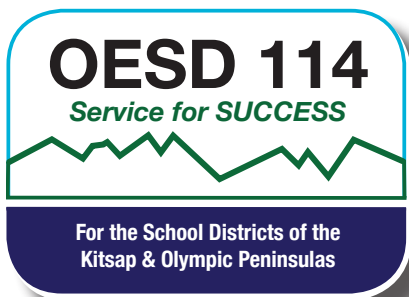


# WASHINGTON'S EDUCATION ADVOCATE PROGRAM MANUAL



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**OFFICE OF SUPERINTENDENT OF PUBLIC INSTRUCTION**  
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WASHINGTON'S

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# INTRODUCTION

## PROGRAM MANUAL OVERVIEW

This publication is a guide for Washington State Education Advocate program supervisors and staff who plan to, or are implementing a re-entry, case management model to assist incarcerated youth to successfully re-entry into the community from secure facilities. The manual covers the theoretical framework for the education advocate model and outlines research for effective re-entry programming. In addition, the manual provides details of program services and tools needed for program implementation.

## BACKGROUND and SIGNIFICANCE

Each year approximately 200,000 youth under the age of 24 are released from secure juvenile correctional facilities or state and federal prisons across the nation. Of those released, approximately two-thirds will be rearrested within 12 months post release and one-third will be re-incarcerated (Mears & Travis, 2004; Synder, 2004). In Washington State, approximately one-quarter of both serious youth offenders and youth with lesser offenses re-offend within 18 months of release (WSIPP, 1997). Due to the high likelihood of recidivism and re-incarceration, juvenile offenders spend a significant proportion of their lives, approximately one-third of their adolescence, incarcerated (Mears & Travis, 2004; Synder, 2004).

The influx of juvenile offenders coupled with high recidivism rates, has led to the heightened need for effective re-entry programs as these youth transition from institutional settings into their homes, schools, and communities (Gies, 2003; Mears & Travis, 2004). Re-entry or reintegration is the process and experiences of reentering society after serving a term of incarceration (Mears & Travis, 2004). In spite of the need for effective re-entry programs, research indicates that little is known about the process of successfully assisting youth offenders to re-enter the community. In fact, “best” or “promising practices” are largely undeveloped, which greatly inhibits the advancement of effective reintegration strategies. Of the research conducted, only a small proportion is dedicated to re-entry issues – of those, most focus solely on recidivism with little exploration of other outcomes such as success in school, work, or development of pro-social peer networks. Nonetheless, some promising practices and general guiding principals have emerged in recent years (Mears & Travis, 2004; Spencer & Jones-Walker, 2004).



## 2 • INTRODUCTION

### Characteristics of Juvenile Offenders

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Research indicates that youth engaged in the juvenile justice system share some combination of traits and characteristics (Altschuler & Armstrong 2004; Steinberg, Chung & Little, 2004; Mears & Travis, 2004; Snyder, 2004). These most commonly include the following:

- Chronic history of delinquent behaviors;
- Poor socialization skills;
- Poorly educated and/or history of academic failure;
- Chronic truancy issues or multiple suspensions/expulsions;
- Drop outs;
- Mental health problems (e.g., substance abuse, depression);
- Unstable and unsupportive family relationships;
- Delinquent peer influences;
- Absence of positive role models;
- Lack of adaptive daily living skills;
- Lack of job and work related skills; and,
- Inadequate or lack of reasonable living arrangements.

Males make up the largest percentage (86%) of youth offenders, with ethnic/racial minorities disproportionately represented in the population of incarcerated youth (Foley, 2001; Snyder, 2004). Typically, over half of youth offenders (54%) are from single-parent homes and 52% have relatives who are also incarcerated. Not surprisingly, research indicates that most juvenile offenders (83%) had been previously adjudicated (Bullis et al., 2002; Foley, 2001; Snyder, 2004).

### Prevalence of Special Education

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The prevalence of special education identified youth is three to five times higher than in the general population of juveniles – 20%-50% are diagnosed with ADHD; 1 in 8 is labeled as mentally retarded (Sullivan, 2004). Young offenders are consistently behind their peers intellectually, with the majority of incarcerated youth functioning between the 5th to 9th grade-levels. These youth have significant academic deficits – on average nearly two years behind their peers academically. Fifty-eight percent (58%) of juvenile offenders have not completed 8th grade, and 23% never entered high school. Three-quarters (75%) of youth have received a failing grade in at least one subject, with approximately 40% - 50% having been held back a grade. Forty percent (40%) enter the correctional facilities with no high school credits earned. On written language, youth perform between 5th and 6th grade levels, and have significantly poorer oral language skills. One-third (32%) of juvenile offenders read at or below the 4th grade level; 27% at the 5th-6th grade level; 20% at 7th-8th grade level; and 21% at or above the 9th grade level. Math skills extend from 5th to 9th grade levels. Although many youth (60%) indicate positive attitudes toward school and view education as important and necessary, the proportion holding this view is smaller than non-delinquent peers (Altschuler & Brash, 2004; Foley, 2001; Snyder, 2004).

### Alcohol and Other Drug Use

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Alcohol and other drug use among juvenile offenders is common. Many of these youth are alcohol involved – one-third reported being under the influence of alcohol when arrested – and a large percentage use other drugs at rates higher than their non-delinquent peers (63% regularly). Twenty eight percent (28%) of juvenile offenders started using some type of substance at age 11 or younger (Sullivan, 2004). Findings indicate that anywhere from 19% to 75% of juvenile arrestees tested positive for at least one drug at time of intake. Of those youth identified as serious offenders, rates of drug and alcohol use increased significantly compared to minor and non-offenders (McBride et al., 1999; McCord et al., 2000). Moreover, alcohol and other drug use among juvenile offenders is strongly linked to a variety of social, emotional, and psychological problems, including delinquency, poor academic achievement, poor family management, and association with anti-social peers (Hawkins et al., 1987; McBride et al., 1999).

### Higher Rates of Mental Health Problems

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Juvenile offenders have higher rates of mental health problems as compared to non-offending youth. Suicidal ideation for young offenders is four times greater than the general youth population. Many youth offenders (60%-80%) are diagnosed with less serious mental disorders – conduct disorders, disruptive diagnosis, ADD, ADHD, oppositional defiance, mood (depression), and anxiety-disorder (panic, PTSD, agoraphobia, social phobia, or obsessive-compulsive). Serious mental health disorders – schizophrenia, major depression, and bipolar disorder – affect 20% of this population, as compared to 9-13% of non-offender youth (Altschuler & Brash, 2004; Sullivan, 2004; Synder, 2004). Sullivan (2004) argues that “... as many as one in five [incarcerated youth] may be sufficiently affected to suffer functional impairment, affecting family, school or community activities” (p. 63). Mental health problems are higher for females than males, with more non-Hispanic White youth exhibiting mental health problems as compared to Hispanic youth (Synder, 2004).

### Summary

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The evidence of need identified across multiple problem areas – academic, substance abuse and mental health – stresses the importance of designing and implementing re-entry intervention programs that are comprehensive and multi-modal. Altschuler and Brash (2004) maintain that intervention approaches should be integrated rather than one-dimensional, in fact, findings indicate that treatment modalities that address only one problem at a time may be ineffective. At best, programs should include substance abuse and mental health interventions and treatment, and identification of learning disorders. Furthermore, interventions implemented within the correctional facility should be maintained and reinforced using the same approaches during re-entry to increase the likelihood of success (Altschuler & Brash, 2004)

# BARRIERS to SUCCESSFUL RE-ENTRY

## Systems Barriers

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Youth offenders re-entering the community-at-large face a host of obstacles that place them at-risk of failing during the reintegration process. Most notable are the lack of coordinated, systematic re-entry and aftercare services (Mears & Travis, 2004; Redding, 2000; Stephens & Arnette, 2000). For example, Foley (2001) found that forty-three percent (43%) of incarcerated youth do not return to school following release, of those who do, sixteen percent (16%) drop out within five months. In part, this is due to inefficiencies in communication across agencies (schools, probation, juvenile services, and treatment programs), which often complicates and hampers the successful reintegration of youth offenders.

When returning to the school system after confinement, these youth often lack up-to-date or complete scholastic documentation and personal histories. This lack of information in turns leads to delays in educational placement, and misinterpretation of needs, thus further complicates re-entry efforts (Mears & Travis, 2004; Redding, 2000; Stephens & Arnette, 2000). Research also finds that educators' prejudices or fears related to juvenile offenders may impede successful re-entry, with safety of others placed before the needs of the returning youth (Altschuler & Armstrong, 2004). Oftentimes youth involved in the juvenile justice system have in effect "burned their educational bridges." Altschuler and Armstrong (2004) contend that these youth are "marginally educated and rebellious beyond the normal levels of youthful behaviors. Many are so incorrigible that school authorities ignore them despite state law mandating each youth be educated" (p. 10-7).

## Individual Barriers

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In addition to the systems-related barriers addressed above, youth offenders face individual barriers that further exacerbate successful re-entry. These obstacles include, but are not limited to (Sullivan 2004):

- Disruption of the educational cycle due to confinement;
- Stigma related to delinquency and arrest and/or conviction;
- Social difficulties and adjustments;
- Marginalization; and
- Difficulties faced by youth adjusting to "ex-offender" status.

Juvenile offenders may also have difficulties reintegrating into family or peer networks, which can hinder the youth's ability and motivation to succeed. Oftentimes, these youth are ill-prepared, and lack the necessary social, communication and problem solving skills necessary to cope with situations that might occur in the school and/or community environments, thus increasing the likelihood of disruptive behaviors (Altschuler & Brash, 2004; Stephens & Arnette, 2000). Additionally, mental health problems, educational status, and maturity level are factors that affect successful re-entry (Mears & Travis, 2004; Sullivan, 2004).

In sum, obstacles to successful re-entry include systems-levels and individual factors, such as:

- Lack of quality re-entry planning prior to release;
- Lack of collaborative interagency processes e.g., communication, coordination, and commitment;
- Difficulty obtaining education records (prior to and following release);
- Reluctance of public schools to serve youth in re-entry;
- Lack of family involvement; and
- Multiple individual factors and needs of youth offenders (substance use, mental health issues, educational status).

## **CORE COMPONENTS of EFFECTIVE RE-ENTRY STRATEGIES**

As previously noted, without effective interventions aimed at assisting youth offenders to achieve successful reintegration most will continue their criminal behavior well into adulthood. As a result, these young people will cost society millions of dollars as measured by non-productivity, crime victimization, and additional periods of incarceration, supervision, and treatment through public agencies (Stephens & Arnette, 2000).

Research indicates that effective re-entry planning can reverse recidivism and dependency trends, by increasing the capacity of juveniles to become responsible, productive citizens thereby fostering safe communities. Although the number of “promising” or “best” practices identified to effectively address juvenile offender re-entry are limited, a number of theoretically sound principals have been identified to guide the development of effective interventions. The following is a synopsis of these findings:

- 1. Planning for re-entry needs to be comprehensive,** inclusive of all agencies (juvenile justice, probation, school), and conducted prior to the youth’s return to the community. A major reason for youth offenders failing to make positive gains in the re-entry process is related to systems failure, specifically the lack of coordinated, comprehensive, detailed planning, focused on ensuring that youth overcome re-entry barriers. Comprehensive re-entry plans have a high-level of interagency collaboration, are well organized, planned, professionally staffed, and implemented with fidelity. Most importantly, re-entry plans include frequent and meaningful contact with youth offenders, and target those youth at highest risk of recidivism. (Altschuler & Armstrong, 1994; Gies, 2003; Mendel, 2000; Stephens & Arnette, 2000).
- 2. Youth leaving secure confinement need programs in place to address barriers to success at school.** Youth may require peer/study groups, mentors, and concerned teachers or other adults to advocate for them. Research indicates that interventions most effective at reducing recidivism among juvenile offenders are interpersonal skills training, life skills, individual counseling, and educational and vocational interventions (Lipsey & Wilson, 1998; Lipsey, Wilson & Cothorn, 2000; Redding, 2000; Unruh et al., n.d).

