Opening the Door

Arizona Supreme Court Task Force on Crossover Youth Data and Information Sharing

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Opening the Door

Arizona Supreme Court Task Force on Crossover Youth Data and Information Sharing

Executive Summary

Task Force Purpose

On August 17, 2016, Chief Justice Scott Bales issued Administrative Order No. 2016-80 establishing the Task Force on Crossover Youth Data and Information Sharing. This effort will lead to better-coordinated services, reduce recidivism, and lead to better outcomes for Arizona's at-risk youth. The Administrative Order calls for the Task Force to:

- Identify the data and information that is required to be shared among and between agencies that will allow an improved collaborative approach to managing crossover youth cases;
- Determine what information currently can be shared pursuant to state and federal laws and regulations[1];
- Identify barriers to sharing of the data and information; and
- Make recommendations on how data and information sharing barriers can be resolved or mitigated.

The Chief Justice required the Task Force to make recommendations to the Committee on Juvenile Courts (COJC) by September 1, 2017. Based on the challenges and opportunities their organizations have encountered providing services to crossover youth, Task Force members met regularly in person and by phone to develop the following recommendations for consideration by the COJC.

[1] After beginning its work, the Task Force learned that the Governor's Office of Youth, Faith and Family (GOYFF), in partnership with the System Improvement Committee of the Arizona Juvenile Justice Commission (AJJC), was in the process of revising the "Information Sharing Guide," which addresses federal and state laws and rules governing the sharing of information about children and families involved in the child welfare and juvenile justice systems. Given the focus of the Information Sharing Guide, the Task Force focused on the three remaining objectives outlined in A.O. 2016-80.

Task Force Abbreviated Recommendations

1-1 All youth should be screened for historic involvement with child welfare, juvenile justice and behavioral health. Upon identifying a crossover youth, a procedure should be initiated to identify key professionals from the different agencies involved.

1-2 Implement a statewide MOU that delineates the information to be shared, the timeliness and accuracy of that information, confidentiality, and the destruction/dissemination of records.

1-3 Modify existing statutes/agency protocols to require that training on cross-system information sharing be provided to staff involved with multi-system youth, including child welfare, juvenile probation, behavioral health, education, juvenile corrections, law enforcement and the court.

1-4 Create a web based platform, or modify an existing platform, to provide location from which information on a youth can be shared across systems.

2-1 Relevant information should be available within seven calendar days of request to assist with critical decisions involving placement, services and disposition.

2-2 Consider adopting a statewide court rule that allows the dissemination of social file information for purposes of treatment and placement, but prohibits secondary dissemination of the information unless allowed by statute or court order.

2-3 A mandatory staffing involving child welfare, juvenile probation and behavioral health should occur within seven calendar days of identifying a crossover youth.

2-4 The placing agency should provide the discharge/aftercare plan to the other involved agencies before the child's discharge date from any out of home care provider.

2-5 The appropriate ROI should be signed by the child's parent/guardian at the first point of contact or as early as possible thereafter.

3-1 All RBHAs should create a standard release of information.

3-2 The AOC or the Office for Crossover Youth should provide online access to the collaborative protocols entered into by juvenile probation, child welfare, and each of the RBHAs as well as contact information for each RBHA's justice system liaison.

4-1 Create a statute and/or court rule that requires information sharing by the behavioral health provider under predetermined factors.

4-2 Create a statute and policy that covers complicated variants such as pre-petition status to allow the involved agencies to seamlessly share information.

4-3 Create a policy to support holding a hearing if the parent/guardian is unwilling to sign an ROI.

4-4 Create a statute and protocol to grant information sharing rights if the parent/guardian cannot be located within a specified time.

5-1 Develop a system to quickly inform a youth's school when the youth is involved with child welfare, juvenile probation, or juvenile corrections.

5-2 Create virtual inter-agency teams that can communicate in real time about the child's educational progress and who can view the education portion of the case plan.

5-3 The school should provide to child welfare, juvenile probation and juvenile corrections, records on attendance, discipline, special educational plans, proposed placement changes, and extracurricular activities in which the youth is enrolled.

5-4 The child welfare information tracking system should be developed to enable comprehensive tracking of a child's educational status.

5-5 Behavioral health should notify schools regarding CFT meetings and should consider the school as an alternative site for the CFT meeting.

5-6 The LEA should identify a point of contact who can help teachers provide assistance to CFTs and others who need detailed education information about crossover youth.

5-7 The child welfare information tracking system should include a list of licensed Arizona placements with data fields specific to education.

5-8 Agencies and placements should receive regular training on educational advocacy for special education children who are the subject of disciplinary proceedings.

6-1 Before there is a change in the youth's placement, the necessity for said change should be addressed by the youth's advocates from the involved agencies.

6-2 The receiving LEA should request records from the sending LEA within two business days who, in turn, should provide the records within three business days.

7-1 Juvenile justice, child welfare and law enforcement should collaborate to identify what information can and should be shared to enhance each agency's response.

7-2 Law enforcement should be included in the most recent efforts to update the *Systems Integration Initiative, Information Sharing Guide*.

7-3 Juvenile justice and child welfare should promptly provide photos and case information to law enforcement to improve its ability to respond to instances of sex trafficking and runaway.

7-4 Law enforcement should share information with child welfare and juvenile justice about a child that has been sex trafficked.

8-1 Provide the public, community/system partners, and stakeholders with a semiannual report that includes, at minimum, the total number of crossover youth, including those charged as adults and those committed to ADJC.

8-2 Provide training to county juvenile justice systems to improve data collection/analysis.

8-3 Hold inter-agency meetings on a quarterly or semiannual basis to review and utilize data reports to reform practices and policies on a county and statewide level with the goal of reducing disparities and disparate treatment.

8-4 Implement inter-agency reporting standards to increase data sharing among agencies.

8-5 Standardize collection and reporting of recidivism data from criminal and juvenile justice systems to allow for comparative analyses of crossover youth outcomes.

9-1 Child welfare workers, juvenile probation, judges, attorneys and LEA staff should attend training to better understand education decision making for the youth.

9-2 The juvenile court judge should issue an order identifying who has educational rights for the crossover youth, even if this person is the biological parent.

10-1 The AOC should prepare and implement guidelines to support collaboration and information sharing among adult probation, limited jurisdiction courts, juvenile justice and child welfare, requiring adult probation to cooperate, communicate and coordinate with child welfare and juvenile justice in case planning, service delivery and the monitoring of crossover youth convicted as adults, or of adult probationers with a child involved in a juvenile dependency and/or delinquency matter.

10-2 Information should be shared among adult probation, pre-trial services, jail personnel, juvenile probation, ADOC and child welfare to ensure that the appropriate services are in place for crossover youth involved in the adult criminal system.

10-3 Ongoing, multidisciplinary training must be developed, implemented, and monitored.

11-1 Develop and implement statewide practices and policies to reduce the number of crossover youth charged discretionarily and through chronic felony offender law.

11-2 Collect and utilize data comparing recidivism rates for crossover youth retained in the juvenile justice system to recidivism rates for crossover youth removed to adult court.

11-3 Develop statewide protocols that ensure crossover youth who are charged as adults receive appropriate academic and behavioral health services and adequate coordination of care.

12-1 Each county's juvenile court should have a designated crossover youth division or divisions that adhere to a true one judge, one family principle.

12-2 There should be a standing committee made up of a designated crossover youth judge from each county, as well as members statewide including, but not limited to, juvenile probation, child welfare, behavioral health, juvenile corrections and education.

13-1 The State or the AOC should establish an Office for Crossover Youth to serve as the contact point for all agencies working with crossover youth and their families.

13-2 The State/AOC should fund Crossover Youth Project Coordinators for each county.

13-3 The Office for Crossover Youth should facilitate a Data Governance Council, chaired by a Chief Data Officer, to establish common definitions, standardized data collection practices relevant to crossover youth, and reporting formats and priorities to measure and enhance outcomes.

13-4 The Office for Crossover Youth should develop a platform for system-wide access to key information from child welfare, behavioral health, juvenile justice and education.

13-5 The Office for Crossover Youth should develop and maintain a website to educate and inform the public, and agencies working with crossover youth, about the challenges, opportunities, and resources available to enhance outcomes for these children.

Introduction

Who Are Crossover Youth?

The term "crossover youth" refers to young people who move between the child welfare and juvenile justice systems or are known to both systems concurrently.[2] Research reveals a well-established link between childhood maltreatment and later delinquent behaviors. Compared to their counterparts, maltreated youth tend to be younger at the time of first arrest; experience higher rates of recidivism; face more frequent and longer periods of detention; and more frequent changes in placement.[3] This results in greater likelihood of school failure, more extensive behavioral health needs, the experience of formal court proceedings, and poorer outcomes even into adulthood.

