



Virginia Commission on Youth 2021 Legislative Studies and Initiatives

Crossover Youth Information Sharing

Draft Recommendations	Public Comment
<p>Create or update guidance:</p> <p><u>Recommendation 1</u> Request the Department of Juvenile Justice, Department of Social Services, and the Department of Behavioral Health and Developmental Services, respectively, to create or update guidance on youth information sharing for use at the state level and for dissemination and use at the courts service units, local departments of social services, and community services boards.</p> <p>This guidance on information sharing should focus on, but not be limited to, detailing what information is to be collected and maintained by the department and local agencies, clarifying permissible reasons to share information, reasons to request information, the process for how information is to be shared, steps in place to protect information, procedures for obtaining informed consent, the statutory requirements from the federal as well as state government that controls the dissemination of information in the Department’s possession, and steps to ensure staff is properly trained on information sharing protocols.</p> <p>Guidance shall be open for comment on the Virginia Regulatory Town Hall public comment forum and once implemented at the state department and local level be made available to the public on their websites.</p>	<p><u>City of Alexandria Crossover Youth Practice Model (ACYPM) Implementation Team:</u> ACPYM supports recommendation 1.</p> <p><u>Virginia Association of Community Services Boards (VACSB):</u> VACSB wholeheartedly supports recommendation 1.</p> <p><u>Sonnja Bennette-Brown, Family Support Partner/Juvenile Justice Reform Advocate:</u> Ms. Brown supports all 8 recommendations</p>

Identify crossover youth at initial system involvement by established agreement:

Recommendation 2

Amend the *Code of Virginia*, sections 63.2-104/63.2-105 to indicate that the immediate identification of and sharing of crossover youth status between local departments and court service units and community services boards is to be done in accordance with established agreements between the local agencies. Any court service unit or community services board to which such records are disclosed in accordance with an agreement shall not further disclose any information received unless such further disclosure is expressly required by law.

City of Alexandria Crossover Youth Practice Model (ACYPM)

Implementation Team:

ACPYM supports recommendation 2. “Early identification of youth when they cross over is a nationally recognized best practice that creates the conditions for quality collaboration, trauma informed care and better outcomes.”

“The ACYPM has not been able to effectively implement a best practice protocol without being able to share minimal information at the time the youth crosses over between child welfare and juvenile justice.”

Virginia Association of Community Services Boards (VACSB):

VACSB wholeheartedly supports recommendation 2. VACSB adds that, “From a behavioral health perspective, there are times we are unaware of a child’s involvement with our Court Service Units (CSUs). If we knew right away, we could obtain releases that would support early information sharing that would improve the quality of assessment and care for both CSUs and behavioral health while ensuring a coordinated, more streamlined and trauma informed systems response.”

Create memorandum of understanding and have local agencies adopt:

Recommendation 3*

Amend the *Code of Virginia* to direct the Department of Juvenile Justice to develop and biennially update a model memorandum of understanding setting forth the respective roles and responsibilities of court service units, local departments of social services, and community services boards regarding the information sharing of youth records.

Virginia Department of Juvenile Justice (DJJ):

“DJJ would require additional resources (e.g., funding) to implement, particularly because, in addition to the work and expertise in data sharing needed to accomplish the goals, it requires bringing in a national expert.”

City of Alexandria Crossover Youth Practice Model (ACYPM)

Implementation Team:

This model memorandum of understanding may include topics on, who has access to youth information, a listing of the information that will be shared, reasons for use of shared information, privacy policies and any individual or parent/guardian notification requirements, and steps to be used to keep the information secure. This model memorandum of understanding shall be disseminated to local agencies for their adaptation and use.

In developing the model memorandum of understanding the Department of Juvenile Justice shall collaborate with the Department of Social Services, Department of Behavioral Health and Developmental Services, the Office of Children’s Services, Department of Criminal Justice Services, court service units, local departments of social services, community services boards, youth and family representatives, a nationally recognized expert on cross agency youth best practices, and any other interested stakeholders that it deems appropriate to biennially update the model memorandum of understanding.

~~The court service units~~ **Department of Juvenile Justice or locally-operated court services units**, local departments of social services, and community services boards in each local area serving youth shall enter into a memorandum of understanding that sets forth the responsibilities of each local agency regarding the information sharing of youth records. The provisions of such memorandum of understanding shall be based on the model memorandum of understanding developed by the Department of Juvenile Justice, which may be modified by the parties in accordance with their particular needs.

Each adopted memorandum of understanding shall include agreements on the following, (i) the manner in which a multi-agency youth is identified and shared between agencies, including when at the point of court service unit intake, probable

ACPYM supports recommendation 3 and adds that implementing this recommendation would make recommendation 2 a reality.

