (Sarpy County)</b>	County Staff Secure Program	9701 Portal Road Papillion 68046	Barb Van Wassenhoven	(402) 537-7030	<a href="mailto:BVanwassenhoven@sarpy.com">BVanwassenhoven@sarpy.com</a>
<b>Scotts Bluff County Juvenile Detention Center – Panhandle Area Core Educational School (PACES)</b>	Regional Juvenile Detention Facility	P.O. Box 130 2522 7 <sup>th</sup> Street Gering 69341	George Schlothauer Steve Larsen	(308) 633-1860 Ext. 5732 (308) 436-7300 Ext. 5744	<a href="mailto:gschlothauer@esu13.org">gschlothauer@esu13.org</a> <a href="mailto:slarsen@scottsbuffcounty.org">slarsen@scottsbuffcounty.org</a>

## INTERIM-PROGRAM SCHOOLS IN RESIDENTIAL PROGRAMS

<b>Alegent / Immanuel Hospital – Residential Treatment Center School</b>	Psychiatric Residential Treatment Facility – Hospital	6901 North 72 <sup>nd</sup> Street Omaha 68122	Robert Dutton Christy Alnemah Denyce Hill	(402) 572-2508	<a href="mailto:Robert.Dutton@alegent.org">Robert.Dutton@alegent.org</a> <a href="mailto:Christy.Al-nemah@alegent.org">Christy.Al-nemah@alegent.org</a> <a href="mailto:Denyce.Hill@alegent.org">Denyce.Hill@alegent.org</a>
<b>Boys Town - Intervention and Assessment School</b>	Intervention and Assessment	216 Maher Drive Boys Town 68010	Jeff White	(402) 964-7135	<a href="mailto:jeffrey.white@boystown.org">jeffrey.white@boystown.org</a>
<b>Boys Town - Residential Treatment Center (RTC) East School</b>	Residential Treatment Center	555 North 30 <sup>th</sup> Street Boys Town 68010	Tanya Martin	(402) 498-1898	<a href="mailto:tanya.martin@boystown.org">tanya.martin@boystown.org</a>
<b>Boys Town Residential Treatment Center (RTC) West School</b>	Residential Treatment Center	14092 Hospital Drive Boys Town 68010	Tanya Martin	(402) 498-1898	<a href="mailto:tanya.martin@boystown.org">tanya.martin@boystown.org</a>
<b>Child Guidance Center – Therapeutic Group Home (TGH) Classroom</b>	Therapeutic Group Home	904 Sumner Street Lincoln 68502	Amanda Ledin Barb Fitzgerald	(402) 434-2670 Ext. 6 (402) 436-1927	<a href="mailto:aledin@lps.org">aledin@lps.org</a> <a href="mailto:bfitzge@lps.org">bfitzge@lps.org</a>
<b>Envisions of Norfolk, Inc. - Level III School</b>	Level III School and Mini Group Home	407 West Norfolk Avenue Norfolk 68701	Sue Weyhrich	(402) 371-1147	<a href="mailto:sweyhrich@telebeep.com">sweyhrich@telebeep.com</a>
<b>Epworth Village, Inc. - Learning Center</b>	Child Welfare Group Home A	P.O. Box 503 York 68467-0503	Blaine Friesen	(402) 362-3353	<a href="mailto:bkfriesen@mainstaycomm.net">bkfriesen@mainstaycomm.net</a>
<b>Hastings Regional Center's Juvenile Chemical Dependency Program – Nebraska Youth Academy</b>	Psychiatric Residential Treatment Facility - Hospital	Building 3 4200 West 2 <sup>nd</sup> Street Hastings 68901	TBA	(402) 462-1971 Ext. 3304	

Date: April 13, 2016

Source: Nebraska Department of Education's *Initiative on Education of Systems-Involved Students (ESIS)*

**INTERIM-PROGRAM SCHOOLS IN RESIDENTIAL PROGRAMS - Continued**

<i>Facility and School</i>	<i>Type of Facility</i>	<i>Address</i>	<i>Contact Person</i>	<i>Phone</i>	<i>Email</i>
Heartland Family Service – Youth Links	Child Caring Agency and Group Home	4318 Fort Street Omaha 68111	Kylie Homan	(402) 657-2400	<a href="mailto:khoman@heartlandfamilyservice.org">khoman@heartlandfamilyservice.org</a>
Journeys - Alternatives Academy	Therapeutic Group Home	11111 "M" Street Omaha 68137	Jennifer Bertsch	(402) 504-4099	<a href="mailto:JenniferB@ccomaha.org">JenniferB@ccomaha.org</a>
Morton School - Whitehall Campus	Psychiatric Residential Treatment Facility	5845 Huntington Avenue Lincoln 68507	TBA	(402) 471-1645	
NOVA Alternative School	Psychiatric Residential Treatment Facility	8502 Morman Bridge Rd. Omaha 68152	Kandi Hendershot	(402) 455-8303 Ext. 146	<a href="mailto:khendershot@novatc.org">khendershot@novatc.org</a>
Omaha Home for Boys School	Child Caring Agency and Group Home	5190 Sprague Plaza Omaha 68104	Jeff Hallstrom	(402) 457-7108	<a href="mailto:jhallstrom@omahahomeforboys.org">jhallstrom@omahahomeforboys.org</a>
Rite of Passage - Uta Halee Academy	Child Placing and Child Caring Agency	10625 Calhoun Road Omaha 68112	Carol Cantrell	(402) 905-9652	<a href="mailto:carol.cantrell@rop.com">carol.cantrell@rop.com</a>

**SPECIAL PURPOSE SCHOOLS**

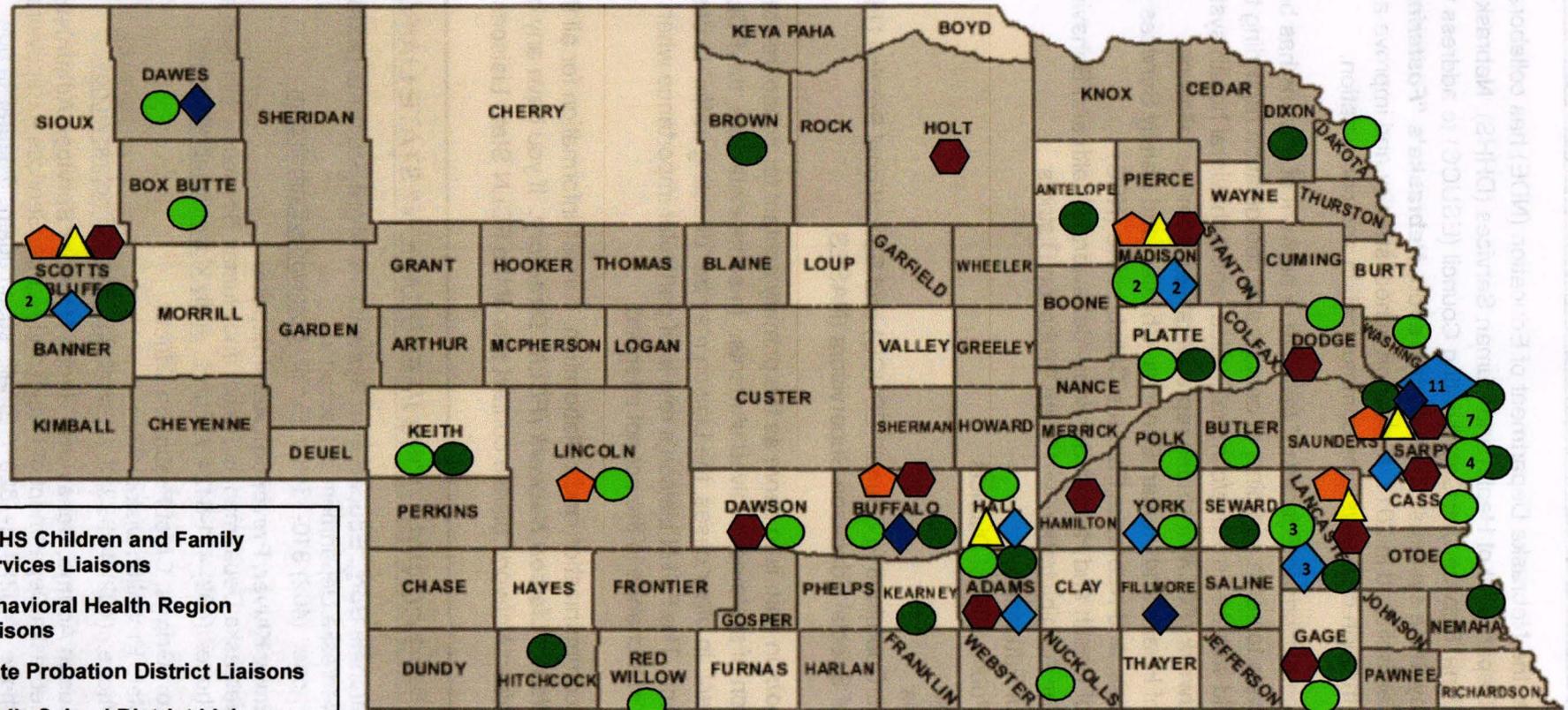
Nebraska Correctional Youth Facility (NCYF) – Community High School	State Adult Prison System	2610 North 20 <sup>th</sup> St. East Omaha 68110	Susan Harder	(402) 636-8690	<a href="mailto:Susan.Harder@nebraska.gov">Susan.Harder@nebraska.gov</a>
Nebraska Department of Correctional Services – Adult Education Program		P.O. Box 94661 Lincoln 68509-4661	Trish Brockman	(402) 636-8690	<a href="mailto:Trish.Brockman@nebraska.gov">Trish.Brockman@nebraska.gov</a>
Pine Ridge Job Corps Center	Federal Vocational / Educational Residential High School Program	15710 Highway 385 Chadron 69337-7505	Mark Wentz	(402) 479-5545	<a href="mailto:Mark.Wentz@nebraska.gov">Mark.Wentz@nebraska.gov</a>
University of Nebraska High School	Federal Vocational / Educational Residential High School Program	15710 Highway 385 Chadron 69337-7505	Brian Kizer	(308) 432-8650	<a href="mailto:bkizer01@fs.fed.us">bkizer01@fs.fed.us</a>
Youth Rehabilitation and Treatment Center – Geneva North School	Non-Residential High School Program	1520 North 20 <sup>th</sup> Circle Lincoln 68588-8400	Vicki Eitemiller	(308) 432-8649	<a href="mailto:veitemiller@fs.fed.us">veitemiller@fs.fed.us</a>
Youth Rehabilitation and Treatment Center – Kearney West High School	State Juvenile Correctional Facility	855 North 1 <sup>st</sup> Street Geneva 68361-9547	Randy Bates	(402) 472-4338	<a href="mailto:rbates@nebraska.edu">rbates@nebraska.edu</a>
Youth Rehabilitation and Treatment Center – Kearney West High School	State Juvenile Correctional Facility	2802 30 <sup>th</sup> Avenue Kearney 68845-0435	Scott Gregory	(402) 759-3164	<a href="mailto:Scott.Gregory@nebraska.gov">Scott.Gregory@nebraska.gov</a>
			John McArthur	(308) 865-5313	<a href="mailto:John.McArthur@nebraska.gov">John.McArthur@nebraska.gov</a>

**Please Email Updates and Corrections To:**

Michele Borg, ESIS Coordinator for Nebraska Department of Education: [borgworks@gmail.com](mailto:borgworks@gmail.com)

Rick Moses, Management Consultant, Nebraska Department of Education – Accreditation and School Improvement: [Rick.L.Moses@nebraska.gov](mailto:Rick.L.Moses@nebraska.gov)

# NEBRASKA'S "FOSTERING CONNECTIONS IN EDUCATION" LIAISON NETWORK



-  DHHS Children and Family Services Liaisons
-  Behavioral Health Region Liaisons
-  State Probation District Liaisons
-  Public School District Liaisons
-  Educational Service Unit (ESU) Liaisons
-  Interim-Program School Liaisons
-  Special Purpose School Liaisons

Copyright 2005 digital-topo-maps.com

**Date:** May 13, 2016  
**Source:** Nebraska's "Fostering Connections in Education" State Team

## **NEBRASKA'S "FOSTERING CONNECTIONS IN EDUCATION" LIAISON NETWORK**

Over the past several years, the Nebraska Department of Education (NDE) has collaborated with the Nebraska Supreme Court, Nebraska Department of Health and Human Services (DHHS), Nebraska State Probation Administration, and Educational Service Unit Coordinating Council (ESUCC) to address the education of the children and youth served by these systems. Through this effort, **Nebraska's "Fostering Connections in Education" Initiative** was established in 2011, to support school stability and improve academic outcomes for systems-involved students through cross-systems communication and coordination.

As part of the "*Fostering Connections in Education*" Initiative, a network of liaisons has been created at the state, regional, and local levels to serve as points of contact and coordination regarding the education of students involved in the child welfare, juvenile/criminal justice, and behavioral health systems. The "**Fostering Connections" Liaison Network (FCLN)** includes representatives from the following:

- Nebraska Department of Health and Human Services—Children and Family Services (DHHS-CFS) Division, DHHS-CFS Service Areas, and Nebraska Families Collaborative (NFC)
- Nebraska Department of Health and Human Services—Behavioral Health and Behavioral Health Regions
- Nebraska State Probation Administration and State Probation Districts
- Nebraska Department of Education
- Forty-four (44) largest Public School Districts
- Special Purpose Schools
- Interim-Program Schools
- Educational Service Unit Coordinating Council (ESUCC) and Educational Service Units (ESUs)
- Nebraska Association of Special Education Supervisors (NASES)

The role of the **FCLN Liaison**, in part, is to serve as the primary contact for school-related information and assistance with the education of systems-involved students. In some instances, the FCLN Liaison may be working directly with a student; in other cases, the Liaison may be "directing traffic" to coordinate with the systems assisting the student. The FCLN Liaison's role is of particular importance when a student's placement in out-of-home care results in a change in the school attended.

To facilitate cross-systems communication and collaboration, contact information for all the liaisons is included in the "**Fostering Connections" Liaison Network (FCLN) Directory**. If you have any questions about the "*Fostering Connections*" Liaison Network, please contact any of the FCLN State Liaisons listed below.

### **"FOSTERING CONNECTIONS IN EDUCATION" STATE LIAISONS**

<b>Education</b>	<b>Michele Borg, Education of Systems-Involved Students (ESIS) Coordinator</b> Nebraska Department of Education Phone: (402) 310-1348 / Email: <a href="mailto:borgworks@gmail.com">borgworks@gmail.com</a>
<b>Child Welfare</b>	<b>Emily Kluver, Prevention Administrator</b> Nebraska Department of Health and Human Services – Children and Family Services Phone: (402) 471-8424 / Email: <a href="mailto:emily.kluver@nebraska.gov">emily.kluver@nebraska.gov</a>
<b>Probation</b>	<b>Lori Griggs, Chief Probation Officer</b> State Probation District #3J Phone: (402) 441-7383 / Email: <a href="mailto:lori.griggs@nebraska.gov">lori.griggs@nebraska.gov</a>
<b>Behavioral Health</b>	<b>Susan Adams, Behavioral Health Network Services Administrator</b> Nebraska Department of Health and Human Services – Behavioral Health Phone: (402) 471-7820 / Email: <a href="mailto:susan.adams@nebraska.gov">susan.adams@nebraska.gov</a>

DATE: May 13, 2016

SOURCE: Nebraska's "Fostering Connections in Education" State Team



## **FREQUENTLY ASKED QUESTIONS: AUTOMATED DHHS SUPERINTENDENT LETTER**

### ***What is a DHHS Superintendent Letter?***

The Nebraska Department of Health and Human Services – Division of Children and Family Services (DHHS-CFS) developed the *DHHS Superintendent Letter* to notify public school districts when any of their students become State wards and their current status in the child welfare system. Beginning April 10, 2016, Superintendents of public school districts will receive the *DHHS Superintendent Letter* electronically via the Nebraska Department of Education's (NDE) Portal. Historically, these letters were mailed or faxed to the Superintendent and Principal of the school building where a State ward was enrolled. Automation of this process ensures the timely, secure, and accurate delivery of the *DHHS Superintendent Letter*.

### ***Who sends a DHHS Superintendent Letter to whom?***

The DHHS-CFS or Nebraska Family Collaborative (NFC) Case Manager sends a *DHHS Superintendent Letter* to the Superintendent of the public school district where a State ward is currently enrolled.

### ***When is a DHHS Superintendent Letter sent?***

A *DHHS Superintendent Letter* is sent within one (1) business day of the following occurring:

- The child is placed in the legal custody of DHHS-CFS;
- The child changes school districts due to out-of-home placement;
- The child moves to a different out-of-home placement within the same school district;
- The parent's education decision-making rights for the child are relinquished or terminated, and a surrogate parent is appointed to make those decisions for the student;
- The parent(s) relinquishes parental rights or those rights are terminated by the Court;
- There is a change in the DHHS or NFC Case Manager assigned to the child's case; or
- The child is no longer a State ward in the legal custody of DHHS-CFS.

### ***What should a Superintendent do after receiving an e-notification that a DHHS Superintendent Letter is available via the Nebraska Department of Education's (NDE) Portal?***

When the Superintendent receives an e-notification that a *DHHS Superintendent Letter* is available via the NDE Portal, he/she (or designee) should access the portal to view, download, and print the letter as soon as possible. After 90 days, the *DHHS Superintendent Letter* will be removed from the NDE Portal.

### ***What should a Superintendent do if the State ward named in the DHHS Superintendent Letter is not currently enrolled in that school district or building?***

The Superintendent (or designee) should reply via the *E-Response Form* in the NDE Portal, advising DHHS-CFS or NFC that the school district or building indicated in the *DHHS Superintendent Letter* is not where the State ward is currently enrolled. If the Superintendent knows where the student currently attends school, that information should be included in the *Comments* section of the *E-Response Form*.

**What happens if a Superintendent doesn't access the DHHS Superintendent Letter in the NDE Portal?**

After 90 days, the DHHS Superintendent Letter is removed from the NDE Portal.