In 2003, Arizona was the subject of an extensive research study that has been influential in understanding crossover youth and their unique needs. Using case files and data from the juvenile court data tracking systems in Cochise, Coconino, Maricopa, and Pima Counties, researchers noted that Arizona's crossover youth were more likely to be involved in deeper end delinquency cases.[4] Crossover youth in Arizona also had higher rates of behavioral health issues; 80% had substance use issues; and 61% had a mental health diagnosis. Additionally, crossover youth of color faced disproportionate representation in the juvenile justice system. Crossover youth were twice as likely to be African American than delinquent youth without a child welfare case.[5]

While there is no single cause for system crossover, several potential risk factors for delinquency in child welfare involved youth have been identified. These include:

- Prior victimization and recurring maltreatment;[6]
- Being older at the time of a Department of Child Safety (DCS) referral;[7]
- Being African American;[8]
- Experience in out-of-home placement, particularly in group homes;[9]

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[2] Center for Juvenile Justice Reform, *Crossover Youth Practice Model*, http://cjjr.georgetown.edu/our-work/crossover-youth-practice-model/#crossoveryouth

[3] Herz, D., Lee, P., Lutz, L., Stewart, M., Tuell, J., & Wiig, J. (2012). *Addressing the Needs of Multi-System Youth: Strengthening the Connection Between Child Welfare and Juvenile Justice*. Center for Juvenile Justice Reform, Georgetown University McCourt School of Public Policy. See also Stewart, A., Waterson, E., & Dennison, S. (2002). *Pathways from child maltreatment to juvenile offending. (Vol. 241).* Canberra, Australian Institute of Criminology.

[4] Halemba, G., Siegel, G. C., Lord, R. D., & Zawacki, S. (2004). *Arizona Dual Jurisdiction Study*. Pittsburg, PA: National Center for Juvenile Justice.

[5] Ibid.

[6] Vidal, S., Prince, D., Connell, C. M., Caron, C. M., Kaufman, J. S., & Tebes, J. K. (2017). Maltreatment, Family Environment, and Social Risk Factors. *Child Abuse & Neglect*, 63, 7-18.

[7] Ibid.

[8] Ibid.

[9] Ryan, J. P., Marshall, J. M., Herz, D., & Hernandez, P. M. (2008). Juvenile Delinquency in Child Welfare: Investigating Group Home Effects. *Children and Youth Services Review*, *30*(9), 1088-1099.

- Placement instability; [10] and
- Trauma and other behavioral health issues.[11]

Addressing the corollaries of system crossover to prevent and respond to delinquency in maltreated youth is a tall order for any one agency. Crossover youth are a high needs population who require a more extensive array of services at greater cost to traditional systems than their non-crossover counterparts.[12, 13] Therefore, collaboration across multiple systems of care is essential in providing the continuum of services crossover youth need to live healthy, productive lives. This collaboration requires a robust information-sharing infrastructure so that agencies can quickly identify child welfare involved youth when they are arrested, and responsibly share the important youth-specific information necessary to make informed decisions on case processing and planning.

Addressing the Needs of Crossover Youth in Arizona

Arizona has a significantly higher rate of children who "crossover" between the child welfare and juvenile justice systems than other jurisdictions and, in recent years, the number of children in foster care in the state has reached an all-time high. While it is not hard to find success stories of individual agencies helping these youth and families, barriers to multi-system collaboration have historically hampered significant progress for crossover youth. As crossover youth and their families navigate their interactions with the court, juvenile probation, behavioral health, education, DCS and other involved entities, they and the agencies that serve them are often frustrated by the lack of collaboration and coordination throughout the spectrum of care. Agencies have struggled to provide information to, and obtain information from, each other. This has resulted in numerous inefficiencies, both through the duplication of efforts and the gaps in essential services and support. Data regarding crossover youth is haphazardly collected and difficult to aggregate across systems, making it arduous to develop comprehensive, evidence-based approaches to serve these children.

To address the challenges many communities face in serving crossover youth, the Center for Juvenile Justice Reform (CJJR) at the McCourt School of Public Policy developed the Crossover Youth Practice Model (CYPM). The Model uses a research-based approach to assist child welfare, juvenile justice, and related agencies in adopting policies and practices that better address the needs of these youth and improve their life outcomes.[14] By participating in the CYPM process, agencies work with the CJJR to review their organizational approaches and

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[10] Ryan, J. P., & Testa, M. F. (2005). Child maltreatment and juvenile delinquency: Investigating the role of placement and placement instability. *Children and Youth Services Review*, *27*(3), 227-249.
[11] Bender, K. (2010). Why Do Some Maltreated Youth Become Juvenile Offenders?: A Call for Further Investigation and Adaptation of Youth Services. *Children and Youth Services Review*, *32*(3), 466-473.
[12] Herz, D., Lee, P., Lutz, L., Stewart, M., Tuell, J., & Wiig, J. (2012). *Addressing the Needs of Multi-System Youth: Strengthening the Connection Between Child Welfare and Juvenile Justice*. Center for Juvenile Justice Reform, Georgetown University, McCourt School of Public Policy.
[13] Center for Innovation through Data Intelligence. (2015). *Young Adult Outcomes of Foster Care, Justice, and Dually Involved Youth in New York City.* New York, NY: New York City Office of the Mayor.
[14] The Crossover Youth Practice Model (CYPM): An Abbreviated Guide, http://cjjr.georgetown.edu/wp-content/uploads/2015/09/CYPM-Abbreviated-Guide.pdf

develop a set of CYPM protocols to directly influence case practices. Key components of the CYPM involve improving timely information sharing, identifying crossover youth early on in their case, engaging families in decision-making, mandating coordination in case assessment, planning and management between child welfare and probation staff, and maximizing preventative services. The improvements resulting from successful implementation of the CYPM in a jurisdiction can include:[15]

- Greater uniformity of mission and vision for child welfare and juvenile justice agencies;
- Changes in policies and practices related to serving crossover youth;
- Cross-system engagement related to case management functions;
- Use of cross-system data to track population trends and inform decision-making;
- Cross-system training to improve knowledge about other system functions and processes; and
- A mechanism that provides continuous quality improvement across systems.

Recognizing the potential benefits, in July 2012, the Dependent Children's Services and Juvenile Justice Services Divisions of the Administrative Office of the Courts (AOC) collaborated to develop a cross-agency team to attend CYPM training sponsored by the CJJR.

This team developed and implemented a "capstone" project that involved discussion, information sharing, and analysis in preparation for the development and eventual implementation of the CYPM process at the Maricopa County Juvenile Court, the "pilot" site. Maricopa has since made strong progress in its efforts to address the needs of crossover youth. Through continued work with the CJJR, the AOC has helped to initiate work on the Model in several additional counties and hopes for statewide implementation before the end of 2018.

While the communities implementing the CYPM note significant improvements in case practice and multi-system collaboration under their new protocols, there remain persistent challenges across the state. Stakeholders in several counties have expressed frustration or confusion regarding information and data sharing on crossover cases. Multiple counties have had to rely on outdated or inefficient methods to identify crossover youth, and information-sharing barriers, both real and perceived, prevent partners from sharing personal information that could lead to more comprehensive decision-making. In late 2016, preliminary AOC survey results regarding data and information sharing practices revealed there was little consistency among the new participating CYPM counties and no standardized data sharing agreements between child welfare and juvenile justice. Additionally, there is no statewide system for documenting and tracking data on crossover youth. Such data would be valuable in developing a deeper understanding of the unique characteristics of Arizona's crossover youth and in evaluating the impact of various multi-system initiatives, including the CYPM, on case practice and outcomes.

[15] Center for Juvenile Justice Reform, *Crossover Youth Practice Model*, http://cjjr.georgetown.edu/our-work/crossover-youth-practice-model/#crossoveryouth

The Task Force on Crossover Youth Data and Information Sharing believes its recommendations will "open the door" for more efficient, consistent collaboration among entities who daily serve our high risk, high needs youth, thereby resulting in better outcomes for Arizona's young people.

Recommendations

The Task Force's recommendations are based on specific, agreed-upon principles that together define the scope of the cross-system challenges and barriers impacting service delivery, rehabilitation, safety, and treatment for crossover youth. These principles fall broadly into five categories: screening and identification of crossover youth; information sharing among agencies that serve crossover youth; data collection to inform decision-making; education; continuity of care with adult criminal justice system; and the need for a centralized, coordinating entity.

Screening and Identification of Crossover Youth

PRINCIPLE ONE: DEVELOP A SYSTEMATIC WAY TO IDENTIFY CROSSOVER YOUTH AND THE KEY PROFESSIONALS ASSOCIATED WITH THEIR CARE.

Without the prompt identification of crossover youth, child welfare, juvenile justice, behavioral health and education are left to work independently, thereby resulting in an inefficient coordination of care. This duplication of resources leads to increased costs, inefficient delivery of necessary services and, ultimately, a failure to achieve favorable outcomes for children and their families. When crossover youth are systematically identified, their history can be assessed to determine current involvement in each system and whether they can be collaboratively addressed. By enhancing access to previous and current interventions/services provided to youth or family, more appropriate and timely coordination of recommendations and case plans can occur.

Recommendations:

1. All youth should be screened for historic involvement with child welfare, juvenile justice and behavioral health. Upon identifying a crossover youth, a procedure (e.g. protocol, computer system, etc.) should be initiated to identify key professionals from the different agencies that are involved with the youth.

   Key Considerations:

   - Statewide, child welfare should work with juvenile justice to develop and implement a process whereby a common identifier is used to generate an automated confirmation when a youth is involved in more than one system.[16]

[16] There is a need to identify a point of contact for the agencies to timely update the information. If efforts to initiate a statewide common identifier are not successful, then there should be appropriate, bi-directional access to all involved partners' systems.

