



Improving Educational Outcomes for Students Under Juvenile Court Supervision: LB296, Special Education Considerations, and the Role of School Districts

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Three Agenda Items

- Policy
- Implementation
- Impact

Overview

Students under juvenile court supervision face disrupted education due to mobility, unmet needs, and poor record-sharing.

A Nebraska study highlighted gaps in transferring key records like transcripts and IEPs. LB296 responds with reforms: a statewide diploma option, registrars to track records, and a framework for continuity.

This session explores how the law supports these students, including those in Special Education, and how districts can implement changes.

Policy





The Bellwether Report

Bellwether

*Data Sharing for Youth Under the
Jurisdiction of the Juvenile Court*
and the State of Nebraska

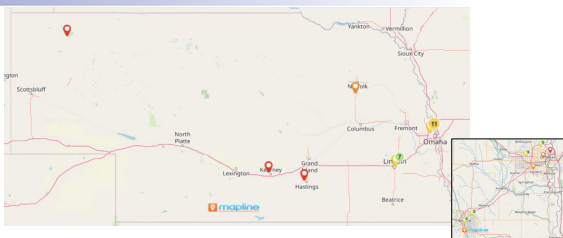


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Nebraska Facility-Based Schools





LB 705 (2023) and Neb. Rev. Stat. 79-303.01

- **Legislative Bill 705 was introduced and passed during the 2023 Nebraska legislative session. This legislation required the Nebraska Department of Education, the Department of Health and Human Services, the Office of Probation Administration, and the Nebraska State Court Administrator to:**
 - Enter into a memorandum of understanding (MOU) to share data and
 - Engage a consultant to with expertise in court-involved students to provide recommendations on data



Neb. Rev. Stat. 79-303.01 Areas of Review

- Identifying and **defining the population of students** whose data should be collected and shared
- Defining the **specific types of data** to be collected and shared
- Identifying shared data systems
- Identifying the entities and persons for which the data should be accessible
- Identifying both **federal and state legal responsibilities** and confidentiality parameters and
- Developing a uniform approach for the transfer of educational credits



Key Finding

Essential data from previous schools on students' educational progress, transcripts, and Individual Education Programs (IEP) was unavailable, making delivery of effective and appropriate instruction difficult.

Student Quote:

"I've been to five different high school programs because I have no steady place to stay or because of things I've done. A lot of my credits were lost in these transitions. When I went from one placement to another, they wouldn't accept my credits. I've done everything and all my credits have been lost, so I've just given up. The lack of communication and disorganization is bad."



Key Recommendations

-  Centralized Record System Hosted at NDE
-  Registrars
-  Assembling and Award of Course Credits (including partial and out-of-state credits)
-  State Diploma
-  Continued Collaboration and Education: Permanent Cross Agency Working Group, Annual Systems-Involved Youth Summit, Cross-Agency Training
-  Require that youth be placed into credit-bearing, transferrable, graduation-aligned courses



2025 Legislative Session: LB 296

Amendments to Neb. Rev. Stat. 79-301.01 create initial scope of implementation for Bellwether recommendations:

(5)(a) The State Department of Education shall create a centralized education records system for students under the jurisdiction of a juvenile court and employ registrars to ensure (i) the education services of such students are not disrupted, (ii) the education records for such students are promptly and appropriately shared, and (iii) credit hours are awarded for academic work completed by such students."

Implementation





LB 296 Implementation



□ Data System



□ “Registrars”



□ State Diploma



LB296
<https://bit.ly/lb296>



Data System

The NDE must create a Centralized Education Records System for Students Under the Jurisdiction of a Juvenile Court to ensure

- Education services are not disrupted
- Education records are promptly shared
- Credit hours are awarded



What Don't We Know

Students Under the Jurisdiction of a Juvenile Court

NDE is currently working with the Juvenile Courts system & DHHS to:

- Determine what students meet this requirements
- Ensure that we can track these students



Registrars

NDE will hire "Registrars"

- Maintain education records system
- Request and record data outside of ADVISER
 - Non-public schools
 - Out-of-state schools
 - Exempt (home) school students
- Award Credit Hours where appropriate





State Graduation Requirements & State Diploma

For students in out-of-home placement any time during high school Who "complete a minimum of two hundred high school credit hours prior to graduation (and) at least eighty percent of the minimum credit hours (are) core curriculum courses prescribed by the State Board of Education."

- Graduate from any public high school where they were enrolled "at any point in such high school"
- or -
- Receive a State High School Diploma from NDE



How ADVISER Plays a Part

Currently receiving student level data from:

- All public districts
- All accredited facility-based schools run by:
 - Department of Correctional Services (corrections)
 - Department of Health & Human Services (rehabilitation & treatment)
- University of Nebraska High School (online)



2024-2025 Student Enrollment

Where are they?	All Students		High School Students	
Public & State Operated <u>Data in ADVISER</u>	330,662	<u>86%</u>	100,055	<u>88%</u>
Nonpublic	37,107	10%	8,811	8%
Exempt (Home) school	16,419	4%	4,947	4%
Total	384,148		114,313	

*Public, State Operated, and Nonpublic data is from Fall Membership. Exempt (home) school is from the entire year. Some exempt school students also exist in the Fall Membership counts, and students enrolling in Nebraska Accredited or Approved schools after October 1 are also not included.