## 6 • INTRODUCTION

- 3. A re-entry support team** consisting of administrator, counselor, teacher/sponsor, parent/guardian, and appropriate staff from outside agencies should confer on the best strategies for the re-entering youth. If re-entry strategies are to be effective, they must be theory driven. Evidence-based re-entry programs are five time more effective in yielding positive outcomes. The most effective interventions are delivered using a strengths-based approach, focus on individual identified needs and strengths and address contextual factors (e.g. family, school and peers) that may have contributed to youth's criminal pathway (Mears & Travis, 2004; Spencer & Jones-Walker, 2004; Unruh et al, n.d.). Programs must also be responsive to cultural, gender, developmental and racial characteristics of youth served (Duchnowski, Kutash, & Friedman, 2002; Altschuler & Armstrong, 2004; Mears & Travis, 2004; Steinberg et al, 2004). These strategies should include, at a minimum, academic, social, substance abuse and mental health interventions designed to meet the individualized needs of the youth. Peer support groups or mentoring are also viable approaches.
- 4. One-on-one planning and follow up with service providers is essential.** Information sharing between key agencies is critical to the success of the juvenile offender. Regularly scheduled meetings with juvenile probation officers, case managers, or other services providers are essential to ensure that lines of communication are open between providers. This level of contact between key agency partners lessens the likelihood of duplication of services, and establishes positive and trusting relationships.
- 5. Parental support and family therapy.** Because family problems and the youth's lack of success are often linked, establishment or referral of the family to community based service providers may be necessary to increase likelihood of success.
- 6. Restitution as part of the re-entry process.** Community attitude/awareness may inhibit schools from fully serving "ex-offender" youths – especially those with histories of violence. Re-entry programs should consider taking a restorative justice approach that allows youth to repair the harm and pay back the community, school, or person for the wrong committed. Additionally, service-learning or school-to-work projects may increase youth's feelings of self-worth.
- 7. Awareness training in the school setting.** Classroom teachers, school administrators, or others in the school setting may need support developing strategies to deal with discipline, recognizing signs of mental issues, or other issues that may be influencing the youth's lives. In addition, staff may benefit from trainings that help them to recognize and deal with their own personal attitudes or biases that may prevent returning youth from being successful.
- 8. Evaluation/assessment of re-entry programs.** Design and implement evaluation practices to ensure that program objectives are being met and allows the program to modify services as needed based upon statistical data.

## Conclusion

Research has identified risk indicators that are predictive of delinquency, recidivism, and adult criminality and confinement. Justice system indicators include age of first offense and number of prior contacts. Needs related indicators strongly linked to reoffending include family dysfunction, low intelligence, limited vocabulary, poor verbal reasoning, association with delinquent peers, low school attachment, lack of supportive social relationships and substance abuse. Other factors common among juvenile offenders, although not directly associated with reoffending, include learning problems, low self-esteem and emotional disturbances (Altschuler & Armstrong 2004, 1994; Altschuler & Brash, 2004; Stephens & Arnette, 2000; Sullivan, 2004). To effectively prevent the reoccurrence of antisocial problem behaviors during the re-entry process, re-entry intervention programs must address the multitude of risk indicators and problem behaviors facing youth offenders.

## ORGANIZATION of the MANUAL

**Section A** provides the background history of the Education Advocate (EA) programming since its conception in 2004.

**Section B** describes the juvenile justice system starting with an arrest and the ending with release into the community. The various routes a youth may be served within the system are described as well as how the Education Advocate program fits within the system.

**Section C** provides procedural details for successful implementation of the Education Advocate model and presents the reader with the foundational structure of Washington State's Education Advocate (EA) Service model. Information on the core-component to the EA model such as collaborative partnerships, establishing a referral process and criteria, development of re-entry plan and ongoing case management support is part of this section. Recording outcome data and suggested job qualifications are also included in this section.

**Section D** contains a set of sample forms for case management record keeping and required protocol, data reporting forms and a one-page fact sheet on the Education Advocate Program.

**Section E** provides information for the Education Advocates (EA) on effective case management strategies, effective strategies for family engagement, and motivational interviewing techniques for engaging clients.

**Section F** provides a list of resources, Title I, Part D regulations, and a one page fact sheet on the Education Advocate Program.

**Section G** is a comprehensive glossary of terms.

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# **SECTION A.**

## **PROGRAM HISTORY**

Washington State's Office of Superintendent of Public Instruction (OSPI) understands the need to reduce recidivism rates among juvenile offenders. In response, OSPI has begun to implement an effective transition program, utilizing Federal U.S. Department of Education Title 1, Part D No Child Left Behind funding. The goal of the program is to improve transition services for incarcerated youth moving from secure facilities (juvenile prisons and detention) back to school and work.

### **TRANSITION SERVICES in DETENTION CENTER SCHOOLS**

Since 2004, in accordance with the U.S. Department of Education Title 1 Delinquent rules and regulations OSPI has taken the lead in earmarking funds for transition services managed by transition specialists in 22 detention center schools across the State of Washington. This program model varies from facility to facility as the school districts or educational service districts (ESDs) manage the schools inside each facility within their boundaries. The range of services offered by Transition Specialists range from a brief check-in with the school/work placement to see if the youth attended, to more intensive contacts such as meeting the youth, his/her family members and/or probation officer to develop a transition plan and arranging a meeting with the school/community placement staff to assist the youth in transitioning. The Transition Specialist may continue to follow up with the youth on his/her caseload for 30 days after release.

### **TRANSITION SERVICES in JUVENILE REHABILITATION ADMINISTRATION (JRA) SCHOOLS**

Beginning in 2006, OSPI allocated federal Title 1, Part D No Child Left Behind grants to three school districts within the State's three largest counties, King, Pierce and Spokane, to hire an Education Advocate (EA) to work with youth transitioning from the five regional JRA facilities. In this setting, the youth's parole officer often serves as the primary case manager who works with the youth to address the barriers a youth may experience when released. The JRA-based EA is a member of the Multi-Disciplinary Team (MDT) and attends the transition planning session for youth assigned to his/her caseload at time of the youth's

## 2 • SECTION A

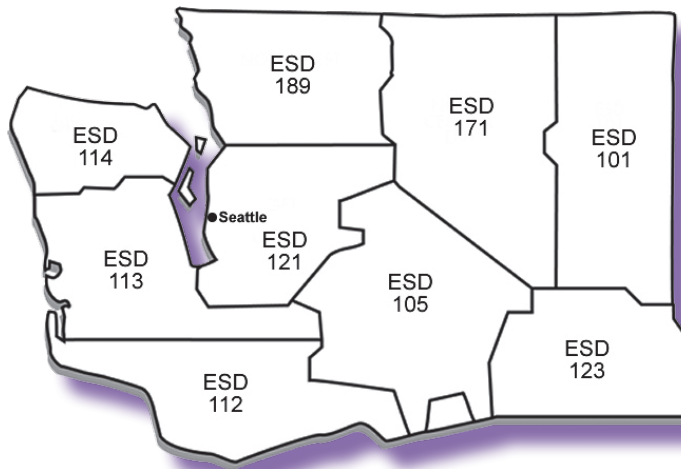
exit from the secure facility. The EA's primary role in this setting is to assist the youth to successfully transition back into the school system and/or community vocational program or GED option.

Transition services for JRA-involved youth includes gathering the necessary records required for a youth returning to the school system, arranging meetings with the youth, family and key staff at the home school (or school of choice) upon release, and conducting follow up meetings to provide support and address barriers. These follow up meetings may include linking the youth to additional services such as GED prep/testing, vocational school or job placement, mentoring program, counseling services or other services within the community based on identified needs.

Contact with students served by the JRA-based EA varies considerably, with less than 20% of youth actively engaged in case management at any one time. The majority of more intensive contact occurs during the first 30-60 days following release, with exchanges between the EA and the youth less frequent after the initial period. Youth assigned to the JRA-based EA remain on his/her caseload throughout the school year and by year-end staff may carry a caseload of from 150-200 youth.

### EDUCATIONAL SERVICE DISTRICT EDUCATION ADVOCATES

In fall of 2008, the Washington State Office of the Superintendent of Public Instruction (OSPI) expanded the JRA transition service Education Advocate model to specifically reach multiple areas across the State and to widen the scope of current transition services for youth in communities where detention centers are located. These Education Advocate Services are implemented and coordinated through the nine (9) Educational Service Districts (ESDs). The map shows how Washington is divided into the nine service areas.



The overarching goal of the Education Advocate program aligns with that of the JRA-based EAs and the Detention Center Transition Specialist work, which is to reduce the rate of recidivism among youth offenders transitioning from secure facilities.

### **The Project Objectives are:**

1. Expand support and case management for youth transitioning out of detention centers. This includes extending the duration of time youth can be served once released from a secure facility;
2. Assist youth to overcome barriers in returning to school and work; and
3. Improve school coordination activities for youth returning to or re-engaging in school.

### **Eligibility:**

1. Youth between the ages of 5 and 21 years of age that are involved in the Juvenile Justice System and considered moderate to high risk of reoffending;
2. School-based youth at risk of “slipping through the cracks”, re-offending or dropping out of school; and
3. Community-based youth at risk of not staying engaged in vocational/community programs or need support to obtain a high school diploma or a GED.

## **SELECTION of GRANT RECIPIENTS - FEDERAL TITLE 1, Part D PROGRAM RULES**

### **Program Purpose and Background**

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The program is funded by Title I, Part D of the No Child Left Behind Act of 2001 (NCLB)<sup>1</sup> — also known as The Prevention and Intervention Programs for Children and Youth Who Are Neglected, Delinquent, or At Risk (see reference section for complete copy of Title I regulations and non regulation guidelines). This is administered by the Office of Student Achievement and School Accountability Programs (SASA), within the U.S. Department of Education’s (ED’s) Office of Elementary and Secondary Education (OESE). Title I, Part D, provides financial assistance to educational programs for children and youth who are “neglected,” “delinquent,” or “at risk”<sup>2</sup> through two separate programs.

The State Agency Program (Title I, Part D, Subpart 1) was originally authorized in 1966 and serves youth in State-operated institutions or community day programs. The Local Agency Program (Title I, Part D, Subpart 2) was originally authorized in 1994 and supports school district programs that collaborate with locally operated correctional facilities and programs for youth who are “neglected,” “delinquent,” or “at risk.”

The shared purposes of both programs under Title I, Part D, are to:

1. Improve educational services for children and youth who are “neglected,” “delinquent,” or “at risk” so that they have the opportunity to meet challenging state academic content and achievement standards;
2. Provide children and youth who are “neglected,” “delinquent,” or “at risk” with services so that they can successfully transition from institutionalization to further schooling or employment; and
3. Prevent youth from dropping out of school and provide youth who have dropped out and youth returning from correctional facilities with a support system to ensure their continued education.<sup>3</sup>

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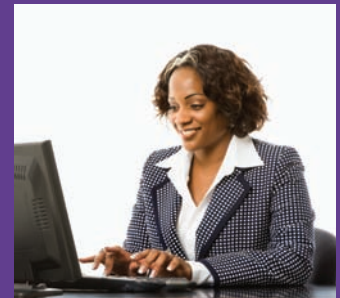
<sup>1</sup> United States Department of Education (2006) Title I, Part D Neglected, Delinquent, and At-Risk Youth Prevention Intervention Programs for Children and Youth who are Neglected, Delinquent, or At –Risk (N or D) Non Regulatory Guidance.

<sup>2</sup> The term “neglected,” when used with respect to a child, youth, or student, means an individual who has been committed to an institution (other than a foster home) or voluntarily placed under applicable State law due to abandonment, neglect, or death of his or her parents or guardians. The term “delinquent,” when used with respect to a child, youth, or student, means an individual who resides in a public or private residential facility other than a foster home that is operated for the care of children and youth who have been adjudicated delinquent or in need of supervision. The term “at-risk,” when used with respect to a child, youth, or student, means a school-age individual who is at risk of academic failure, has a drug or alcohol problem, is pregnant or is a parent, has come into contact with the juvenile justice system in the past, is at least 1 year behind the expected grade level for the age of the individual, has limited English proficiency, is a gang member, has dropped out of school in the past, or has a high absenteeism rate at school.

<sup>3</sup> Section 1401. No Child Left Behind Act (2001).

**The United States Department of Education monitors program success based on the following Title 1, Part D outcomes:**

- School credits earned;
- High school diplomas or GED certificate completed;
- Students return and stay engaged in school;
- Students enrolled in post-secondary school;
- Students enrolled in job training programs;
- Students obtaining employment; and
- Academic grade-level improvements in Reading and Math for those students enrolled for 90 days or more in these subjects.



# SECTION B.

# JUVENILE JUSTICE SYSTEM<sup>1</sup>

## INTRODUCTION

Juvenile justice in Washington State is governed by The Juvenile Justice Act of 1977<sup>2</sup>, which establishes a system of accountability and rehabilitative treatment for juvenile offenders. Juvenile court is a division of the superior court, established by statute to deal with persons under the age of 18 who commit offenses (offenders) or are abused or neglected (dependents). Like adults, juvenile offenders are sentenced according to a uniform set of guidelines. Taking into account the seriousness of the offenses committed and the history of the subject's prior offenses, the guidelines establish a range of sentences, and sentence conditions.