- When a crossover youth is identified, an agency's data tracking system should indicate that the youth is a crossover youth and whether he or she has current or previous involvement with child welfare and/or juvenile justice.
- A statute, court rule, or administrative order may be required to implement the desired automated screening process.
- Consideration should be given to the privacy rights of each child and their families and any erroneous indicators should be timely removed from the automated system.

2. Implement a statewide Memorandum of Understanding (MOU) that delineates the information to be shared, the timeliness and accuracy of that information, confidentiality, and the destruction/dissemination of records.

Key Considerations:

- The MOU should include juvenile probation, child welfare, behavioral health, juvenile corrections, education and the court.
- A change in the law may be required to identify who has access to youth related information in each agency and to control the secondary dissemination of this information.
- When a child's juvenile delinquency records are destroyed under A.R.S. § 8-349, records of the delinquency may be retained in the Department of Child Safety's paper and electronic files. This could negatively impact the child, particularly if the youth becomes involved with DCS after reaching adulthood. Statutory, regulatory, and policy changes may be necessary to ensure that delinquency records retained by DCS are destroyed simultaneously with any court ordered destruction under A.R.S. § 8-349.

3. Modify existing statutes/agency protocols to require that training on cross-system information sharing be provided to staff involved with multi-system youth, including child welfare, juvenile probation, behavioral health, education, juvenile corrections, law enforcement and the court. The curriculum and delivery of this education should be under the oversight of a cross-agency committee chaired by a representative from the Governor's Office.

Key Considerations:

- Make this training mandatory to new employees and continue to be required at least on an annual basis.
- The Attorney General's Office should facilitate a meeting with legal counsel from the involved agencies to prepare for this training.

4. Create a web based platform, or modify an existing one, which utilizes a unique identifier so that information on a youth can be shared across systems. While this system is being developed, the Superior Court and child welfare should enter into a statewide information and data sharing agreement that permits the quick and consistent sharing of information between child welfare and juvenile probation.

Key Considerations:

- The data platform should include current information on placement including the address, admission date, placing agency information, discharge date, and to whom the youth is discharged. Additionally, the platform should include important medical information (e.g. medication history, allergies, etc.).
- An example of such a system is *Health Current* (formerly *Arizona Health-e Connection*), a web-based platform already being utilized by behavioral health.
- Ensure that those accessing and/or receiving the data receive the appropriate admonition (e.g. *No Secondary Dissemination*, *For Treatment Purposes Only*). Additionally, to ensure consistency, add this admonition to court orders statewide.
- To reduce congregate care and limit crossover, the State of Arizona should purchase a kinship search engine for use by child welfare and juvenile probation.
- The data platform should contain information on searches for kin (e.g. Family Finding, Federal Parent Federal Locator Service, etc.) performed by any agency.

Information Sharing Among Agencies That Serve Crossover Youth

PRINCIPLE TWO: BEHAVIORAL HEALTH, CHILD WELFARE, AND JUVENILE JUSTICE INFORMATION SHOULD BE MADE AVAILABLE AT EVERY DECISION POINT TO HELP ENSURE THE BEST CARE.

Frequently, when youth crossover between systems, they are not promptly identified and the key professionals involved in the case are not able to effectively coordinate care. Access to a youth's enrollment status and history is frequently unavailable, thereby delaying or even denying the development of appropriate and timely case plans/recommendations.

Recommendations:

1. Relevant information (e.g. assessments, case plan documents, service plans, authorized services and providers, court reports, placement information, Child and Family Team (CFT) recommendations, etc.) should be available within seven (7) calendar days of request to assist with critical decisions involving placement, services and disposition. Additionally, if an agency is preparing to close the case/services for the child, it should inform the other involved agencies and provide to them relevant discharge/aftercare planning.

2. The need for child welfare and behavioral health to have access to specific information in the child's juvenile probation social file is critical. Consideration should be given to adopting a statewide court rule that allows the dissemination of social file information for the purposes of treatment and placement, but prohibits the secondary dissemination of the information (including to families) unless allowed by statute or court order.

Key Consideration:

- When a child's juvenile delinquency records are destroyed under A.R.S. § 8-349, the retention of social file information in the Department of Child Safety's paper and electronic files may negatively impact the youth, particularly if the child becomes involved with DCS after reaching adulthood. Statutory, regulatory, and policy changes may be necessary to ensure that delinquency records retained by DCS are destroyed simultaneously with any court ordered destruction under A.R.S. § 8-349.

3. To ensure a consensus regarding the services necessary for appropriate treatment as well as the efficient exchange of the youth's information, a mandatory staffing involving child welfare, juvenile probation and behavioral health should occur within seven (7) calendar days of the child being identified as a crossover youth. See Appendix A, Multi-System Crossover Protocol for Maricopa County, for an example of requirements relating to an initial, inter-agency meeting and the *Crossover Youth Information Form for Maricopa County* for an example of the information that can be shared and maintained.

4. Because the placing agency is in the best position to address issues and make formal requests of contracted providers, before the child's discharge date from any out of home care provider, it should provide the discharge/aftercare plan to the other involved agencies.

5. To allow consistent and timely access to behavioral health information, the appropriate Release of Information (ROI) should be signed by the child's parent/guardian at the first point of contact or as early as possible thereafter.

PRINCIPLE THREE: CONSISTENT DISCLOSURE OF VITAL BEHAVIORAL HEALTH INFORMATION IS IMPORTANT TO THE SUCCESS OF ALL CASES OF YOUTH INVOLVED WITH MULTIPLE SYSTEMS.

Arizona's behavioral health services to Title XIX eligible families are managed by different Regional Behavioral Health Authorities (RBHAs). Under each RBHA are numerous Intake and Coordination of Care Agencies (ICCAs). The RBHA provides the ICCAs with a standard ROI form, but does not require all ICCAs to utilize it. As a result, the disclosure of vital information about what services a youth and family are participating in, and the level of their participation and benefit, can be delayed or even unavailable to system allies.

Recommendations:

1. All RBHAs should create a standard ROI to be utilized by all ICCAs, including specialty service providers.[17]

2. The contracts between Arizona Health Care Cost Containment System (AHCCCS) and each RBHA require collaborative protocols be developed with juvenile probation and child welfare. These protocols are available on each RBHA's website and outline how and from whom behavioral health clinical information is shared. This information should be provided to each agency involved with the cases of crossover youth. The AOC or the Office for Crossover Youth[18] should provide online access to the collaborative protocols entered into by juvenile probation, child welfare, and each of the RBHAs, as well as the contact information for each RBHA's justice system liaison.

PRINCIPLE FOUR: STATUTORY GUIDELINES NEED TO BE CREATED TO FACILITATE ACCESS TO BEHAVIORAL HEALTH RECORDS IN LIEU OF A PARENT'S APPROVAL.

Youth and families frequently receive behavioral health services from various healthcare providers. Other agencies working with these youth (e.g. child welfare, juvenile justice, education) require access to this information. While it is important that this information be shared in a timely manner, that is frequently not the case. The Health Insurance Portability and Accountability Act (HIPAA) allows for the creation of statutes, rules and court orders that mandate the sharing of information, except substance abuse treatment information. However, a family's failure or unwillingness to sign a ROI may cause delays in obtaining critical material necessary to assess risk and protective factors within a family. This also delays benefit from services in which the family may be engaged while a court order is sought.

Recommendations:

1. Create a statute and/or court rule that requires information sharing by the behavioral health provider under predetermined factors, thus avoiding the need to obtain a court order.

2. Create a statute and policy that covers complicated variants such as pre-petition status (child welfare, juvenile probation) to allow the involved agencies to seamlessly share information.

3. Create a policy to support holding a hearing if the parent/guardian is unwilling to sign an ROI.

4. Create a statute and protocol to grant information sharing rights if the parent/guardian cannot be located within a specified time (e.g. 30 days).

[17] The AOC or AHCCCS may need to convene representatives from each of the existing RBHAs to create and mandate the use of one, consistent ROI form.

[18] The Office of Crossover Youth is described and proposed in Principle Twelve of this report.

PRINCIPLE FIVE: EDUCATION INFORMATION SHOULD BE AVAILABLE TO THE JUVENILE JUSTICE SYSTEM AND CHILD WELFARE TO ENSURE THE BEST CHANCES FOR A YOUTH'S SUCCESS.

In addition to verifying whether a youth is enrolled in school, juvenile probation, child welfare and juvenile corrections require educational information (e.g. Individualized Education Plan (IEP), 504 Plan, etc.) to ensure proper case management and supervision. Without complete information, these agencies are unable to effectively support and reinforce the education plan. When the youth is involved in diversion, truancy, or is referred by the school, a lack of educational information inhibits the ability of the juvenile justice system to develop adequate educational planning and effectively advocate for the appropriate services. Conversely, schools do not always know if a student is involved with juvenile justice or child welfare. Without such knowledge, schools may inadvertently take actions that are not in the child's best interests. During the CFT meeting, it can be difficult to make good, informed education decisions because it is difficult to obtain useful information from the youth's teachers. Teachers are rarely available to participate in CFT meetings and are reluctant to share information without a signed release or knowledge that the person requesting the information is legally entitled to receive it. Youth exiting secure care frequently struggle to re-engage in education because of their delinquency history, the timing of their release, or a school's reluctance to enroll and maintain youth who are on probation or parole. Often brought upon by a change of residential placement, a youth's outcome is directly and negatively impacted by the frequent changing of schools.