Immediate Transfer of Records

"The system shall allow for the **immediate transfer** of education records as appropriate. Each approved or accredited school shall share education records with the department for inclusion in such centralized education records system **immediately upon request** for any student under the jurisdiction of a juvenile court."

-LB296, Section 1



Data Backpack for Records Transfer

Proposed Data Backpack

Data could flow from district to district via ADVISER

- Enrollment
- Courses, grades, credits
- Program Participation
- Assessments
- Discipline (?)
- Anything in ADVISER could potentially be provided





Changes & Improvements to ADVISER

Some changes and improvements to data collected **will** be needed. This **may** include:

- More and better information on course grades/transcripts
- Information on course credits
- District graduation requirements

ADVISER is already set up to receive this information
NDE will need to engage with districts on how these changes could be achieved



Nonpublic school students

PersonID

- Reviewing PersonID to determine how we can better track enrollment of Nonpublic school students

Provide transcripts and other data "immediately upon request"



What does implementation look like?

Now

- **Getting everyone on the same page:** We just kicked things off and are making sure the whole team understands what we're doing and how we'll work together.
- **Finalizing our game plan:** We're putting the finishing touches on the project plan, so we have a clear roadmap for what's ahead.
- **Talking to the right people:** We're meeting with key folks to understand their needs and how this project might impact them.
- **Digging into the data:** We're figuring out what data we have, where it lives, and how it all connects.
- **Planning the tech side:** We're working through how all the technical pieces will fit together behind the scenes.



What does implementation look like?

Fall 2025

- **Getting set up with a SIS:** We'll be starting our onboarding with a SIS so we're all aligned and ready to move forward.
- **Clarifying who does what:** We need to figure out the NDE "registrar" roles for the project and find the right people to take them on. We also need to clarify what remains the responsibility of the district.
- **Keeping the conversation going:** We'll start bringing together stakeholder groups to create an ongoing dialogue between NDE and district/school staff and other relevant parties.



What does implementation look like?

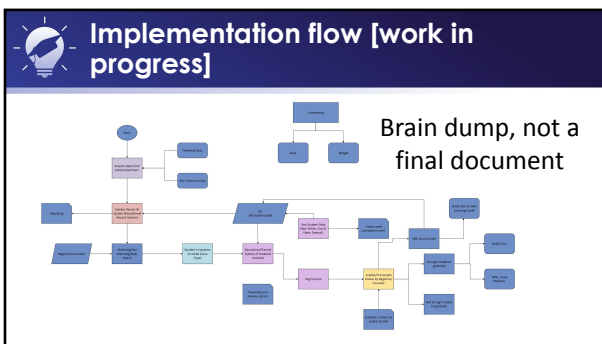
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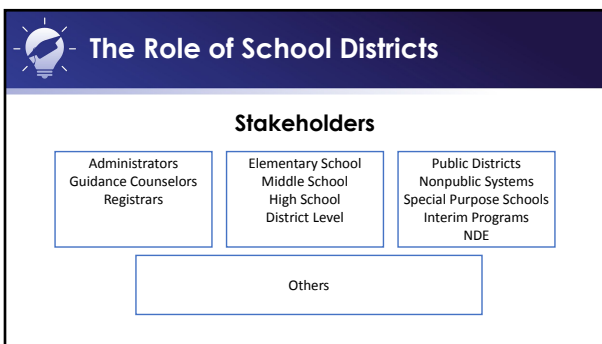
- **Finishing the build:** We'll wrap up the development work and make sure everything is connected and working smoothly.
- **Testing it out:** We'll do testing, internally and with districts, to make sure the system/process works as expected and is ready for real use.
- **Getting materials ready:** We'll pull together documentation and training resources, so everyone knows how to use the system/process.
- **Rolling it out – July/August:** We'll onboard NDE registrars and finalize plans for launch to make sure everything is in place

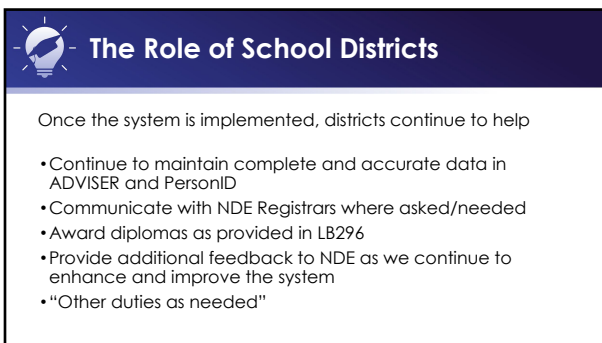


What this IS and IS NOT

- This IS NOT a separate system from ADVISER
- This IS a cohesive group of systems and processes
- This IS NOT a replacement for district registrar/guidance counselor tasks
- This IS an additional resource for districts enrolling affected students
- This IS NOT an unnecessary task with no clear value
- This IS an opportunity to help these students succeed







Impact



Who are the Systems Involved Youth?