**Who should a Superintendent contact with questions about accessing a DHHS Superintendent Letter in the NDE Portal?**

If the Superintendent has questions about how to access a DHHS Superintendent Letter via the NDE Portal, please use one of the following options to **contact the Nebraska Department of Education's Help Desk**:

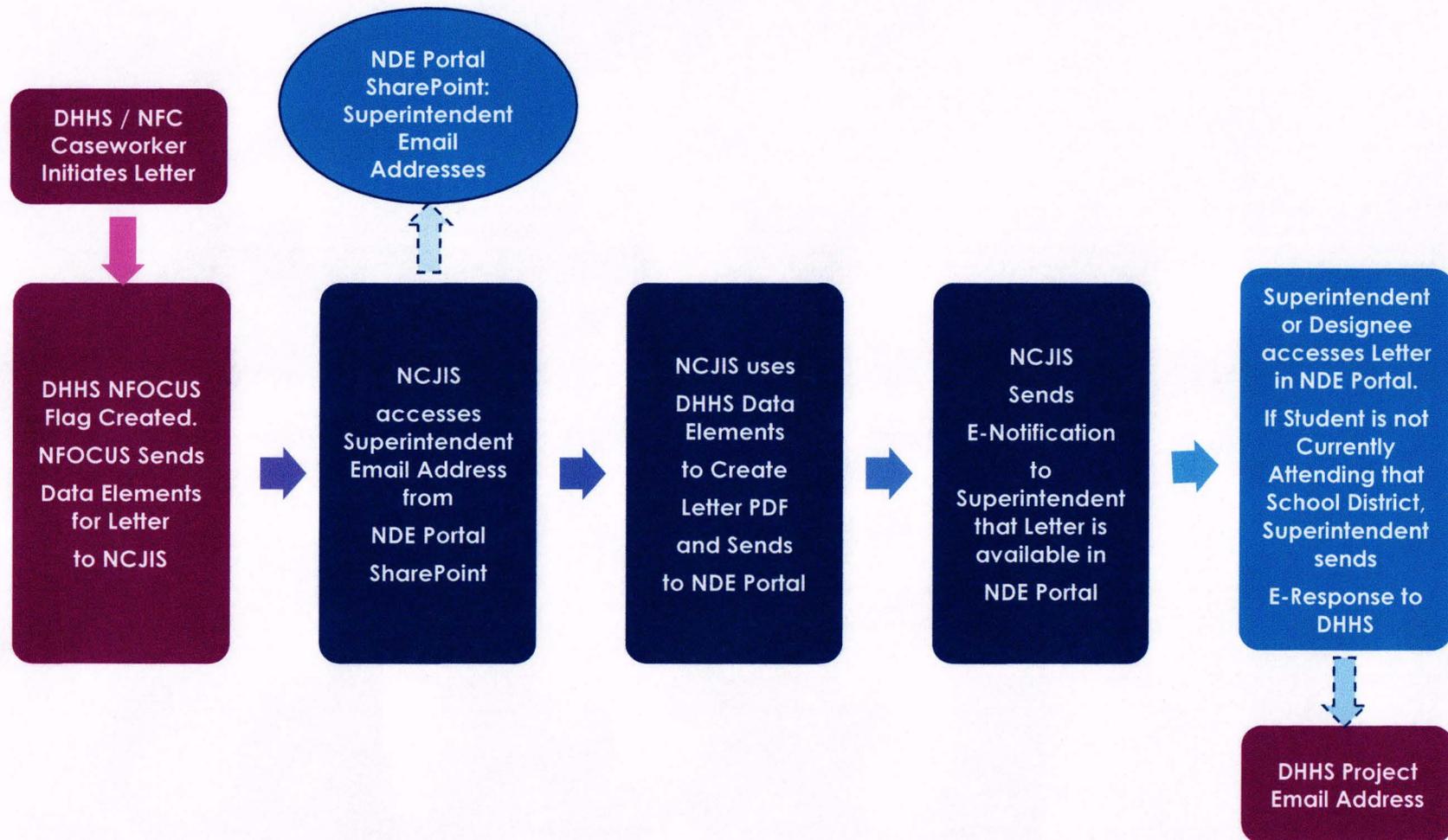
- Submit a "Helpdesk Request" from your portal account (located in the upper right corner of the *Collection Announcement* page in the portal)
- Email: [nde.helpdesk@nebraska.gov](mailto:nde.helpdesk@nebraska.gov)
- Call the Voicemail Line: (888) 285-0556

**Who should a Superintendent contact with questions about a DHHS Superintendent Letter or concerns about a student's involvement in the child welfare system?**

If the Superintendent has questions, please **contact the DHHS or NFC Case Manager named in the DHHS Superintendent Letter**. If unable to reach the Case Manager, please contact:

- Tricia Kingsley, Nebraska Department of Health and Human Services – Division of Children and Family Services, at: (402) 440-6120.
- If the student resides in Douglas County, contact Sarah Hayak, Nebraska Families Collaborative (NFC), at: (402) 498-1362.
- To report suspected child abuse or neglect, immediately contact the Child Abuse / Neglect Hotline at: 1-800-652-1999.

# Automated DHHS Superintendent Letter Work Flow





## **NEBRASKA'S ACADEMIC ADVANCEMENT PLAN (AAP) SYSTEM**

[www.aapnebraska.org](http://www.aapnebraska.org)



Across Nebraska, there are currently twenty-one (21) Interim-Program Schools located in juvenile detention facilities, emergency shelters, institutions and residential programs that provide temporary 24-hour custodial care for children and youth under 19 years of age. Those schools provide continuity of instruction for students who cannot attend public school for reasons of health or safety. Interim-Program Schools are annually approved by the Nebraska Department of Education (NDE) under *Rule 18 (92 NAC 18)*.

All Interim-Program Schools are required to develop an individualized plan of expected academic achievement that permits each student to earn credit toward grade level promotion and graduation. The student's *Academic Advancement Plan* is created by the Interim-Program School, in consultation with the approved or accredited school where the student will return or transfer.

Nebraska's *Academic Advancement Plan (AAP) System* establishes a web-based student information system which is accessible to the Interim-Program School as well as the originating and receiving schools. Through the *AAP System*, *Academic Advancement Plans* can be collaboratively developed by the involved schools in a timely manner. Its use standardizes the structure, format and content of the *Plans* to promote overall quality, comprehensiveness and transferability, while allowing for individualization based on each student's educational needs and the unique school setting.

Interim-Program Schools are also required to contact the school district responsible for providing special education services for each student with a disability to ensure continuation of those services. The *AAP System* can assist in identifying students with disabilities, coordinating provision of special education services, and minimizing disruptions in the student's *Individualized Education Plan (IEP)*. The *AAP System's* data elements were intentionally designed for compatibility with the special education *Student Record System (SRS)* to promote continuity between a student's *IEP* and *AAP*.

Successful school-to-school transition is essential for continued engagement in learning and academic achievement after a student leaves the Interim-Program School. The *AAP System* can serve as a platform for ongoing communication between all the schools involved before, during, and after this crucial transition. Its use facilitates the timely transfer of student transcripts and related records. With the inclusion of detailed information about the student's coursework, the *AAP System* can promote the receiving school's acceptance of academic credits earned while attending the Interim-Program School. With the high mobility of this student population, the *AAP System* also serves as an essential tool for "tracking" students as they move from school to school due to out-of-home placement. Over time, a historical record of the Interim-Program Schools that a student attended can be generated to assist future schools.

Nebraska's *AAP System* is a collaborative project through the ESU Coordinating Council (ESUCC) and Nebraska Department of Education, with grant funds for its initial development provided by the NDE Office of Special Education. While an Interim-Program School's participation in the *AAP System* is voluntary, it can support both the Interim-Program School and involved public school(s) in meeting the requirements of *Rule 18* and *Rule 10*, respectively. Protocols for exchange of personally identifiable student-specific information through the *AAP System* comply with the federal *Family Educational Rights and Privacy Act (FERPA)* and Nebraska statutory requirements.

**For Additional Information on Nebraska's AAP System, Contact:**

**Michele Borg**, ESIS Coordinator for Nebraska Department of Education  
Phone: (402) 310-1348 Email: [borgworks@gmail.com](mailto:borgworks@gmail.com)

**Wade Fruhling**, ESUCC SRS Project Manager  
Phone: (402) 261-9403 Email: [wfruhling@gmail.com](mailto:wfruhling@gmail.com)

**Date:** January 13, 2016

**Source:** Nebraska Department of Education's (NDE) Initiative on Education of Systems-Involved Students (ESIS)

## SAMPLE PROCESS FOR DELIVERY OF EDUCATION SERVICES TO STUDENTS ATTENDING INTERIM-PROGRAM SCHOOLS

**STUDENT ENTERS THE FACILITY WHERE THE INTERIM-PROGRAM SCHOOL IS LOCATED**

### **STUDENT'S PARTICIPATION IN INTERIM-PROGRAM SCHOOL**

*Generally Occurs on First School Day Following Arrival at Interim-Program School*

- The student's school participation is mandatory if of compulsory attendance age, unless he or she has graduated from high school or is temporarily excused from classroom participation.

### **EDUCATION SCREENING AND STUDENT ORIENTATION**

- Interim-Program School staff interview the student regarding school enrollment status, the school last attended, school district of residence, current grade level, coursework, interests, and educational and vocational goals.
- Interim-Program School staff conduct an education screening to determine if a student has a disability and special education or *Section 504* designation.
- The School Liaison queries the *Nebraska Student and Staff Reporting System (NSSRS)* to confirm the student's school district of residence and *NDE Unique Identifier*.
- The student is provided an Orientation to the Interim-Program School's instructional programs and educational activities.

### **SCHOOL LIAISON MAKES INITIAL CONTACT WITH APPROPRIATE SCHOOL(S) AND SYSTEM(S)**

- The School Liaison identifies the appropriate contacts at the school district of residence, last school attended and primary system(s) involved with the student using the "*Fostering Connections*" *Liaison Network Directory*.
- The School Liaison notifies those schools of the student's current out-of-home placement.
- The School Liaison requests a copy of the student's education records, current coursework and any homework assignments.
- The School Liaison determines if the student will be participating in NeSA and/or district-wide assessments while attending the Interim-Program School. If so, the School Liaison coordinates assessment arrangements with both schools' staff.

#### ***For Students with Disabilities:***

- The School Liaison confirms the student's disability and special education or *Section 504* designation as per the school district of residence's Multidisciplinary Team (MDT) or Student Assistance Team (SAT).
- The School Liaison requests a copy of the student's *Individualized Education Program (IEP)* or *504 Plan* and related information.

### **STUDENT'S ACADEMIC ADVANCEMENT PLAN DEVELOPED**

- Interim-Program School staff develop an *Academic Advancement Plan* for the student, in consultation with the school where the youth will return or transfer. The *Academic Advancement Plan* may also be based on the education screening, education records, NeSA assessment criteria and expected length of stay at the facility where the Interim-Program School is located.
- The School Liaison contacts the student's parents, guardian or surrogate parent for education-decision making about the *Academic Advancement Plan* and educational status.

#### ***For Students with Disabilities:***

- Information from the student's *IEP* or *504 Plan* is included in the *Academic Advancement Plan*.

### **STUDENT'S ACADEMIC ADVANCEMENT PLAN IMPLEMENTED**

- The student is provided instructional programs and educational activities in accordance with the *Academic Advancement Plan*.
- On an ongoing basis, Interim-Program School staff review and document the student's participation in instructional programs and academic progress, updating the *Academic Advancement Plan* as necessary.
- Upon request, a copy of the *Academic Advancement Plan* and progress reports are sent to the school where the student will return or transfer and to the parents, guardian or surrogate parent.
- Upon request, student information and academic progress reports are sent to the Case Manager or Probation Officer for inclusion in the *Nebraska Education Court Report*.

#### ***For Students with Disabilities:***

- The school district of residence provides special education and related services directly or contractually, in accordance with the student's *IEP*. The Interim-Program School may assist the school district in fulfilling those responsibilities.

**THE PLACEMENT AUTHORITY NOTIFIES THE INTERIM-PROGRAM SCHOOL OF THE STUDENT'S DEPARTURE AND SUBSEQUENT PLACEMENT**

## **SAMPLE PROCESS FOR TRANSITION OF STUDENTS FROM AN INTERIM-PROGRAM SCHOOL TO RECEIVING PUBLIC SCHOOL OR OTHER EDUCATION PROGRAM**

***THE PLACEMENT AUTHORITY NOTIFIES THE INTERIM-PROGRAM SCHOOL OF THE STUDENT'S DEPARTURE AND SUBSEQUENT PLACEMENT***

### **INTERIM-PROGRAM SCHOOL COORDINATES THE STUDENT'S TRANSITION WITH PRIMARY SYSTEMS**

- This may include the Receiving Public School or Education Program; Court of Jurisdiction; Nebraska Department of Health and Human Services (DHHS) or NFC; Probation; Treatment Provider(s); and Parents, Guardian or Surrogate Parent*
- The School Liaison meets with the student to discuss transition to public school or other education program.
  - The School Liaison notifies the receiving school or education program of the student's upcoming arrival; discusses current coursework; determines records needed for school re-entry or enrollment; and provides contact information.
  - The School Liaison contacts the primary system(s) involved to coordinate transition to the receiving school or education program.
  - The School Liaison contacts the student's parent, guardian or surrogate parent regarding academic progress and transition.

### **STUDENT'S ACADEMIC ADVANCEMENT PLAN, EDUCATION RECORDS AND ACADEMIC CREDITS ARE TRANSFERRED TO THE RECEIVING SCHOOL OR OTHER EDUCATION PROGRAM**

- The School Liaison transfers the student's *Academic Advancement Plan (AAP)*, education records, completed coursework and academic credits earned while attending the Interim-Program School to the receiving school or education program.
- The parent, guardian or surrogate parent and Case Manager or Probation Officer obtain and deliver any additional records needed for school re-entry or enrollment (immunizations, birth certificate, etc.) to the receiving school or education program.

### **STUDENT ARRIVES IN COMMUNITY AND ENTERS PUBLIC SCHOOL OR OTHER EDUCATION PROGRAM**

- The student returns or enrolls in the receiving school or education program, accompanied by the parents, guardian, surrogate parent, Case Manager or Probation Officer.
- The receiving school or education program determines the student's academic level, class schedule and coursework based on meeting with the youth, education records, *Academic Advancement Plan* and other information from the Interim-Program School.

### **ATTENDANCE BEGINS AT RECEIVING PUBLIC SCHOOL OR OTHER EDUCATION PROGRAM**

- Attendance should begin on next school day following the student's return or enrollment.
- If the student is homeless, immediate entry must occur.
- If the student fails to report to school, the parent, guardian or surrogate parent and Case Manager or Probation Officer are notified

### **RECEIVING PUBLIC SCHOOL OR EDUCATION PROGRAM PROVIDES STUDENT WITH ORIENTATION**

- The receiving school or education program provides an Orientation to the student and parents, guardian or surrogate parent.
- A peer mentor or adult mentor may be assigned to the student, as appropriate and available.

### **IEP MEETING HELD FOR STUDENT WITH VERIFIED DISABILITY**

*At the beginning of each school year, each school district or approved cooperative must have an Individualized Education Program (IEP) in effect for each student with a verified disability within its jurisdiction.*

- An *Individualized Education Program (IEP)* meeting is scheduled as soon as possible following the student's return or enrollment.
- The *IEP* meeting may include: the student; parent, guardian or surrogate parent; general education teacher(s); special education teacher(s); school district representative; individual(s) who can interpret instructional implications of evaluation results; and other individual(s) who have special knowledge or expertise.
- The school district or approved cooperative updates the student's *IEP* based on the meeting.

### **PUBLIC SCHOOL OR EDUCATION PROGRAM PROVIDES EDUCATION SERVICES TO STUDENT**

- The receiving school or education program sends attendance and academic progress reports to the student's parents, guardian or surrogate parent; Case Manager; Probation Officer; court of jurisdiction; and/or placement authority (with a signed *Release of Information (ROI)*, when required.)

## **ASKING THE RIGHT QUESTIONS: School-to-School Transition Checklist for Students in Out-of-Home Care**

### **INTERIM-PROGRAM SCHOOL AND SPECIAL PURPOSE SCHOOL VERSION**

#### **WORKING TOGETHER FOR THE STUDENT**

##### **School-to-School Transition Planning**

- Who is the primary contact at the next school where the student will be attending?
- Has the *School-to-School Transition Checklist (Student Version)* been provided to the student?
- Have plans and arrangements for the upcoming school-to-school transition been discussed with the receiving school?
  - Has this been discussed with the student; his or her parents, guardian and/or foster parent; and/or designated child welfare/ juvenile justice staff assigned to the child?
  - Do they have any questions or concerns related to this transition?  
**If Yes:** How will those questions or concerns be addressed?

##### **Student Support Systems**

- Who should the student go to at the receiving school with questions or concerns?
  - Is this person aware of the student's return or enrollment and their role in working with the child?
  - When will the student meet this person?
- Who is the primary child welfare and/or juvenile justice contact(s) for the student?
  - Is this person aware of the student's return or enrollment at the receiving school and their role during this transition?

##### **Parental Involvement**

- Do the student's biological or adoptive parents retain education decision-making rights?  
**If No:** Who is responsible for making education decisions on behalf of the student?

##### **Information Sharing**

- What education records and information need to be shared with the receiving school about the student's academic progress while attending the Interim-Program School or Special Purpose School?
- What information about the student's past or current involvement in the court system needs to be shared with the receiving school?
- Does the receiving school use a web-based program to communicate with parents about students' assignments, grades and attendance?  
**If Yes:** Can you have access? Is a password needed?
  - Who is the primary contact at the school for assistance with this program?

#### **GENERAL EDUCATION**

##### **School Attendance**

- What is the receiving school's attendance policy?
- How does the receiving school ensure students and parents are aware of this policy?

##### **School Supplies**

- What school supplies and equipment are needed for the student to be successful at the receiving school (e.g., notebooks, pens, pencils, paper, calculator, access to a computer and Internet, etc.)?
- Who is responsible for providing those supplies and equipment?

##### **Student's Talents and Interests**

- What are the student's talents and interests?

##### **Academic Credits and Courses**

- Will the receiving school accept academic credits earned by the student while attending the Interim-Program School or Special Purpose School?  
**If No:** What arrangements need to be made to facilitate this?
- What courses will the student be taking at the receiving school?
- Will the student have a complete class schedule?

##### **Graduation Requirements**

- What are the school district's high school graduation requirements?
- Where is the student currently in relation to meeting the district's graduation requirements?

##### **Credit Recovery Programs**

- If the student is currently behind in academic credits, does the receiving school offer a credit recovery program?  
**If Yes:** How does the student enroll in this program?
  - Are there additional academic supports or programs available to assist the student?

**Date:** April 13, 2016

**Source:** Nebraska Department of Education's (NDE) Initiative on Education of Systems-Involved Students (ESIS)

## **HEALTH FACTORS AFFECTING EDUCATION**

### **Health Factors**

- Does the student have any health factors that impact his or her ability to learn or attend school regularly?  
**If Yes:** What are those health factors?
  - How does this impact the student's education?
  - What supports will be needed from the receiving school to address this?

## **DIVERSE STUDENT POPULATIONS**

### **Student Assistance Team (SAT) and 504 Plans**

- Has the student, parent or guardian had or requested a SAT meeting, *504 Evaluation*, *504 Plan*, and/or related services?
- Does the student have a current *504 Plan*?  
**If Yes:** Does the student have an education advocate participating on the SAT at the receiving school and in *504 Plan* reviews?

### **Special Education for Students with Disabilities**

- Who is the receiving school's Special Education Director or primary contact for students with disabilities?
- What is the receiving school's process for evaluating a student who may have a disability eligible for special education and related services under the *Individuals with Disabilities Education Act (IDEA)*?
  - If a disability is suspected, how does the student, parent or guardian request a *Multidisciplinary Team (MDT) Evaluation*?
  - How can you work with the receiving school to assist in this process?
- Does the student have a current *Individualized Education Plan (IEP)*?  
**If Yes:** When is the student's *IEP* next due for review by the *IEP Team*?
  - Will you be participating in the *IEP Review Meeting*?

### **English Language Learners (ELL)**

- Is the student eligible for *ELL* classes?

### **Student Parents**

- What is the receiving school's policy on maternity leave for pregnant students or those with a new baby?
  - What arrangements need to be made for a student who has been on maternity leave to make up missed school work?
- What is the receiving school's policy on flexible class schedules for student parents?
- Does the receiving school have onsite child care for students who are parents?  
**If Yes:** What are the eligibility requirements for using those child care facilities?

## **CAREER EXPLORATION AND POST-SECONDARY OPPORTUNITIES**

### **Career Exploration and Work Study Programs**

- Does the receiving school offer career exploration classes?  
**If Yes:** What types of classes are available?
  - In which grade(s) do students typically enroll in those courses?
- Does the receiving school offer a Work Study Program?  
**If Yes:** Is the student interested and eligible for the Work Study Program?
  - What arrangements need to be made for the student to participate in this program?

### **Post-Secondary Options**

- Does the student plan to continue his or her education after high school graduation?  
**If No:** What post-high school options have been explored with the student, such as vocational training, employment or military?  
**If Yes:** Who is the primary contact(s) at the receiving school to assist the student with the college application process, including scholarships and tuition assistance?
  - When should the student begin the college application process?
  - When should the student begin the scholarship and financial aid application process?
  - Are there scholarships or tuition assistance specifically for students involved in the child welfare or juvenile justice system?
- What is your role in assisting the student to prepare for and enroll in college?
- Does the receiving school offer college preparatory classes and related services?  
**If Yes:** What types of classes and services are available?
  - In which grade(s) do students typically enroll in those courses?

## **ADULTHOOD AND INDEPENDENT LIVING**

### **Adulthood and Independent Living**

- What programs and services are available through the receiving school and/or designated child welfare/juvenile justice agency to assist the student in preparing for adulthood and independent living through employment and/or post-secondary education?
  - At what age should the student begin participating in those programs?
- What is your role in assisting the student to transition into adulthood and independent living?
- Will the receiving school and/or designated child welfare/juvenile justice staff assist the student in developing an *Independent Living Plan*?  
**If Yes:** Does the *Independent Living Plan* address housing arrangements?
  - Is the student eligible for or in need of housing assistance?
  - How does the student apply for this type of assistance?

## **ASKING THE RIGHT QUESTIONS: School-to-School Transition Checklist for Students in Out-of-Home Care**

### **PUBLIC SCHOOL VERSION**

#### **WORKING TOGETHER FOR THE STUDENT**

##### **School-to-School Transition Planning**

- Who is the primary contact at the Interim-Program School or Special Purpose School where the student last attended?
- Did the Interim-Program School or Special Purpose School discuss the *School-to-School Transition Checklist* with the student?
- What needs to be done for the student to return to or enroll in school?
  - Has this been discussed with the student; his or her parents, guardian or foster parent; and designated child welfare/juvenile justice staff assigned to the child?
  - Do they have questions or concerns related to this transition?  
**If Yes:** How will those questions or concerns be addressed?