Recommendations:

1. Develop a system to quickly inform a youth's school when the youth is involved with child welfare, juvenile probation, or juvenile corrections. This system should be designed to limit access to such information to school staff to ensure that appropriate placement, supports and services are being provided. School staff should keep this information confidential.[19]

   Key Considerations:
   - While the additional support for the child is important, schools should avoid "putting a bubble" around the child.
   - Specialized information/training should be provided to school staff to ensure that they better understand the needs of crossover youth.

2. Create virtual inter-agency education teams whose members can communicate in real time about the child's educational progress and who can view the education portion

[19] In connection with developing this system, it would be useful if the Arizona Department of Education created a list of "points of contact" for each school to receive such information, be trained on how to protect it, and when, and with whom, it can be shared.

of the case plan. Supporting the child's educational success requires a coordinated effort among multiple stakeholders, including the child welfare worker, teacher, caregiver, education rights holder(s), mental health worker, Court Appointed Special Advocate (CASA), and, if age appropriate, the youth him or herself. To facilitate communication and collaboration, child welfare workers should be able to invite these stakeholders to participate in virtual education teams, where stakeholders can easily view and monitor the education plan portion of the case plan on a secure platform, provide updates, and communicate with each other.

3. The school should provide to child welfare, juvenile probation and juvenile corrections, records on attendance, discipline, special educational plans (e.g. IEP, 504 Plan, etc.), proposed placement changes, and extracurricular activities in which the youth is enrolled.

Key Considerations:

- Education information should come from the school district or school personnel.
- The school should immediately provide notice to child welfare, juvenile probation and juvenile corrections regarding suspension and/or expulsion hearings. The school should also provide alternative educational options for the child regarding enrollment during the suspension/expulsion period.
- The school should immediately inform child welfare, juvenile probation and juvenile corrections of its decision to move a child to a different school in the same district.
- The school should immediately provide notice of IEP meetings to child welfare, juvenile probation and juvenile corrections.
- The school should immediately provide prior notice to the court, child welfare, juvenile probation and juvenile corrections whenever the school is asking the youth to voluntarily withdraw enrollment from the school.
- Consideration should be given to a statute requiring the school to provide a thirty-day notice to the stakeholders managing a crossover youth whenever he or she changes schools, is dis-enrolled, expelled, or has a change in placement.

4. The child welfare information tracking system should be developed to enable comprehensive tracking of a child's educational status, using information provided by Arizona Department of Education (ADE) systems.

Key Considerations:

- DCS specialists should have the ability to track and monitor information about the child's educational status, including district of attendance, school of attendance, grade level, special education/504 Plan status, attendance, course completion, school discipline history, GPA, and the other adults involved in the child's education (e.g. classroom teacher, education rights holder(s)).
- DCS will capture and maintain the identity and contact information of the child's education rights holder(s).

- The Child Welfare Information System should have the ability to display education data from ADE systems so that DCS specialists have access to that data without manually re-entering this information.
- DCS specialists should be able to easily develop, update, and monitor education plans for the child that are part of the larger case plan. The education plan portion of the overall case plan should be separate, so that it can easily be shared with stakeholders outside the child welfare agency, such as the foster youth's school.

5. Behavioral health should ensure that schools receive notice for CFT meetings and should consider the school as an alternative meeting site for the CFT. Consideration should be given to the needs and wishes of the youth/family.

6. The Local Education Agency (LEA) should be asked to identify a point of contact who can help teachers provide assistance to CFTs and others who need detailed information about crossover youth. The point of contact would be responsible for confirming that the requester is legally entitled to receive education information about a student. The list of these points of contact should be maintained centrally for the entire state by the Arizona Department of Education or the Office for Crossover Youth, so that those who need such information have ready access to it.

Key Considerations:

- This could be the McKinney Vento Liaison, a school probation officer, the *Every Student Succeeds Act* point of contact, or designated school staff.

7. The child welfare information tracking system should include a database of licensed Arizona placements with data fields specific to education. Information on each placement should include data-fields specific to education, such as the placement's local school and school district, ability to transport to other schools, and experience supporting children with disabilities.

8. Agencies and placements should receive regular training on educational advocacy for special education children who are the subject of disciplinary proceedings.

PRINCIPLE SIX: WHEN A YOUTH MOVES TO A NEW SCHOOL, THE SCHOOL SHOULD HAVE QUICK ACCESS TO ALL REQUIRED INFORMATION FROM THE PREVIOUS SCHOOL.

Placement changes frequently lead to changes in schools for crossover youth. When placement changes occur, it leads to gaps in school attendance. When a youth changes schools, delays in getting information from the previous school make it difficult for the current school to place the youth, particularly if they are in high school. The current school needs access to records from the previous school including grade level, standardized test scores, classes taken and grades achieved, status as a student with disabilities (with evaluations, Individualized Education Plan, or 504 Plan accommodations), English Language Learner status, awards, extracurricular activities and interests, and

discipline. Facilitating the transfer of records between schools will help the youth settle into their new school, take the appropriate classes, move to graduation and make post-secondary plans.

Recommendations:

1. Before there is a change in the youth's placement, the necessity for said change should be addressed by the youth's advocates (e.g. child welfare, juvenile probation, FosterEd Liaison, Court Appointed Special Advocate, or surrogate parent) from the involved agencies. A designee should inform the new school of the student and promptly begin the enrollment process.

   Key Considerations:

   - If the Department of Child Safety anticipates a change in placement that may affect what school the youth will attend, they should immediately contact the child's education decision maker so that that person can determine whether the youth should remain in the school of origin.
   - If the youth is to remain in the school of origin, DCS and the relevant LEAs should work together to ensure that they have transportation to the school of origin immediately, such that there is no gap in attendance.

2. The receiving LEA should request records from the sending LEA within two (2) business days. The sending LEA should provide the receiving school with the records within three (3) business days of receiving the request.[20]

PRINCIPLE SEVEN: LAW ENFORCEMENT, JUVENILE JUSTICE AND CHILD WELFARE SHOULD EXCHANGE INFORMATION OF VALUE IN THEIR EFFORTS TO ENSURE THE YOUTH'S SAFETY AND ADDRESS HIS/HER NEEDS.

Juvenile justice, child welfare, and law enforcement exchange little information regarding the youth with whom they have common involvement. In the event the child is a runaway and/or is the subject of a warrant, it is difficult for law enforcement to locate the child without a current photograph and biographical information. It is difficult for juvenile justice to supervise youth in the community without current information from law enforcement (e.g. ongoing investigations, etc.).

Recommendations:

1. Juvenile justice, child welfare and law enforcement should collaborate to identify what information can and should be shared to enhance each agency's response. This information may be related to warrant apprehension, GPS, interviews of youth, and addresses.

[20] Federal Law says the notification should be "immediately" and the workgroup estimated 2-3 days to be the national average.

2. The Arizona Juvenile Justice Commission and the Governor's Office for Youth, Faith and Family sponsored the creation and current revisions to the *Systems Integration Initiative, Information Sharing Guide*. While this guide identifies collaborative partners including education, behavioral health, child welfare and juvenile justice, it does not include law enforcement. Law enforcement should be included in the most recent efforts to update this guide.

3. Juvenile justice and child welfare should promptly provide photos and case information to law enforcement to improve its ability to respond to sex trafficking and runaway.

4. Law enforcement should share information with child welfare and juvenile justice about a child who has been sex trafficked.

   Key Considerations:
   - Law enforcement officers should ensure that they are complying with Arizona's mandatory reporting statute, A.R.S. § 13-3620, when dealing with children who have been sex trafficked. Child sex trafficking constitutes child abuse and should be reported to the Department of Child Safety.
   - Information about a child's history as a victim of sex trafficking can also be important in determining a child's placement and necessary services, so law enforcement officers should ensure that they share that information with child welfare and juvenile justice. This information should only be used to address the needs of the youth as a victim. It is not intended to be used as evidence to charge the child with a criminal offense.
   - Under A.R.S. § 8-363, the Arizona Department of Juvenile Corrections is the designated Compact Administrator for the Interstate Compact for Juveniles. Law enforcement officers should therefore provide information to the Arizona Department of Juvenile Corrections (ADJC) when necessary to facilitate the safe and legal transfer of a juvenile sex trafficking victim to the juvenile's home state.

Data Collection to Inform Decision Making

PRINCIPLE EIGHT: TECHNICAL ASSISTANCE AND STATUTORY REQUIREMENTS PERTAINING TO REGULAR DATA REPORTING WILL INCREASE INFORMED DECISION MAKING AND SUPPORT POLICY REFORM EFFORTS TO EFFECTIVELY REDUCE THE DISPARATE TREATMENT OF CROSSOVER YOUTH AND CROSSOVER YOUTH OF COLOR ACROSS ALL SYSTEMS.