The Juvenile Justice System is quite different from the Adult Criminal Justice System. While the Adult Criminal Justice System is primarily focused on protecting society and holding adults accountable for his or her actions, the Juvenile Justice System also focuses on rehabilitation as an equally important objective.<sup>3</sup> Further, unlike adults, youths may be sent to juvenile court through a variety of causes: arrest, truancy, at-risk-youth, and others. This section is primarily focused upon juveniles who commit criminal acts which lead them to juvenile court.

### Terminology

The Juvenile Justice System uses different terms than the Adult Criminal Justice System. Here are just a few of the differences:

JUVENILE JUSTICE SYSTEM	ADULT CRIMINAL JUSTICE SYSTEM
RESPONDENT .....	DEFENDANT
OFFENSE .....	CRIME
FACT-FINDING HEARING .....	TRIAL
ADJUDICATED .....	CONVICTED/FOUND GUILTY
DISPOSITION .....	SENTENCING
DETENTION .....	JAIL
COMMITMENT .....	PRISON

<sup>1</sup> Adapted from "The Juvenile Court Process" available at [http://www.clallam.net/Courts/html/court\\_juvenile.htm](http://www.clallam.net/Courts/html/court_juvenile.htm) (July 3, 2009), with substantial revisions and additional text by Todd Dowell, Senior Deputy Prosecuting Attorney and Juvenile Division Supervisor for the Kitsap County Prosecuting Attorney's Office (August 5, 2009).

<sup>2</sup> Codified in the Revised Code of Washington ("RCW") Title 13.

<sup>3</sup> See RCW 13.40.010.

## GETTING A JUVENILE CASE to COURT

The following is a brief description of the process that must be followed in order to prosecute a juvenile accused of committing an offense. This process begins with arrest and the filing of a report with the prosecutor's office. From there the case will proceed to juvenile court in most instances, unless the juvenile is charged with certain crimes, or, the juvenile court decides to transfer the alleged juvenile offender to stand trial as an adult.



### Police Contact & Arrest

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To arrest a juvenile, the police must have probable cause to believe the juvenile has committed an offense or have a valid arrest warrant. In most circumstances, a juvenile arrested for an alleged offense is referred to the juvenile court. In rare instances, a 16 or 17 year old arrested and charged with a serious crime will fall under exclusive adult court jurisdiction and will be tried as an adult.<sup>4</sup>

Following the arrest, the juvenile may be admitted into detention at the local juvenile detention facility (or may be released to the custody of his/her parents or legal guardian). It is important to note that at the time of the juvenile's arrest and entry into detention, the juvenile has not yet been charged with a crime. The office responsible for filing criminal charges is the local office of the prosecuting attorney.

### Probable Cause Hearing

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If a juvenile respondent is arrested and taken into custody, he or she is taken to the local detention facility. A juvenile who is arrested and remains in detention must appear before a judge within 48 hours of the juvenile's arrest and entry into detention to determine whether probable cause exists for the arrest.<sup>5</sup> If the arrest occurs on a weekend or holiday, when court is not in session, the probable cause is normally done by telephonic hearing between the prosecutor's office and the juvenile court judge. The juvenile is not present during these telephonic hearings.

If the judge finds probable cause for the arrest does not exist, the juvenile must be released from custody.<sup>6</sup> If the judge finds probable cause for the arrest does exist, the judge will then decide whether or not the juvenile should remain in custody to await arraignment. So long as probable cause exists, the Court has the authority to detain the juvenile pending further court hearings or to release the juvenile to a parent or guardian under certain conditions, if necessary, along with promise to return to court at a later date.

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<sup>4</sup> See, RCW 13.04.030(1)(e)(v) discussed below.

<sup>5</sup> JuCR 7.3(a)

<sup>6</sup> RCW 13.40.040(2)

Charges must be filed within 72 hours of the juvenile’s arrest and detention, excluding weekends and holidays.<sup>7</sup> If charges are not filed within that period, the juvenile must be released. A juvenile who is not arrested or taken into detention will be summoned to appear before the juvenile court at a later date, usually by mail or by personal service of the summons. The summons directs the juvenile to appear along with his or her parent/guardian. A copy of the formal charges is included with the summons. If the juvenile fails to appear on the specified date an arrest warrant can be issued for the juvenile so long as the judge finds probable cause for the charge.<sup>8</sup>

### **Diversion and the Formal Charging Process**

Upon finishing the initial investigation, the officer will submit a law enforcement report to the Prosecuting Attorney’s Office. If the offense is something minor, and the youth has never been in trouble with law before, the prosecutor may be required to send the case to diversion. Depending on the circumstances and the severity of the charge, the prosecutor may still be allowed to send it to diversion despite the youth having a prior offense on record.<sup>9</sup>

Diversion is a statutorily authorized method of handling the alleged juvenile offense without court intervention.<sup>10</sup> The case is usually referred by the prosecutor to a diversion counselor or group of citizens who volunteer to be on a diversion board. The diversion process involves advising the juvenile of the alleged offense and allowing them to enter a diversion contract, where they are required to complete certain tasks in order to hold them accountable for their wrongdoing. These tasks can include community service work, counseling, and education, but not detention. If the juvenile agrees, they enter the contract and must complete the obligations within a few months. The juvenile is not required to accept the diversion, in which case the matter is referred back to the prosecutor for formal charging in court. The matter may also be returned to the prosecutor for filing in the event the juvenile fails to appear for the diversion or fails to complete the tasks agreed. Upon completing the diversion, the case is complete and will show on the juvenile’s criminal record as a diversion. A diversion counts as criminal history; but is not considered a “conviction” or “adjudication” of the case.<sup>11</sup>

In any instances where the case is deemed not appropriate for diversion, the prosecutor files a document called an “Information”, with the Juvenile Court charging the juvenile with the offense or offenses they commit. The Information provides the juvenile with written notice of charge or charges.

Again the charge or charges must be supported by sufficient evidence. Prior to filing, the prosecutor may request law enforcement furnish additional investigative work to complete the case. Sometimes, the prosecutor determines there is insufficient “legal evidence” and the case will not proceed further until sufficient evidence is obtained.

<sup>7</sup> JuCR 7.8(c), and, RCW 13.40.050(1)

<sup>8</sup> JuCR 7.5

<sup>9</sup> RCW 13.40.070(6)

<sup>10</sup> RCW 13.40.080

<sup>11</sup> RCW 13.40.020(7)(b)



## JURISDICTION of the JUVENILE COURT



“Jurisdiction” is the court’s power to hear a case and to render judgment against the accused.<sup>12</sup> Juvenile Court is not a separate constitutional court; rather, it is a statutory division of its companion, the adult Superior Court.<sup>13</sup> Pursuant to statute, however, the Juvenile Court has exclusive jurisdiction to hear and determine most cases involving persons under the age of 18.<sup>14</sup>

As briefly discussed earlier, there are some statutory exceptions to the jurisdiction of a juvenile court. In some instances, the type of offense can necessitate the case be heard in adult court. In other instances, a juvenile court judge might decide to transfer a case to adult court for a variety of reasons. The following is a brief overview of these exceptions to juvenile court jurisdiction.

### Certain Licensing Offenses by 16 and 17 year olds

The law presumes that juveniles old enough to drive or be licensed for certain activities ought to be held to the same responsibility as adults doing the same thing. This philosophy is reflected in how juveniles are treated with various license infractions and offenses. Juveniles who are age 16 or 17, who commit non-felony traffic, fish, boating, or game offenses or infractions, or any civil infraction (such as tobacco possession) must be charged in the appropriate District or Municipal Court.<sup>15</sup>

However, if there are additional charges which would otherwise be filed in juvenile court, then the juvenile court may retain jurisdiction over all offenses (i.e., the juvenile court may retain jurisdiction over a 16 year old who is both caught driving on a suspended license and is in possession of alcohol).

### Exclusive Adult Jurisdiction

Exclusive Adult Jurisdiction is a statutory provision mandating that certain serious or violent charges against a juvenile be filed directly in adult court, without any prior judicial determination or appearance in juvenile court first. Jurisdiction of the court is “charge based” meaning the offense charged dictates the ability of the particular court to render judgment in the case.

<sup>12</sup> State v. Werner, 129 Wn.2d 485, 493 (1996).

<sup>13</sup> Werner at 492.

<sup>14</sup> RCW 13.04.030

<sup>15</sup> RCW 13.04.030(1)(e)(iii)

The statute limits these situations to those juveniles 16 and 17 years old who are alleged to have committed one or more of the following:

1. A serious violent offense as defined in RCW 9.94A.030;
2. A violent offense as defined in RCW 9.94A.030 and the juvenile has a criminal history consisting of: (I) One or more prior serious violent offenses; (II) two or more prior violent offenses; or (III) three or more of any combination of the following offenses: Any class A felony, any class B felony, vehicular assault, or manslaughter in the second degree, all of which must have been committed after the juvenile's thirteenth birthday and prosecuted separately;
3. Robbery in the first degree, rape of a child in the first degree, or drive-by shooting, committed on or after July 1, 1997;
4. Burglary in the first degree committed on or after July 1, 1997, and the juvenile has a criminal history consisting of one or more prior felony or misdemeanor offenses; or,
5. Any violent offense as defined in RCW 9.94A.030 committed on or after July 1, 1997 and the juvenile is alleged to have been armed with a firearm.<sup>16</sup>

Because Exclusive Adult Jurisdiction is “charge based” the juvenile must be transferred to juvenile court for further proceedings any time the charge is no longer one of the enumerated offenses, including any amendment of the charge to a non-enumerated offense or a jury finding in adult court that acquits the juvenile of the enumerated offense or finds guilt on a lesser non-enumerated offense.<sup>17</sup>

### Judicial Transfer to Adult Court

Even when a case is properly filed in juvenile court, the court may choose to waive its jurisdiction and have a juvenile transferred to adult court for arraignment and eventual adjudication there. This process is referred to as a judicial “*decline*” hearing. The juvenile court chooses to “*decline*” its exclusive jurisdiction over the juvenile. The decline is “*person based*” jurisdiction as the decision to transfer the child to adult court is based on an examination of the personal traits of the child in addition to the facts of the case. Judicial declines can be requested for any case and for any juvenile beginning at age 8 up to age 18.<sup>18</sup>

<sup>16</sup> RCW 13.04.030(1)(e)(v)(A-E)

<sup>17</sup> *State v. Posey*, 161 Wn.2d 638, 643-44 (2007)

<sup>18</sup> RCW 13.40.110

Upon request, the juvenile court is required to hold a “*decline hearing*” where the court considers the *Kent* factors<sup>19</sup> and enters findings along with its decision to either decline the matter to adult court or retain jurisdiction in juvenile court. In most cases the decline hearing must be held within 14 days after the date of the juvenile’s first appearance in court, unless the court finds good cause to extend to a later date.<sup>20</sup>

If juvenile jurisdiction is retained, the matter proceeds to arraignment in juvenile court. However, if juvenile jurisdiction is declined, the case will be transferred to adult court, where it will remain regardless of the charge or outcome of the case. Provided the juvenile is later found guilty of the charge, or of a greater offense, the juvenile will be considered an adult for all future cases brought regardless of his or her age.<sup>21</sup>

For 16 or 17 year olds who commit serious offenses not otherwise covered under Exclusive Adult Court Jurisdiction, the juvenile court may be required by statute to hold a decline hearing. This is referred to as a “mandatory decline hearing” and, unless waived by the parties and the court, must be held whenever the following circumstances arise:

1. The respondent is sixteen or seventeen years of age and the information alleges a Class A felony or an attempt, solicitation, or conspiracy to commit a Class A felony;
2. The respondent is 17 years of age and the information alleges assault in the second degree, extortion in the first degree, indecent liberties, child molestation in the second degree, kidnapping in the second degree, or robbery in the second degree; or,
3. The information alleges an escape by the respondent and the respondent is serving a minimum juvenile sentence to age twenty-one.<sup>22</sup>

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<sup>19</sup> *Kent v. United States*, 383 U.S. 541 (1966) – District of Columbia case where 16 year old was sent to adult court on charges of burglary and robbery without first being afforded a judicial hearing in juvenile court. The U.S. Supreme Court held that juveniles properly charged in juvenile court have a right to a hearing on decline with procedural regularity sufficient to satisfy basic requirements of due process and fairness, including representation by counsel and findings made on the record. This case sets out the famous eight factors that must be examined by a juvenile court when considering jurisdictional remand to adult court (commonly referred to as the “Kent factors”).