##### **Student Support Systems**

- Who should the student go at this school with questions or concerns?
  - Is this person aware of the student's return or enrollment and their role in working with the child?
  - Has the student met this person yet? If not, when can this occur?
- Who at this school is going to meet with the student on a regular basis during this transition?

##### **Child Welfare/Juvenile Justice Contacts**

- Who is the primary child welfare and/or juvenile justice contact(s) for the student?
- Will designated child welfare/juvenile justice staff be meeting with the student at school?
  - What is the student's preference about those meetings occurring during school?
  - How will the student be notified during school of those meetings in a manner that protects privacy?

##### **Parental Involvement**

- Have the student's biological or adoptive parents' rights been relinquished or terminated by the Court?  
**If Yes:** Who is the student's guardian or foster parent(s)?
- Do the student's biological or adoptive parents retain education decision-making rights?  
**If No:** Who is responsible for making education decisions on behalf of the student?
  - Has or will the Court or school district appoint a surrogate parent to make education decisions on behalf of the student?
- Who will be attending Parent/Teacher Conferences for the student?
- Have any "No Contact" orders been issued by the Court?  
**If Yes:** Does the court order prohibit or limit the circumstances in which a family member can have contact with the student?

##### **Information Sharing**

- What education records and information are needed for the student to return to or enroll in school?
  - Has this school received those records and information from the school last attended?
  - Has this school received the required health, immunization and school physical records?
  - **If the student has a disability**, has this school received an *Individualized Education Plan (IEP)*, *Multidisciplinary Team (MDT) Report* and other special education records?
- Has a copy of the school's *Student Handbook*, *Student Code of Conduct* and *School Calendar* been provided to the student; parents, guardian or foster parent; and/or designated child welfare/juvenile justice staff?
- What information needs to be shared with the parents, guardian, foster parent and/or designated child welfare/juvenile justice staff about the student's adjustment to the new school, attendance, grades and academic progress?
- What information about the student's past or current involvement in the court system needs to be shared with this school?

#### **GENERAL EDUCATION**

##### **School Transportation**

- Who is responsible for providing transportation for the student to and from school?
- Is school bus transportation needed?
- Who is authorized to pick the student up after school, for appointments or court appearances?

##### **School Lunches**

- Has a school lunch account with adequate funds been set up for the student?
- Is the student eligible for free or reduced school lunches?

##### **Student's Talents and Interests**

- What are the student's talents and interests?

##### **Academic Credits and Courses**

- Have the academic credits earned by the student while attending the Interim-Program School or Special Purpose School been transferred and accepted by this school?
- What courses will the student be taking at this school?
- Does the student have a complete class schedule?

**Date:** April 13, 2016

**Source:** Nebraska Department of Education's (NDE) Initiative on Education of Systems-Involved Students (ESIS)

**Graduation Requirements**

- Does the student understand this school district's academic credit system and high school graduation requirements?
- Where is the student currently in relation to meeting the district's graduation requirements?

**Credit Recovery Programs**

- If the student is currently behind on academic credits, is he or she involved in a credit recovery program at this school?
- What academic supports or programs are needed to assist the student?
  - Who at the school will be providing those supports and assistance?

**Advanced Placement (AP) Classes and Dual Enrollment Classes**

- Has the student been identified as a high ability learner?
- Is the student interested in and eligible for Advanced Placement (AP) classes?  
**If Yes:** What type of AP classes?
  - Who is responsible for any fees associated with AP classes being applied toward college?
- Is the student interested in and eligible for Dual Enrollment (high school and college credit) classes?  
**If Yes:** What type of Dual Enrollment classes?
  - Who is responsible for any fees associated with Dual Enrollment classes?

**Summer School**

- Will the student be participating in summer school?  
**If Yes:** Has the student registered for summer school? In which classes and on what schedule?
  - Who is responsible for any expenses associated with the student attending summer school?

**Extracurricular Activities**

- In what type of extracurricular activities is the student interested?
- Does the student meet the eligibility requirements for extracurricular activities?
- Is there a waiting period before the student can participate in extracurricular activities?
- Who is responsible for any expenses associated with the student's participation in extracurricular activities?

**HEALTH FACTORS AFFECTING EDUCATION**

**Health Factors**

- Does the student have any health factors that impact his or her ability to learn or attend school regularly?  
**If Yes:** What are those health factors?
  - How does this impact the student's education?
  - What supports are needed from the school to address this?

**DIVERSE STUDENT POPULATIONS**

**Student Assistance Team (SAT) and 504 Plans**

- Has the student, parent or guardian had or requested a SAT meeting, *504 Evaluation*, *504 Plan*, and/or related services?
- Does the student have a current *504 Plan*?  
**If Yes:** Does the student have an education advocate participating on the SAT and in *504 Plan* reviews?

**Special Education for Students with Disabilities**

- Has the student been evaluated by a *Multidisciplinary Team (MDT)* for a disability eligible for special education and related services under the *Individuals with Disabilities Education Act (IDEA)*?
- Does the student have a current *Individualized Education Plan (IEP)*?  
**If Yes:** When is the student's *IEP* next due for review by the *IEP Team*?
  - Will the Interim-Program School, Special Purpose School and/or designated child welfare/juvenile justice staff be involved?

**English Language Learners (ELL)**

- Is the student eligible for *ELL* classes?  
**If Yes:** Is the student enrolled in *ELL* classes?
- Do the student and/or parents need a translator or interpreter?  
**If Yes:** In which language?
  - Has the *Student Handbook*, *Student Code of Conduct* and *School Calendar* been provided in that language?

**CAREER EXPLORATION AND POST-SECONDARY OPPORTUNITIES**

**Career Exploration and Work Study Programs**

- Has the student taken any career exploration classes?  
**If No:** When should the student enroll in those classes?
- Is the student interested in and eligible for the school's Work Study Program?

**Post-High School Options**

- Does the student plan to continue his or her education after high school graduation?  
**If Yes:** Has the School Counselor assisted the student in exploring college or other post-secondary education programs?
  - What needs to be done so the student can attend college or other post-secondary education program?  
**If No:** What post-high school options have been explored with the student, such as vocational training, employment or military?

## **ASKING THE RIGHT QUESTIONS: School-to-School Transition Checklist for Students in Out-of-Home Care**

### **PARENT, GUARDIAN OR FOSTER PARENT VERSION**

#### **WORKING TOGETHER FOR THE STUDENT**

- School-to-School Transition Planning**
  - Who is the primary contact for re-entry or enrollment at the school where the student will be attending?
  - What needs to be done for the student to return to or enroll in school?
- Student Support Systems**
  - Who should the student go to within the school with questions or concerns?
    - Has the student met this person yet? If not, when can this occur?
    - Is this person aware of the student's return or enrollment and their role in working with the child?
  - Who is the primary contact at the receiving school staff regarding how the student is doing during this transition?
- Parental Involvement**
  - What opportunities are available for you to be involved in school activities or volunteer?
  - What is the school's policy on parental involvement for students in out-of-home care?
    - What is the school's policy on this for students whose parents' rights have been relinquished or terminated?
  - When are Parent/Teacher Conferences?
- Information Sharing**
  - What education records and information are needed for the student to return to or enroll in school?
    - Has the school received those records and information from the school last attended?
    - Has the school received the required health, immunization and school physical records?
    - **If the student has a disability**, has the school received the *Individualized Education Program (IEP)*, *Multidisciplinary Team (MDT) Report* and other special education records?
  - What information will the school be sharing with you about the student's adjustment to the new school, attendance, grades and academic progress?
  - Has the school provided you with a copy of the *Student Handbook*, *Student Code of Conduct* and *School Calendar*?
  - Will the school be using a web-based program to communicate with you about the student's homework assignments, grades and attendance?  
**If Yes:** Is a password needed? Who is the primary contact at the school for assistance with this program?

#### **GENERAL EDUCATION**

- School Attendance**
  - What is the school's attendance policy?
  - Are the following considered excused absences:
    - Medical, mental health or substance abuse treatment appointments?
    - Court appearances?
    - Court-ordered parent/child or family visitation?
    - Religious observances?
  - Who is the primary contact at the school to call if the student is absent or tardy?
  - What are the consequences for an unexcused absence or tardy?
- School Transportation**
  - What is the process for arranging school bus transportation, if needed?
- School Lunches**
  - What is the process for setting up a school lunch account for the student?
  - If the student is eligible for free or reduced school lunches, what is the process for arranging this?
- School Supplies**
  - What school supplies and equipment are needed for the student to be successful in school (e.g., notebooks, pens, pencils, paper, calculator, access to a computer and Internet, etc.)?
- Academic Credits and Courses**
  - Have the academic credits earned by the student while attending the Interim-Program School or Special Purpose School been transferred and accepted by this school?
  - What courses will the student be taking at this school?
  - Does the student have a complete class schedule?
- Graduation Requirements**
  - What are the school district's high school graduation requirements?
  - Where is the student currently in relation to meeting the district's graduation requirements?

**Date:** April 13, 2016

**Source:** Nebraska Department of Education's (NDE) Initiative on Education of Systems-Involved Students (ESIS)

- Credit Recovery Programs**
  - If the student is currently behind on academic credits, what is the process for enrolling in the school's credit recovery program?
  - Who at the school will be providing any additional academic supports or programs needed to assist the student?
- Advanced Placement (AP) Classes and Dual Enrollment Classes**
  - Has the student been identified as a high ability learner?
  - If the student is interested in and eligible for Advanced Placement (AP) classes, what is the process for enrolling in those courses?
    - Are there any fees associated with AP classes being applied toward college?
  - If the student is interested in and eligible for Dual Enrollment (high school and college credit) classes, what is the process for enrolling in those courses?
    - Are there any fees associated with Dual Enrollment classes?
- Summer School**
  - Does the school provide summer school?
    - If Yes:** What types of classes are available and on what schedule?
      - What is the process for registering the student in summer school?
      - Are there any expenses associated with summer school?
- Extracurricular Activities**
  - What types of extracurricular activities are available for students?
  - Does the student meet the eligibility requirements for extracurricular activities?
  - Is there a waiting period before the student can participate in extracurricular activities?
  - Are there any expenses associated with extracurricular activities?
    - If Yes:** Is there financial assistance available to help with those expenses?

### **HEALTH FACTORS AFFECTING EDUCATION**

- Health Factors**
  - If the student has any health factors that impact his or her ability to learn or attend school regularly, what supports are needed from the school to address this?

### **DIVERSE STUDENT POPULATIONS**

- Student Assistance Team (SAT) and 504 Plans**
  - Have you or the student had or requested a SAT meeting, *504 Evaluation*, *504 Plan*, and/or related services?
    - If Yes:** Does the student have an education advocate participating on the SAT and in *504 Plan* reviews?
- Special Education for Students with Disabilities**
  - Who is the school's Special Education Director or primary contact for students with disabilities?
  - What is the school's process for evaluating a student who may have a disability eligible for special education and related services under the *Individuals with Disabilities Education Act (IDEA)*?
    - If a disability is suspected, how do you or the student request a *Multidisciplinary Team (MDT) Evaluation* under *IDEA*?
    - How can you, the student and the school work together during this process?
  - Does the student have a current *Individualized Education Program (IEP)*?
    - If Yes:** When is the student's *IEP* next due for review by the *IEP Team*?
- English Language Learners (ELL)**
  - If the student is eligible for *ELL* classes, what is the process for enrolling in that program?
  - Does the school have a translator or interpreter available in your or the student's native language?
  - Is the school's *Student Handbook*, *Student Code of Conduct*, *School Calendar* and other information available in your or the student's native language?
- Student Parents**
  - If the student is pregnant or has a new baby, what arrangements need to be made to make up any missed school work?
  - What is the school's policy on flexible class schedules for student parents?
  - If the school has onsite child care for students who are parents, what are the eligibility requirements for using those facilities?

### **CAREER EXPLORATION AND POST-SECONDARY OPPORTUNITIES**

- Career Exploration and Work Study Programs**
  - Has the student taken any career exploration classes? If not, when should the student enroll in those courses?
  - If the student is interested in and eligible for the school's Work Study Program, what is the process for arranging this?
- Post-High School Options**
  - Does the student plan to continue his or her education after high school graduation?
    - If Yes:** How will the School Counselor assist the student in exploring college or other post-secondary education programs?
      - What needs to be done so the student can attend college or other post-secondary education program?
    - If No:** What post-high school options have been explored with the student, such as vocational training, employment or military?

## Middle School-to-High School Transition for Students from Facility-Based Schools

The middle school-to-high school transition is widely recognized as one of the most critical academic, developmental and social transitions that students will undergo. The 8th, 9th and 10th grades are often hailed as “make it-or-break it” as educational success during those years can be a strong predictor of future school engagement, academic achievement, high school graduation and post-secondary outcomes. A student temporarily attending a facility-based school (Interim-Program School or Special Purpose School) during those grades may miss “Freshman Orientation” activities typically offered by public schools.

The student may be hit with a “double whammy”, so to speak, when the middle school-to-high school transition is coupled with transition from a facility-based school to public school. The challenges associated with those transitions may be even more daunting for a student with a disability, trauma or victimization, particularly when mental health, behavioral, social or legal issues are present. The following sample of considerations are intended to assist educators in supporting students from facility-based schools successfully navigate the middle school-to-high school transition.

- ☐ ***Did the student, parents and/or foster parents miss “Freshman Orientation”?***
  - Collaborate to identify students, parents and/or foster parents who missed “Freshman Orientation”.
  - Ensure high school preparatory information is sent to the student, parents and/or foster parents.
  - Ensure similar opportunities are provided to the student, parents and/or foster parents, such as a school tour, open house, meetings with the school counselor and teachers, class registration, locker assignment and school lunch account.
- ☐ ***Are the parents and/or foster parents involved in the student’s transition back to public school? Have they been involved in the student’s transition from middle school to high school?***
  - Ensure the school counselor and teachers meet with the student, parents and/or foster parents to assist with these transitions on an ongoing basis.
  - Provide opportunities for parent/foster parent involvement, particularly in school activities that interest the student.
- ☐ ***Is there collaboration with child welfare, juvenile/criminal justice, behavioral health and social service agencies to ensure appropriate services, supports and resources reach the student and family?***
  - Collaborate to identify students and families in need of services, supports and resources.
  - Collaborate to ensure appropriate interventions, supports and services are provided throughout the school-to-school transition as well as the middle school-to-high school transition.
- ☐ ***Is the student showing signs of school disengagement or risk factors for dropping out of school, such as absenteeism, poor academic performance, reading below grade level, or not on track for graduation?***
  - Ensure all those involved in the student’s transition are aware of early warning signs and risk factors.
  - Collaborate to ensure appropriate interventions, supports and services are provided throughout the school-to-school transition as well as the middle school-to-high school transition.
  - Monitor the student’s attendance and academic performance as well as social and emotional adjustment during those transitions.
  - Drop-out prevention efforts may need to begin in elementary or middle school as many at-risk students can be identified by 6th grade or earlier.
- ☐ ***Is the student reading at grade level?***
  - If not, share this concern with the student’s teachers at the receiving school as well as past efforts to address reading levels.
  - Collaborate to ensure appropriate academic assistance, supports and services are provided to the student.
  - The older the student and lower the reading level, the more associated behaviors may emerge.

**Date:** April 13, 2016

**Source:** Nebraska Department of Education’s (NDE) Initiative on Education of Systems-Involved Students (ESIS)

- ***Has the student's coursework and academic credits completed while at the facility-based school been transferred to the receiving school?***

  - Collaborate to ensure successful transfer of all coursework and academic credits.
  - Student transcripts of coursework and credits completed at an Interim-Program School may be accessed through Nebraska's web-based *Academic Advancement Plan (AAP) System* by the receiving school, with proper view-only authorization from the Interim-Program School (if an AAP-participating school).
- ***Is the receiving school welcoming and supportive of students returning from facility-based schools?***

  - Designate a school staff member, advocate or mentor to assist and support the student throughout the school-to-school transition as well as the middle school-to-high school transition.
  - Student ambassador programs may be helpful to "acclimatize" the student to a new school.
- ***Are there other circumstances that need to be addressed at school, such as bullying, credit recovery, language barrier, Section 504 Plan or special education services?***

  - Share this information with the receiving school and those involved in assisting and supporting the student as well as past efforts to address the situation.
  - Collaborate to ensure appropriate interventions, supports and services are provided to the student.
- ***Would initial enrollment in an alternative education program, dual enrollment in an alternative school and public school, or summer school benefit the student?***

  - An alternative education program may focus on credit recovery and allow less "seat time" which can be particularly helpful for students with behavioral health issues.
  - Dual enrollment may allow the student to take core classes at an alternative school and electives in a public school setting.
  - Summer school may provide opportunities for academic credit recovery.
  - Multiple pathways to graduation may be appropriate for students under certain circumstances, such as full-time employment, medical hardship, an expectant parent, or those with other family obligations.
- ***Is a rigorous and relevant curriculum provided so the student can achieve mastery in a way that promotes engagement in learning?***

  - Collaborate to match the student's interests, talents and "sparks" for learning to curriculum, class schedule and school activities.
  - Collaborate to ensure effective instructional strategies and appropriate academic supports are provided, such as extended learning time, credit recovery, remedial courses or tutoring.
- ***Are the student's interests and talents matched to extracurricular activities?***

  - Extracurricular activities, such as sports, music, art and student organizations, can foster school engagement.
  - Eligibility requirements for extracurricular activities can promote academic achievement and personal responsibility.
  - Involvement in service learning projects, community improvement projects and volunteerism can promote a sense of community, personal responsibility and character.
- ***Is there a focus on the student's eventual transition to post-secondary education and/or employment?***

  - Collaborate to assist the student in exploring a wide range of college and career possibilities.
  - Mentoring opportunities through local businesses can help students explore employment after graduation.
  - Encourage the student to develop a life-long personal learning plan using resources geared for middle school and high school students, such as *Nebraska Career Connections*.

## Sample Timeline and Process for Middle School-to-High School Transition

**EDUCATORS:** *If you have a last-year middle school student or first-year high school student who was attending an Interim-Program School or Special Purpose School during any of the following points in the middle school-to-high school transition, he or she may have missed some of these opportunities and activities.*

<b><u>LAST YEAR OF MIDDLE SCHOOL</u></b>			<b><u>SUMMER BEFORE HIGH SCHOOL</u></b>	<b><u>FIRST YEAR OF HIGH SCHOOL</u></b>		
<p><b><u>JANUARY*</u></b></p> <p><i>High school counselors visit the middle school to begin conversations with last-year middle school students (typically 8th or 9th graders) about high school.</i></p> <p><i>By the end of January, high school counselors begin the high school registration process with students at the middle school.</i></p>	<p><b><u>FEBRUARY</u></b></p> <p><i>High School Orientation / Parents Night is held at the high school, where middle school students and their parents are provided preparatory information.</i></p> <p><i>During this event, students and parents can tour the high school and visit with the principal, school counselor, teachers, coaches, and activity sponsors.</i></p>	<p><b><u>FEBRUARY, MARCH &amp; APRIL</u></b></p> <p><i>High school principals and school counselors visit the middle school to talk to students about the transition to high school.</i></p> <p><i>High school staff, student groups and activity sponsors visit the middle school and provide information to students about high school athletics, extracurricular activities, student organizations, elective course options, and focus programs.</i></p>	<p><i>Several forms of high school preparatory information are sent to all incoming first year high school students and their parents.</i></p>	<p><b><u>FIRST DAY OF HIGH SCHOOL</u></b></p> <p><i>The first day of school is typically a half-day, attended by only incoming first year high school students.</i></p>	<p><b><u>FIRST TWO WEEKS OF HIGH SCHOOL</u></b></p> <p><i>Activities are held to assist incoming first year high school students with the high school transition process.</i></p> <p><i>All first year high school students are placed in advisory groups for that grade level only.</i></p> <p><i>A "teaming process" or "student advocate" is put in place for all first year high school students.</i></p>	<p><b><u>FIRST YEAR OF HIGH SCHOOL</u></b></p> <p><i>Activities are held to assist and engage first year students in high school, such as pep rallies, social events, group activities and competitions.</i></p>

*\*Actual timeframes for activities may vary among school districts.*

Date: April 13, 2016

Source: Nebraska Department of Education's (NDE) Initiative on Education of Systems-Involved Students (ESIS)

# Foster Care & Education



## HOW WILL THE *EVERY STUDENT SUCCEEDS ACT* (ESSA) SUPPORT STUDENTS IN FOSTER CARE?

### **Q: What is the *Every Student Succeeds Act* (ESSA)?**

On December 10, 2015, President Obama signed into law the *Every Student Succeeds Act* (ESSA), reauthorizing the *Elementary and Secondary Education Act* (ESEA). Originally enacted in 1965 and last reauthorized as the No Child Left Behind Act in 2002, ESEA's mission is "to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education." ESSA is the first major overhaul of federal education law in over a decade. For the first time, the ESEA now contains key protections for students in foster care to promote school stability and success, and required collaboration with child welfare partners.