Inadequate data accessibility and the lack of requirements and/or guidelines around regular data reporting limit the abilities of the juvenile justice system and its community and system partners to make evidence based decisions. Statewide data provided by the

Administrative Office of the Courts indicates that, when compared to White youth, youth of color are more likely to be arrested, detained, petitioned, placed on probation, and committed to the ADJC. Data collected by some counties also indicates the presence of disparities and disparate treatment for crossover youth of color across systems. Increasing more specific and detailed knowledge of these disparities will support agencies in more effective reform efforts, but data specific to crossover youth and crossover youth of color is limited and not always accessible across agencies. Furthermore, data is not always accessible on a county level due to limited resources for data collection and analysis. Because specific, accurate data on crossover youth and crossover youth of color is not always available or effectively distributed, decisions regarding practice/policy reform are often driven by anecdotal information, opinions, and limited data that is independently collected.[21] Technical support is necessary to increase the data collection and analysis capabilities of all counties, and statutory reporting requirements will ensure that accurate data is made accessible to all community and system partners on a regular basis.

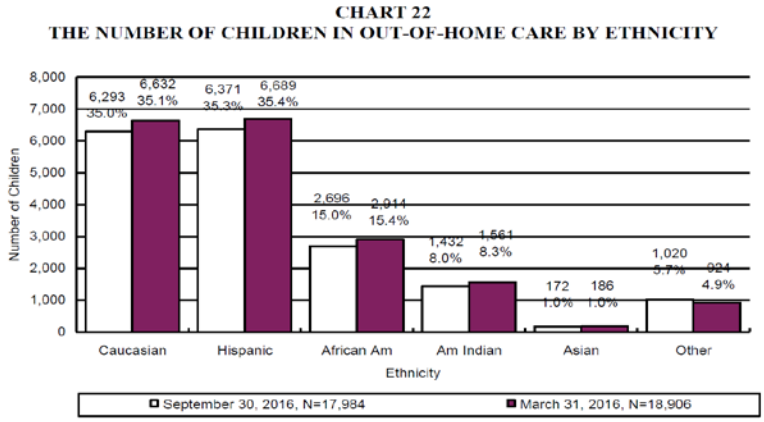
Recommendations:

1. Provide the public, community/system partners, and stakeholders with a semiannual report that includes, at minimum, the following information:
   a. Total number of crossover youth:
      i. Statewide
         - By age
         - By race and ethnicity

[21] **FY2016 Arizona Juvenile Court Data**

	Juveniles Referred		Juveniles Detained		Juveniles Diverted		Juveniles Petitioned		Juveniles w/ Dismissals		Juveniles on STDP		Juveniles on JIPS		Juveniles Sent to ADJC	
RACE	COUNT	PERCENT	COUNT	PERCENT	COUNT	PERCENT	COUNT	PERCENT	COUNT	PERCENT	COUNT	PERCENT	COUNT	PERCENT	COUNT	PERCENT
Hispanic	8304	35.78%	1688	40.57%	3806	36.47%	2968	37.65%	1165	32.67%	1507	36.91%	467	46.47%	96	44.04%
African American	2614	11.26%	598	14.37%	1077	10.32%	1125	14.27%	498	13.97%	565	13.84%	123	12.24%	28	12.84%
White	10240	44.12%	1444	34.70%	4695	44.99%	3053	38.73%	1560	43.75%	1625	39.80%	327	32.54%	77	35.32%
Native American	1344	5.79%	386	9.28%	529	5.07%	608	7.71%	274	7.68%	318	7.79%	81	8.06%	16	7.34%
Asian/Pacific Islander	151	0.65%	17	0.41%	78	0.75%	39	0.49%	19	0.53%	22	0.54%	4	0.40%	1	0.46%
Other	39	0.17%	6	0.14%	22	0.21%	11	0.14%	6	0.17%	4	0.10%	1	0.10%	0	0.00%
Unknown	515	2.22%	22	0.53%	229	2.19%	79	1.00%	44	1.23%	42	1.03%	2	0.20%	0	0.00%
Total	*23207*	*100.00%*	*4161*	*100.00%*	*10436*	*100.00%*	*7883*	*100.00%*	*3566*	*100.00%*	*4083*	*100.00%*	*1005*	*100.00%*	*218*	*100.00%*

DCS Semi-Annual Child Welfare Reporting Requirements 2016 Sept



- By age, race and ethnicity

ii. Per County
- By age
- By race and ethnicity
- By age, race and ethnicity

b. Total number of crossover youth exiting DCS custody by "reaching age of majority":

i. Statewide
- By age at dependency petition file date
- By race and ethnicity
- By age at dependency petition file date, race and ethnicity
- Average time to case closure in child welfare system

ii. Per County
- By age at dependency petition file date
- By race and ethnicity
- By age at dependency petition file date, race and ethnicity
- Average time to case closure in child welfare system

c. Total number of crossover youth who exit DCS custody for reasons of "runaway":

i. Statewide
- By age at dependency petition file date
- By race and ethnicity
- By age at dependency petition file date, race and ethnicity
- Average time to case closure in child welfare system

ii. Per County
- By age at dependency petition file date
- By race and ethnicity
- By age at dependency petition file date, race and ethnicity
- Average time to case closure in child welfare system

d. Total number of crossover youth charged as adults:

i. Statewide
- By age
- By race and ethnicity
- By age, race and ethnicity
- By most serious offense
- By race and ethnicity and most serious office
- By transfer type (Mandatory, Discretionary, Chronic)

ii. Per County
- By age
- By ethnicity
- By age, race and ethnicity
- By most serious offense
- By race and ethnicity and most serious office
- By transfer type (Mandatory, Discretionary, Chronic)

e. Total number of crossover youth committed to ADJC:

i. Statewide
- By age

- By race and ethnicity
- By age, race and race and ethnicity

ii. Per County
- By age
- By race and ethnicity
- By age, race and race and ethnicity

2. Provide technical assistance to juvenile justice systems in each county to increase data collection and analysis capabilities.

Key Considerations:

- Technical assistance should include analyses of disparities and disparate treatment of crossover youth and crossover youth of color at various decision-making points in the juvenile justice system for each county. Because demographics and internal practices can vary across counties, the disparities at different decision points can also vary and it is therefore important to collect this data for each county individually. This data will not only have implications for statewide policy reform, but will support each county in their own data driven reform efforts to reduce disparate treatment of crossover youth and crossover youth of color.
- Technical assistance could be provided by the Office for Crossover Youth. If this were the case, assistance could then be provided to other agencies outside of juvenile justice.

3. Hold inter-agency meetings on a quarterly or semiannual basis to review data reports and utilize the provided data to reform practices and policies on a county and statewide level with the goal of reducing disparities and disparate treatment.

Key Considerations:

- A research/data committee should be created and should include representatives from juvenile justice, child welfare, behavioral health, ADJC and law enforcement. This committee could be created under the Office for Crossover Youth. This committee could also be responsible for providing the semiannual reports outlined in Recommendation 1.

4. Implement inter-agency reporting requirements to increase data sharing among juvenile justice, child welfare, behavioral health, ADJC, and law enforcement. Agencies should, at minimum, share their existing data reports, void of any identifiable information on youth or families, with community/system partners on a regular basis to increase transparency, awareness, and collaboration across agencies.

5. Standardize the collection and reporting of recidivism data from criminal justice and juvenile justice systems, to include juvenile detention and probation, juvenile corrections, adult probation and jail, and adult corrections to allow for comparative analyses of crossover youth outcomes.

Key Considerations:

- In order to effectively compare outcomes of crossover and non-crossover youth, systems will need to collect and report recidivism data that can be disaggregated by crossover youth status.
- Standardized practices regarding the collection and reporting of this data will result in more accurate, accessible and comprehensive data that can be utilized to reform practices across systems and improve crossover youth outcomes.

Education

PRINCIPLE NINE: IT IS OF CRITICAL IMPORTANCE TO BE ABLE TO IDENTIFY AND UNDERSTAND THE ROLE OF THE YOUTH'S EDUCATION DECISION MAKER.

It can be difficult for the school to know who the "parent" is for purposes of making education decisions for youth involved in the child welfare system. This is particularly true for youth with disabilities who are eligible for services pursuant to the Individuals with Disabilities Education Act (IDEA) or under Section 504 of the Rehabilitation Act.

Recommendations:

1. Child welfare workers and contractors (e.g. congregate care providers, etc.), juvenile probation, judges, attorneys, and LEA staff should attend training to better understand who can make education decisions on behalf of the youth.[22]

2. The Juvenile Court judge should issue an order identifying who has educational rights for the crossover youth, even if this person is the biological parent. See Appendix B for a sample court education acknowledgement form.

   Key Consideration:

   - The proposed court education acknowledgement form should be considered further by the Committee on Juvenile Courts to finalize and promulgate to courts statewide.

Continuity of Care with Adult Criminal Justice System

PRINCIPLE TEN: COMMUNICATION WITH THE ADULT JUSTICE SYSTEM IS NECESSARY TO COORDINATE AND AVOID DUPLICATION OF SERVICES.