Demographics	All Students (22-23)	Systems-Involved Students (21-22)	Systems-Involved Students (22-23)
Gender			
Male	51.83%	68.52%	68.61%
Female	48.17%	31.48%	31.39%
Other			
Race/Ethnicity			
White	62.82%	35.33%	34.52%
Black/African American	6.97%	25.85%	25.14%
Hispanic or Latino	21.58%	25.23%	25.97%
2+ Races	4.31%	7.44%	8.27%
Asian	2.80%	2.00%	2.36%
American Indian or Alaska Native	1.34%	3.84%	3.33%
Native Hawaiian or Pacific Islander	21.58%	0.31%	0.42%
Special Population			
Special Education	15.38%	40.82%	43.19%
English Learner	5.98%	4.71%	4.63%
Free and Reduced Lunch	52.10%	83.09%	83.52%

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Special Population			
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English Learner	5.98%	4.71%	4.63%
Free and Reduced Lunch	52.10%	83.09%	83.52%
Homeless	1.05%	4.67%	4.01%
Highly Mobile	0.83%	0.28%	0.24%
Outcomes			
4-Year Graduation Rate	87%	18.5	15.60%
Dropout Rate	1.40%	11.28%	7.98%
Chronic Absenteeism Rate	28.64%	71.3%	68.46%
Scored Proficient on ACT ELA	46.95%	9.0%	6.3%
Scored Proficient on ACT Math	43.14%	6.3%	3.6%



Tactical vs. Authentic Compliance

- "The failure of a public agency to obtain educational records promptly can interfere with the student's ability to receive FAPE and to receive credits towards graduation. Therefore, it is critical that public agencies and correctional facilities have systems in place to ensure compliance with the transmittal of records requirements in 34 CFR §300.323(g). Public agencies are encouraged to assign specific staff the responsibility to work with correctional staff to promptly transfer education records to facilitate the student's timely connection to educational or training activities."¹⁴⁸
- "Under IDEA, when a student with a disability transfers to a new public agency and enrolls in a new school in the same school year, the new public agency and the previous agency in which the student was enrolled must take reasonable steps to exchange the student's IEP and other records related to the provision of special education services."¹⁴⁹



Acknowledging Barriers

"Smaller districts don't understand that the Rule 18 kids here are still their kids. ... They are also just glad to get rid of them in certain instances."¹⁵⁰

Some stakeholders demonstrated a misunderstanding of the requirements for providing special education at interim-public and special purpose schools, uncovering a need for training and clarification on IDEA, Rule 10, and Rule 18 special education services.

In addition, meaningful differences in graduation requirements across districts create significant challenges for youth under the jurisdiction of the juvenile court. As these students move between districts when they move placements, translating credits from one system to the next becomes increasingly complex, leading to duplicated coursework, missed opportunities for credit accrual, and students feeling like the goalposts keep moving due to ever-changing requirements. The credit transfer challenges created by the different graduation requirements contribute to the other challenges described below.



Every Nebraska student deserves an opportunity to earn a High School Diploma.

- A centralized system where credits earned are tied to the student can help on track graduation.**

 - Until then, school liaisons and counselors should continue efforts to award proper credits.
 - Consideration of the minimum (200 Credits) as mandated by 79-279
- Clear record keeping for program involvement and special education for seamless service delivery and accommodations will secure outcomes for students with disabilities.**

 - Until then, consultation, communication and collaboration are key.
 - Consider maintaining

Graduation

Consider developing processes, procedures, and practices that delineate responsibilities in finding, serving, and transitioning Systems Involved Youth.

Years to Graduate	Expected Graduation Year	State	
		# Graduates	Graduation Rate
4	2024	21,444	86.18%
	2023	21,232	87.25%
	2022	21,274	87.12%
	2021	20,914	87.56%
	2020	20,690	87.51%

Special Education	State	2022-23 SIY
	15.8%	43.19%
4 Year Graduate	87.25%	15.6%

Federal OSEP Indicator 1 - Graduation

FFY 2023 SPPI/APR Data					
Number of youth with IEPs (ages 14-21) who exited special education due to graduating with a regular high school diploma	Number of all youth with IEPs who exited special education (ages 14-21)	FFY 2022 Data	FFY 2023 Target	FFY 2023 Data	Status
2,258	2,993	73.26%	78.35%	75.44%	Did not meet target



Thank you!

Please reach out if you have additional questions or ideas on how to move this work forward.

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