### **Q: Why are protections for students in foster care included in the ESSA?**

Children in foster care are some of the country's most educationally disadvantaged students. [Studies show](#) students in foster care experience: school suspensions and expulsions at higher rates than their peers not in foster care, lower standardized test scores in reading and math, high levels of grade retention and drop-out, and far lower high school and college graduation rates.

### **Q: What are the specific protections for students in foster care contained in the ESSA?**

#### **REMAIN IN THE SAME SCHOOL WHEN IN THE CHILD'S BEST INTEREST**

Children in foster care frequently change schools – when they first enter foster care, when they move from one foster care living arrangement to another, or when they

return home. [Research shows](#) that children who change schools frequently make less academic progress than their peers and fall farther behind with each school change – leading to low test scores, negative academic outcomes, and high drop-out rates. Additionally, instability makes it difficult for children to develop supportive relationships with teachers or peers.

Under the new law, state education agencies must assure that students in foster care remain in their school of origin, unless it is not in their best interest. Federal child welfare law already requires child welfare agencies to collaborate with education agencies to ensure school stability when it is in the child's best interest; this law creates reciprocal obligations on education agencies.

#### **IMMEDIATE ENROLLMENT IN SCHOOL AND TRANSFER OF SCHOOL RECORDS**

Children in foster care frequently face delays in school enrollment or are placed in the wrong classes or schools, often due to missing, incomplete, or delayed school records and documentation.

Under the ESSA, children in foster care can enroll immediately in a new school when a school change is necessary, even if the child cannot produce normally required enrollment documents and school records. Additionally, enrolling schools must immediately contact the school last attended by the child to obtain relevant education records.

#### **SCHOOL TRANSPORTATION WHEN NECESSARY**

For some students in foster care, transportation is needed to allow them to remain in the same school. By December



10, 2016, local education and child welfare agencies must develop plans for providing cost-effective transportation when needed to allow students to remain in the same school.

### **POINT OF CONTACT DESIGNATED WITHIN STATE EDUCATIONAL AGENCY**

Under the new law, every state education agency must designate a point of contact for child welfare agencies. To ensure that the point person has the capacity and resources needed, the individual must be someone other than the state's McKinney-Vento Act Coordinator.

Having a point person focused on foster care in every state's education agency is vital to effective implementation of the new law. The point person should facilitate efficient communication and collaboration with the state child welfare agency, oversee the rights and protections for students in foster care under the law, identify best practices, and ensure effective implementation at the local educational agency level and with public charter schools.

### **LOCAL EDUCATIONAL AGENCY (LEA) POINT OF CONTACT**

When the child welfare agency notifies the local education agency (typically a school district, but it could also be a charter school or other LEA) that it has a point of contact for the education of children in foster care, the LEA is now required to designate a similar point of contact. This exemplifies the type of collaboration needed to support implementation of the law: both child welfare agencies and local education agencies need to designate staff to ensure school stability and support the educational success of children in care.

Points of contact in the local educational agency can help ensure: streamlined communication and collaboration with the child welfare agency and the child welfare point of contact; smooth implementation of the provisions of this new law; and, if a school change is warranted, smooth transitions of children by connecting them with their new school communities.

### **REMOVAL OF "AWAITING FOSTER CARE PLACEMENT" FROM THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT**

Because of the addition of these key protections for students in foster care and in recognition of the need for additional resources for students who are homeless, this law removes "awaiting foster care placement" from the definition of "homeless" for purposes of the McKinney-Vento Act one year after enactment. (For Delaware and Nevada, which define "awaiting foster care placement" in statute, this provision will not go into effect for two years.)

### **REQUIRED DATA COLLECTION AND REPORTING**

For the first time, state educational agencies will be required to report annually on student achievement and graduation rates for students in foster care. To implement this requirement, education agencies and child welfare agencies will need to work together to ensure effective, appropriate, and confidential data and information sharing between systems.

Reporting student data by subpopulations can help school districts and states identify trends and use limited resources where they are needed most. Disaggregating student data is also critical to raise public awareness about the educational needs of youth in foster care, increasing support for needed policy and practice changes.

### **CHARTER SCHOOLS**

States receiving charter school grants under Title IV Part C of the new law must work with charter schools on recruitment and enrollment practices to promote inclusion of all students. This includes eliminating any barriers to enrollment for youth in foster care.

### **Q: Where can I learn more about the ESSA and how to implement it in my own jurisdiction?**

ESSA marks an important step forward in supporting school stability and success for students in foster care. To ensure smooth implementation of the law, state and local child welfare and education agencies will need to work together. The Legal Center for Foster Care and Education looks forward to working to support successful implementation of these important provisions. To stay up-to-date with the latest news and receive updates and materials follow us on Twitter @FosterEdSuccess. Please email questions to [ccleducation@americanbar.org](mailto:ccleducation@americanbar.org).

**Psychotropic Medications Committee**  
**Report to the Nebraska Children's Commission**

**May 17, 2016**

**Statutory Charge:** Per Neb. Rev. Stat. §43-4203(2)(a), the Psychotropic Medications Committee was formed to examine state policy regarding the psychotropic drugs prescribed for children who are wards of the state and administration of such drugs to such children.

The Psychotropic Medications Committee has resumed meeting and begun the task of reviewing and updating the goals and recommendations outlined in the Children's Commission 2012 Strategic Plan. At the last meeting of the Committee on May 5, 2016, the group covered several issues and tasks that would affect their future work.

1. **Preparing for and assisting in the integration of Heritage Health delivery system.**
  - a. The transition to three Medicaid contracted entities as of January 1, 2017 needs to be monitored to keep the Committee informed of potential changes in practice or procedure.
  - b. A representative familiar with the Heritage Health system and knowledgeable of all three entities will need to be recruited to the Committee.
2. **Updating language in the work of the Committee to include language pertaining to juvenile justice youth.**
  - a. With the passing of LB746, language now officially includes juvenile justice system as an area of focus. The work of the Committee must be updated to reflect this change.
  - b. There will be need to add a position for a representative of the Juvenile Services Division of the Administrative Office of Probation as a member of the Committee.
3. **Collaborating and supporting the efforts of the Department of Health and Human Services (DHHS).**
  - a. Many policies and procedures regarding psychotropic medications have been implemented by DHHS over the last several years that fulfil initial recommendations from the Committee.
  - b. The Department's Continuous Quality Improvement (CQI) efforts have made data readily available that was previously at hand.

The group plans to schedule their next meeting in August with a final date yet to be determined.

# The Power of Partnerships

## Nebraska's Journey to a System of Care for Children, Youth and Their Families



Presented To:  
**Nebraska Children's Commission**  
5/17/16

Tamara Gavin, LMHP, LCSW, Deputy Director, Division of Behavioral Health



There has never been a better time to implement a System of Care for Nebraska's children and youth and their families. Nebraska's successful journey to a comprehensive and sustainable System of Care (SOC) is accomplished through the **power of partnerships.**

***“Coming together is a beginning; keeping together is progress; working together is success.”***

***Henry Ford***

## Nebraska's Journey to SOC – The Beginning (2013-2014)

### STRATEGIC PLANNING for SOC:

Nebraska brought together youth, families, child-serving systems, providers and Nebraska leaders in equal partnerships to develop a statewide comprehensive strategic plan for a system of care that would be:

- Prevention oriented,
  - Culturally and linguistically responsive, and
  - Family-driven and youth-guided.
- ✓ Strategic planning was a grant-funded, comprehensive and highly participatory process.
  - ✓ Over 1,100 people, including youth, families and providers, participated.
  - ✓ 10 Core Strategy teams developed SOC implementation strategies around identified strategic areas.
  - ✓ Nine (9) goals and ninety-three (93) implementation strategies reflecting Nebraska's diversity and complexity were developed.



*"No one can whistle a symphony. It takes a whole orchestra to play it."*

| ~H.E. Luccock

## Moving Forward: Early Accomplishments (January – October, 2015)

Beginning in January of 2015 DBH convened a group of individuals from the planning grant's Project Management Team (PMT). The group met on a monthly basis to contemplate how to implement selected strategies from the strategic plan within existing resources. The following accomplishments were made through October 2015:

- ✓ Responded to the Readiness Assessment: Prioritized gaps and opportunities
- ✓ Addressed future NeSOC governance and funding:
- ✓ Investigated action steps for youth and family partners
- ✓ Took initial steps towards SOC implementation: Prioritized eight strategies that can be implemented



**IF YOU WANT  
TO GO FAST,  
GO ALONE.**

**IF YOU WANT  
TO GO FAR,  
GO TOGETHER.**

*African Proverb*

## More Accomplishments (January – October 2015)

Nebraska is now poised to begin the process of implementing a behavioral health System of Care that works within partnerships to achieve results. Movement forward capitalizes on **partners bringing their commitment and expertise** to the table. Together we have:

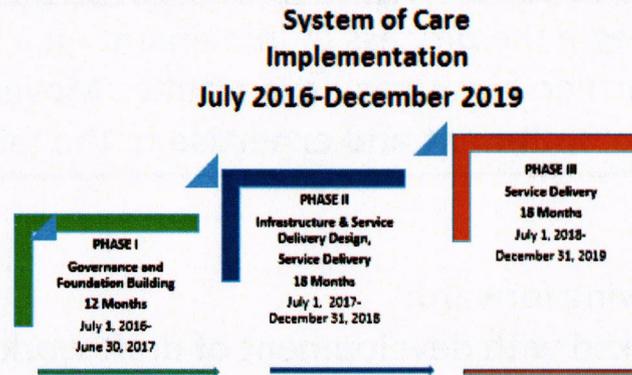
- ✓ Developed a mechanism for moving forward:
  - Informal workgroups tasked with development of draft work plans specific to one or more of eight low/no cost strategies.
- ✓ Initiated a Financial Investment Blueprint project, facilitated by a DBH contract with TriWest Group.
  - Focus is on what dollars are being spent, by whom, for what, and on behalf of which children.
- ✓ Participated in LR 304 : Study to assess the behavioral health needs of children and youth
- ✓ Created a proposal of “next steps” for and gained support from the DHHS Chief Executive Officer, Courtney Phillips.



# Data Driven Work Plan

**NeSOC DASHBOARD**  
**Governor's Priority Outcomes**

-  Decrease the proportion of youth who report living in a setting that is not their home (i.e. foster care, jail, prison or hospital).
-  Increase the number of children and youth who attend school regularly.
-  Decrease costs per youth receiving services.
-  Decrease in average age of first system contact.



**Upcoming Milestones**

- ✓ **MOUs for data sharing implemented with system partners.**
- ✓ **Baseline and target numbers for project outcomes set by October 2016.**

**NeSOC Objectives: By January 1, 2020, Increase:**

1. Children and Youth in the System of Care Who Experience Improved Lives
2. Children and Youth in the System of Care Who Experience Improved Services and Supports.
3. Children and Youth in the System of Care Who Have Improved Educational Experiences.
4. Parents and Caregivers of Youth in the System of Care Who Experience Improved Lives.
5. Efficiencies in Costs Through the System of Care.
6. Children and Youth's Mental Health Services are Transformed Through the System of Care.

*"Wild ducks make a lot of noise, but they also have the sense to benefit from occasionally flying in formation."*

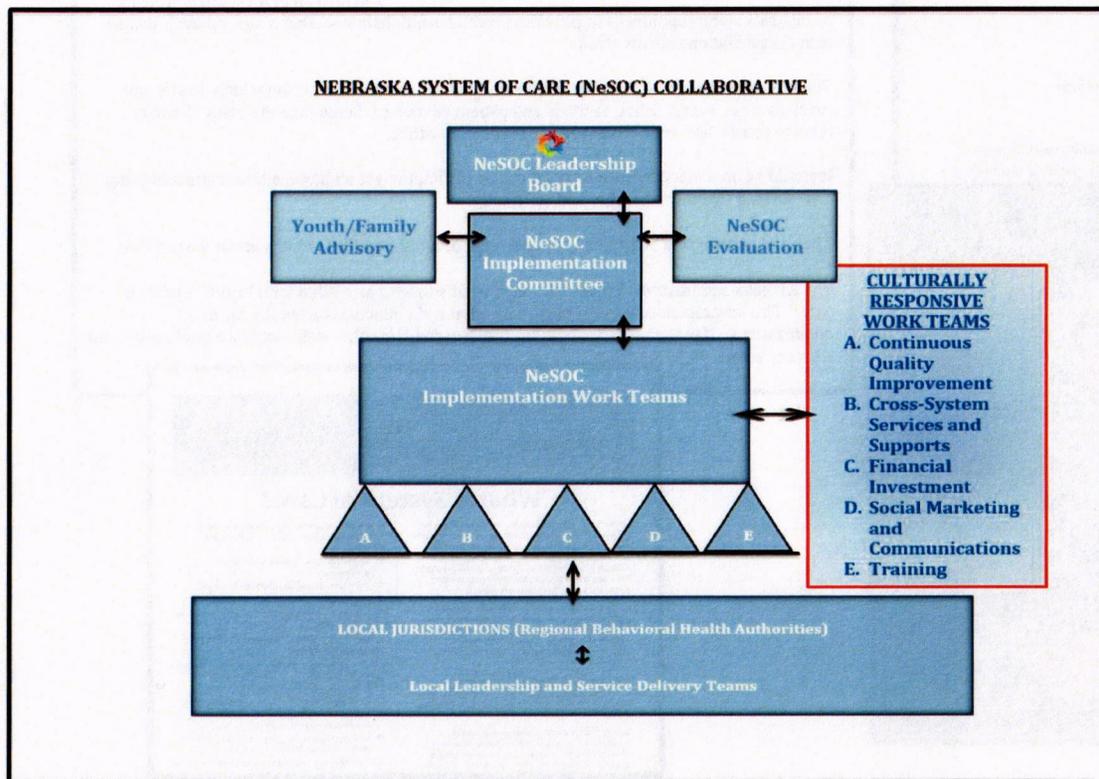
~ Unknown



# Gaining Momentum

## NeSOC Collaborative

Youth, family, and system partners worked jointly during the strategic planning process to develop a bi-directional infrastructure based on state-community partnerships subsequently identified as the **NeSOC Collaborative**. Equal partnership among youth, family and system partners is the guiding principle of the Collaborative at all levels. The first meeting of the Leadership Board is tentatively planned for July 2016.



- On The Horizon
- ✓ DBH SOC Administrator hired and in place.
  - ✓ Coordination with Nebraska Children's SOC Project Manager.
  - ✓ Invites out for first NeSOC Leadership Board meeting.



COLLABORATION

"The secret is to gang up on the problem, rather than each other."

~ Thomas Stallkamp

# Making Headlines

News / Press Releases / Gov. Ricketts, DHHS Announce Statewide Behavioral Health System of Care for Children and Youth

## Gov. Ricketts, DHHS Announce Statewide Behavioral Health System of Care for Children and Youth

58 17

April 05, 2016

Media Contacts:  
 Taylor Gage, Governor's Office, 402-471-1970  
 Leah Bucco-White, DHHS, 402-471-9356

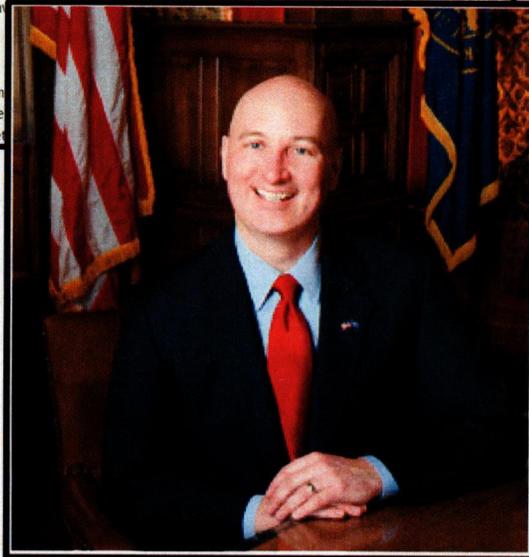
*DHHS will work with stakeholders to develop the System of Care over the next year*

LINCOLN – Today, Governor Pete Ricketts announced the Department of Health and Human Services (DHHS) will develop a Behavioral Health System of Care in response to the needs of children and youth who have a serious emotional disorder. He was joined by DHHS CEO Courtney Phillips, DHHS Behavioral Health Director Mary Jo Pankoke, and Families Foundation CEO Mary Jo Pankoke.

"There is no question it can be confusing and oftentimes difficult for children and youth who have a serious emotional disorder," said Governor Ricketts. "With the new System of Care, we will deliver services in a more effective and customer-oriented manner. This new delivery method will ensure that children and youth who have a serious emotional disorder receive the services they need in a more effective and customer-oriented manner. This new delivery method will ensure that children and youth who have a serious emotional disorder receive the services they need in a more effective and customer-oriented manner."

*"With the new System of Care, DHHS and its partners will deliver services in a more effective and customer-oriented manner."*

Governor Pete Ricketts



The Governor has set **NeSOC** as a priority for the state. The launch of the state's SOC initiative has generated interest and support statewide.

## Omaha World-Herald

Tuesday, April 12, 2016: One of

Nebraska's stumbling blocks in providing mental health help to children and youths is that so many organizations are involved.

There is an assortment of state and regional agencies, nonprofits varying widely in size and specialization, Indian tribes, families and patient advocates. Some juvenile cases also may involve courts, law enforcement and the probation office.

It would be an understatement to say it can be difficult to get all these entities communicating and working together smoothly and efficiently.

The good news is that Nebraska is on the verge of a big step forward to address the problem.

The Ricketts administration plans to launch what's known as a behavioral health "system of care." This revamp aims to boost communication and collaboration among the many organizations. The approach has been used successfully in other states and on a pilot basis in the Kearney area.

DHHS NEBRASKA

FACTS APRIL 5, 2016

### What is System of Care?

**S**ystem of Care is a framework for designing mental health services and supports for children and youth who have a serious emotional disturbance, and their families, through a collaboration across and involving public and private agencies, families and youth. It is a new way of doing business that brings together committed partnerships under one umbrella.

A System of Care connects and coordinates the work of State child-serving agencies, nonprofit and local governments, behavioral health care providers, families and patient advocates. It helps children, youth, and families function better at home, in school, in the community, and throughout life.

**Does Nebraska have a System of Care?**  
 Not yet but a strategic plan for a System of Care has been completed and first steps are being taken to implement the plan.

In 2013-2014 over 1,800 families, youth, service providers and other stakeholders were involved in the development of the Strategic Plan. Movement forward capabilities on partner commitment and work completed

States and communities that have implemented the System of Care approach have reported changes, including:

- Increase in school attendance and school performance.
- Decrease in average age of first system contact.
- Decrease in cost per youth receiving services.
- Increase in percent of youth and young adults living in home settings.

**What do we want to achieve with a System of Care in Nebraska?**  
 A statewide readiness assessment was conducted in 2013 among families, youth, service providers and other stakeholders. It identified priority areas:

- Ensuring access to an array of services and supports.
- Enhancing the cultural and linguistic appropriateness of services to match family needs.
- Coordinating and integrating service and support programs across child-serving agencies.
- Leveraging and maximizing use of all funding sources.

# NeSOC Foundational Partners

**Nebraska Children and Families Foundation (NC):** NC is a private foundation supporting Nebraska's children, young adults and families at risk with the overall goal of giving the state's most vulnerable children what they need to reach their full potential. NC has joined DHHS in a public-private partnership to assist in NeSOC management, coordinate and manage the Implementation Work Teams, and expand service capacity through private philanthropic partnership.

**Nebraska Department of Education (NDE):** NDE recognizes the significant disconnect between schools and the knowledge of available behavioral health programs and services. NDE has been a significant and eager partner in NeSOC development, advising and guiding DBH on effective and useful strategies that will bring schools into the continuum of children's behavioral health services and supports.

**Administrative Office of Probation (AOP):** AOP has partnered with NeSOC to identify and develop effective behavioral health strategies for mental health treatment for identified youth in the probation system. Probation personnel play a vital role on NeSOC local care coordination teams.