In a fair percentage of cases, crossover youth and their parents are involved with the adult justice system. Their involvement with adult probation will require them to meet certain conditions, many that may overlap with tasks also required in the child welfare case plan. The level of communication and cooperation between adult probation and child welfare is

[22] A quick reference guide that addresses these issues and other data-sharing complexities should be made available to training participants.

not standard across the state. This lack of coordination results in duplication of services as well as confusion and frustration on the part of families. This poor coordination may also lead to the inability of child welfare to obtain, in a timely and efficient manner, information necessary to assess risk levels.

Recommendations:

1. The AOC should prepare and implement specific guidelines to support collaboration and information sharing among adult probation, limited jurisdiction courts, juvenile justice and child welfare, requiring adult probation to cooperate, communicate and coordinate with child welfare and juvenile justice in case planning, service delivery and the monitoring of a crossover youth convicted as an adult, or of adult probationers who have a child involved in a juvenile dependency and/or delinquency matter.[23]

2. Information should be shared among adult probation, pre-trial services, jail personnel, juvenile probation (see A.R.S. § 13-921), Arizona Department of Corrections (ADOC), and child welfare to ensure that the appropriate services are in place for crossover youth involved in the adult criminal system.

3. Ongoing, multidisciplinary training must be developed, implemented, scheduled and monitored.

PRINCIPLE ELEVEN: WHEN CROSSOVER YOUTH ARE CHARGED AS ADULTS, THEY DO NOT HAVE ACCESS TO THE APPROPRIATE BEHAVIORAL HEALTH AND EDUCATIONAL SERVICES, RESULTING IN LESS POSITIVE OUTCOMES.

Youth are irreparably compromised when they are charged as adults. Removing a child from the juvenile justice system can eradicate the coordination of care, behavioral health services, and educational support that is necessary in the treatment of adolescents due to their incomplete neurological development. From 2012 to 2016, 29% of youth charged as adults in Arizona, in state court, were DCS involved youth and 19% were named in a dependency petition.[24] Another facet of this issue is that youth charged with trafficking marijuana across the Mexican border are discretionarily charged as adults at higher rates than the general population. From 2012 to 2016, 13.44% (163) of all youth charged as adults in Arizona were Mexican National youth. In its Crossover Youth Practice Model, Georgetown University defines a crossover youth as "any youth who has experienced maltreatment and engaged in delinquency, regardless of whether he or she has come to the attention of the child welfare and/or delinquency systems." A child who is told or forced to traffic illegal substances and sent across the border as an unaccompanied minor has presumptively been maltreated. Therefore, once these youth are arrested and referred to the juvenile justice system, they become crossover youth and their treatment needs to be considered in the following recommendations. Data collected from 2012 – 2016 suggests that Arizona's counties have different practices regarding the transfer of

[23] This may require that a standard ROI be developed for adult probation statewide.

[24] Arizona Administrative Office of the Courts and Pinal County Juvenile Court Services. (2017). *Youth charged as adults in Arizona State Court excluding youth charged in Navajo County data set, 2012-2016 (Data Set).*

juvenile cases to adult court. Implementing statewide guidelines and expectations would increase statewide consistency, improve coordination of care, and ensure crossover youth are less likely to be charged as adults and more likely to maintain access to appropriate behavioral health and educational services.[25]

Recommendations:

1. Review and evaluate the efficacy of policies and practices in each county that inform discretionary and chronic felony transfers to adult court. Develop and implement statewide practices and policies to reduce the number of crossover youth charged discretionarily and through chronic felony offender law.

2. Collect and utilize data comparing recidivism rates for crossover youth retained in the juvenile justice system to recidivism rates for crossover youth removed to adult court, to inform statewide efforts to improve outcomes for crossover youth while reducing recidivism and victimization, and to assess the impact of A.R.S. § 13-501.

   Key Consideration:
   - Community members and system partners are not always aware of the practices implemented by individual counties regarding youth charged as adults. Utilizing data to inform and educate community members and system partners will increase awareness, transparency, and accountability. Furthermore, accurate data on crossover youth charged as adults is not always easily accessible due to insufficient data entry and collection practices. An expectation of quarterly or annual data reports would support counties in improving their data entry, collection and dissemination practices, which is necessary to accurately and comprehensively analyze the effectiveness of their practices and policies.

3. Develop statewide protocols that ensure crossover youth who are charged as adults receive appropriate academic and behavioral health services, as well as adequate coordination of care. The development of such protocols should be a collaborative effort that includes representation from the Juvenile Court, the Arizona Department of Corrections, Behavioral Health, the Department of Child Safety, and the Arizona Department of Education.

   Key Considerations:
   - When crossover youth are automatically charged as adults pursuant to A.R.S. § 13-501, education and behavioral health services are often disrupted. In these cases, system partners need to provide a coordinated response to ensure youth continue receiving appropriate services and support.
   - Determine appropriate information to be shared to ensure the best interests of a crossover youth with identified needs including adolescent development, maltreatment, trauma, educational, and behavioral health.

[25] Id.

The Need for a Centralized, Coordinating Entity

PRINCIPLE TWELVE: A STANDING COMMITTEE SHOULD BE CREATED TO ADDRESS "CROSSOVER YOUTH COURT PRACTICES" SO THAT THERE IS CONSISTENCY AMONG ARIZONA'S COURTS.

Despite the implementation of the Crossover Youth Practice Model in many of Arizona's counties, there is currently no real communication or collaboration about what constitutes the best practices that will minimize an at-risk youth's crossing over from child welfare to juvenile probation or vice versa. Rather than a hodge-podge of court practices that vary from county to county, there needs to be a committee that shares ways to meet the goals of reducing a child's entry from one system to another; that makes more efficient the delivery of healthcare and education, placement permanency and follow-up services; and to minimize the time lost by the child and family in attending court hearings or mandated services.

Recommendations:

1. Each county's juvenile court should have a designated crossover youth division or divisions that adhere to a true one judge, one family principle.

   Key Consideration:
   - There is nothing that prevents the court from simultaneously holding a crossover youth's dependency and probation review or status hearings at the same place and time. This will not only cut down on the time the youth and family miss from work, school or services, it will promote better pre-hearing collaboration among the various stakeholders. To make sure that the court's orders are being implemented, such hearings should be on a regular thirty to ninety-day basis, with the goal of getting the child/family successfully out of one or both systems before the child turns eighteen.

2. There should be a standing committee made up of a designated crossover youth judge from each county, as well as members statewide including, but not limited to, juvenile probation, child welfare, behavioral health, juvenile corrections and education.

   Key Consideration:
   - This committee can share best practices information as well as how the Crossover Youth Practice Model is progressing in each county, which administrative orders are helpful in mandating the sharing of information among the various agencies, and the MOUs that some counties use to allow the sharing of information.

PRINCIPLE THIRTEEN: YOUTH OUTCOMES WILL BE IMPROVED BY THE CREATION OF A CENTRALIZED STATE OFFICE RESPONSIBLE FOR INITIATING AND SUSTAINING STANDARDIZED DATA COLLECTION AND COLLABORATION, REPORTING, TRAINING, TARGETED LEGISLATIVE AND REGULATORY INITIATIVES, AND FAMILY ENGAGEMENT EFFORTS FOR ALL AGENCIES SERVING CROSSOVER YOUTH.

Communication among the wide variety of state and county agencies serving crossover youth is inconsistent and challenging, resulting in confusion, frustration and delays. Families and youth struggle to meet the requirements of each agency with which they are involved, without a clear picture of how the agencies, services, and various case plans should interact. There are no standardized communication pathways among agencies to facilitate information-sharing, so they struggle to access information necessary to effectively serve the youth and their families. Additionally, no one entity is tasked with coordinating a cohesive plan to best serve crossover youth, or to problem solve and improve outcomes, which means that multiple entities face the same challenges again and again. Forced to "reinvent the wheel" each time, Arizona's current system is less than optimal in the delivery of necessary services to our most vulnerable youth and their families.

Recommendations:

1. The State or the AOC should establish an Office for Crossover Youth to serve as the contact point for all agencies working with crossover youth and their families. This Office would have several responsibilities including the following: (1) the collaboration and communication of efforts among involved agencies; (2) trouble-shooting cross-systems problems; (3) developing and advocating for legislative and regulatory recommendations; (4) recommending standards and best practices for data collection and reporting; (5) facilitating accurate and timely data collection; (6) researching successful initiatives in other jurisdictions; (7) developing new pilot programs to better serve crossover youth; (8) facilitating the sustainability of implemented programs; (9) identifying and developing training for system participants; (10) initiating outreach efforts for families and system partners; (11) facilitating a Data Governance Council; and (12) facilitating regular meetings of the Crossover Youth Project Coordinators Committee.

2. The State or the AOC should fund Crossover Youth Project Coordinators for each county. The Project Coordinator will serve as the county contact for agencies involved with crossover youth. The Project Coordinator will help to ensure that case assessments and case planning are collaborative, services are coordinated, and data on crossover youth and their outcomes is collected.

3. The Office for Crossover Youth should facilitate a Data Governance Council, chaired by a Chief Data Officer, to establish common definitions, standardized data collection practices relevant to crossover youth, and reporting formats and priorities to measure and enhance outcomes. The Council should be comprised of representatives from each involved agency and each county, and decisions should be made collaboratively.

4. The Office for Crossover Youth should develop a platform to enable system-wide access to key information from child welfare, behavioral health, juvenile justice, and education. This will allow involved professionals to utilize all necessary data relevant to a crossover youth in their care.