<sup>20</sup> JuCR 8.1(b)

<sup>21</sup> RCW 13.40.020(14)

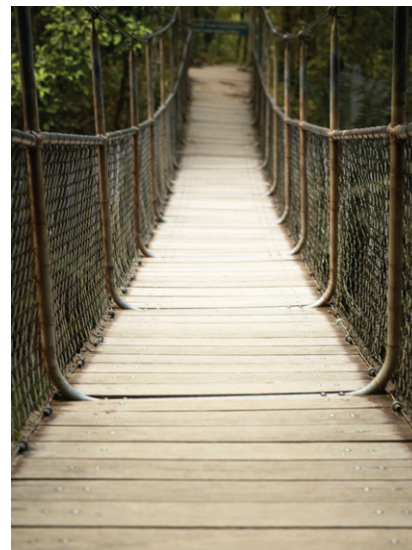
<sup>22</sup> RCW 13.40.110(1)(a-c)

## JUVENILE CAPACITY and COMPETENCY

### Juvenile “Capacity”

The term “capacity” has to do with the chronological age of a juvenile charged in juvenile court. “Capacity” refers to a child’s ability to know whether a particular criminal act is “wrong”.<sup>23</sup> Juveniles under the age of 8 years do not have the legal capacity to commit a crime because the legislature has presumptively deemed them to lack the ability to know the act is wrong.

Juveniles between the age of 8 years and 12 years old are presumed to lack capacity, although that presumption may be overcome by an evidentiary hearing, wherein the prosecutor presents evidence that the child knew the act was wrong at the time it was committed. This can include evidence that the child had been previously punished, admitted knowledge, attempted to keep the act a secret, and other factors.<sup>24</sup> This hearing is commonly referred to as a “capacity hearing” and must be held prior to the arraignment in juvenile court. If the juvenile is found to not have capacity, the case is dismissed. If capacity is found, the case proceeds to arraignment as usual. Once a juvenile reaches the age of 12, they are presumed to have capacity, even if their mental ability is deemed to be that of a child less than 12.<sup>25</sup>



### Juvenile “Competency”

The term “competency” has to do with the juvenile’s ability to understand the nature of the charges while in court and to assist his or her attorney in their defense.<sup>26</sup> “Competency” refers to the mental condition of the juvenile while they are sitting in court (as opposed to when they commit the crime, which is commonly referred to as “insanity” or “diminished capacity”).

The issue of competency may be raised at any time during the case process and is not limited by a juvenile’s age (like capacity). If any party, including the court, believes at any time there may be a problem as to a juvenile’s competency, they may request a court ordered psychiatric evaluation of the juvenile. A hearing is then scheduled for the court to decide if the juvenile is or is not competent to stand trial. After reviewing the psychiatric evaluation, and upon hearing testimony and argument, if necessary, the court will make a determination about the competency of the juvenile. If the court determines the juvenile is competent, the case proceeds through the normal juvenile justice process.

<sup>23</sup> RCW 9A.04.050

<sup>24</sup> *State v. J.P.S.*, 135 Wn.2d 34, 38-39 (1998).

<sup>25</sup> *State v. Jamison*, 23 Wn. App. 454, 460, review granted, affirmed, 93 Wn.2d 794 (1979).

<sup>26</sup> *In Re Fleming*, 142 Wn.2d 853, 861 (2001) (citations omitted).

If the juvenile is found incompetent, the court may order the juvenile undergo mental health treatment until competency is restored. If the court determines the juvenile is incompetent, or, will not become competent in the near future, the court may either: (1) Order the juvenile involuntarily committed to a mental health facility for treatment, or, (2) Dismiss any charges and release the juvenile from custody.

## **JUVENILE COURT ARRAIGNMENT and PRE-ADJUDICATION**

### **Arraignment Hearing**

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The arraignment hearing comes after the initial finding of probable cause by the court and can occur either directly after that finding or at a later time if deemed necessary. At the arraignment, the juvenile is notified by the court of the charges and the right to be represented by an attorney, which includes having an attorney provided at public expense if he or she can not afford one. The court can have the juvenile enter a plea at the arraignment, though it is possible for the court to delay entry of the plea to a later date, especially where counsel is not present.

A juvenile is not allowed to enter a plea of guilty unless they are represented by counsel at the time of the plea, or, until they waive the right to counsel in writing after having been advised of that right by a lawyer, who is either retained or appointed by the court.<sup>27</sup> In most circumstances, the juvenile will plead not guilty at the arraignment hearing to allow for further legal consultation and to give counsel time to review the case first. A juvenile who is detained or subject to conditions of release must be arraigned within 14 days after the information is filed.<sup>28</sup> A detention hearing must be held within 72 hours of charges being filed (excluding weekends and holidays) to determine if continued detention is necessary.<sup>29</sup>

Factors affecting a juvenile's continued detention include the serious of the charge, prior offense history, potential danger to the community, and the likelihood the juvenile will fail to appear for further court hearings. The juvenile department will provide the court with information pertaining to the juvenile's lifestyle, criminal history, prior court involvement and current offenses.<sup>30</sup> The court will decide whether or not to release the juvenile after hearing from all parties, including the juvenile probation officer, the prosecutor, the defense attorney, the parent/guardian, and the juvenile.

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<sup>27</sup> JuCR 7.15

<sup>28</sup> JuCR 7.6(a)

<sup>29</sup> RCW 13.40.050(1)(b)

<sup>30</sup> RCW 13.40.040(2)

## Speedy Adjudication

Juveniles charged with an offense have the right to have their case resolved by the court in a timely fashion. This is especially important where the juvenile is held in detention pending the final determination. An adjudication hearing (also known as fact-finding) must be set within 30 days after the date of the arraignment hearing if the juvenile is in detention, or 60 days if the juvenile is not in detention or has been released.<sup>31</sup>

After the arraignment hearing, there are many activities performed in preparation for the adjudication of the case. Both the prosecutor and the defense are required to disclose information about the case and witnesses with each other.<sup>32</sup> This process, called “discovery”, includes exchanging written information about the case that each side may have, disclosing who will be called as witnesses, and interviewing any prospective witnesses to learn what their testimony will be later at the fact-finding hearing. In addition to discovery, there may be court hearings that are scheduled before the adjudication. At these hearings, motions may be heard from either the prosecutor or the defense regarding the admissibility of evidence, pre-adjudication release of the juvenile respondent or other matters of concern to the attorneys or the court, including competency, as discussed earlier.

## Pre-adjudication Dismissal Options

Though it is possible, the prosecutor will usually not dismiss a properly filed case based on some agreement that the juvenile stay out of trouble or complete some kind of counseling or community service. Prosecutors abhor these agreements for a number of reasons. However, there are two common options still available in some instances to allow a juvenile to avoid adjudication and a finding of guilt for the offense altogether. Both options require agreement by the parties and the court. The first is “Re-diversion”. This option essentially puts the case on hold while the juvenile is allowed to either complete a previously incomplete diversion, or to enter into a diversion agreement while the charge is pending court. Upon completion of the diversion agreement, the prosecutor dismisses the information and the case is entered as a completed diversion instead of a conviction or adjudication.<sup>33</sup>

The second is treatment court. Treatment courts consist mainly of “drug court” or some form of mental health court. This option again puts the case on hold while the juvenile enters into a special court designed to treat drug addiction or other behavioral problems the juvenile is encountering.<sup>34</sup> The treatment court option is intensive supervision, usually involving a “court team” composed of the judge, prosecutor, defense counsel, probation, and treatment providers. The juvenile waives many rights and allows the treatment court to monitor his or her conditions and progress. The court usually meets weekly and the juvenile is required to not only attend court, but to comply with random urinalysis, anti-abuse??, as well as treatment and therapy meetings. On completion, the court holds a “graduation” and the prosecutor dismisses the criminal case. If the juvenile fails to complete the treatment court, they are typically found guilty by stipulation, and a disposition will be imposed.

<sup>31</sup> JuCR 7.8

<sup>32</sup> JuCR 1.4(b) and CrR 4.7

<sup>33</sup> Editor’s Note: Though there is no statutory authority for “Re-Diversion”; there is nothing in RCW 13.40.080 which prohibits entering or competing a diversion contract while the same matter is pending court.

<sup>34</sup> RCW 2.28.170-190

## ADJUDICATION of the JUVENILE CASE

### Guilty Pleas

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Prior to adjudication, the prosecutor and defense attorney may discuss the possibility of a negotiated case settlement. The defense attorney may seek an agreement for the juvenile to plead guilty to the original charge(s), a lesser offense, a dismissal of certain charges, or a commitment from the prosecutor not to file additional charges. In addition to those resolutions, the parties may come to some agreement on the recommended terms of the disposition or sentence.

If an agreement is reached, the juvenile enters a plea of guilty as agreed, and signs a form declaring that he or she is knowingly giving up various rights, including the right to a fact-finding hearing and the right to cross-examine witnesses therein.

As with any adjudication, victims have the right to be present at any post-plea disposition hearing and to make statements expressing their opinions about the recommended sentence. The Judge may consider those opinions when deciding whether or not to accept the recommended terms of the sentence, or to fashion a sentence on its own entirely. Upon the acceptance of the guilty plea, the Judge will enter a finding of guilt against the juvenile and the case will then proceed to disposition.

### Non-Plea Adjudication Hearing (Fact-Finding)

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If a plea agreement is not reached, the case may go to an Adjudication Hearing (also called Fact-finding). All parties to the case, including the prosecution witnesses and defense witnesses, will be subpoenaed (required to appear) to testify at the hearing. Witnesses may be excluded from the courtroom until they are finished testifying. This ensures they are not influenced by the testimony of another witness. Victims have the right to be present at all hearings unless they testify, and, prior to testifying, a judge finds it necessary to exclude them during the testimony of other witnesses. There are no jury trials in juvenile court. The judge will alone determine if the juvenile is innocent or guilty of committing the offense after hearing the facts of the case and argument of counsel.

At the fact-finding, the prosecution and the defense may make opening statements to the Judge to explain the case. The prosecutor then presents the case against the juvenile. It is the responsibility of the prosecutor to prove “beyond a reasonable doubt” that an offense was committed. To meet this burden of proof, the prosecutor presents evidence and calls witnesses to testify. Witnesses are required to testify under oath and may be cross-examined by the juvenile’s defense attorney.

After the prosecutor presents the case against the juvenile, the defense has an opportunity to present its evidence. On advice of counsel, the juvenile may or may not testify. As is the case with prosecution witnesses, defense witnesses are subject to cross-examination by the prosecutor, including the juvenile if he or she decides to take the stand and testify.

Following the defense’s case, rebuttal witnesses may be called by the prosecutor to discredit statements and facts presented by the defense. At the end of the fact-finding, attorneys for the prosecution and defense make their final arguments to the Judge. If the juvenile is found not guilty (acquitted) of the offense, the State cannot appeal the Judge’s verdict and the matter cannot be re-tried.

If the Judge determines that the juvenile defendant is guilty of the offense, then a disposition hearing can be held either immediately, or, upon request of the parties or court, be held at a later date. Regardless, the disposition must be held within 14 days if the juvenile is in custody, or 21 days if the juvenile is released or remains out of detention.<sup>35</sup>

While disposition is pending, the court may order the probation department to complete a pre-dispositional report to provide the court with more information concerning not only probation history and law enforcement contacts, but also many of the personal, mental, and lifestyle factors bearing on the particular juvenile.

## JUVENILE COURT DISPOSITION

### Disposition Hearing

A disposition hearing establishes consequences or sanctions for the juvenile’s criminal behavior. Sanctions for juvenile offenses are based upon the seriousness of the current offense and prior offense history.<sup>36</sup> There are two forms of sanction that can be imposed depending on the disposition type. The first is “Local Sanctions” which allows a court to keep the offender in the local community by imposing up to 30 days of local detention, up to 150 hours of community service, up to 12 months of community supervision (probation), and up to a \$500 fine. Typically local sanctions are set by the court at amounts much less than the maximum which can be imposed.

The second type of sanction is a commitment to the Juvenile Rehabilitation Administration (JRA), a division of the Department of Social and Health Services, the functional equivalent of juvenile prison. There are several different JRA facilities and group homes throughout Washington State that house juvenile offenders. Some of the facilities are high security to house violent offenders who might otherwise escape and pose a threat to the community. JRA sanctions are only imposed for felony offenses or upon a finding that a local sanction would be “manifestly unjust” due to the juvenile’s prior history or the crime. The range of commitment to JRA is based on the seriousness of the offense and the juvenile’s prior criminal record. The standard JRA ranges begin at 15 to 36 weeks of confinement and go all the way up to confinement until age 21.