ACPYM adds that “our youth member, a crossover youth who is currently incarcerated, especially wants us to highlight the importance of youth and family voice as included in the development of MOUs, as well as the necessity for early identification.”

Virginia Association of Community Services Boards (VACSB): VACSB wholeheartedly supports recommendation 3. VACSB adds that, “we’ve heard from families that the lack of early coordination and differing information among our agencies is retraumatizing and sets them up for failure. They see us as all a part of the same system – which we really are.”

<p>cause determination, and validated referral at a local department of social services, for older children, (ii) the manner in which past (non-ongoing) youth agency involvement is identified and shared, with the informed consent of the youth and guardian, and (iii) who at each local department is responsible for identifying potential crossover youth.</p> <p>Each such court service unit, local department of social services, and community services board shall conduct at least yearly recurring cross-agency training on information sharing as a way to learn about other agency’s protocols and to revisit and discuss the shared memorandum of understanding. Local agencies shall also review and amend or affirm such memorandum of understanding at least once every two years or at any time upon the request of either party.</p> <p>*Strike out and addition in bold is based on feedback from the Department of Juvenile Justice.</p>	
<p>Pilot program to share de-identified data for local system improvement:</p> <p><u>Recommendation 4</u> As an enactment clause, direct the Department of Juvenile Justice to create a pilot project for the purpose of enabling local agencies to share de-identified data on multi-system involved youth with the goal of local system improvement and trend monitoring. The Department of Juvenile Justice shall solicit applications for the pilot project and accept from one to three applicants made up of local agencies that serve crossover youth. All three entities that make up an applicant, a court service unit, local department of social services, and community services board, shall jointly agree to work together in the sharing of information. The results of the pilot shall be reported back to the Commission on Youth by November 1, 2023.</p>	<p><u>Virginia Department of Juvenile Justice (DJJ):</u> “If data is genuinely de-identified with no possibility of matching cases across agencies, this type of aggregate data reporting is already possible for data that exists from each agency (e.g., DJJ could share counts of juvenile intake cases but does not have information on whether involved youth are crossover).”</p> <p>“If cases are meant to be matched, this Recommendation should be contingent on the results of Recommendation 6. There is no current mechanism to share matched data; however, we have come to believe that the Data Trust will allow for such sharing.”</p>

	<p>DJJ requests that this recommendation be held off until the implementation of the Data Trust (recommendation 6) to ensure feasibility.</p> <p>In the future, DJJ also recommends that this recommendation include, after data sharing is in place, processes for enhanced collaborative case planning by inclusion of The Office of Children’s Services (OCS).</p> <p><u>City of Alexandria Crossover Youth Practice Model (ACYPM) Implementation Team:</u> ACPYM wholeheartedly supports recommendation 4. “ACYPM has been stymied by the inability to share this data, limiting our ability to make positive change. This has been a disservice to our families and results in ineffective and more expensive higher levels of service. We have a protocol ready and look forward to applying to be the pilot project.”</p> <p><u>Virginia Association of Community Services Boards (VACSB):</u> VACSB supports recommendation 4 “because it is responsible – we need to make sure what we are doing is effective and we can’t do that without quality data.”</p>
<p>Implement initial and ongoing training:</p> <p><u>Recommendation 5</u> Request the Department of Social Services, Department of Juvenile Justice, and Department of Behavioral Health and Developmental Services provide initial employee and ongoing training on youth information sharing for their local agencies, local departments of social services, court service units, and community services boards, respectively. Topics should include, but are not limited to, state and federal confidentiality laws, protocols for safe guarding data, and procedures on informed</p>	<p><u>Virginia Department of Juvenile Justice (DJJ):</u> DJJ would require additional resources (e.g., funding, personnel) to implement.</p> <p><u>City of Alexandria Crossover Youth Practice Model (ACYPM) Implementation Team:</u> ACPYM prioritizes recommendations 1 - 4 ahead of 5. “The guidance documents created in recommendation 1 could be used for training requirement section of the MOU from recommendation 3.”</p>