5. The Office for Crossover Youth should develop and maintain a website to educate and inform the public and agencies working with crossover youth about the challenges, opportunities, and systemic resources available to enhance outcomes for these children. The website would serve as a repository for information and services, and could also feature relevant training videos and training opportunities.

Acronyms

ADE	Arizona Department of Education
ADJC	Arizona Department of Juvenile Corrections
ADOC	Arizona Department of Corrections
AHCCCS	Arizona Health Care Cost Containment System
AJJC	Arizona Juvenile Justice Commission
AOC	Administrative Office of the Court
CASA	Court Appointed Special Advocate
CFT	Child and Family Team
CJJR	Center for Juvenile Justice Reform
CYPM	Crossover Youth Practice Model
DCS	Department of Child Safety
GOYFF	Governor's Office of Youth, Faith and Family
HIPAA	Health Insurance Portability and Accountability Act
ICCA	Intake and Coordination of Care Agency
IDEA	Individuals with Disabilities Education Act
LEA	Local Education Agency
MOU	Memorandum of Understanding
RBHA	Regional Behavioral Health Authority
ROI	Release of Information

Glossary

504 Plan
The 504 Plan is developed to ensure that a child who has a disability identified under the law, and is attending an elementary or secondary educational institution, receives accommodations that will ensure their academic success and access to the learning environment.

Arizona Juvenile Justice Commission (AJJC)
The AJJC is authorized under Executive Order 2012-04 to address juvenile delinquency and child welfare issues in the state. Members of the AJJC are appointed by the Governor. The members have training, experience and special knowledge concerning the prevention and treatment of juvenile delinquency, the administration of juvenile justice and child welfare systems. The AJJC includes representation from juvenile justice agencies, child welfare agencies, private nonprofit organizations, locally-elected officials, as well as volunteers and youth.

Arizona Revised Statutes (A.R.S)
Laws enacted by the Arizona Legislature.

Committee on Juvenile Courts (COJC)
The Committee on Juvenile Courts was established to facilitate communication and problem solving among the juvenile court judges regarding juvenile court matters. The COJC assists the Committee on Superior Court and the Arizona Judicial Council in the development and implementation of policies designed to improve the quality of justice; access to courts; and efficiency in court operations. It identifies the needs of the juvenile court for all children facing delinquency and dependency issues within the court's jurisdiction and for children otherwise involved in the judicial system. The Committee advocates for fair and equal treatment of children, plans for future developments of the juvenile system, and recommends uniform policies and procedures to improve juvenile court operations.

Delinquent Juvenile
A delinquent juvenile is a youth who commits an offense that, if committed by an adult, would be a criminal act.

Detention
The temporary confinement of a juvenile in a physically restricting facility. Juvenile are typically held in detention pending court hearings for purposes of public safety, their own protection, or as a consequence for misbehavior.

Disposition
The process by which the juvenile court judge decides the best court action for the juvenile.

Diversion
The process by which formal court action (prosecution) is averted. The diversion process is an opportunity for youth to admit their misdeeds and to accept the consequences without going through a formal adjudication and disposition process. By statute, the county attorney has sole discretion to divert prosecution for juvenile accused of committing any incorrigible or delinquent offense.

English Language Learner (ELL)
A national-origin-minority student who is limited-English-proficient.

Every Student Succeeds Act (ESSA)
The Every Student Succeeds Act was signed by President Obama on December 10, 2015. This bipartisan measure reauthorizes the 50-year-old Elementary and Secondary Education Act (ESEA), the nation's national education law and longstanding commitment to equal opportunity for all students.

Family Finding
The Family Finding model offers methods and strategies to locate and engage relatives of children currently living in out-of-home care. The goal of Family Finding is to connect each child with a family, so that every child may benefit from the lifelong connections that only a family provides.

Federal Parent Locator Service (FPLS)
This helps child support agencies locate noncustodial parents, establish and enforce child support orders, and collect child support.

FosterEd
FosterEd is an initiative of the National Center for Youth Law and works in partnership with a deeply invested team of state and local partners, students, and parents to create a future in which the vast majority of system-involved youth graduate high school with the widest array of possibilities for their future.

Governor's Office of Youth, Faith and Family (GOYFF)
The Governor's Office of Youth, Faith and Family works to create a safe, healthy and bright future for all Arizona as envisioned by Governor Doug Ducey. The office convenes and staffs eight Governor appointed commissions. The staff works directly with funded partners and community stakeholders to leverage assets to improve the lives of all of Arizona's youth and families.

Individualized Education Plan (IEP)
The Individualized Education Plan is a plan or program developed to ensure that a child who has a disability identified under the law, and is attending an elementary or secondary educational institution, receives specialized instruction and related services.

Juvenile Dependency
A dependency is a decision by the Juvenile Court that a child is in need of effective care and control and that all parents are unable or unwilling to provide proper care and control. Usually, a Dependency Petition is filed by the state because concerns about abuse or neglect have been reported to DCS and there is evidence of immediate danger to the child(ren). A Dependency Petition may involve an investigation and report by DCS. It may also involve appointing attorneys for the parents and the child(ren), a temporary custody hearing, and possibly a pretrial conference and trial. If the Juvenile Court finds that the child is dependent because the parents are unable or unwilling to provide care, the court decides who will care for the child(ren). The Juvenile Court and DCS oversee the child(ren)'s care and services provided to the parents and the child(ren) in an effort to reunite the family. A dependent child remains under the Court's control until the Court declares that a parent has become willing and able to provide proper parenting. An order of dependency from the Juvenile Court will last until the child turns 18 or the Court changes or dismisses it.

Juvenile Probation
A program for the supervision of juveniles placed on probation by the court. These juveniles are under the care and control of the court and are supervised by juvenile probation officers.

McKinney Vento
A federal law originally passed in 1987 to address homelessness. Subtitle VII-B of the Act is the Education of Homeless Children and Youth Program (EHCY), which provides educational rights and services to homeless children and youth. It was reauthorized in December 2015 by Title IX, Part A, of the Every Student Succeeds Act (ESSA).

Petition
A legal document filed in the juvenile court alleging that a juvenile is a delinquent, incorrigible, or a dependent child and requesting that the court assume jurisdiction over the youth. The petition initiates the formal court hearing process of the juvenile court.

Release of Information (ROI)
A document that legally authorizes entities to share protected information. An ROI may also be called a written consent or an authorization.

Surrogate Parent
There are times when a surrogate parent is required to represent the child's special education interests. The need for a surrogate parent is determined by the child's school and is requested only when the: parent cannot be identified; parent cannot be located after several attempts; child is a ward of the state and no parent can be identified or located; or, child is an unaccompanied youth as defined by federal law. When the school determines a surrogate is necessary, the school makes an application for appointment to the ADE. Once appointed, the surrogate parent represents the child in all matters relating to the identification, evaluation, placement and the provision of Free Appropriate Public Education Agency (FAPE).

Systems Integration Initiative, Information Sharing Guide
A field guide containing guidelines for the sharing of information of children and families that are involved in the child welfare and juvenile justice systems. It was created by attorneys and personnel representing Arizona's Administrative Office of the Courts (AOC) and the Departments of Economic Security (DES), Education (ADE), Health Services (DHS), and Juvenile Corrections (ADJC).

Title XIX
The section of the Social Security Act which describes the Medicaid program's coverage for eligible persons, (i.e., medically indigent). Title 19 benefits are provided through the Medicaid federal entitlement program; benefits are delivered in Arizona through the Arizona Health Care Cost Containment System.

Transfer to Adult Court
Arizona law allows the prosecutor to request that the juvenile court transfer any felony prosecution of a youth to adult court. This requires a hearing before the juvenile court judge, who must make certain legal findings before a transfer is granted or denied. Transfer cases are distinguishable from a prosecutor's discretionary or mandatory direct filing to the adult court, which may occur when the juvenile is at least 14 or 15 years of age and has committed certain offenses, is a chronic felony offender, or has a historical prior felony conviction.

Appendix A

Multi-system Crossover Protocol for Maricopa County

Rationale:

The Crossover Youth Practice Model (CYPM) is a multi-agency collaboration seeking to improve outcomes for dually-involved youth by enhancing communication between agencies, increasing information sharing, and coordinating services intended to stabilize the family unit as early as possible so they can function without system involvement. Additionally, this model seeks to decrease the incidence of youth crossing between these two systems.

Identification:

1. All new referrals to the Juvenile Court will be screened in CHILDS by the Juvenile Court Offense Information Intake Unit (JOII) to determine if the child has involvement with DCS.
2. All new reports of child abuse/neglect where DCS files a petition or opens the case for services will be screened for Juvenile Probation involvement by checking iCIS to determine if MCJPD has an open case.
3. If there is cross agency involvement, all interested parties will be notified and the case will be flagged in both iCIS and CHILDS as a Crossover case.
4. A JJET referral to Regional Behavioral Health Authority - Mercy Maricopa Integrated Care (RBHA-MMIC) will be initiated by the Juvenile Probation Officer (JPO) to determine behavioral health eligibility and rapidly initiate needed behavioral health services.
5. If a child is placed in DCS custody, a Rapid Response Referral will be initiated with the RHBA-MMIC.