*"Lots of people want to ride with you in the limo, but what you want is someone who will take the bus with you when the limo breaks down."*

~ Oprah Winfrey



**Regional Behavioral Health Authorities (Regions):** Each Region participates in every layer of the NeSOC Collaborative for the purposes of planning, implementation, training and evaluation on a system level.

**Family Organizations:** Family organizations are located in each of the Regions and actively participated in the development of the NeSOC Strategic Plan. A statewide approach to continued, committed participation in NeSOC by these organizations is braided into the various levels of the NeSOC Collaborative structure. The Family Organizations are:

***Speak Out:*** Scottsbluff and North Platte

***Families Care:*** Kearney

***Parent to Parent Network:*** Norfolk

***Families Inspiring Families:*** Lincoln

***Healthy Families Project:*** Lincoln

***NE Family Support Network:*** Omaha

**Department of Health and Human Services (DHHS) Divisions:** (Children and Family Services-CFS, Medicaid, Public Health, Behavioral Health-DBH, and Developmental Disabilities-DD) Representatives from each of these divisions were involved in strategic planning efforts and follow-up implementation efforts. Divisional representatives will serve on the Implementation Committee and Implementation Work Teams.

**DHHS Office of Consumer Affairs (OCA):** OCA focuses on four areas:

Consumer/Peer Support - consumers helping consumers

Relationships - build and strengthen consumer involvement

Planning - how to get the best out of the system

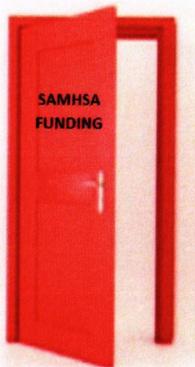
Advocacy - how to find the best information and resources out there now



# An Eye on the Future

NeSOC's youth, family and systems partners are eager to continue their collaboration. DBH has applied for a SAMHSA funding opportunity that will build on this collaboration to support the operation and integration of the SOC approach through sustainable infrastructure and services statewide. If awarded, the project will be carried out through the six Regional Behavioral Health Authorities (Regions) and provide NeSOC with:

- ✓ Up to \$3M annually for four years beginning October 2016.
- ✓ Opportunities for enhanced service array in each region.
- ✓ Opportunities to address NeSOC priorities including:
  - ✓ Statewide approach to a crisis response mechanism
  - ✓ Cross-system training at all levels on a spectrum of topics, i.e. trauma informed care
  - ✓ Care management and coordination at the local level, including professional consultation.



**Follow NeSOC Progress at:** [www.dhhs.ne.gov/SOC](http://www.dhhs.ne.gov/SOC)

**Contact NeSOC at:** [dhhs.soc@Nebraska.gov](mailto:dhhs.soc@Nebraska.gov)

*"If opportunity doesn't knock, build a door"*

*~ Milton Berle*

---

**“ When the awareness  
of what is achievable  
brushes your life, the  
journey has begun.”**

- Lori Myers



# Nebraska System of Care (NeSOC)

Department of Health & Human Services



[dhhs.ne.gov](http://dhhs.ne.gov)

Tamara Gavin, LMHP, LCSW  
Deputy Director for Behavioral Health Services  
Division of Behavioral Health  
Department of Health and Human Services  
PO Box 95026  
Lincoln NE 68509-95026  
Phone: 402-471-7732 Cell: 402-405-3041  
Fax: 402-471-7859  
[tamara.gavin@Nebraska.gov](mailto:tamara.gavin@Nebraska.gov)

*"We can change what we are for what we can become"*

# Gov. Ricketts, DHHS Announce Statewide Behavioral Health System of Care for Children and Youth

April 05, 2016

## Media Contacts:

Taylor Gage, Governor's Office, 402-471-1970

Leah Bucco-White, DHHS, 402-471-9356

### *DHHS will work with stakeholders to develop the System of Care over the next year*

LINCOLN – Today, Governor Pete Ricketts announced the Department of Health and Human Services (DHHS) will develop a Behavioral Health System of Care in response to the needs of children and youth who have a serious emotional disorder. He was joined by DHHS CEO Courtney Phillips, DHHS Behavioral Health Division Director Sheri Dawson, and Nebraska Children and Families Foundation CEO Mary Jo Pankoke.

“There is no question it can be confusing and oftentimes challenging for families to access behavioral health services for their children,” said Governor Ricketts. “With the new System of Care, DHHS and its partners will deliver services in a more effective and customer-oriented manner. This new delivery method will eliminate the need for families to navigate multiple systems to find services to meet the needs of their children.”

The Behavioral Health System of Care for Children and Youth model integrates services by connecting and coordinating the work of state child-serving agencies, non-profits, local government organizations, behavioral health care providers, families, and patient advocates. This new philosophy will transform Nebraska's behavioral health system, abandoning old approaches marked by fragmented service delivery and high rates of out-of-community placements.

“This is a proven model that has helped many states transform how they deliver services,” said DHHS CEO Phillips. “It is providing meaningful benefits and measureable, positive outcomes for children, youth, and families.”

She said Nebraska expects to see improvements within three to five years, including:

- Increase in school attendance and school performance
- Increase in the percent of youth and young adults living in home settings
- Decrease in the average age of first system contact
- Decrease in cost per youth receiving services

“The children's System of Care puts families at the center of services as equal partners,” said Behavioral Health Division Director Dawson. “This is a new way of doing business that involves and addresses the needs of each child and each family.”

She said the launch follows an extensive planning process, with the participation of over 1,000 families, youth, system partners, service providers, and other stakeholders that resulted in a strategic plan for system design and implementation.

DHHS will partner closely with the Nebraska Children and Families Foundation, a non-profit organization working with local, state, and national partners to support children, young adults, and families at risk.

“We’re honored to be a partner in building a System of Care for behavioral health in Nebraska,” said Pankoke. “Our role will be to bring partners into this important work, because no one entity can do this alone, and build statewide support for a system that delivers quality care.”

Next steps include:

- Building a complete data baseline and a financial blueprint of existing funding and people served across child-serving agencies;
- Developing the infrastructure and operationalizing strategies for system coordination across state, regional, and local leadership teams;
- Implementing a phased work plan;
- Developing and implementing a plan to inform partners, families, and stakeholders about the System of Care goals, common principles, outcomes, and infrastructure.

Previously, DHHS had developed a strategic plan to build a statewide System of Care. A copy of the plan can be accessed at [www.dhhs.ne.gov/SOC](http://www.dhhs.ne.gov/SOC). Today’s announcement is the next step towards implementing the system.

According to national reports, half of all lifetime mental illness begins at the average age of 14, and three quarters by age 24. Between two to five percent of children suffer from a serious mental health disorder that causes substantial impairment in functioning at home, at school, or in the community.

Over 37,000 children in Nebraska experience behavioral health disorders, according to the Data Resource Center for Child and Adolescent Health. Additionally, about 16,000 Nebraska adolescents ages 12-17 had at least one major depressive episode in 2014, according to the federal Substance Abuse and Mental Health Services Administration (SAMHSA).

###

# Omaha World-Herald

## Getting on same page for youth mental health

World-Herald Editorial

**April 12, 2016:** One of Nebraska's stumbling blocks in providing mental health help to children and youths is that so many organizations are involved.

There is an assortment of state and regional agencies, nonprofits varying widely in size and specialization, Indian tribes, families and patient advocates. Some juvenile cases also may involve courts, law enforcement and the probation office.

It would be an understatement to say it can be difficult to get all these entities communicating and working together smoothly and efficiently.

The good news is that Nebraska is on the verge of a big step forward to address the problem.

The Ricketts administration plans to launch what's known as a behavioral health "system of care." This revamp aims to boost communication and collaboration among the many organizations. The approach has been used successfully in other states and on a pilot basis in the Kearney area.

The goal is to make better use of existing dollars and deliver services earlier and more efficiently.

More than 37,000 children in Nebraska experience behavioral health disorders, reports the Data Resource Center for Child and Adolescent Health. And more than 16,000 Nebraska youths ages 12 to 17 had at least one major depressive episode in 2014, according to the federal Substance Abuse and Mental Health Services Administration.

It will be good to get all the mental health players on the same page. Nebraska youths across the state can benefit from a stronger, better coordinated delivery system for these vital services.



## What is System of Care?

**S**ystem of Care is a framework for designing mental health services and supports for children and youth who have a serious emotional disturbance, and their families, through a collaboration across and involving public and private agencies, families and youth. It is a new way of doing business that brings together committed partnerships under one umbrella.

A System of Care connects and coordinates the work of State child-serving agencies, nonprofit and local governments, behavioral health care providers, families and patient advocates. It helps children, youth, and families function better at home, in school, in the community, and throughout life.

### Does Nebraska have a System of Care?

Not yet but a strategic plan for a System of Care has been completed and first steps are being taken to implement the plan.

In 2013-2014 over 1,000 families, youth, service providers and other stakeholders were involved in the development of the Strategic Plan. Movement forward capitalizes on partner commitment and work completed to date. The implementation process will result in a functional and well-planned System of Care that will improve service delivery systems, provide meaningful benefits and measureable, positive outcomes for children, youth and families.

### Why are states implementing Systems of Care?

Systems of Care have transformed children's mental health services and improved the lives of children, youth and their families. The approach has gained wide acceptance due to the recognition that children with serious and complex mental health needs are frequently involved with multiple child-serving agencies.

Positive outcomes for children and youth have been achieved through the increased use of home and community-based services and supports. States are coordinating the planning and delivery of services within a system of care infrastructure that addresses the unique strengths and needs of each child and family.

States and communities that have implemented the System of Care approach have reported changes, including:

- Increase in school attendance and school performance.
- Decrease in average age of first system contact.
- Decrease in cost per youth receiving services.
- Increase in percent of youth and young adults living in home settings.

### What do we want to achieve with a System of Care in Nebraska?

A statewide readiness assessment was conducted in 2013 among families, youth, service providers and other stakeholders. It identified priority areas:

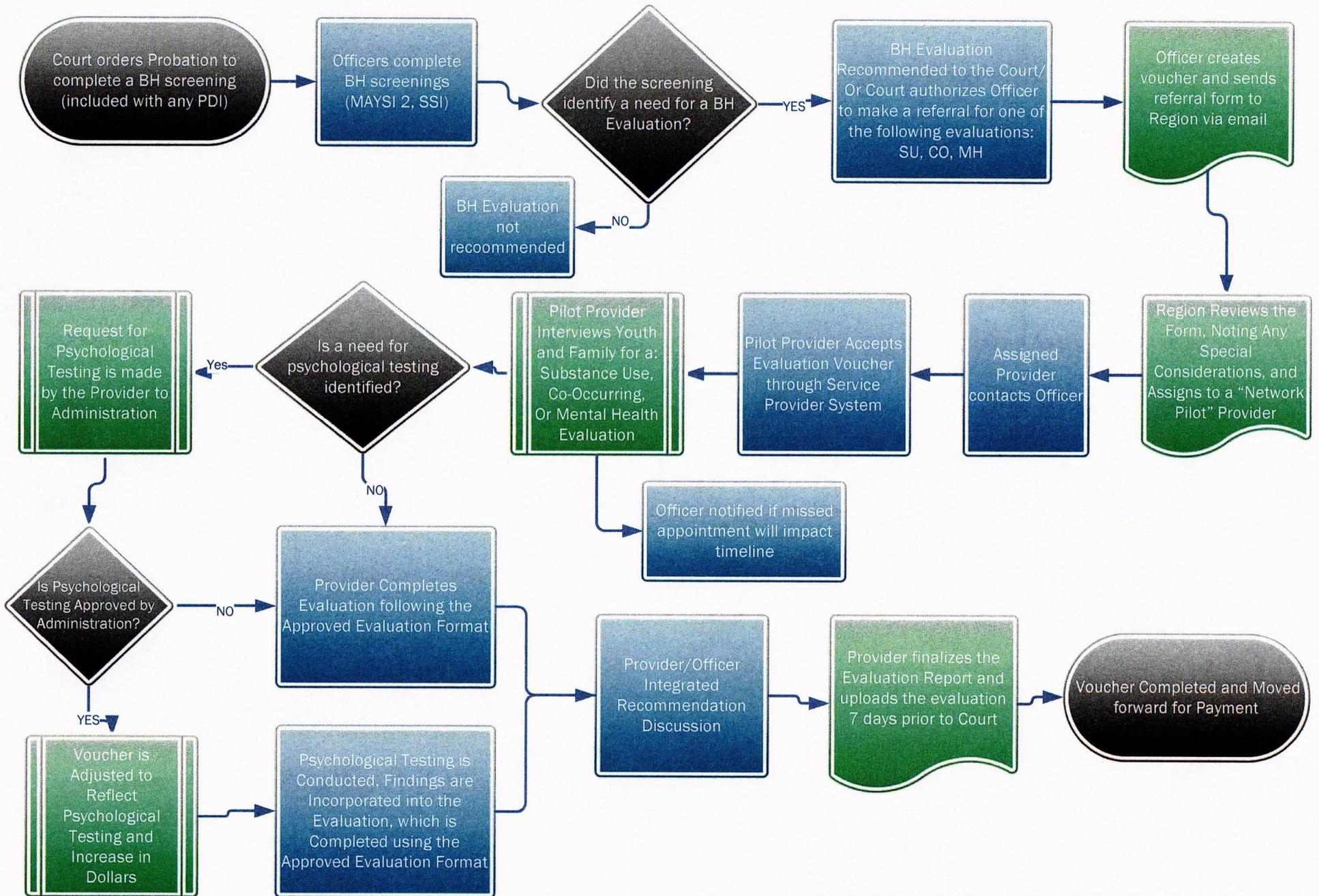
- Ensuring access to an array of services and supports,
- Enhancing the cultural and linguistic appropriateness of services to match family needs,
- Coordinating and integrating service and support programs across child-serving agencies,
- Leveraging and maximizing use of all funding sources,
- Supporting trauma-informed service options,
- Ensuring family and youth involvement and leadership, and
- Monitoring quality and outcomes through a cross-agency approach.

### What are the next steps/timeline for System of Care in Nebraska?

A System of Care in Nebraska will be fully operational in three to five years. Through 2016, the following will be accomplished:

- Operationalize the strategies for system coordination across state, regional and local leadership teams and workgroups.
- Implement a phased work plan.
- Complete data baseline and a financial blueprint of existing funding and people served across child-serving agencies.
- Develop and implement a communication plan to educate partners, families and stakeholders.

# Justice Evaluation Pilot Process



# ADMINISTRATIVE OFFICE OF PROBATION

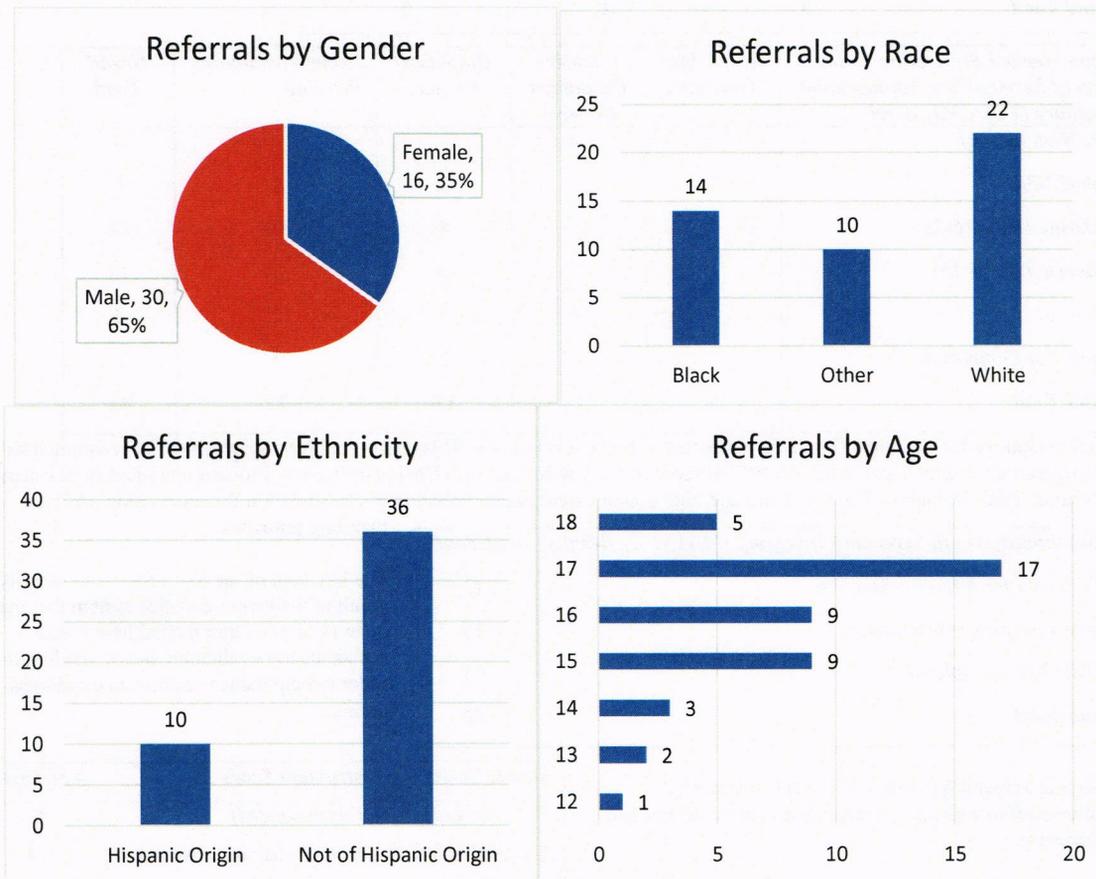
P.O. Box 98910  
 Lincoln, NE 68509  
 Phone: (402) 471-2141

## January - February 2016: Juvenile Justice Evaluation Pilot

In December, 2015 the Office of Probation Administration and Behavioral Health Regions (Regions) embarked on a twelve month pilot project to create a pool of specialized providers for completing behavioral health evaluations for justice involved youth. These evaluators have agreed that they will not provide direct services to the juveniles they evaluate. The Evaluation pilot includes districts 2 and 4J in Region 6 and probation district 3J in Region 5. The goal is to ensure appropriate treatment recommendations and timely submission of evaluations in the approved Probation Reporting Formats to the court. The following information highlights the progress of the pilot project.

The following information was collected from the Regions and the Administrative Office of Probation's case management system. The data analysis is provided by the Administrative Office of Probation. This report is compiled monthly and is a snapshot of information for evaluation referrals that are received by the Regions between January 1<sup>st</sup> and February 29<sup>th</sup>, 2016.

### Demographics of Referrals



Probation Status	# of Youth
Investigation Only	6
Pre-Adjudication	2
Post - Adjudication/Pre-Disposition	6
Traditional Probation	30
YRTC/Reentry	1
<b>Grand Total</b>	<b>46*</b>

\*1 Youth Inactive - moved to diversion

# ADMINISTRATIVE OFFICE OF PROBATION

P.O. Box 98910  
Lincoln, NE 68509  
Phone: (402) 471-2141

## Analysis of Referrals

	Co-Occurring	Mental Health	Substance Use	Total for Month(s)
District 3J (Region 5)	12	-	6	18
District 2 (Region 6)	6	3	1	10
District 4J (Region 6)	13	1	4	18
<b>Total for Type(s)</b>	<b>31</b>	<b>4</b>	<b>11</b>	<b>46</b>

Psych Testing Add-on	# Requested (YTD)	# Approved (YTD)	Grand Total (YTD)
District 3J (Region 5)	1	1	1
District 2 (Region 6)	2	1	1
District 4J (Region 6)	-	-	-
<b>Grand Total</b>	<b>3</b>	<b>2</b>	<b>2</b>

Psych testing add on would be utilized to identify intellectual functioning (cognitive ability) or emotional functioning (thoughts, personality, behaviors attitude or other emotional conditions).

Recommended Services by Youth Level of Service/Case Management Inventory (YLS/CMI) Level	Residential Treatment	Intensive Outpatient Services	Outpatient Services	Recommendations Pending	Grand Total
Very High (35-42)	-	-	-	-	-
High (23-34)	2	-	3	1	6
Moderate High (16-22)	3	-	8	10	21
Moderate Low (9-15)	1	1	3	7	12
Low (0-8)	-	-	1	1	2
N/A or Not Completed	-	-	2	3	5
<b>Grand Total</b>	<b>6</b>	<b>1</b>	<b>17</b>	<b>22</b>	<b>46</b>

Recommendations for treatment should be correlated with the level of risk. This chart provides a synopsis of the recommended levels of treatment by the most recent YLS/CMI score of the youth. The YLS/CMI is utilized by Probation to identify risk across eight criminogenic domains. The risk score and high domain areas assist probation in classification for supervision and case planning priorities.

