

# Community and Interagency Collaboration Practices

## Overview

Various agencies at several levels of government are involved with providing services to youth with disabilities in correctional facilities and planning for their reentry into the community. Collaboration among these agencies that serve youth with disabilities in and those transitioning to and from correctional facilities is key to ensuring that youth receive a free appropriate public education (FAPE), as outlined in the Individuals with Disabilities Education Act (IDEA). In particular, youth with emotional or behavioral disabilities and their families are likely to be served by a wide range of agencies and require comprehensive planning and collaboration to facilitate successful educational services within correctional facilities and plan for community reentry. Collaboration across agencies and the involvement of community organizations is necessary to meet the needs of this student population. This brief summarizes best practices for serving youth with disabilities in correctional facilities and focuses on promoting (1) collaboration across agencies and (2) collaboration with the community.

## Key Principles of Practice

The following principles were identified in a review of *Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings*.<sup>1</sup>

**Interagency Agreements** To ensure a free appropriate public education for youth with disabilities in correctional facilities, interagency agreements should be used to establish the responsibilities of the various agencies involved in providing services.<sup>2</sup> Interagency agreements promote greater coherence and collaboration among these agencies and facilitate the exchange of information between correctional facilities and education agencies.<sup>3</sup> Under IDEA, interagency agreements must address the financial responsibility of each agency, the resolution of interagency disputes, and the coordination and delivery of special education services.<sup>4</sup> In addition, interagency agreements can be used to outline the details and logistics related to such issues as access to correctional facilities and the location of individualized education program (IEP) meetings.<sup>5</sup> To begin discussions related to interagency agreements, an interagency planning team can be developed to help identify common goals across agencies to best meet youths' needs. Interagency planning teams can include facility administrators, teachers, probation officers, mental health providers, social workers, staff from rehabilitation services, and representatives from the home school. Interagency teams should ensure that they are developing a shared understanding of the best practices to support youth with disabilities in correctional facilities that extend beyond transition and reentry.<sup>6</sup>

### Specific Resources

[Improving Educational Outcomes for Youth in the Juvenile Justice and Child Welfare Systems Through Interagency Communication and Collaboration](#): This practice guide from the National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC) examines the principle that interagency communication and collaboration are vital to foster better outcomes for youth involved with the juvenile justice and child welfare systems.

[Model Interagency Agreement](#): This webpage outlines the goals and responsibilities of a model interagency agreement for a variety of partners, including representatives from juvenile court, probation, social services, education, law enforcement, and prosecution.

[Summary of the Wraparound Evidence Base \(April 2010 Update\)](#): This resource guide from the National Wraparound Initiative summarizes the findings of nine research studies on wraparound services, or team-based, coordinated, family-driven care targeted at youth involved with multiple systems, including juvenile justice, special education, foster care, and mental health.

**Expeditious Records Transfer** For youth with disabilities in correctional facilities, records, including IEPs, often are not received by the facility when a youth enters a correctional facility. A delay in records receipt causes a ripple effect within the correctional facility. When records are not received for youth on entry, facilities must engage in academic, social-behavioral, and other screening assessments to determine the youth's needs. The multiple agencies represented in a youth's life (i.e., school, court, and therapeutic) should work together to develop a process that expedites records transfer. Further, specific requirements exist regarding confidentiality from various regulations—including IDEA, the Family Educational Rights and Privacy Act (FERPA), and sometimes the Health Insurance Portability and Accountability Act (HIPAA)—that should be considered. To promote interagency collaboration, agencies should be aware of the differences between FERPA and IDEA and how they provide privacy to students and their families. Clarifying the law's practical requirements eliminates a significant obstacle often faced by agencies attempting to collaborate and share information. A National Forum on Education Statistics guide<sup>7</sup> discusses how

Part B of the IDEA incorporates and cross-references FERPA. For example, under Part B, the term "education records" means the type of records covered by FERPA as implemented by its regulations in 34 CFR Part 99. . . . The IDEA regulations also include some additional protections tailored to special confidentiality concerns for children with disabilities and their families. (p. 17)

Engaging families at a youth's entry into a correctional facility and supporting entry with records transfer may be an effective way to obtain the records necessary to make appropriate educational and placement decisions.

### **Specific Resources**

[\*Child Left Behind: The Reality of Special Education for Youth in Detention Facilities\*](#): This document details the responsibilities of the education and correction systems in providing appropriate services for youth with disabilities in correctional facilities. It includes specific guidelines for timing the transfer of records and ensuring appropriate staffing, which is discussed in the next section.