<p>consent to release information.</p>	<p><u>Virginia Association of Community Services Boards (VACSB):</u> VACSB also prioritizes recommendations 1 - 4 ahead of 5 and agrees with ACPYM's comments.</p>
<p>Work with Office of Data Governance and Analytics to identify crossover youth at initial agency involvement:</p> <p><u>Recommendation 6</u> Request the Office of Data Governance and Analytics to work with the Department of Juvenile Justice, Department of Social Services, Department of Behavioral Health and Developmental Services and other applicable stakeholders to create a plan to use the Commonwealth Data Trust to enable local departments to identify and share crossover youth status at the youth's initial contact point with an agency for purposes of service delivery.</p> <p>This plan should identify what systems, and the records or information therein, that must be made available to the Data Trust to identify and share crossover youth status at initial point of contact with the respective agencies, what consents need to be obtained from the youth and guardians, what agreements need to be made between the relevant agencies as well as with the Office of Data Governance and Analytics, and what legislative or funding changes if any will be necessary to implement this practice. The Office of Data Governance and Analytics shall report back its findings and recommendations to the Commission on Youth by November 1, 2022.</p>	<p><u>City of Alexandria Crossover Youth Practice Model (ACYPM) Implementation Team:</u> ACYPM wholeheartedly support recommendations 6, 7 and 8 in that priority order.</p> <p><u>Virginia Association of Community Services Boards (VACSB):</u> VACSB supports recommendation 6.</p>

<p>Encourage Virginia Longitudinal Data Systems (VLDS) study on crossover youth:</p> <p><u>Recommendation 7</u> Request the Department of Juvenile Justice (DJJ) to conduct a study using Virginia Longitudinal Data Systems (VLDS) data to analyze the crossover youth population in Virginia. The Department of Juvenile Justice shall work with the Department of Social Services and other relevant VLDS member state agencies on this study.</p> <p>The Department of Juvenile Justice shall identify and interpret demographic data and available and relevant outcomes data on the crossover youth population. Additionally, DJJ shall make recommendations on how to improve the collection, sharing, and analysis of de-identified data based on this study. The Department of Juvenile Justice shall report back its findings and recommendations to the Virginia Commission on Youth by November 1, 2022.</p>	<p><u>City of Alexandria Crossover Youth Practice Model (ACYPM) Implementation Team:</u> ACYPM wholeheartedly support recommendations 6, 7 and 8 in that priority order.</p> <p><u>Virginia Association of Community Services Boards (VACSB):</u> VACSB supports recommendation 7.</p>
<p>Commission on Youth study on services in the school for youth as they transition to adulthood:</p> <p><u>Recommendation 8</u> Request the Commission on Youth to conduct a study in 2022 to look at how youth who are being provided services in the school, including mental health services, can be better supported as they transition to adulthood. This study should look at ways that the Community Services Boards can work with the transitioning student and family and the local education agency.</p>	<p><u>City of Alexandria Crossover Youth Practice Model (ACYPM) Implementation Team:</u> ACYPM wholeheartedly support recommendations 6, 7 and 8 in that priority order.</p> <p><u>Virginia Association of Community Services Boards (VACSB):</u> VACSB supports recommendation 8 and would be glad to partner on recommendation.</p>

Additional Comments:

Christy Corbin, President and Director, Family Support Partners of Virginia:

“I applaud the Commission on Youth's efforts to streamline information for our youth with complex needs and multiple systems involvement. Based on my experience of working within the child and family serving system in Virginia, it is my opinion that making a way for all child-serving systems to have better communication and collaboration regarding those they are serving, will only enhance the positive outcomes for our youth and families in Virginia.”

“I also see this as a form of prevention for our youth; if we can get services and supports to them and their families early on, this may eliminate the youth's needs for ongoing services and supports when they become adults.”

Ms. Corbin wholeheartedly support this study's efforts.

Sonnja Bennette-Brown, Family Support Partner/Juvenile Justice Reform Advocate:

Ms. Brown makes comments from both herself and grandson with lived experience. “We have been part of the change in pushing forward this information sharing issue. We have continuously shared our story with all the painful details to help professionals, law makers to understand the adverse impact that the current regulations/codes/laws have on vulnerable youth and families. As a stakeholder/caregiver that was providing non-formal kinship care I trusted the professionals and agencies to work together to provide my family with services that included multisystem collaboration that was in the best interest of my Grandson and his future. Sadly this was not allowed and his outcome is completely altered for life.”

Virginia Department of Juvenile Justice (DJJ):

“As a general comment applicable to all Recommendations, the Department of Juvenile Justice suggests that the Office of Children's Services (OCS) should be incorporated into all processes and agency collaborations. OCS is the state agency responsible for the Children's Services Act (CSA) and reports to the State Executive Council for Children's Services which has the statutory power and duty to “[o]versee coordination of early intervention programs to promote comprehensive, coordinated service delivery, and local interagency program management...”

“The CSA established the state and local advisory team (SLAT) which includes the Department of Juvenile Justice, Department of Social Services, and Department of Behavioral Health and Developmental Services as three of its members. These state agencies provide administrative support to the SLAT “in the development and implementation of the collaborative system of services” and “provision of...data for client- and service- tracking.””