<sup>35</sup> JuCR 7.12(a)

<sup>36</sup> RCW 13.40.0357



There are essentially four different forms of disposition the court can impose that will provide sanctions to a juvenile found guilty of an offense:

- 1. Standard Range** – This is the standard sentence calculated using a statutory grid where the seriousness of the offender’s current offense is compared to his or her criminal record in order to arrive at a predetermined sentence range. Standard range can involve either local sanctions or a JRA commitment.<sup>37</sup>
- 2. Suspended Disposition** – There are four different types of suspended dispositions allowed by law: (1) Option B;<sup>38</sup> (2) CDDA or chemical dependency disposition;<sup>39</sup> (3) MHDA or mental health disposition alternative;<sup>40</sup> and (4) SSODA or special sex offender disposition alternative.<sup>41</sup> All four allow the standard range sanction to be imposed first, then “suspended” in lieu of the offender getting some kind of treatment in response to their particular condition or diagnosis. If the juvenile is found to be out of compliance with treatment or probation, they can be court ordered to serve the sentence originally suspended.
- 3. Manifest Injustice** – This disposition requires the court to find that the standard range disposition in a case will result in a sentence that is manifestly unjust, that is, either too lenient or too harsh given the circumstances.<sup>42</sup> As a result the court is allowed to deviate from the standard sentence and impose any sanction it deems appropriate from no sanction up to commitment to JRA to age 21. Manifest sentences are rare and imposed in only the most extreme cases.
- 4. Deferred Disposition** – This disposition allows the court to delay the disposition in certain cases and instead impose an alternative local sanction including up to 12 months of community supervision, and other conditions the court deems necessary. Upon successful completion of the alternative sanction, the case is then dismissed and the conviction is “vacated” from the criminal history. If the juvenile fails to complete the alternative sanction, or, if the alternative sanction is revoked, the court will impose a new disposition and the conviction will stand.<sup>43</sup>

The Judge will order the juvenile to pay restitution if the court finds the victim has suffered a monetary loss related to the offense. In theory, restitution should be paid as a condition of probation or parole, but this will often be limited due to the juvenile’s age and his or her ability to earn money to pay the amount ordered. If paid, restitution is given directly to the clerk of the court who will mail the payments to the victim.

Jurisdiction for collecting restitution remains until at least 10 years after the juvenile’s 18<sup>th</sup> birthday and may be extended further by court order.<sup>44</sup>

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<sup>37</sup> Id.

<sup>38</sup> Id.

<sup>39</sup> Id, also, 13.40.165

<sup>40</sup> Id, also, 13.40.167

<sup>41</sup> RCW 13.40.160(3)

<sup>42</sup> RCW 13.40.0357, and, RCW 13.40.160(2)

<sup>43</sup> RCW 13.40.127

<sup>44</sup> RCW 13.40.190

### Probation (Community Supervision)

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In the case of local sanctions or other non-JRA sentence, the court has the authority to place a juvenile on probation (community supervision) for up to one year for each offense. While under the supervision of the Court, the juvenile is required to meet certain conditions, which may include curfew, fines, community service, contact restrictions, school attendance, counseling, and regular contact with the probation officer. If the juvenile violates any condition of community supervision, the probation officer may request a hearing for the court to hear evidence and determine if a violation of probation has taken place. If the juvenile is found to have violated any condition of community supervision, the Court may order the juvenile to serve up to 30 days in detention for each violation.<sup>45</sup>

### JRA Parole (Post Release)

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In the case of commitment to JRA, the juvenile will typically serve a sentence at a secure facility within the time period imposed by the court. After serving that time, the juvenile is released back to the community. In most instances, JRA determines how long the juvenile will stay at a JRA facility prior to being released, so long as the juvenile has served at least the minimum amount of time imposed by the court, and, JRA otherwise determines that they meet the qualifications for release based on their behavior and other considerations.<sup>46</sup> Following the juvenile's release parole services are provided for a period of time, but only for those identified as high risk to re-offend.

## POST DISPOSITION

### Appeals

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At any stage of the proceeding, the juvenile has the right to appeal a "final" order of the court. Through his or her attorney, the juvenile will ask an appellate court to review the case to determine if all procedures and laws were followed during the prosecution of the case and to determine if there are any evidentiary or legal problems with the finding of guilt.

Through his or her attorney, the juvenile will file a written brief discussing any issues or problems with the conviction. The prosecutor typically handles the appeal on behalf of the State by submitting a written response brief. Cases are heard by the appropriate division of the Washington State Court of Appeals. Any decision by the Court of Appeals may be appealed, however the Washington State Supreme Court and other high courts are not generally required to hear the appeal, and, except in very limited circumstances, may deny further appeal of the case resulting in a final outcome.

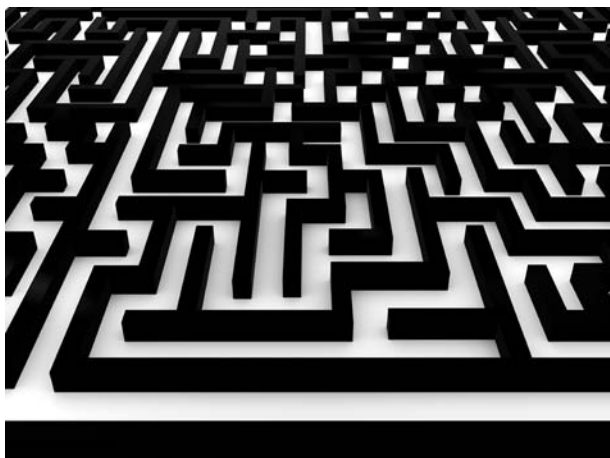
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<sup>45</sup> RCW 13.40.200

<sup>46</sup> RCW 13.40.210

## OTHER PATHWAYS into the JUVENILE JUSTICE SYSTEM

### Truancy <sup>47</sup>



In 1995, the Washington State Legislature passed RCW 28A.225.030, a law known as the Becca Bill <sup>48</sup>. The purpose of the bill is to “empower” parents to help their children when they have run away or when their child’s substance abuse or mental health problems place them in serious danger of harming themselves or others, as well as addressing several areas of public policy including those affecting at-risk run away and truant youth.

In Washington State, all youth between the ages of 8 and 18 are required to attend school every day<sup>49</sup>. When a youth fails to attend his or her assigned school, he or she is considered truant according to the Becca bill, which requires that school districts file truancy petitions with the Juvenile Court when students have accumulated seven unexcused absences in one month or ten unexcused absences in an academic year. In passing the bill, the Legislature recognized that truancy is linked to poor academic performance, dropping out of school, substance abuse, and criminal behavior. The legislative intent is to keep children in school, thereby avoiding some of the undesirable outcomes associated with truancy.

### Preliminary Hearings

The first hearing in any truancy action is the “preliminary hearing”. At the preliminary hearing, the court will hear the evidence from the school district, the parents and student to determine if the truancy allegations are true. If true, the court will enter a written order directing the student to go to school. The court may also enter other orders to compel compliance with the truancy law, such as obtaining a substance abuse evaluation.

Assuming the student successfully obeys the court order and goes to school without any unexcused absences he/she, most likely, will not be called back to court for any additional hearings.

<sup>47</sup> Adapted from Access Clallam County Washington, *Juvenile Truancy*, available at [http://www.clallam.net/Courts/html/court\\_truancy.htm](http://www.clallam.net/Courts/html/court_truancy.htm). Retrieved 7/14/09.

<sup>48</sup> Washington State’s bill is named for a young Tacoma girl who was murdered in 1993 while living on the streets in Spokane.

<sup>49</sup>RCW 28A.225.010. Attendance mandatory - age-exception

### **Review Hearings**

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However, the court may set a review hearing at any time on its own initiative to monitor how the parties are complying with the court's order and reducing trancies. A school district may also request a review hearing by filing a progress report with the Juvenile Court and requesting a Review Hearing.

### **Contempt Hearings**

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Youth and parents who willfully violate the court order and continue to have unexcused absences will be summoned back to court for a "contempt hearing". When a student or parent is held in contempt, the court may impose coercive sanctions to correct the student's attendance issues. The court may order a student to write a report, do community service, or spend time in juvenile detention. The court may require a parent to do community service or even be issued fines for \$25.00 per each day of their child's truancy. Children are entitled to legal counsel once they face the threat of confinement.

It is the school district's obligation to inform the court if the student is out of compliance with the court's order compelling school attendance. The school district is required to file a motion for a Show Cause Hearing requesting that a contempt hearing be set.



# SECTION C. EDUCATION ADVOCATE PROGRAM OVERVIEW

## INTRODUCTION

As noted previously, youth offenders re-entering the community-at-large face a number of systems level and individual barriers that place them at-risk of failing during the re-entry process. To effectively address these obstacles the Education Advocate (EA) program is designed to increase the success of youth released from both the County Detention Centers and the Department of Social and Health Services' Juvenile Rehabilitation Administration (JRA) facilities through the implementation of a comprehensive case management model. Once a youth exits from a secure facility and begins the re-entry process, a variety of supports must be in place to facilitate his or her successful re-entry into the community. It is important that the Education Advocate provide adequate case management to monitor each youth well beyond the confines of the institution. The core components of the Education Advocate program include the following:

1. Eligibility Criteria;
2. Re-entry Plan Development;
3. Case Management Services;
4. Parent/Guardian Engagement;
5. Collaborative Partnerships; and
6. Data Entry and Tracking Outcomes
7. Education Advocate Qualification and sample job description

## ELIGIBILITY CRITERIA

Recognizing that not all youth transitioning from County Detention/JRA facilities can be served intensively through case management services, Federal Title I Delinquent, specifies that an eligibility criterion needs be established to prioritize youth referred for services. In collaboration with the Detention/JRA School facility, the EA establishes eligibility criteria and prioritizes youth based upon identified needs. The eligibility criteria and target population may vary between programs because of the unique demographics of each local facility, priority of need, resources available, and limiting duplication of effort.

In general, eligibility criterion is based on youth with greatest need and those most amenable to services. Criterion in the selection process includes:

- a. **Risk of re-offending** – a history of delinquent behaviors; incarcerated three or more times; family and home environments are unsupportive with little supervision; and the youth is disconnected from school/community.
- b. **School Function** – history of academic failure, chronic truancy issues or multiple suspensions/expulsions; dropped out of school; frequently disruptive in the classroom or on campus; defiant to teacher/school authorities, repeated referrals to office for classroom behavior problems.
- c. **Community/Work Function** – lack of adaptive daily living skills; lack of job and work related skills; and, inadequate or lack of reasonable living arrangements, frequently misses work, not interested in getting a job or engaging in community programs.
- d. **Social skills or lack of** – poor socialization skills; anti-social/delinquent peer influences; alienated from pro-social activities; at-risk youth petition filed; out of control behavior/lack of; parental monitoring or lack of parental control; absence of positive role models.
- e. **Substance/Mental Health Risk** – mental health problems (e.g., substance abuse, depression); self harm or self mutilation; bulimic or anorexic; high risk sexual activity; suicide ideation (talk about hurting or killing self); suicide attempts; family history of addiction or mental illness.
- f. **Risk or Threat to Others** – physically aggressive behaviors with peers, shoving, pushing; fights, assaultive behavior; physically aggressive or threatening toward adults; bullying/intimidation of peers/younger children; repeated discipline problems for aggressive behaviors (multiple referrals to principal); charged with violent offense.
- g. **Strengths** – related to school, employment, peer, leisure activities and family.

These categories are also included on the sample Referral Form in Section D of the manual. First offenders with low risk, youth who have high or very high scores in three or more risk categories, or younger age youth may be considered as top priority for EA services. It is important to note that each of the Washington State JRA and Detention facilities completes a risk assessment on each youth who enters the facility. Usually the results of this screening can be acquired through a release of information to the probation/parole office. Findings from the risk assessment may be useful in the intake process as well as the referral process. A copy of the risk assessment tool used by Washington States JRA/Detention facilities is included in the resource section of the manual.

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<sup>1</sup> The matrix is based upon the Social Development Strategy (Hawkins, Catalano, Miller, 1992; Catalano and Hawkins, 1996)

The Risk and Protective Factor Framework<sup>1</sup> shown in the following graphic is another tool to assist the EA and his/her re-entry team in determining who is at the greatest need of service. This framework supports a public health model using a theoretical foundation of risk reduction and protection enhancement. Developments in prevention and intervention science have shown that there are characteristics of individuals, their families, and their environment (i.e., community, neighborhood, school) that affect the likelihood of negative outcomes including substance abuse, delinquency, violence, and school dropout. Other characteristics serve to protect or provide a buffer to moderate the influence of the negative characteristics. These characteristics are identified as risk factors and protective factors (Hawkins, Catalano, Miller, 1992; Catalano and Hawkins, 1996).