[\*IDEA and FERPA Confidentiality Provisions\*](#): This matrix explains the rights and responsibilities of youth with disabilities, their families, and educators and caregivers under both IDEA and FERPA. It includes specifications for the creation and transfer of educational and behavioral records related to these youth.

[\*Separate Tables: Interagency Information Sharing in Real Life\*](#): This document presents information about developing a functioning communication model across agencies serving youth in the juvenile justice system. It describes how a range of youth service agency representatives in Pittsburgh, Pennsylvania, developed a memorandum of understanding to streamline and simplify information exchange.

**Staffing** Interagency collaboration in the area of staffing also is an important factor in providing quality programs to youth with disabilities in correctional facilities. Staff members who provide services within correctional facilities must be appropriately trained and certified in accordance with both IDEA and State requirements.<sup>8</sup> In addition, these staff must have the necessary skills, knowledge, and experience to meet the needs of students with disabilities in correctional facilities who frequently present academic and behavioral challenges. Agencies may develop hiring protocols that go beyond State and Federal requirements to ensure that their staff members have the particular skills needed to work successfully with youth with disabilities in correctional facilities.<sup>9</sup> To support these staffing needs and requirements, juvenile justice and education agencies should work together to hire skilled facility personnel and offer ongoing professional development to these individuals. Through interagency collaboration, the teachers of students with disabilities in correctional facilities should be offered professional development opportunities specific to teaching students in correctional facilities; in addition, professional development should be provided to home schools to ensure continuity across settings.<sup>10</sup> All correctional facility staff (e.g., related service and health providers, security staff, administrators, and corrections officers) should receive professional development in the evidence-based practices that address the needs of youth with disabilities in correctional facilities, as well as training and ongoing support related to IDEA compliance requirements.

### **Specific Resources**

[Office of Juvenile Justice and Delinquency Prevention \(OJJDP\)](#): This agency provides national leadership, coordination, and resources to prevent and respond to juvenile delinquency and victimization. OJJDP's website includes resources, publications, and a calendar of events. OJJDP operates the [National Training and Technical Assistance Center \(NTTAC\)](#), which supports the delivery of high-quality training and technical assistance to the juvenile justice field.

[Special Education in Correctional Facilities](#): This webpage offers information about delivering appropriate special education services in juvenile correctional facilities. It includes data about the specific disabilities commonly served in these facilities and the staffing and personnel needs to accommodate these youth.

[Special Populations in Corrections](#): This eight-module series of lessons provides information on the different offender populations within the institutional correctional system and in the community. The series is divided into eight distinct modules for ease of understanding and addresses topics such as the role of correctional staff, mental illness in the correctional system, aging and young offenders, female offenders, religion in prison, justice-involved veterans, and other special populations.

*This document was retrieved from a Web-based resource on the topic of juvenile corrections. For more information and additional resources, please visit <http://osepideasthatwork.org/jj>.*

## Endnotes

1. U.S. Department of Education, & U.S. Department of Justice. (2014). *Guiding principles for providing high-quality education in juvenile justice secure care settings*. Washington, DC: Authors. Retrieved from <http://www2.ed.gov/policy/gen/guid/correctional-education/guiding-principles.pdf>
2. Ibid.
3. Müller, E. (2006). *Juvenile justice and students with disabilities: State infrastructure and initiatives*. Alexandria, VA: National Association of State Directors of Special Education. Retrieved from [http://www.nasdse.org/DesktopModules/DNNspot-Store/ProductFiles/156\\_1ad47aab-9ee2-4174-bc0d-ba64f1ba132c.pdf](http://www.nasdse.org/DesktopModules/DNNspot-Store/ProductFiles/156_1ad47aab-9ee2-4174-bc0d-ba64f1ba132c.pdf)
4. U.S. Department of Education. (2014). *Dear colleague letter on students with disabilities who are in correctional facilities*. Washington, DC: U.S. Department of Education, Office of Special Education Programs. Retrieved from <https://www2.ed.gov/policy/gen/guid/correctional-education/idea-letter.pdf>
5. Ibid.
6. Fields, J., & Moody, D. (2007). *Reintegration framework strategic planning toolkit: Improving interagency coordination to support the successful reintegration of youth*. Presented at the Special Education in Nontraditional Education Programs Conference, Brainerd, MN.
7. National Forum on Education Statistics. (2004). *Forum guide to protecting the privacy of student information: State and local education agencies* (NCES 2004–330). Washington, DC: Author. Retrieved from <http://nces.ed.gov/pubs2004/2004330.pdf>
8. U.S. Department of Education (2014).
9. Ibid.
10. Ibid.