Massachusetts Youth Screening Inventory (MAYSI-2) Results	# of Youth
Not referred for further evaluation	13
Referred for further evaluation	15
MAYSI-2 not completed	18
<b>Grand Total</b>	<b>46</b>

The key goal of the MAYSI-2 is to identify youth in the juvenile justice system that may be in need of further mental health and substance use evaluation and/or services in order to help reduce recidivism or address trauma.

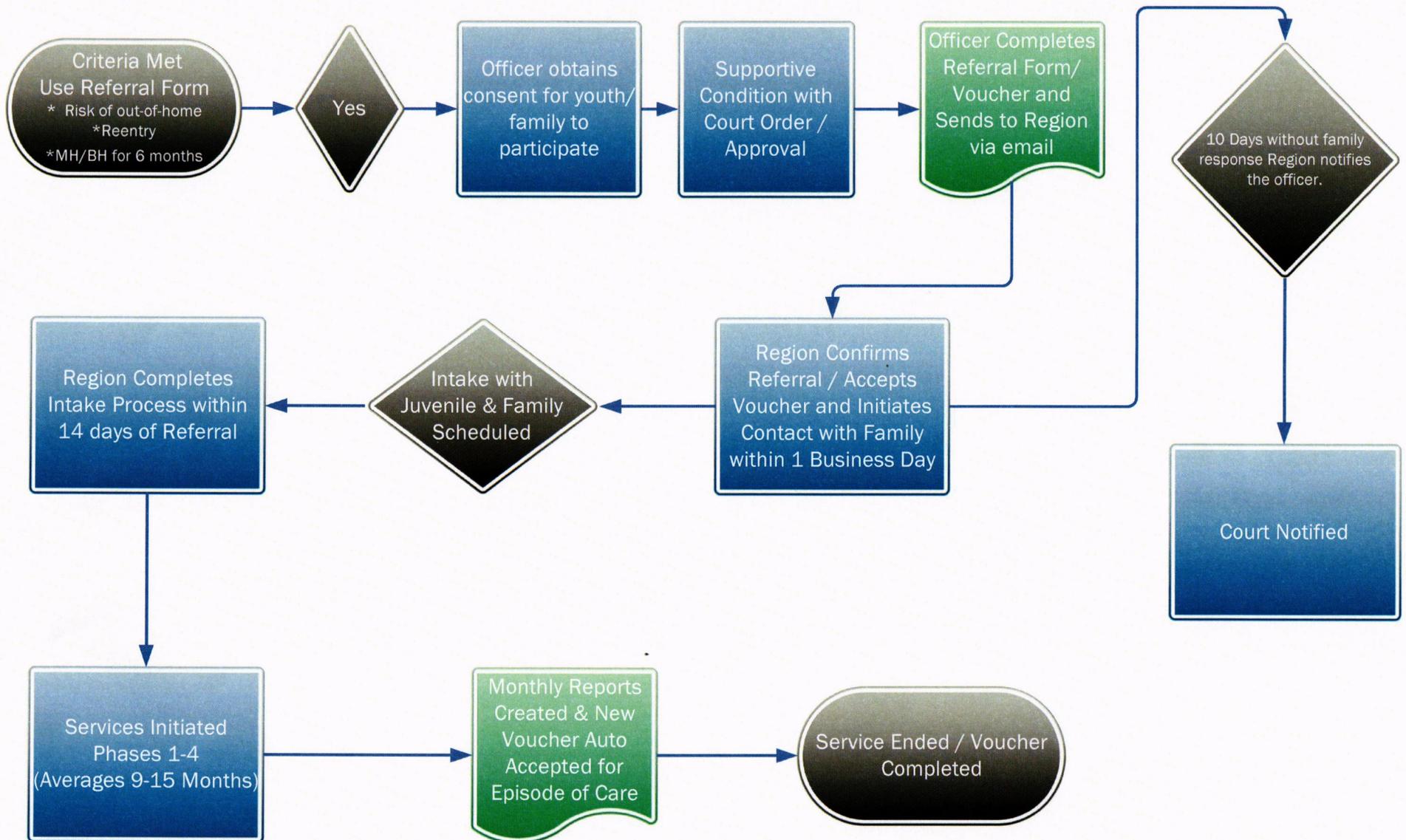
The Simple Screening Instrument (SSI) is utilized by Probation staff to address concerns about youth alcohol and substance use.

Simple Screening Instrument Score	# of Youth
0 - 3 (no evaluation recommended)	22
≥ 4 (evaluation for substance use recommended)	14
No Score	10
<b>Grand Total</b>	<b>46</b>

Location of Evaluation	Number of Youth (YTD)	Met Due Date (YTD)	Missed Due Date (YTD)	Awaiting Resolution*
Community	29	2	9	18
Detention	10	3	2	5
No Location Provided	7	-	-	7
<b>Grand Total</b>	<b>46</b>	<b>5</b>	<b>11</b>	<b>30</b>

\* 30 evaluations do not have information provided on if the due date was met. Some of these evaluations may be pending.

# Justice Wraparound Pilot Process



# ADMINISTRATIVE OFFICE OF PROBATION

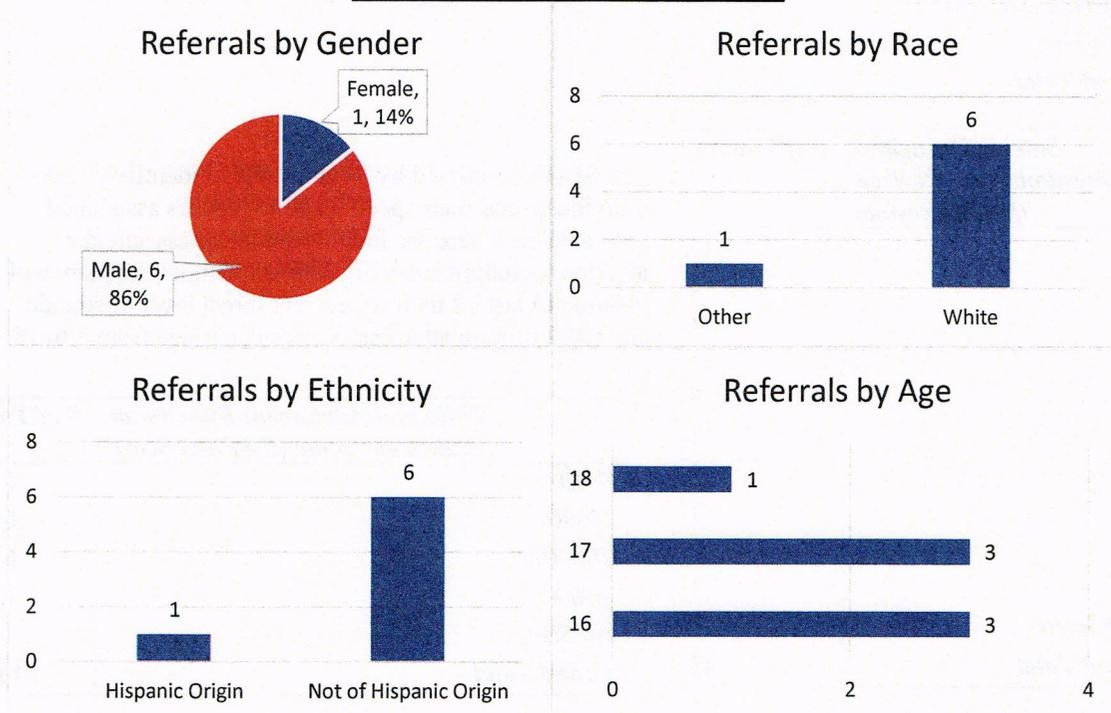
P.O. Box 98910  
 Lincoln, NE 68509  
 Phone: (402) 471-2141

## March - April 2016: Juvenile Justice Wraparound Pilot

In November, 2015 the Office of Probation Administration and Behavioral Health Regions (Regions) embarked on a twelve month pilot project to expand wraparound services to meet a broader spectrum of behavioral health needs of youth on probation. The Justice Wraparound pilot includes probation districts 2 and 4J in Region 6 and probation district 3J in Region 5. The goal is to involve more youth and families in wraparound services that may not have previously been eligible for the traditional Professional Partner program through the Regions. The Justice Wraparound program provides an evidence based wraparound approach that focuses on building developmentally appropriate skills, family functioning and formal/informal supports. Youth are in the program an average of 12-18 months. The following information highlights the progress of the pilot project.

The following information was collected from the Regions and the Administrative Office of Probation's case management system. The data analysis is provided by the Administrative Office of Probation. This report is compiled monthly and is a snapshot of information for wraparound referrals that are received by the Regions between March 1<sup>st</sup> and April 30<sup>th</sup>, 2016.

### Demographics of Accepted Referrals



### Analysis of Referrals

District/Region	# Referrals (YTD)	# Pending	# Accepted (YTD)
District 3J (Region 5)	3 (16)	-	3 (15)
District 2 (Region 6)	5 (12)	1	4 (10)
District 4J (Region 6)	2 (13)	2	0 (10)
<b>Grand Total</b>	<b>10 (41)</b>	<b>3</b>	<b>7 (35)</b>

# ADMINISTRATIVE OFFICE OF PROBATION

P.O. Box 98910  
Lincoln, NE 68509  
Phone: (402) 471-2141

<i>District/Region</i>	<i>Actively Enrolled (YTD)</i>	<i>Not Enrolled (YTD)</i>	<i>Successful Discharge (YTD)</i>	<i>Withdrawn from Pilot (YTD)*</i>
<i>District 3J (Region 5)</i>	<b>11 (15)</b>	- (1)	- (1)	<b>1 (3)</b>
<i>District 2 (Region 6)</i>	<b>7 (10)</b>	- (1)	- (-)	<b>3 (3)</b>
<i>District 4J (Region 6)</i>	<b>9 (10)</b>	- (1)	<b>1 (1)</b>	- (-)
<b>Grand Total</b>	<b>27 (35)</b>	<b>- (3)</b>	<b>1 (2)</b>	<b>4 (6)</b>

\*Withdrawn includes discharge to out-of-home placement.

<i>Youth Level of Service/Case Management Inventory (YLS/CMI) Level</i>	<i># of Youth</i>
<i>Very High (35-42)</i>	0
<i>High (23-34)</i>	12
<i>Moderate High (16-22)</i>	18
<i>Moderate Low (9-15)</i>	8
<i>Low (0-8)</i>	3
<b>Grand Total</b>	<b>41</b>

The YLS/CMI is utilized by Probation to identify risk across eight criminogenic domains. The risk score and high domain areas assist probation in classification for supervision and case planning priorities.

<i>Suicide Behaviors Questionnaire- Revised (SBQR) Results</i>	<i># of Youth</i>
3	17
4	3
5	1
6	1
7	3
8	1
10	1
12	1
13	2
14	1
<i>No Results</i>	10
<b>Grand Total</b>	<b>41</b>

The SBQR is utilized by Region staff to identify at risk individuals and their specific risk behaviors associated with suicide. There are four areas that assess suicidal ideation including areas of lifetime attempts, frequency of ideation in last 12 months, current threat level of suicide and risk of future attempts. Scores can range from 3 to 18.

<i>Child and Adolescent Functional Assessment Scale (CAFAS) Score</i>	<i># of Youth</i>
<i>0-40</i>	1
<i>50-90</i>	6
<i>100-130</i>	6
<i>140 +</i>	1
<i>No Score</i>	4
<b>Grand Total</b>	<b>18</b>

The CAFAS is utilized by Region staff to provide an assessment of youth's day-to-day functioning and for tracking changes and functioning over time.

Scoring: 0-10: Youth exhibits no noteworthy; 20-40: Youth likely can be treated on an outpatient basis, provide that risk behaviors are not present; 50-90: Youth may need additional service beyond outpatient care; 100-130: Youth likely needs care which is more intensive than outpatient and/or which includes multiple sources of supportive care; 140+ Youth likely needs intensive treatment, the form of which would be shaped by the presence of risk factors and the resources available within family and the community.

# ADMINISTRATIVE OFFICE OF PROBATION

P.O. Box 98910  
Lincoln, NE 68509  
Phone: (402) 471-2141

## Probation Juvenile Justice Reform Efforts April 2016

### **Juvenile Services Division Outcomes:**

The following outcomes were created by the Juvenile Services Division to include juvenile justice reform elements found in national research. Juvenile Probation's goals for reducing recidivism is accomplished by tracking successful achievement of these outcomes. These goals focus on preventing youth from returning to the juvenile justice system or entering the criminal justice system by:

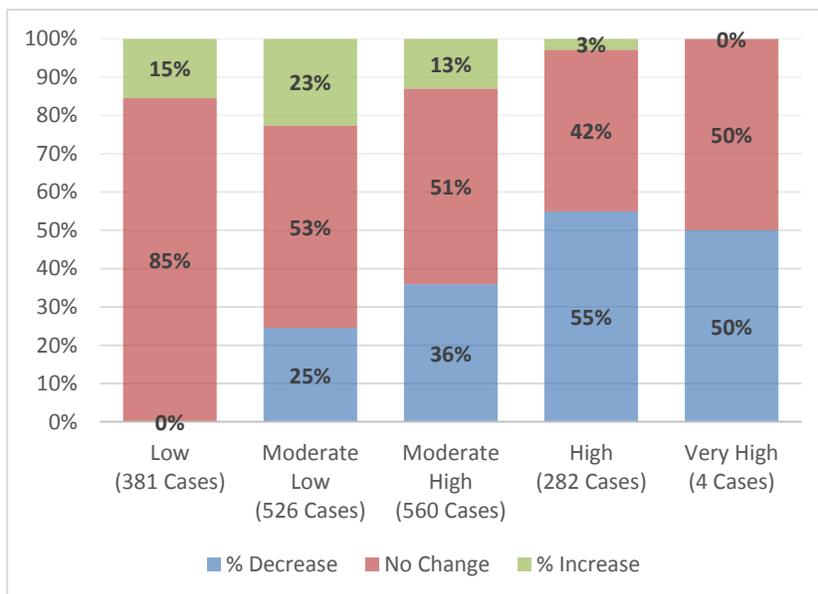
1. Engaging juveniles and their families in the juvenile court process;
2. Eliminating barriers to families accessing effective treatment and services; and
3. Partnering with educational and community stakeholders to assure coordinated case management, focused accountability and improved outcomes.

***Outcome 1: Risk Reduction:*** Youth involved in the juvenile justice system will receive targeted services that reduce assessed risk to reoffend upon release from supervision.

The juvenile justice system measures risk for youth under supervision to assist in determining the possibility that the youth will recidivate or return to the system. The assessing of risk also helps a probation officer focus on exactly what a youth is struggling with, for example, substance use. Therefore, to measure if probation is impacting youth, it is essential to evaluate if risk has been reduced during the period of probation supervision.

National research supports this outcome as the number one core principle in a research compilation titled "Core Principles for Reducing Recidivism and Improving other Outcomes for Youth in the Juvenile Justice System" authored by the Council of State Governments Justice Center. The first core principle being "base supervision, service and resource-allocation decisions on the results of validated risk and needs assessments."

This outcome is measured by first, categorizing probation cases by the initial and final Youth Level of Service/Case Management Inventory (YLS/CMI) assessment category, then comparing the initial level for



each individual court case, and finally, assessing whether risk increased or decreased during the probation term.

Of the cases discharged between November 1, 2015 and April 30, 2016, 54.9% of cases that scored "High" or "Very High" on the initial risk assessment scored at a lower level on the YLS/CMI preceding probation case closure. Lower assessed youth can see an increase in risk due to several reasons. Some include: not sharing information upon initial assessment, additional risks identified after being placed on probation and ensuring targeted case management is utilized.

# ADMINISTRATIVE OFFICE OF PROBATION

P.O. Box 98910  
Lincoln, NE 68509  
Phone: (402) 471-2141

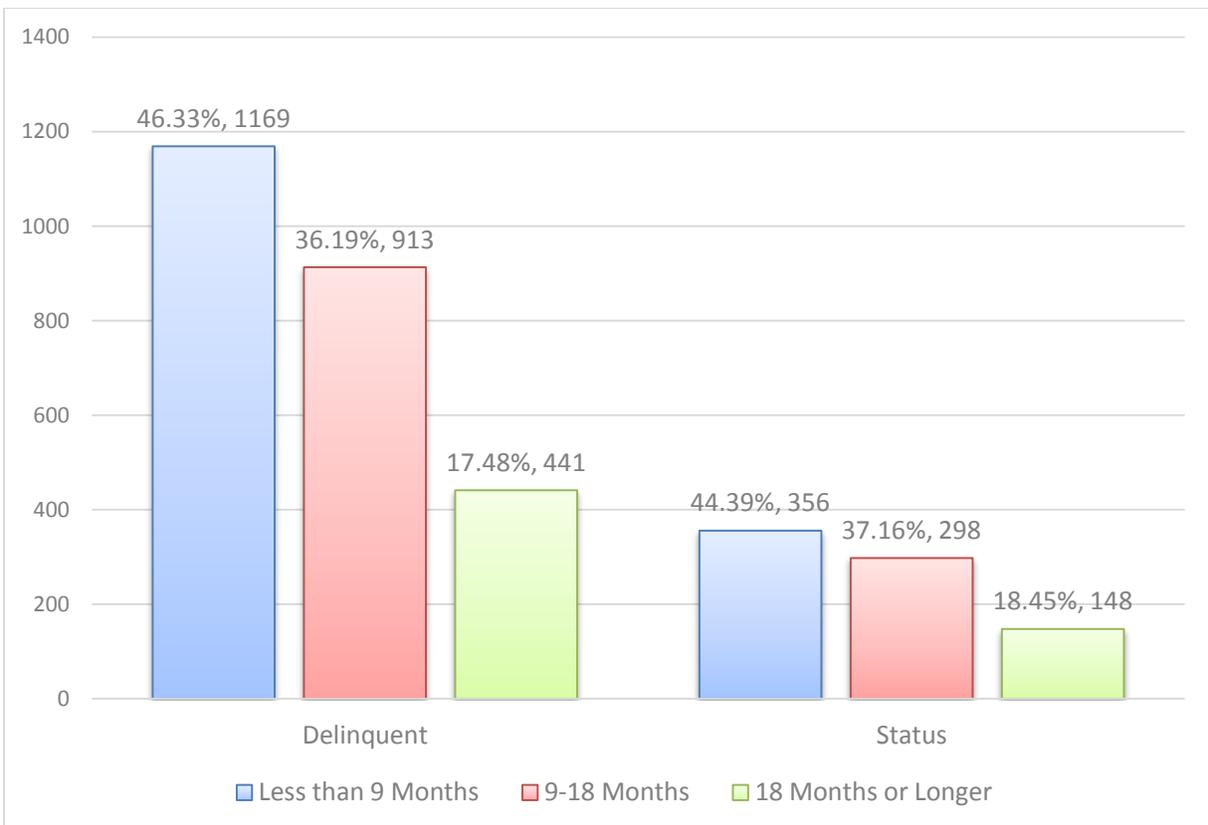
## *Outcome 2: Non-delinquent Status Youth: An increase in status youth who are diverted from the juvenile justice system or who receive a decreased term of probation supervision.*

A status youth is involved in the juvenile justice system for non-delinquent behaviors prohibited by law only because of their status as a minor. Examples include truancy and runaway behaviors. National research has shown better results for status youth when they receive immediate support and intervention which addresses the cause of the behavior and focuses on diverting from the juvenile justice system. Therefore, it is essential that probation officers immediately address the needs of the youth and prioritize diverting from the system or decrease probation terms.

The Vera Institute of Justice's Status Reform Center released a publication titled "From Courts to Communities: The Right Response to Truancy, Running Away, and Other Status Offenses" which identified five hallmarks for status youth. The five include "Diversion from court; an immediate response; a triage process; services that are accessible and effective; and internal assessment."

This outcome is measured by comparing the length of probation for delinquent youth to non-delinquent status youth.

In the last year, 44.39% of youth on probation for non-delinquent status activities were released from probation in less than 9 months, which is 1.94% less than delinquent youth. The average length of probation terms for non-delinquent status youth is 352.5 days: which is 2.5% longer than delinquent youth.