### RISK & PROTECTIVE FACTOR FRAMEWORK<sup>1</sup>

DOMAINS	Risk Factors	Adolescent Problem Behaviors					Protective Factors	Social Development Model (SDM)
		Substance Abuse	Delinquency	Teen Pregnancy	School Dropout	Violence		
COMMUNITY	Availability of drugs Community laws and norms favorable to drug use Re-entries and mobility Low neighborhood attachment and community disorganization Extreme economic deprivation	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	Opportunities for pro-social involvement in community Recognition for pro-social involvement in community Bonding to family with health beliefs; clear standards Attachment to family with healthy belief; clear standards Opportunities for pro-social involvement Recognition for pro-social involvement Bonding and attachment to school Opportunities for pro-social involvement Recognition for pro-social involvement	SDM is a synthesis of three existing theories of criminology (control, social learning, and differential association). It incorporates the results of research on risk and protective factors for problem behavior. It is based on the assumption that children learn behaviors.
FAMILY	Family history of the problem behavior Family management problems Family conflict Favorable parental attitudes and involvement in problem behaviors	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	Bonding to family with health beliefs; clear standards Attachment to family with healthy belief; clear standards Opportunities for pro-social involvement Recognition for pro-social involvement Bonding and attachment to school Opportunities for pro-social involvement Recognition for pro-social involvement	
SCHOOL	Academic failure Lack of commitment to school	✓ ✓	✓ ✓	✓ ✓	✓ ✓	✓ ✓	Bonding to family with health beliefs; clear standards Attachment to family with healthy belief; clear standards Opportunities for pro-social involvement Recognition for pro-social involvement Bonding and attachment to school Opportunities for pro-social involvement Recognition for pro-social involvement	
INDIVIDUAL/PEER	Early and persistent antisocial behavior Rebelliousness Friends who engage in the problem behavior Favorable attitudes toward the problem behavior (including low perceived risk of harm) Early initiation of the problem behavior Constitutional factors	✓ ✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓ ✓	Bonding to peers with healthy beliefs; clear standards Attachment peers with healthy beliefs; clear standards Opportunities for pro-social involvement Increase in social skills	

<sup>1</sup> The matrix is based upon the Social Development Strategy (Hawkins, Catalano, Miller, 1992; Catalano and Hawkins, 1996)

## RE-ENTRY PLAN DEVELOPMENT

A re-entry plan is developed with the youth once the youth offender is referred for EA services based on the eligibility criteria and the youth agrees to participate. To assist youth in overcoming barriers in returning to school and work, the EA develops an individualized re-entry plan and monitors progress toward meeting the established goal(s) of each youth on his/her caseload by providing daily, weekly and/or monthly contact while the youth remains on the active caseload. The EA works in partnership with the institutions to strategize how to assist each client in overcoming barriers and fostering success.

A good re-entry plan includes information and records on academics (including past IEPs), credits earned at the mainstream school, educational disciplinary records if available, behavioral/mental health substance abuse and vocational assessment results, history of family and peers relationships and other relevant information and includes the youth in the planning. Re-entry plans are individualized according to the youth's strengths, challenges, and needs. These support services should view the youth in the context of his or her new environment, and be both comprehensive and coordinated among all the entities involved.

Re-entry planning is a multiple component process that includes:

- 1. Completing the needs assessment and intake** to develop a comprehensive plan focusing on the youth's identified needs and strengths, motivational stage of change, as well as addressing contextual factors (e.g. family, school, peers, employment, and legal). A Sample Intake form is included in Section D of this manual. Re-entry plans should also explore opportunities for experiences (work, training), to allow youth to have a renewed, or to experience, a sense of efficacy and to develop a personal identity (Mears & Travis, 2004; Spencer & Jones-Walker, 2004; Unruh et al, n.d.).
- 2. Working with the youth to determine and prioritize which services and support is needed.** These supports include referral to counseling and treatment, monitoring of appropriate educational placements, credit retrieval, assistance with home living environment, skill building and coaching related to peer pressures and day-to-day living, linkages with mentors and vocational training and intervention on unhealthy behaviors.
- 3. Linking youth to services and supportive resources.** Such as staying enrolled in school, getting a job, obtaining a GED, enrolling in post secondary school or a job training program.

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<sup>1</sup> Hawkins, et al., 1994; Hawkins, Catalano, Miller, 1992



## RE-ENTRY NEEDS ASSESSMENT and INTAKE PROCESS

Ideally, the EA makes contact with the transitioning youth and his/her parents, if available prior to the scheduled release date to develop a re-entry plan. If this is not the case, then it is imperative that contact is made within the first week ( five (5) working days ) of the youth's release date. Initially, the EA conducts an informational meeting with the youth and his/her parents if available. This initial interview is relatively short, about 15-30 minutes.

The Informational meeting is an opportunity for the EA to:

- Build rapport, demonstrate care and concern;
- Describe the EA role and explain program services including confidentiality and rights to privacy;
- Determine youth's frame of mind, appearance, attitude, and willingness to participate;
- Check in to determine if there are issues that may be affecting the youth's life in which s/he needs immediate assistance; and
- Conduct (if youth is amenable) or make an appointment to complete an intake to develop the youth's re-entry plan.

### Intake Session

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The purpose of the intake session is to gather, review and assess data related to the nature and severity of the youth's problem behaviors and needs; prevalence or lack of risk and protective factors; strengths; and to assess the youth's motivation to change.

Although the informational and intake sessions are described as separate meetings, most often these activities are done as one session. It is up to the EA on how best to connect to the youth and decide if the information can be collected at one or multiple sessions with the youth. A sample intake form is included in Section D of the manual.

### Assessing Risk and Protective Factors

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The presence of risks, or lack of protective factors, is indicative of potential risk of juvenile delinquency (Hawkins, et al., 1992). Therefore, identifying these factors is an important step during the screening process. EAs need to be aware of school related risks that include academic failure, disruptive classroom behavior, aggressive and/or violent behavior, poor school bonding (truancy, attendance), and affiliation with antisocial peers, or peers that use/abuse substances. Risk factors at home also affect the youth's behavior. These include ineffective parenting practices, lack of parental monitoring or control, a chaotic home environment, lack of significant relationship or bonding with a caring adult, and a parent/guardian that abuses substances, suffers from mental illness, or engages in criminal behaviors. Being aware of the multiple factors that influence a youth's behaviors is critical to ensuring appropriate placement into services to address identified needs (Hawkins, et. al. 1992; Robertson and Rao, 2003).

## Alcohol and Other Drug Use and Mental Health Screening

As noted in the introduction, alcohol and other drug use and mental health issues among juvenile offenders are common problems. Therefore, it is important to screen for such issues. Screening includes collecting information about the youth's lifetime and recent history of substance use and mental health issues, and family substance use and mental health history. Recognizing that not all EA's are well versed or trained in substance abuse and/or mental health prevention/intervention, it is recommended that a valid and reliable instrument<sup>3</sup> be used. The instrument should identify potential symptom severity to ensure that the referral is based on "red flags" or indicators of serious substance or mental health-related problems. In both the substance and mental health treatment fields in Washington State, the most commonly used screening tool is the GAIN SS (Dennis, et al. 2006).

## Assessing Strengths

In addition to screening for risk factors, substance abuse and mental health issues, it is also important for the EA to explore the youth's strengths or assets. These would include, but are not limited to, the youth's ability to cope with challenges, pro-social, interpersonal and intimate relationships, what is going well and what the youth does well related to school, family, friends and employment. Exploring how the youth spend their leisure time in healthy and positive ways is also important. A sample strength-based intake questionnaire is included in Section D of the manual.

### Strength-Based Approach:

1. Focusing on what is possible versus what is problematic in assessment and interview processes (Saleeby, 1996).
2. Identifying experiences, attitudes, and skills that have contributed to success versus identifying limitations that result in failure (Saleeby, 1996).
3. Utilizing the offender's/family's perspective as the basis on which to build a successful plan versus starting with the professional's perspective (Clark, 1996).
4. Identifying concrete steps that will contribute to measurable changes in the offender, family, and environment (Clark, 1996).
5. Building a positive relationship with the offender and family by respecting their culture, language, perceptions, abilities, resources, and relationships and using them as the starting point for planning (Saleeby, 1996).

<sup>3</sup> **Reliability** refers to "the consistency or stability of a measure or test from one use to the next. When repeated measurements of the same thing give identical or very similar results, the measurement is said to be reliable. A measure is reliable to the extent that it is free of random error (Vogt, 1993, p. 195). **Validity** is "a term used to describe a measurement instrument or test that measures what it is supposed to measure; the extent to which a measure is free of systematic error (Vogt, 1993, p. 240).

### Assessing Stages of Change<sup>4</sup>

Prochaska and DiClemente's (1982) *Stages of Change* theory has been conceptualized for a variety of problem behaviors and is useful for EA's working with high risk youth. The five stages of change are *Precontemplation, Contemplation, Preparation, Action, and Maintenance* (Table 1).

1. **PRECONTEMPLATION** is the stage at which there is no intent to change behavior in the foreseeable future. Many individuals in this stage are unaware or under aware of their problems.
2. **CONTEMPLATION** is the stage in which individuals are aware that a problem exists and are seriously thinking about overcoming it but have not made a commitment to take action.
3. **PREPARATION** is the stage that combines intention and behavioral criteria. Individuals in this stage are intending to take action in the next month and have unsuccessfully taken action in the past year.
4. **ACTION** is the stage in which individuals modify their behavior, experiences, or environment in order to overcome their problems. Action involves the most overt behavioral changes and requires considerable commitment of time and energy.
5. **MAINTENANCE** is the stage in which individuals work to prevent relapse and consolidate the gains attained during Action. For addictive behaviors this stage extends from six months to an indeterminate period past the initial action.
6. **ADDITIONAL INFORMATION** on how to use the change model in motivation youth and motivational interviewing techniques is included in Section E ~ Counseling Tools for the Field.

<sup>4</sup> Retrieved from <http://www.uri.edu/research/cprc/TTM/StagesOfChange.htm>.

**TABLE 1: STAGES of CHANGE MODEL<sup>5</sup>**

<b>STAGE of CHANGE</b>	<b>CHARACTERISTICS</b>	<b>TECHNIQUES</b>
<b>PRE-CONTEMPLATION</b>	Not currently considering change: "Ignorance is bliss"	Validate lack of readiness Clarify: decision is theirs Encourage re-evaluation of current behavior Encourage self-exploration, not action Explain and personalize the risk
<b>CONTEMPLATION</b>	Ambivalent of change: "Sitting on the fence" Not considering change within the next month	Validate lack of readiness Clarify: decision is theirs Encourage evaluation of pros & cons of behavior change Identify and promote new, positive outcome expectations
<b>PREPARATION</b>	Some experience with change and are trying to change: "Testing the Waters" Planning to act within one month	Identify and assist in problem solving re: obstacles Help student identify social support Verify that student has underlying skills for behavior change Encourage small initial steps
<b>ACTION</b>	Practicing new behavior for 3-6 months	Focus on restructuring cues and social support Bolster self-efficacy for dealing with obstacles
<b>MAINTENANCE</b>	Continued commitment to sustaining new behavior post-6 months to 5 years	Plan for follow-up support Reinforce internal rewards Discuss coping with relapse
<b>RELAPSE</b>	Resumption of old behaviors: "Fall from grace"	Evaluate trigger for relapse Reassess motivation and barriers Plan stronger coping strategies

<sup>5</sup> Retrieved from [http://www.cellinteractive.com/ucla/physican\\_ed/stages\\_change.html](http://www.cellinteractive.com/ucla/physican_ed/stages_change.html)

## CASE MANAGEMENT

The purpose of case management is twofold: 1) To coordinate service delivery and to ensure continuity and integration of services for youth leaving secure juvenile facilities; and 2) To help address any issues the youth is having in the new environment following re-entry. EA's engage in a range of activities, moving from simply linking youth to needed services to a more intensive involvement such as advocating, consulting, skill building/education, counseling support and problem solving. Case management plans are individualized according to the level of support needed for each youth. The EA monitors his/her client's progress based on the re-entry plan and the set goals established between the EA and the youth and adjust the plan as applicable. The EA also provides guidance and teaches skills as needed to help address any issues the youth is having in the new environment.



### Case Management Tasks

Beginning with the student's most critical needs, the EA develops a plan to connect the youth to services. The EA provides services directly, facilitates linkages with community-based services (service brokerage), and assists with school enrollment, including post secondary education. The EA also assists with scholarships and other funding applications for school, with enrollment in vocational training, or helps the youth find work, including helping the youth to garner skills such as resume writing and interview skills etc., and maintain contact with Probation Officer. Education Advocates also monitor performance of community service, payment of restitution, school attendance and performance, employment related activities and curfew compliance as necessary.