Case Management:

6. An initial case staffing between the DCS Specialist and JPO will be held within 5 working days of identifying a crossover case to promptly exchange all relevant case information regarding the child and family using the **5 Day Discussion Guide**. A monthly crossover team meeting with the child and family will be scheduled prior to the conclusion of this meeting and can be conducted during CFT's, TDMs, etc. The multi-system meetings are designed to ensure families, probation, DCS, RHBA-MMIC, education, and other service providers are on the same page to keep families engaged and on track with services, and to promote better outcomes for families.
7. The initial monthly crossover team meeting will explain to the family the multi-agency response process and family involvement in crossover. A crossover brochure will be provided to the family. The Team will complete an initial **CYPM Family Plan for Success** which will be updated at all subsequent multi-agency meetings. This case plan will provide small, tangible goals the family and youth can complete between multi-team meetings. This case plan will include a contact list of all team members including email addresses and phone numbers and any upcoming appointments. The Team will explain to the family the reason for DCS involvement or custody, the reason for JPD involvement, discuss safety threats, identify behavioral changes needed to initiate reunification, and review case plan goals. The next monthly crossover team meeting date will be scheduled prior to the conclusion of this meeting.
8. Each subsequent crossover team meeting will address updates to **CYPM Family Plan for Success** including new information related to the case, progress on goals, new court orders, team members updates on the parent's and children's participation, parent and/or child's progress on identified behavioral changes, results of substance abuse tests for child and/or parent, and continued needs or barriers related to safety concerns. The RBHA behavioral health provider will provide updates on the behavioral health treatment. There will be a review of upcoming meetings, court hearings, etc. to avoid duplication. This meeting will discuss the family's concerns, barriers, or needs. Lastly, the team will collaboratively identify ways to resolve the concerns, barriers, and needs and develop a joint recommendation for the child's services and placement.
9. JPO and DCSS are expected to attend any dependency and delinquency court hearing concerning services or placement for the child.

Crossover Youth Information Form for Maricopa County

Juvenile Information		
Name:	JD Case Number:	JV Case Number:
Date of Birth:	Gender:	Race/Ethnicity:
Juvenile Court:		
Delinquency Status:		
Future Hearing Dates:	Type of Hearing:	
Detention Orders:		
Incident Reports:		
Parent's Information		
Mother's Name:	Phone Number:	
Mother's Address:		
Father's Name:	Phone Number:	
Father's Address:		
Other Relative:		
Additional Information		
Department of Child Safety (DCS)		
Case Manager's Name:	Phone:	Email:
Current Placement's Name:	Phone:	
Current Placement's Address:		
Previous Placement Type:		
Does the Juvenile have a history of running away? [ ]Y [ ]N Number of times:		
Education		
Name of school currently attending:	Enrollment Status:	Total Days Missed:
Phone:	Grade Level:	IEP: [ ]Y [ ]N Date:_____
Medical/Mental Health Providers		
Name of Case Worker:	Phone:	Email:
Medical Concerns:		
Special Needs:		
Probation		
Officer Name:	Phone:	Email:
Terms & Conditions of Probation:		
Psychological Evaluation: [ ]Y [ ]N		

Appendix B

Court Education Acknowledgement

Superior Court of Arizona Juvenile Division 971 N. Jason Lopez Circle, Bldg. A Florence, AZ 85232 **Child's Name:** **Date of Birth:**	*For Court Use Only*
ACKNOWLEDGEMENT OF EDUCATIONAL RIGHTS HOLDER FOR CHILD	**Case Number:**

Educational rights are held by a parent or court-appointed legal guardian until those rights are modified by the court to transfer or share with others. This is true even if the child does not currently live with the parent/guardian.

Having considered the evidence, THE COURT ACKNOWLEDGES:

1. As of the date below, the following person(s) is/are acknowledged as the educational rights holder(s) of the above-named child and may make educational and or developmental services decisions for the child.

Name: _____	Name: _____
Address: _____	Address: _____
Telephone: _____	Telephone: _____
Relationship to child: _____	Relationship to child: _____

2. In the future, if there is a change of education rights holder(s), a separate mandatory form must be executed by the Judge and sent to the child's school district and to Department of Child Safety (DCS).
3. The educational rights holder(s) is/are authorized to make educational and developmental services decisions for the child and is/are authorized to access the child's educational or developmental services records and information to the extent permitted by law.
4. The educational rights holder(s) ***may only*** disclose or make available educational or developmental services records or information to individuals responsible for helping to improve educational outcomes of the child. This disclosure must comply with confidentiality laws for foster children.
5. The educational rights holder(s) must meet and coordinate with the child, the child's attorney, the child's DCS case specialist; the child's probation officer; and the FosterEd liaisons working with the family. The educational rights holder may submit updates or his/her recommendations to the court.
6. A copy of this form may be requested by the child (if 10 years old or older) or by the child's attorney; the DCS case specialist or probation officer; the foster youth educational liaison; any court appointed education specialist or consultant; any regional center service coordinators, the educational rights holder(s); and any previous educational rights holder.
7. The assigned DCS case specialist or probation officer must notify the educational rights holder(s) of the date, time, and location of each court hearing.

This Acknowledgement applies to any school, school district, or regional center in Pinal County, Arizona.

Date: _____ _____

<Judge's Name>, Judge of the Superior Court

Appendix C

Index of Recommended Changes to Statute, Rule, Policy and Guidelines

Screening and Identification of Crossover Youth

1-1 *All youth should be screened for historic involvement with child welfare, juvenile justice and behavioral health.* A statute, court rule, or administrative order may be required to implement the desired automated screening process.

1-2 *Implement a statewide MOU that delineates the information to be shared, the timeliness and accuracy of that information, confidentiality, and the destruction/dissemination of records.* A change in the law may be required to identify who has access to youth related information in each agency and to control the secondary dissemination of this information. Statutory, regulatory, and policy changes may be necessary to ensure that delinquency records retained by DCS are destroyed simultaneously with any court ordered destruction under A.R.S. § 8-349.

1-3 *Modify existing statutes/agency protocols to require that training on cross-system information sharing be provided to staff involved with multi-system youth, including child welfare, juvenile probation, behavioral health, education, juvenile corrections, law enforcement and the court.*

Information Sharing Among Agencies that Serve Crossover Youth

2-2 *Consideration should be given to adopting a statewide court rule that allows the dissemination of social file information for the purposes of treatment and placement, but prohibits the secondary dissemination of the information (including to families) unless allowed by statute or court order. The need for child welfare and behavioral health to have access to specific information in the child's juvenile probation social file is critical.* Statutory, regulatory, and policy changes may be necessary to ensure that delinquency records retained by DCS are destroyed simultaneously with any court ordered destruction under A.R.S. § 8-349.

4-1 *Create a statute and/or court rule that requires information sharing by the behavioral health provider under predetermined factors, thus avoiding the need to obtain a court order.*

4-2 *Create a statute and policy that covers complicated variants such as pre-petition status (child welfare, juvenile probation) to allow the involved agencies to seamlessly share information.*

4-3 *Create a policy to support holding a hearing if the parent/guardian is unwilling to sign an ROI.*

4-4 *Create a statute and protocol to grant information sharing rights if the parent/guardian cannot be located within a specified time period (e.g. 30 days).*

5-3 *The school should provide information to child welfare, juvenile probation and juvenile corrections, including records on attendance, discipline, special educational plans (e.g. IEP, 504, etc.), proposed placement changes, and extracurricular activities in which the youth is enrolled.* Consideration should be given to a statute requiring the school to provide a thirty-day notice to the involved stakeholders managing a crossover youth.

Data Collection to Inform Decision Making

8 *Technical support is necessary to increase the data collection and analysis capabilities of all counties, and statutory reporting requirements will ensure that accurate data is made accessible to all community and system partners on a regular basis.*

8-4 *Implement inter-agency reporting requirements to increase data sharing among juvenile justice, child welfare, behavioral health, ADJC, and law enforcement. Agencies should, at minimum, share their existing data reports, void of any identifiable information on youth or families, with community/system partners on a regular basis to increase transparency, awareness, and collaboration across agencies.*

Continuity of Care with Adult Criminal Justice System

10-1 *The AOC should prepare and implement specific guidelines to support collaboration and information sharing among adult probation, limited jurisdiction courts, juvenile justice and child welfare, requiring adult probation to cooperate, communicate and coordinate with child welfare and juvenile justice in case planning, service delivery and the monitoring of adult probationers who have a child involved in a juvenile dependency and/or delinquency matter.*

Agreements Needed

1-2 *Implement a statewide MOU that delineates the information to be shared, the timeliness and accuracy of that information, confidentiality, and the destruction/dissemination of records.* The MOU should include juvenile probation, child welfare, behavioral health, juvenile corrections, education and the court.

1-4 *Create a web based platform, or modify an existing platform, which utilizes a unique identifier to provide a platform from which information on a particular youth can be shared across systems. While this system is being developed, the Superior Court and child welfare should enter into a statewide information and data sharing agreement that permits the quick and consistent sharing of information between child welfare and juvenile probation.*

Opening the Door

Report and Recommendations of the
Task Force on Crossover Youth Data and Information Sharing

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