# ADMINISTRATIVE OFFICE OF PROBATION

P.O. Box 98910  
Lincoln, NE 68509  
Phone: (402) 471-2141

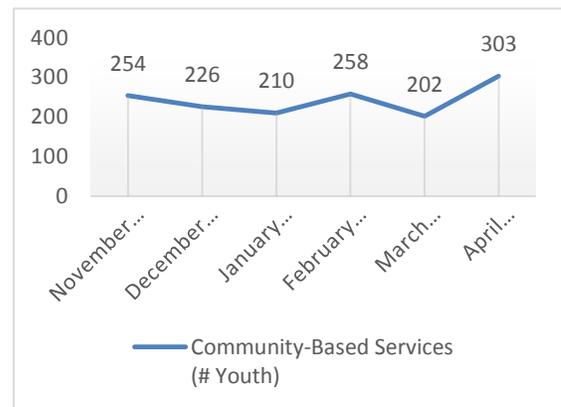
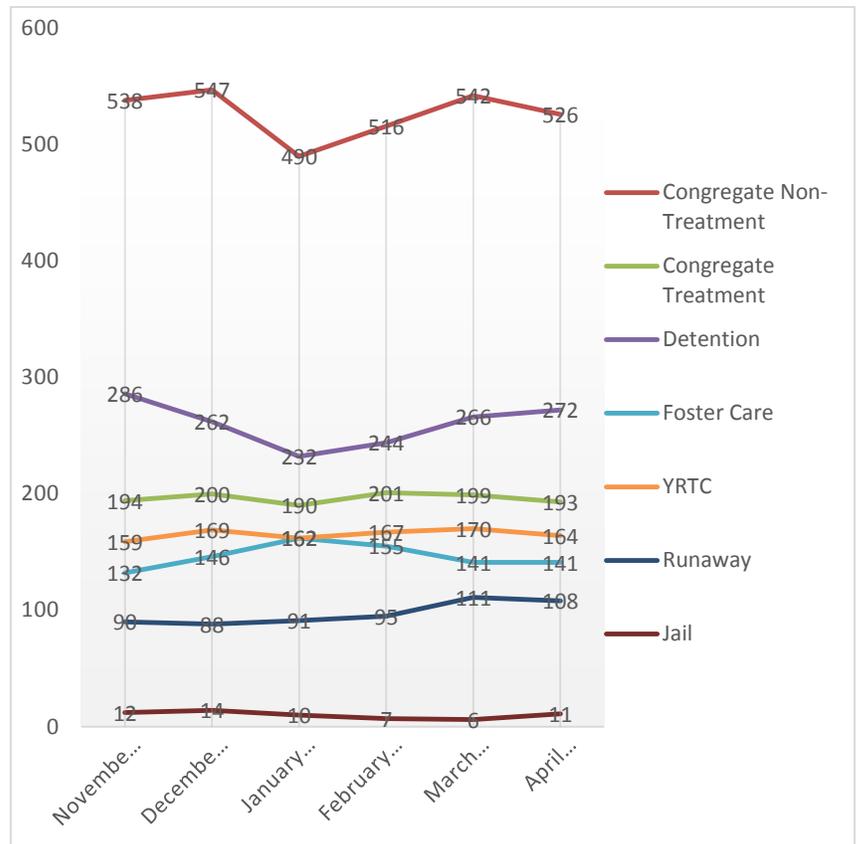
## *Outcome 3: Placement: Utilization of community-based services will reduce the use of out-of-home placements (OHP).*

The juvenile justice system was created to assist youth and families in becoming self-sufficient within their own communities. This has also been supported by research, including an increased success for youth that remain in the family home and receive services within their community. The State of Nebraska has a long-standing culture of placing youth out of the family home in hopes to reduce a youth's risk. This is not supported by research and has shown negative results for Nebraska youth and families. Therefore, it is essential that in-home support and services are prioritized by probation officers to assist a youth and family in their own communities and reduce a youth's risk to return to the juvenile justice system.

In the publication "Improving the Effectiveness of Juvenile Justice Programs: A New Perspective on Evidence-Based Practices" by Lipsey, Howell, Kelly, Chapmann and Carver, they find that "research has not supported the effectiveness of large, congregate, custodial juvenile correctional facilities for rehabilitating juvenile offenders." Additionally, they identify three challenges that must be overcome to ensure improved results for juvenile justice youth, the second is "building effective community-based programs for probation, reentry, aftercare, and parole systems to accommodate reductions in secure confinement."

This outcome is measured by analyzing the total number of youth in OHP during any point of the month and the number of vouchers that are issued to pay for community-based services. Community-based services include intensive family preservation (IFP), multisystemic therapy (MST), and family support work (FSW).

Congregate Non-Treatment and Congregate Treatment are now reported as two separate categories. Congregate Non-Treatment include: crisis stabilization, enhanced shelter, group home (A and B), maternity group home (parenting and non-parenting), independent living and shelter. Congregate Treatment includes: acute inpatient hospitalization, psychiatric residential treatment facility, short term residential and treatment group home. Foster care has increased 6.8% when comparing November 2015 to April 2016. Whereas, the number of youth receiving community-based services continues to fluctuate based on the needs of the current population.



**New  
this  
Month**

# ADMINISTRATIVE OFFICE OF PROBATION

P.O. Box 98910  
 Lincoln, NE 68509  
 Phone: (402) 471-2141

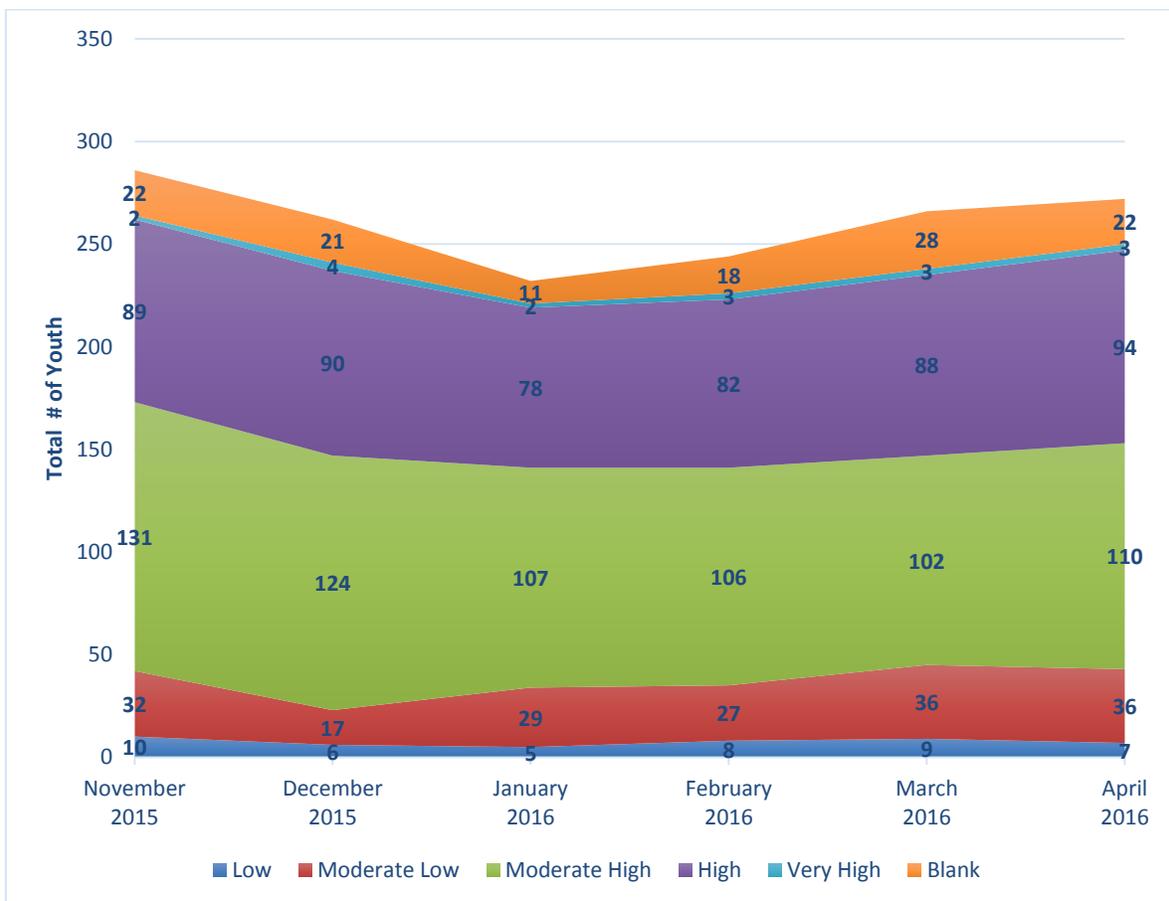
***Outcome 4: Detention: Reduce the number of youth placed in detention who are not at high risk to reoffend.***

The use of detention for youth has been found by research as very harmful. Detention should only be used when a youth is a true risk to the safety of the community. Additionally, low risk youth who are not a risk to the community show negative results when placed in detention. Therefore, probation officers ensure that only high risk youth that are a risk to public safety are placed in the detention centers across the state.

This is further supported by The Annie E. Casey Foundation publication "No Place for Kids: The Case for Reducing Juvenile Incarceration." As priority number one, "Limit Eligibility for Correctional Placements: Commitment to a juvenile correctional facility should be reserved for youth who have committed serious offenses and pose a clear and demonstrable risk to public safety."

This outcome is measured by reporting the number of youth in detention by their most recent YLS/CMI score. These detention numbers do not include youth who are detained as an 'intake' and are not on probation at the time of detention. Some youth have not had an YLS/CMI completed and account for the small number of blank YLS/CMI scored youth.

Detention admissions for probation youth have declined 4.9% in the last six months.



# ADMINISTRATIVE OFFICE OF PROBATION

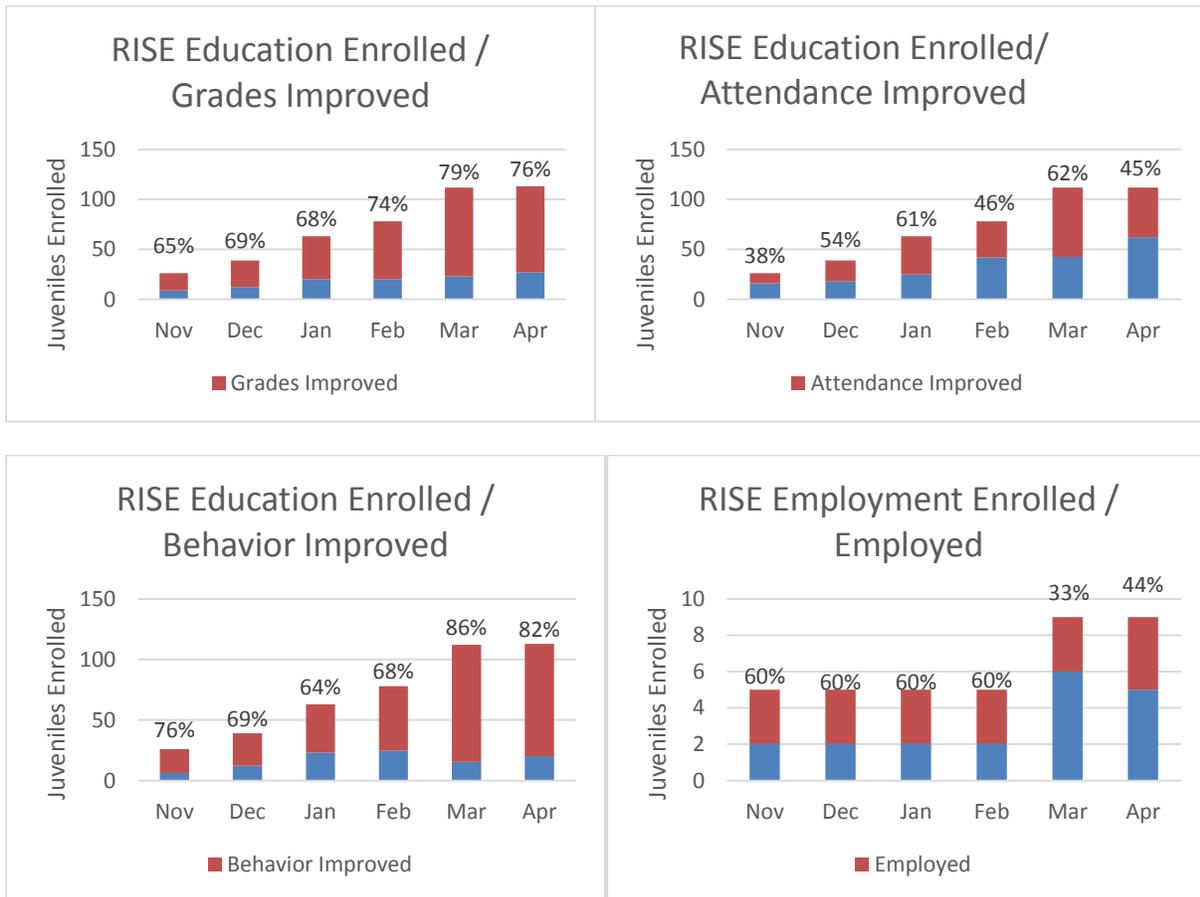
P.O. Box 98910  
 Lincoln, NE 68509  
 Phone: (402) 471-2141

## *Outcome 5: Education and Employment: A higher percentage of youth will be involved in pro-social activities including school and employment.*

Ensuring that a youth is involved in pro-social activities is essential and has shown great outcomes towards successful probation. The two major factors that support this are school and employment. Therefore, assisting a youth in being successful at school and employment is key to a youth not returning to the juvenile justice system. One service that probation offers youth throughout Nebraska is the Rural Improvement for Schooling and Employment (RISE) program. RISE is an AmeriCorps program focused on providing education and employment skills to at-risk youth. Implemented in Nebraska in 2007, RISE Program Specialists support youth in the Nebraska probation system by facilitating a skills-building program centered on improving grades, attendance, and employment opportunities for at-risk youth while improving community safety through reducing recidivism.

The RISE Program was created in response to a 2006 Vera Institute study that showed high risk youth are more successful on probation when education and employment are a key focus. Another core principle identified by the Council for State Governments Justice Center is principle 3 "Employ a coordinated approach across service systems to address youth's needs." This ensures all experts are working together, which is key to long term success.

The RISE Education program helps juvenile probationers decrease behaviors within the school environment that can lead to failing or dropping out, through a skills building curriculum focused on an educational skill set. During the month of April, 76% of enrolled RISE juvenile probationers saw an improvement in their grades.





## Respect & Worker Retention

 Augsberger, A., Schudrich, W., McGowan, B. G., & Auerbach, C. (2011). Respect in the workplace: A mixed methods study of retention and turnover in the voluntary child welfare sector. *Children and Youth Services Review*, 34, 1222-1229.

### WHAT IS THIS RESOURCE?

This journal article examines how perceptions of respect impact child welfare workers' attitudes toward their jobs. The sample included workers from 202 agencies in a large northeastern city who contracted with the city to provide prevention and family preservation services. The mixed methods design included both qualitative (focus groups) and quantitative (survey) approaches.

### WHAT ARE THE CRITICAL FINDINGS?

Respect has been widely studied in human resource literature, as perceptions of respect by workers are related to job satisfaction and intent to stay. Qualitative analysis found that perceptions of respect influence a worker's decision to stay in a demanding child welfare job:

### PERCEPTIONS OF RESPECT

<b>ORGANIZATIONAL SUPPORT</b>	Respondents felt a lack of respect & support from various levels of the organization (administration, supervisors, co-workers); isolated in their work
<b>FAIR SALARY &amp; BENEFITS</b>	Respondents felt current salaries too low, benefits were not adequate, and child welfare work not valued by the public
<b>FAIR PROMOTION POTENTIAL</b>	Respondents described a lack of career advancement opportunities in their agencies
<b>ADEQUATE COMMUNICATION</b>	Respondents reported internal & external communication issues (e.g., not given adequate information to assist clients; confused about agency policies; lack of understanding about prevention services by public child welfare)
<b>CONTINGENT REWARDS</b>	Respondents noted lack of acknowledgment for hard work, such as recognition and "kudos" to help them feel more valued

The study also used quantitative analysis to develop a profile of a child welfare worker more likely to leave their job. Perceptions of respect, age, and a social work degree were all statistically significant predictors of intent to leave: Workers who perceived greater respect at their jobs were less likely to think about leaving, as were older workers, while workers with a social work degree (Bachelor's or Master's) were 60% more likely to intend to leave.

### WHAT ARE THE IMPLICATIONS FOR OUR WORK?

Cultivating a workplace culture of respect can increase job satisfaction, help overworked child welfare staff feel valued in their careers, and improve retention rates. Organizations should try to employ strategies that recognize individual staff achievements and conduct ongoing trainings for supervisors focused on creating a workplace environment of respect. In lieu of salary increases, which may not be possible, organizations should consider increasing professional development opportunities.



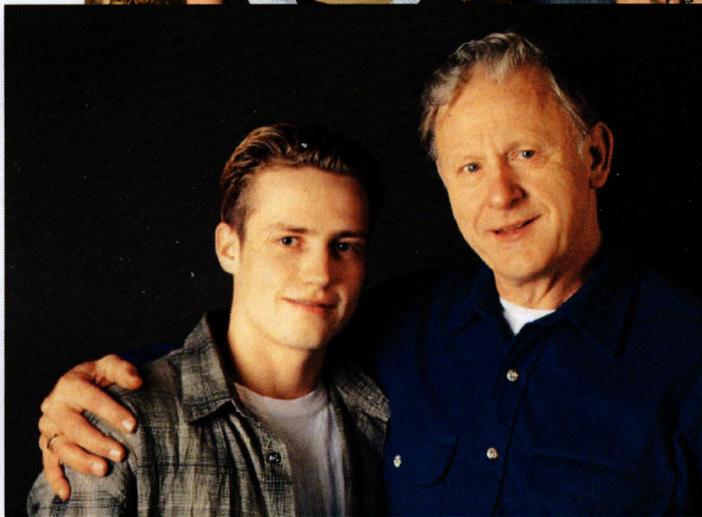
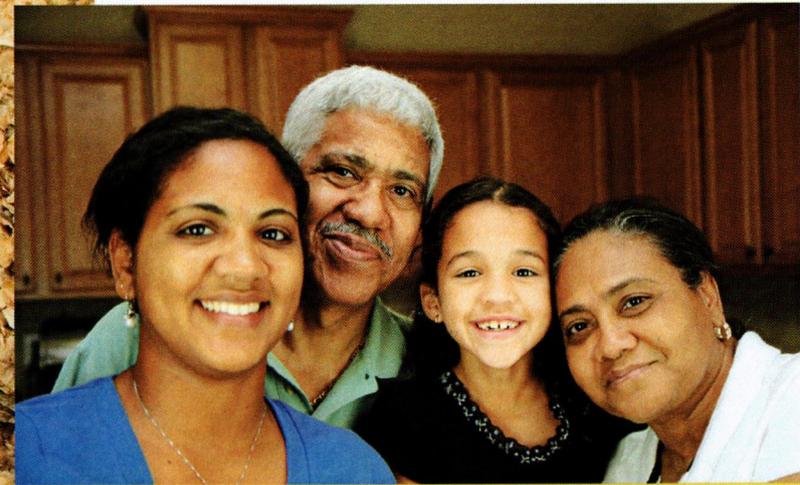
## NFC Workforce Development and Retention

Prepared for the Nebraska  
Children's Commission

5/17/16



CREDIBILITY • INTEGRITY • ACHIEVEMENT



*The mission of Nebraska Families Collaborative is to build on child, family, and community strengths so that all children and families are safe, healthy, and thriving.*

---

# Recommendations to the Children's Commission

- Creating an understanding of stability
  - Recommend a RFP with a longer contract to be released Fall 2016
  - Assistance with Capacity Issues
  - Technology
  - Psychologically Safe Workforce
  - Licensure Status
  - Version of STEM for Social Workers
-

---

## RFP with longer contract to be released Fall 2016

- Year to year contract creates instability and uncertainty for all in child welfare system
- Limits stakeholders' ability to make longer-term decisions
- 5+ year contract legitimizes the organization providing case management

---

# Assistance with Capacity Issues

- There is a lack of qualified people to do the work
- Agencies “swapping” employees – this is exacerbated by the culture of instability

---

# Technology

- Need for real time, meaningful data
- Need for interface program to pull data out of NFOCUS due to its reporting limitations

---

# Psychologically Safe Workforce

- Case managers need to be treated with respect

---

# Licensure Status

- Other states use LCSWs to do case management
- Licensure adds a professional component

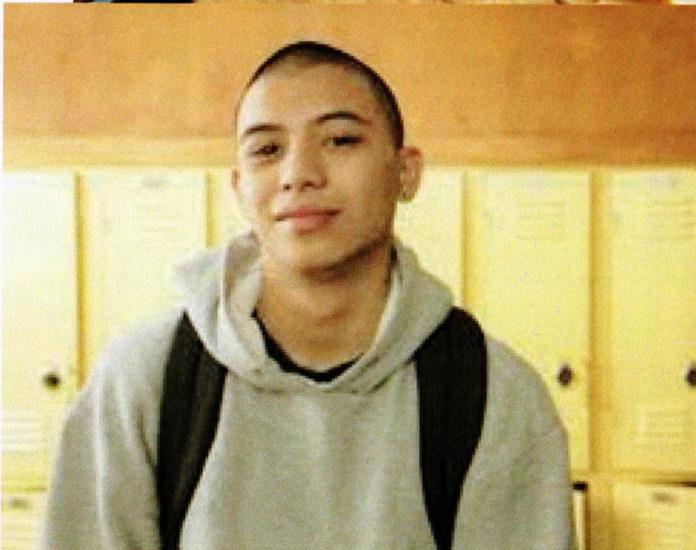
---

# Version of STEM for Social Workers

- Start early in building workforce in social work field
- Develop program/curriculum for all primary education levels to build interest in social work similar to what STEM has done for Science, Technology, Engineering, and Math

---

# Question & Answer



*The mission of Nebraska Families Collaborative is to build on child, family, and community strengths so that all children and families are safe, healthy, and thriving.*

## Legal Parties Taskforce of the Nebraska Children’s Commission

### Juvenile Law Survey Practice Survey Results Executive Summary

This survey was created for the purposes of capturing the views and experiences of attorneys who practice juvenile law in Nebraska to inform the work of the Legal Parties Task Force surrounding Neb. Rev. Stat. §43-247 and was administered to attorneys with the help of the Nebraska Bar Association, the Attorney Services Division of the Nebraska Supreme Court, Nebraska Appleseed, DHHS Legal Services Division, and the County Attorneys Association. The survey received 70 responses from defense attorneys, child attorneys, Guardians ad litem, intervenor attorneys and county attorneys from both the Separate Juvenile Courts and County Courts sitting as Juvenile Courts. The information contained below represents the responses to the survey in aggregate, and not the recommendations of the Taskforce, or the views of any individual Taskforce member or staff.