Throughout the re-entry process, the EA provides support to overcome barriers to the successful milestones related to the re-entry plan, including school and work placement. EA's may need to be persistent and assertive to overcome barriers that prevent youth from receiving needed services. Prompt intervention when obstacles arise (e.g., transportation) helps decrease the negative behaviors and increase positive outcomes.

The EA can provide assistance with transportation, job interviews, advocating for admission to community program, or similar activities. In addition, it is frequently necessary to arrange a separate appointment with a service provider during the same week a session is conducted with the youth. Program staff should also link youth to community support groups or initiate a peer-led support group. Once referrals are made,

the EA is responsible for monitoring the progress of the adolescent and his or her family (e.g., checking whether the family members are keeping their appointments and whether their re-entry plan is effective). For the EA to release, share or obtain information to or for an outside community agency in accordance with Federal and State regulations, the adolescent and family may need to sign a release form. A sample of this form is included in Section D.

Education Advocates are also encouraged to make telephone contacts with youth on his/her caseload. The purpose of these telephone contacts are: a) to confirm appointment times; b) to check on the progress of homework assignments (e.g., did the participant attend his or her appointment at a community based agency, the doctor, or go for a job interview); c) to provide encouragement, support, and answer questions; and d) to provide information to the participant on an organization, self help group, etc. that the EA investigated for the participant. Finally, the telephone contacts are used to reinforce positive activities and steps taken by the participant as well as to provide an opportunity for early intervention if the participant is having difficulty.

### **Tiered Level Approach for Case Management**

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The three tiered, or step down, case management approach is based on the belief that youth with higher levels of need and risk should be monitored more closely with less intensive services provided to youth with lower risk (see flow chart Section C - 12). Therefore, to effectively manage a caseload, a three-tiered level approach has been established, ranging from high level to minimal level, based upon identified needs and risks. The intensity of services are guided in part by the information collected during the intake process as well as according to strengths, risks and needs and support within the family system. Clients with higher levels of motivation and aptitude, and who have stronger critical support networks, are seen or contacted less frequently than clients with lower strengths levels. However, the EA is expected to maintain contact with all youth he/she has assigned to case manage unless the youth moves or relocates, chooses to cut off contact or has turned 21 years of age. It is important to note that a youth on the EA caseload can move up or down the tiered service level throughout their participation based upon identified needs. A full-time Education Advocate maintains an active case load of 20-25 youth to be effective. This includes both high and moderate (tier 3 & 2) level cases. A description of each level is described below.

- **High Level (Tier 3):** Youth that fall within this level of service require more intensive case management services. Contact with the youth 1-2 times a week unless there is a need for daily support. Program staff also makes regular contact with one or more adults who are involved in the youth's life such as: school administration, teachers, school counselors, school attendance personnel, family member(s), probation/parole officer and community agency service providers (i.e. mental health, substance abuse treatment centers, boys and girls clubs, and other youth programs). Youth remain on the intensive caseload generally for a minimum of 30 days up to 90 days. After 30-40 days the contact can be tapered depending on the youth's needs. Monthly program staff re-assesses the status of the youth progress to determine if he/she should move to a different level of service.

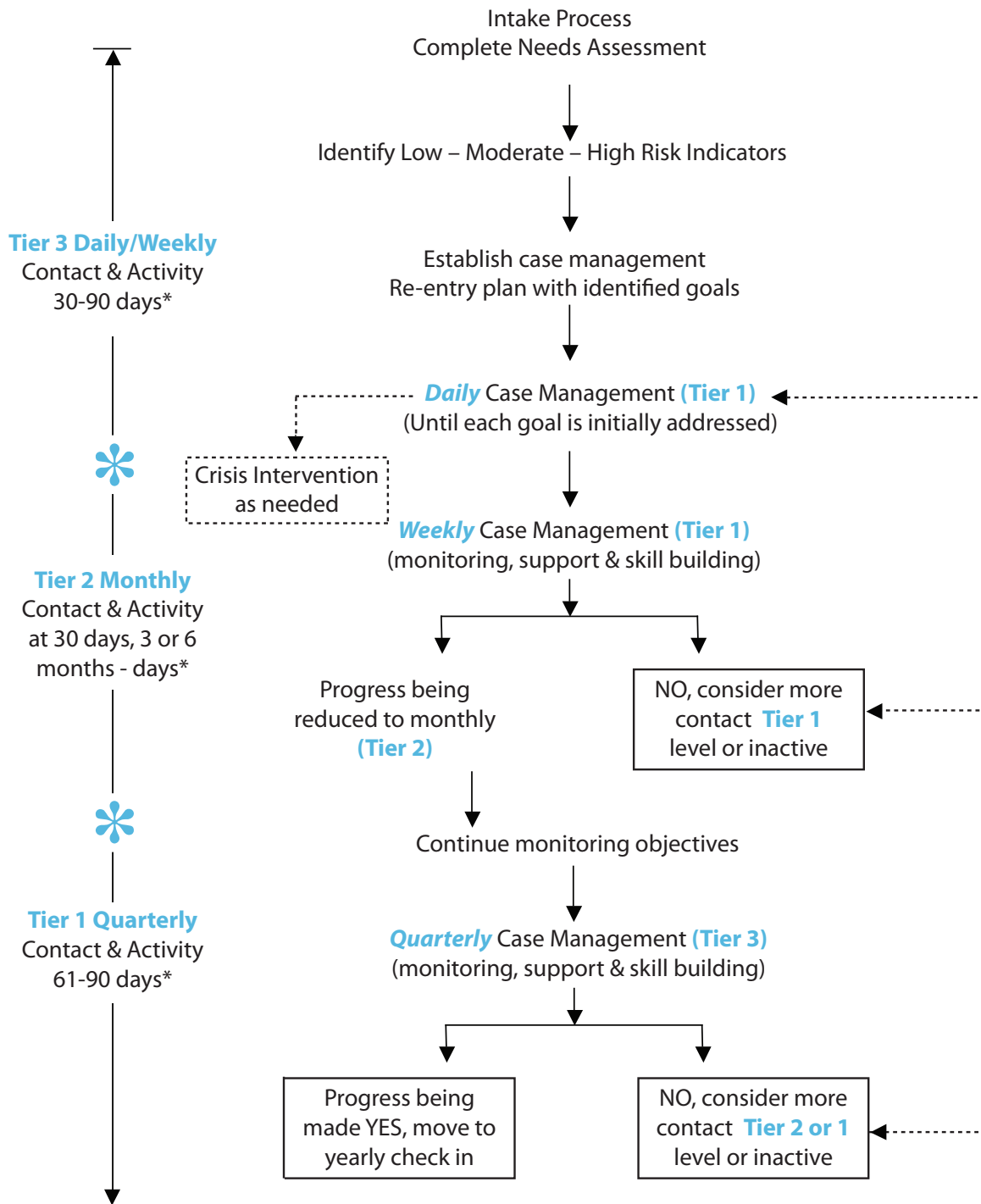
## EXAMPLES of PROGRESS MEASURES

The youth:

1. is compliant with home, court and/or probation guidelines;
2. is enrolled in and attending school or work;
3. has not acquired new charges or warrants while involved in EA services;
4. has shown noted improvement in his/her personal behavior, and environment concerns (schools, drug/alcohol, recreation, friends, etc.).

- **Moderate Level (Tier 2):** Youth that fall within this level of service require a medium level of case management. Contacts with the youth is at least monthly. The EA continues contact with one or more adults who are involved in the youth's life on a regular basis. This includes school administration, teachers, school counselors, school attendance personnel, family member(s), probation/parole officer and community agency service providers (i.e. mental health, substance abuse treatment centers, boys and girls clubs, and other youth programs). A youth is placed at this level when it is determined that he/she is at low to moderate risk of re-offending, making good positive choices, family is engaged and involved in the youths life and the youth has shown positive progress in meeting the goals of the re-entry plan. The Progress Measure Examples (above) apply to Tier 2 in moving the youth either back up to Tier 3 level of support or down to Tier 1 as described below.
- **Low Level (Tier 1):** Youth at this level of services require the lowest amount of monitoring and support. Contacts are made quarterly or less with the youth depending on need. The primary purpose of making contact with these youth is to maintain a relationship that shows the youth someone cares about him/her. Criteria for Tier 1 are when:
  - a. Case management services have been in place and the youth is making significant progress.
  - b. The youth is being sentenced to JRA and will be incarcerated for more than six months and therefore will be unavailable for services.
  - c. The youth is entering an inpatient treatment facility or the inpatient educational academy.
  - d. Inactive: Youth fit this criteria when they cannot be located, there is no working phone number or forwarding address, they have moved out of ESD service area, refused services or are deceased.

## CASE MANAGEMENT FLOW CHART (STEP DOWN PROCESS)



Time frames are approximate and responsive to case management needs.



## PARENT / GUARDIAN

“Families have the potential to be the greatest source of positive change and support for youth in the juvenile justice system” (The National Center on Education, Disability and Juvenile Justice & the PACER Center, Inc., 2002). Research demonstrates that family involvement is one of the key elements for successful re-entry back to home, community, school, and/or work. However, many parents are difficult to reach, are not engaged in the student’s life, or do not have resources, monetary or otherwise, to devote to the re-entry process for their child. Nonetheless, parents and/or a significant adult in the youth’s life should be involved in the re-entry planning whenever possible. The EA’s role with key adults is to solicit input from family in the development of the plan and decision making, encourage their involvement and support and teach family management and communication skills, if applicable.

At a minimum, it is recommended the EA outreach the youth’s parents/guardians and attempt to engage them at least three times. Engagement can be done by arranging for a home visit, meeting with the parents at the school, detention facility or in a community setting (e.g. community center, library or restaurant). The initial contact may be to introduce and explain services, review the re-entry plan as well as discuss how the parent may support the youth. Additional meetings may be conducted to address barriers such as:

1) family stressors (i.e. substance abuse/addictions, poverty, parental incarceration abuse, food, shelter and clothing needs) or  
2) poor parental management. In these cases, the EA has the opportunity to link the family to the appropriate community-based services; Families that demonstrate poor parenting practices ideally are given information and guidance on parenting and/or provided resource information on parenting classes.



### Establishing Relationship/Connection with the Family or Significant Adult<sup>7</sup>

The key to family involvement is establishing communication and building relationships with the youth’s parents, other family members or caregivers. Establishing communication with a student’s family may require some creative effort and persistence on the part of the EA program staff. It can not be assumed that the family is not interested just because the EA did not get a response from the first outreach. Using more than one strategy to reach out to each family, such as sending a message in the mail, making a phone call, and trying to meet them in person is advised. Getting input from the youth about the best way to get in touch with a family that does not seem to be responding can be helpful. It is important to focus on each family’s own strengths and challenges. Understanding these will help choose the most effective strategies to engage them in their child’s re-entry process — and beyond. See Section E for more information regarding family engagement strategies.

<sup>7</sup> Adapted from, Osher, Trina W. and Huff, Barbara (n.d.). Working With Families of Children in the Juvenile Justice and Corrections Systems: A Guide for Education Program Leaders, Principals, and Building Administrators, p. 17. Available at <http://www.neglected-delinquent.org/nd/resources/spotlight/spotlight200611a.asp>. Retrieved 7/21/09.

### Questions to Ask Families about Communication

- ✓ Do they read and write in English?
- ✓ Do they use e-mail?
- ✓ Do they live in a place where mailboxes are not secure?
- ✓ Is there a time of day that is best for making a phone call?
- ✓ Can they make long distance calls from their home phone or do they have to call you back collect?
- ✓ Are they allowed to receive calls at work, and do they feel safe getting calls from you while they are at work?
- ✓ Is there someone the family trusts with whom you can leave a message when you need the family to get in touch with you?
- ✓ Would they prefer a face-to-face meeting if they live nearby or can meet you at a convenient place in the community?

## ESTABLISHING COLLABORATIVE PARTNERSHIPS

To effectively address the needs of youth re-entering from a secured detention or jail facility into the community the EA will need to establish partnerships. Collaboration and cooperation with community agencies and resources is vital to providing a successful continuum of care. Working together to streamline care for youth involved with multiple agencies decreases the likelihood of service overlap and interrupting the school/work day. Additionally, collaboration between school-based and community-based services allows for providers to address these youth with a common language and to consistently reinforce messages across all levels of service thus limiting confusion and inconsistencies.