#### Major Themes of the Survey Results

- **§43-247(3) (a) Fault and no-fault petitions.** Though most attorneys believe that fault and no fault petitions are used appropriately, there are wide variations in how filing decisions are made, and whether the filing type is indicated on the petition.
- **§43-247(5).** Attorneys are unclear about the Juvenile Court’s authority to order parental compliance with services and case plans, and to enforce those orders.
- **Neb. Rev. Stat. §43-247(3) (c) Mentally ill and dangerous youth.** This provision is not used in all areas of the state. Although it can connect families to services, there still may be difficulty accessing services in the community or continuing services once the emergency is over. Additionally, attorneys express confusion about the statutory language and timeframes.
- **Availability of services.** Some areas of the state, especially areas in which County Courts sit as Juvenile Courts, attorneys report a lacking of services that would improve outcomes for children and families.
- **Access to judicial time.** Attorneys practicing in counties with Separate Juvenile Courts report that access to judicial time and docket availability negatively impact the practice of juvenile law.

#### Fault and No-Fault Petitions in Cases where the Primary Safety Concern is Domestic Violence as to the Victim

Attorneys were asked to indicate their agreement with the following statement “*Domestic violence involved cases where domestic violence is the primary safety concern are usually filed as fault as to the victim.*” The responses from attorneys suggest that practice differs across jurisdictions:

- 8% indicated they did not know or had no experience; 36% strongly disagreed or disagreed; 14% were neutral; 42% agreed or strongly agreed.

Attorneys were asked to indicate which filing type they believed to be more appropriate and what factors should be considered when determining the filing type. Ten attorneys indicated that the filing type should always be no-fault. Thirty six attorneys listed a variety of considerations that should impact the filing type.

### **Filing Considerations**

- **Presence of complex factors.** Domestic violence is often not the only issue the family is struggling with, and the petition will need to address substance abuse or mental health issues.
- **Identifying the victim.** Domestic violence may be mutual, or the victim in one instance may be the perpetrator in others.
- **History and frequency of violence.** The domestic violence may have been a first time event, the perpetrator may have a pattern of violence in the home, or the victim may have a pattern of bringing violent partners into the home.
- **Exposure of child to violence/harm.** Consider whether the violence is committed in the presence of the children, or if the violence harms or injures the children.
- **Prior system intervention.** Consider whether the family has had law prior interventions from law enforcement or DHHS and whether the victim cooperated with previous interventions.
- **Best interest and safety of child.** The petition type should support the best interest and safety of the child.
- **Parent capability or willingness to remedy the issue.** Determine if the parent has taken steps in the past to protect the children from harm, and if the parent is willing to access the available supports and resources to protect the child from harm following intervention.

### **Fault and No-fault Petitions in Domestic Violence Involved Cases as to the Perpetrator**

Attorneys were asked to indicate their agreement with the following statement “*Domestic violence involved cases where domestic violence is the primary safety concern are usually filed as fault as to the perpetrator.*” The responses suggest that the general practice is to file fault petitions against domestic violence perpetrators:

- 8% indicated they did not know or had no experience; 4% strongly disagreed or disagreed; 12% were neutral; 76% agreed or strongly agreed

Attorneys were asked to indicate whether fault or no fault petitions were more appropriate and what factors should be considered when determining the filing type. Eighteen attorneys indicated that the filing type should always be fault. Twenty-eight attorneys listed a variety of considerations that should impact the filing type, though most indicated that fault filings are usually the most appropriate.

## **Filing Considerations**

- **Presence of complex factors.** There may be cases where the perpetrating parent's mental illness or intellectual disability mitigates parental fault.
- **Identifying the victim.** Determine whether the violence at issue was committed in self-defense or if the perpetrator was the aggressor.
- **Exposure of child to violence.** Many responses indicate that if the acts were committed in the presence of the child or in the proximity of the child, the case should be filed as fault.
- **Prior or concurrent system intervention.** Consider previous contacts with law enforcement, prior interventions, and pending criminal charges.
- **Best interest and safety of child.** Determine which filing type will support the best interest of the child. Consider whether the actions of the perpetrator creates a risk to the child.
- **Procedural considerations.** Fault filing should be considered when there are criminal charges based on the domestic violence, if the perpetrator should be placed on the central registry, and whether the court will need to order the perpetrator's compliance or enforce those orders.

## **Fault and No-fault Petitions where the Primary Safety Concern is Parental Substance Abuse**

Attorneys were asked to indicate their agreement with the following statement "*Cases in which the primary safety concern is parental substance abuse are usually filed as fault petitions.*" The responses suggest that it is fairly standard practice to file cases involving parental substance abuse as fault petitions.

- 2% indicated they did not know or had no experience; 0% strongly disagreed or disagreed; 6% were neutral; 92% agreed or strongly agreed.

Attorneys were asked to indicate which filing type they believed to be more appropriate and what factors should be considered when determining the filing type. Fourteen attorneys indicated that fault is the most appropriate filing type and did not list any considerations. Three indicated that the filing type should always be no-fault and did not list considerations. 29 attorneys listed a variety of considerations that should impact the filing type, though most indicated that fault filings are usually the most appropriate.

## **Filing Considerations.**

- **Presence of complex factors.** The petition may also have to address the mental health and intellectual disability issues presented by the parent and which may impact the parent's ability to make appropriate choices.
- **History/frequency/type of substance abuse.** Consider whether this is the first time that substance abuse issues have arisen, whether it the substance is abused frequently, if it is a long term pattern of use. Also consider the nature of the substance,

whether it is illegal, or if the parent was placed on prescription medicine legally and become addicted.

- **Nature of maltreatment allegations.** This factor considers the degree of injury to the child, whether the harm is the inability to care for the child due to substance abuse or abuse to the child.
- **Exposure of child to substances/substance use.** This factor considers the harm of exposing a child to the substance itself, the parent's use of the substance, other substance users and dealers, or the child testing positive for the substance.
- **Prior system intervention.** This considers whether the parent has already had intervention and whether they were successful with the services provided.
- **Best interest and safety of child.** These responses indicated that fault was the most appropriate petition to keep children safe in these situations.
- **Parent capability or willingness to address the issue.** This factor looks at whether the parent will accept treatment.
- **Procedural considerations.** The parent may be more willing to plead to a no-fault, but this can lead to a lack of consequences for the parent, and inability to terminate parental rights or order treatment for the parent.

### **Fault and No-fault Petitions where the Primary Safety Concern is Parental Mental Illness**

Attorneys were asked to indicate their agreement with the following statement "*Cases in which the primary safety concern is parental mental illness are usually filed as fault petitions.*" The responses suggest that the filing decisions for parental mental illness vary across juvenile practice or according to the facts of the case.

- 8.3% indicated they did not know or had no experience; 33.33% strongly disagreed or disagreed; 14.58% were neutral; 43.75% agreed or strongly agreed.

Attorneys were asked to indicate which filing type they believed to be more appropriate and what factors should be considered when determining the filing type. Thirteen attorneys indicated that no-fault is the most appropriate filing type and did not list any considerations. 32 did list considerations for determining the most appropriate type of filing.

### **Filing Considerations**

- **Presence of complex factors.** This element considers whether the parent's mental illness is the result of parental substance abuse and if there is concurrent substance abuse by the mentally ill parent.
- **Severity/duration/nature of mental illness.** This considers whether the mental illness is diagnosed, long term, or severe, and whether the nature of the mental illness impacts the parent's ability to provide proper care or to acquire the skills necessary to provide proper care.
- **Nature of maltreatment allegations.** This considers whether the maltreatment to the child is neglect due to the parent's inability to care for themselves and the child,

or if it is abuse by the parent. Responses indicated that neglect was more likely to benefit from a no-fault filing, while abuse was more appropriate for a fault filing.

- **Procedural considerations.** If the parent is willing to accept services voluntarily, a no-fault petition may be more appropriate, but attorneys also struggle with the ability to file a TPR if needed when the petition is no-fault.
- **Prior system intervention.** This considers whether previous intervention have been offered or have been successful.
- **Best interest and safety of the child.** This considers whether the filing type supports the safety of the child.
- **Capability of parent to remedy issue.** This considers whether parent can manage their mental illness or is willing to follow through with a course of treatment once services are accessed.

### **Fault and No-fault Petitions where the Primary Safety Concern is Child's Mental Illness**

Attorneys were asked to indicate which filing type they believed to be more appropriate and what factors should be considered when determining the filing type.

- Fifteen attorneys indicated that no-fault is the most appropriate filing type and did not list any considerations. Ten attorneys indicated that it should be considered on a case by case basis and did not list any considerations. One attorney had no experience. 20 did list considerations for determining the most appropriate type of filing.

#### **Filing Considerations**

- **Severity/nature/duration of mental illness.** This factor considers what the child's diagnosis is, whether the child's needs are extraordinary, whether the cause of the mental illness is an action of the parent (trauma), or if the cost of treatment is prohibitive.
- **Nature of maltreatment allegations.** This considers if the allegations are abuse or that the parent is unable to manage the mental health needs of the child, or that the mental illness is the result of the acts of the parent.
- **Procedural considerations.** This considers whether the mental illness is known at the time of filing, or the attorney's ability to file a Neb. Rev. Stat. §43-247(3) (c) filing is more appropriate.
- **Capability of willingness of parent to remedy issue.** A parent who is taking steps to access appropriate treatment or is willing to access treatment once it is available is more appropriate for a no-fault filing than a parent who is unwilling to access or follow a course of treatment

### **Parental Compliance in Cases Adjudicated as No Parental Fault**

Attorneys were asked to indicate their agreement with the following statement "*In my experience, most Judges order parents to comply with case plans or participate in services in a no-fault case.*"

- 2% indicated they did not know or had no experience; 2% disagreed; 10% were neutral; 86% agreed or strongly agreed.

Attorneys were asked to respond in narrative form to the questions “Thinking about cases that have been adjudicated as no parental fault, can these parents be court ordered to comply with a case plan and/or participate in services? What types of services can be ordered?”

Responses were grouped by the below themes:

- **Parents adjudicated under a no-fault petition can be ordered to comply with a case plan and participate in services the same as in a fault case.**
- **The court ordered action must be related to the adjudicated issue or the issue that initially brought the family before the court.**
- **The court may order any service that is needed by the family, not just specifically related to adjudication or initial reason for intervention.**
- **The court may order any service that is related to the best interest and safety of the child.**
- **The court may order compliance for specific issues.** Attorneys listed services that address parental mental illness or substance abuse, removing barriers to reunification, family support, and appointments for children, or visitation.
- **The court can order compliance but may encounter enforcement issues.** One attorney suggested that if parents do not comply, a fault petition should be filed on the basis on parental non-compliance. Other attorneys noted that there may not be a mechanism for compliance in no-fault cases.
- **The court cannot order corrective action.**
- **Whether or not the court may order corrective action is dependent on the case.**

#### **Neb. Rev. Stat. §43-247(3) (c) – Youth who are Mentally Ill and Dangerous**

Attorneys were asked to respond in narrative form to the question “*In your experience, is Neb. Rev. Stat. §43-247(3) (c) the most effective way of providing treatment to mentally ill and dangerous youth? And why?*” Responses were categorized as below:

- **Neb. Rev. Stat. §43-247(3) (c) is not used or is rarely used by attorney or the county in which attorney practices.**
- **Neb. Rev. Stat. §43-247(3) (c) is the most effective way of providing treatment to mentally ill and dangerous youth because it allows families to access services.**
- **Neb. Rev. Stat. §43-247(3) (c) is the not the most effective way of providing treatment to mentally ill and dangerous youth because of a lack of services in the area.**
- **Neb. Rev. Stat. §43-247(3) (c) is not the most effective way of providing treatment to mentally ill and dangerous youth because of procedural or statutory concerns.**
- **Neb. Rev. Stat. §43-247 is the most effective way or providing treatment to mentally ill and dangerous youth because of procedural or statutory considerations.**

Attorneys were asked to respond in narrative form to the questions “*What are some limitations of Neb. Rev. Stat. §43-247(3) (c) that impact the provision of mental health services to youth?*”

- **Services.** There are many areas in Nebraska where services are limited or unavailable, which creates difficulty in ensuring that children and families access the services that they need.
- **Statutory language and timeframes.** The statutory timelines and requirement that youth be designated as “mentally ill and dangerous” by a mental health professional and be an immediate threat can be barriers to service provision under this section.
- **Statue unused.** As indicated above, some attorneys and counties do not use this section.
- **Court orders.** There are some questions about the court’s ability to enter orders if the parties do not agree.

#### **Neb. Rev. Stat. §43-247(5)**

Attorneys were asked to respond in narrative form to the statement “*Please describe your understanding of the purpose and application of Neb. Rev. Stat. §43-247(5), and what changes to the statute, if any, would improve juvenile practice.*”

- **Purpose.** Most attorneys indicated that the purpose was to give courts the jurisdiction over parents in juvenile court.
- **Changes for improvement.** Many responses noted that clarity in the specific purpose and extent of the court’s authority to take jurisdiction over a parent or order parental compliance would improve juvenile practice.

#### **Juvenile Court Practice Improvement**

Attorneys were asked to indicate in their role what challenges they experience related to Neb. Rev. Stat. §43-247. The responses are categorized into the themes below:

- **Legal party/practice issues.** A number of different issues were raised under this category, including the need for attorneys to receive more training, difficulty obtaining court time, parents who continue to make progress but do not obtain a case closure, fathers not identified at the outset of a case, courts unwilling to order parents compliance in some cases, case progression and the failure of county attorneys and GALs to file TPRs.
- **Statutory concerns.** This item included a lack of definition and distinction between fault and no-fault cases, and confusion over when parents can be the subject of court orders.
- **Agency concerns.** Attorneys noted that there is not clarity between DHHS and Probation over who is responsible for services, and the difference between DHHS’s investigation and assessment process and the County Attorney’s need for admissible evidence.

- **Funding.** Attorneys noted concerns about keeping costs down as a court appointed attorney that conflicts with the client’s need for zealous legal advocacy, and that the requirement for a hearing 48 hours after removal can be cost prohibitive.

Attorneys were asked to respond in narrative form to the question “*What changes to Neb. Rev. Stat. §43-247 would allow you to perform your duties more effectively?*” The responses are categorized by theme as below:

- **Legal party/practice issues.** Improvements included increased attorney and judge education, increased attorney advocacy, and increased use of Neb. Rev. Stat. §43-247(3) (c).
- **Statutory concerns.** Improvements included defining Neb. Rev. Stat. §43-247(3)(b), outlining what jurisdiction means in relation to sections (1), (2), and (3), changing burden of proof in YRTC commitments to “clear and convincing,” clarifying no fault petitions, and requiring court to accept a custody complaint or modification.
- **Agency related.** Improvements included increased collaboration and cooperation between DHHS and Probation.
- **Funding.** Improvements included that funding should be shared or mixed between child welfare and juvenile justice, increased payment for juvenile court appointments, and ensuring that DHHS is adequately funded to pay for the services it is court ordered to provide.
- **Services.** More services in communities and in rural areas.

Attorneys were asked to respond in narrative form to the question “*What changes to Neb. Rev. Stat, §43-247 would support improved outcomes for children and families?*” The responses are categorized by theme below:

- **Legal party/practice improvement.** Responses included additional judges in Douglas County, increased training and education, as well as discontinuing the practice of allowing parents to plead to a no-fault petition when the parent is at fault.
- **Statutory improvements.** Improvements included outlining the court’s jurisdiction over parents in each section, training attorneys and judges, an ability to terminate parental rights in less than fifteen months when parents are repeatedly non-compliant, and a family court similar to drug court.
- **Agency related.** Increased collaboration and cooperation between DHHS and Probation, and focus on the best interests of the child.
- **Funding.** Define service provider payment responsibility as between DHHS and Probation, ensure that DHHS is adequately funded to pay for the services it is court ordered to provide.
- **Services.** More services and access to services for a longer period of time for families.

### **County Attorney Specific Question Regarding Fault and No Fault Petitions**

County Attorneys were asked to respond in narrative form to the following question “*What factors do you consider when determining if a case filed under Neb. Rev. Stat. §43-247(3) (a) will be filed as fault or no fault? How do you weigh these factors?*” County attorney responses were categorized by theme and a summary is included below:

- **Procedural considerations.** Some attorneys indicated that they consider the ability to obtain a plea to a no-fault case, and if the filing type will make an impact on the life of the case.
- **Nature of maltreatment.** Attorneys look at how the choices of the parent impact the situation that brought the case to the court's attention, whether the harm in abuse or neglect, and what proof of fault the county attorney will be able to show the court.
- **Ability of filing type to remedy family issue.** Attorneys note that the primary purpose is to help the family and the individual factors of the case should be weighed in that light.
- **Severity of issue.** County attorney looked at severe abuse or neglect with increased scrutiny to determine filing type.
- **Prior intervention.** Consider the parents' history with DHHS and the court system.

### Access to Judicial Time and Docket Availability

County attorneys practicing in counties that do not have a separate juvenile court were asked to indicate if they experience timing conflicts between the juvenile docket and other dockets, and if so, how it impacts the practice of juvenile law. Responses are categorized below and suggest that County Courts sitting as Juvenile Courts do not experience significant barriers to docket availability:

- **Attorney has experienced a conflict, but it does not affect juvenile law practice.** Two attorneys note that conflicts can happen, but the courts are able to hear cases when it is necessary.
- **Attorney has experienced no conflict.** Five attorneys responded that they have not experienced any conflict between the juvenile docket and other dockets.

Attorneys were asked to respond in narrative form to the question *“Does access to judicial time and docket availability impact the practice of law? If so, how?”* The answers show that a lack of docket availability in the Separate Juvenile Courts has a negative impact on the practice of juvenile law, while in areas that have County Courts sitting as Juvenile Court, many counties do not have any issues with docket availability, while some do.

- **Yes, access to judicial time impacts the practice of juvenile law.** Mostly attorneys from the Separate Juvenile Courts note that there is a significant wait for a hearing date, and if a matter is contested, the Court often does not have the time to hear the case. Attorneys practicing in County Courts sitting as Juvenile Courts note that there is a negative impact when the courts are only in session one or two times a month.
- **No, access to judicial time does not impact the practice of juvenile law.** Ten attorneys responded that there was no problem with access to judicial time, two attorneys practiced primarily in the Separate Juvenile Courts, and eight practiced primarily in County Courts sitting as Juvenile Courts.