Communication that is open and strategic with those involved in the re-entry process is imperative to meet the youth's diverse needs and goals related to education, work, family, legal, health and social services. It is important for the Education Advocate to establish a good working interagency/inter-system collaborative relationship with all entities involved in the re-entry process. This includes establishing:

- Formal agreements among agencies partners (e.g., contracts or “memoranda of agreement”), that assign roles and responsibilities, specify accountability, and delineate communication channels.
- Strong linkages with community, businesses, and professional organizations that can help reintegrate the individual into the community.
- Regular and consistent communication with the youth and family to get their input into the re-entry plan.

At a minimum collaborative partnerships need to be formed with the following to effectively monitor and support these youth at greatest risk and need of support.

- Juvenile Justice staff specifically Detention School Re-entry staff, Probation and/or Parole;
- School Administrative, Counseling and Special Services staff;
- Community social service agencies; and
- Other appropriate entities

### Importance of Networking

In order for an EA to provide effective linkages to community services for the youth and their families, they must establish positive working relationships with area service providers. The EA focuses on improving adolescents' overall life circumstances in the community, serving as advocates for the youth and assisting with access to resources through school, mental health, drug and alcohol counseling, probation, and employment. The EA provides and makes the contact for the youth, and works out transportation barriers and other road blocks to help the youth be successful in accessing the needed services. Services include food, shelter and clothing options, educational opportunities, social services contacts and job/workforce opportunities. Resource lists of help lines or hotlines and community based agencies should be useful for identifying local service agencies.

#### Strategies to Minimize Barriers to Collaborative Partnerships

- Spend time getting to know the partner(s);
- Develop clear roles and responsibilities;
- Encourage open and honest communication for all to be upfront about needs and expectations; and
- Avoid turf issues and hidden agendas

## DATA ENTRY and TRACKING OUTCOMES

Each ESD is required to send a report to the Office of Superintendent of Public Instruction on the project outcomes at the end of the fiscal year (June 30, 2009). The specific outcomes are:

- High school diplomas
- GED course enrollment and/or certificates completed;
- Students return and stay engaged in school;
- Students enrolled in post-secondary school;
- Students enrolled in job training programs;
- Students obtaining employment; and
- Academic grade-level improvements in Reading and Math for those students enrolled for 90 days or more in these subjects.

The data collection tool is in Section D of the manual. The EA completes the data form once a month. Those numbers are entered to assist in the writing of the final report. However, outcomes must be unduplicated numbers. This means that only one outcome for each category can be reported per year on a youth by either the EA staff, detention school “transition” staff or JRA EA staff.

1. Facility School Detention Staff Collaboration for Reporting Outcomes

At the end of each project year, school staff must meet with the Detention School Transition staff and compare outcomes for each student to make sure that all numbers are unduplicated. The EA fills out the Case Management Outcome Record form (Section D of the manual) as outcomes are completed. EAs use this form to compare each youth status with the Detention School Transition staff.

2. JRA EA Collaboration for Reporting Outcomes

The EA reporting requirements are the same when a youth transitions from the JRA facility into the community. Therefore, the EA needs to connect with the advocate in the JRA facility to review outcomes already recorded by the advocate in the JRA facility to ensure there are no duplicated outcomes.

The following pages (C-17, C-18 and C-19) provide three different scenarios to assist the EA in understanding this requirement.

REPORT CARD				
GRADING PERIOD	1	2	3	4
READING	A			
WRITTEN COMMUNICATION	A			
MATHEMATICS	C			
SCIENCE/HEALTH	B			
SOCIAL STUDIES	B			
ART	A			
MUSIC	A			
PHYSICAL EDUCATION	C			




- SCENARIO 1** – Joe is incarcerated for 30 days at a juvenile detention center. The JDC staff provided Title 1, Part D services including enrolling him in an accredited Job training class and enrolling him in a GED program. During the “30 day after exit” timeframe, the Detention transition staff assisted him in paying for his GED. Joe earned his GED and was accepted into post-secondary school within the “30 days after exit” timeframe. Since the Detention transition staff provided assistance for these services, they are responsible for counting the outcomes for this student. See the chart below for the tracking of Joe’s outcomes.

**SCENARIO 1: OUTCOMES**

<i>Title 1, Part D Youth Served by Juvenile Detention Center</i>	<i>Title 1, Part D Youth in JDC Served by Educational Advocate</i>	<i>Title 1, Part D Youth Outside JDC Served by Educational Advocate</i>
<i>In Facility:</i>	<i>In Facility:</i>	<i>Outside Facility:</i>
<input checked="" type="checkbox"/> School Credits	<input type="checkbox"/> School Credits	<input type="checkbox"/> School Credits
<input checked="" type="checkbox"/> Enrolled in GED	<input type="checkbox"/> Enrolled in GED	<input type="checkbox"/> Enrolled in GED
<input checked="" type="checkbox"/> Enrolled in Job Training in JDC	<input type="checkbox"/> Enrolled in Job Training in JDC	Not Applicable
<input type="checkbox"/> Obtained Employment in JDC	<input type="checkbox"/> Obtained Employment in JDC	Not Applicable
<input type="checkbox"/> Math & Reading Outcomes <small>(for youth in placement consecutive days)</small>	Not Applicable	Not Applicable
<b><i>In Facility OR 30 Calendar Days After Exit</i></b>	<b><i>In Facility OR 30 Calendar Days After Exit</i></b>	
<input type="checkbox"/> Returned to Community School	<input type="checkbox"/> Returned to Community School	<input type="checkbox"/> Returned to Community School
<input checked="" type="checkbox"/> Earned GED	<input type="checkbox"/> Earned GED	<input type="checkbox"/> Earned GED
<input type="checkbox"/> Earned High School Diploma	<input type="checkbox"/> Earned High School Diploma	<input type="checkbox"/> Earned High School Diploma
<input checked="" type="checkbox"/> Accepted to Post-Secondary	<input type="checkbox"/> Accepted to Post-Secondary	<input type="checkbox"/> Accepted to Post-Secondary
<input type="checkbox"/> Enrolled Post-Secondary	<input type="checkbox"/> Enrolled Post-Secondary	<input type="checkbox"/> Enrolled Post-Secondary
<b><i>30 Calendar Days After Exit</i></b>	<b><i>30 Calendar Days After Exit</i></b>	
<input type="checkbox"/> Enrolled Job Training Outside	<input type="checkbox"/> Enrolled Job Training Outside	<input type="checkbox"/> Enrolled Job Training Outside
<input type="checkbox"/> Obtained Employment Outside	<input type="checkbox"/> Obtained Employment Outside	<input type="checkbox"/> Obtained Employment Outside

- SCENARIO 2** – Mary is incarcerated for 30 days at a juvenile detention center (JDC) early in the school year. The JDC staff provided Title, Part D services including enrolling her in an accredited Job training class. During the “30 day after exit” timeframe, the JDC staff assisted her in returning to her community school. While incarcerated, EA staff assisted Mary to enroll in job training outside the facility following her release. After Mary was released and had attended school for 90+ consecutive days, the EA staff tracked her academic outcomes in reading and math and assisted her in obtaining employment. Additionally, EA staff monitored her school attendance and met with her monthly which resulted in Mary earning her high school diploma at the end of the school year. Since JDC staff and an EA provided assistance for these services, they are both responsible for counting the separate outcomes for this student and ensuring that there is not overlap in outcomes reported. See outcome table below.

**SCENARIO 2: OUTCOMES**

<i>Title 1, Part D Youth Served by Juvenile Detention Center</i>	<i>Title 1, Part D Youth in JDC Served by Educational Advocate</i>	<i>Title 1, Part D Youth Outside JDC Served by Educational Advocate</i>
<i>In Facility:</i>	<i>In Facility:</i>	<i>Outside Facility:</i>
<input checked="" type="checkbox"/> School Credits	<input type="checkbox"/> School Credits	<input type="checkbox"/> School Credits
<input type="checkbox"/> Enrolled in GED	<input type="checkbox"/> Enrolled in GED	<input type="checkbox"/> Enrolled in GED
<input checked="" type="checkbox"/> Enrolled in Job Training in JDC	<input type="checkbox"/> Enrolled in Job Training in JDC	Not Applicable
<input type="checkbox"/> Obtained Employment in JDC	<input type="checkbox"/> Obtained Employment in JDC	Not Applicable
<input type="checkbox"/> Math & Reading Outcomes <small>(for youth in placement consecutive days)</small>	Not Applicable	Not Applicable
<b><i>In Facility OR 30 Calendar Days After Exit</i></b>	<b><i>In Facility OR 30 Calendar Days After Exit</i></b>	
<input checked="" type="checkbox"/> Returned to Community School	<input type="checkbox"/> Returned to Community School	<input type="checkbox"/> Returned to Community School
<input type="checkbox"/> Earned GED	<input type="checkbox"/> Earned GED	<input type="checkbox"/> Earned GED
<input type="checkbox"/> Earned High School Diploma	<input type="checkbox"/> Earned High School Diploma	<input checked="" type="checkbox"/> Earned High School Diploma
<input checked="" type="checkbox"/> Accepted to Post-Secondary	<input type="checkbox"/> Accepted to Post-Secondary	<input type="checkbox"/> Accepted to Post-Secondary
<input type="checkbox"/> Enrolled Post-Secondary	<input type="checkbox"/> Enrolled Post-Secondary	<input type="checkbox"/> Enrolled Post-Secondary
<b><i>30 Calendar Days After Exit</i></b>	<b><i>30 Calendar Days After Exit</i></b>	
<input type="checkbox"/> Enrolled Job Training Outside	<input checked="" type="checkbox"/> Enrolled Job Training Outside	<input type="checkbox"/> Enrolled Job Training Outside
<input type="checkbox"/> Obtained Employment Outside	<input type="checkbox"/> Obtained Employment Outside	<input checked="" type="checkbox"/> Obtained Employment Outside

- SCENARIO 3** – Luciana is incarcerated for 10 days at a juvenile detention center. The JDC staff did not provide Title 1, Part D services. After release from JDC, EA staff added Luciana to caseload for the year and assisted her to enroll and earn her GED while helping her to obtain employment. As a result of EA assistance, Luciana was accepted and enrolled into post secondary school. Since JDC staff did not provide services, the EA is responsible for counting the outcomes for this student. See outcome table below.

**SCENARIO 3: OUTCOMES**

<i>Title 1, Part D Youth Served by Juvenile Detention Center</i>	<i>Title 1, Part D Youth in JDC Served by Educational Advocate</i>	<i>Title 1, Part D Youth Outside JDC Served by Educational Advocate</i>
<i>In Facility:</i>	<i>In Facility:</i>	<i>Outside Facility:</i>
<input checked="" type="checkbox"/> School Credits	<input type="checkbox"/> School Credits	<input type="checkbox"/> School Credits
<input checked="" type="checkbox"/> Enrolled in GED	<input type="checkbox"/> Enrolled in GED	<input checked="" type="checkbox"/> Enrolled in GED
<input checked="" type="checkbox"/> Enrolled in Job Training in JDC	<input type="checkbox"/> Enrolled in Job Training in JDC	Not Applicable
<input type="checkbox"/> Obtained Employment in JDC	<input type="checkbox"/> Obtained Employment in JDC	Not Applicable
<input type="checkbox"/> Math & Reading Outcomes <small>(for youth in placement consecutive days)</small>	Not Applicable	Not Applicable
<b><i>In Facility OR 30 Calendar Days After Exit</i></b>	<b><i>In Facility OR 30 Calendar Days After Exit</i></b>	
<input type="checkbox"/> Returned to Community School	<input type="checkbox"/> Returned to Community School	<input type="checkbox"/> Returned to Community School
<input checked="" type="checkbox"/> Earned GED	<input type="checkbox"/> Earned GED	<input checked="" type="checkbox"/> Earned GED
<input type="checkbox"/> Earned High School Diploma	<input type="checkbox"/> Earned High School Diploma	<input type="checkbox"/> Earned High School Diploma
<input checked="" type="checkbox"/> Accepted to Post-Secondary	<input type="checkbox"/> Accepted to Post-Secondary	<input checked="" type="checkbox"/> Accepted to Post-Secondary
<input type="checkbox"/> Enrolled Post-Secondary	<input type="checkbox"/> Enrolled Post-Secondary	<input checked="" type="checkbox"/> Enrolled Post-Secondary
<b><i>30 Calendar Days After Exit</i></b>	<b><i>30 Calendar Days After Exit</i></b>	
<input type="checkbox"/> Enrolled Job Training Outside	<input type="checkbox"/> Enrolled Job Training Outside	<input type="checkbox"/> Enrolled Job Training Outside
<input type="checkbox"/> Obtained Employment Outside	<input type="checkbox"/> Obtained Employment Outside	<input checked="" type="checkbox"/> Obtained Employment Outside

## QUALIFICATIONS for CASE MANAGERS<sup>7</sup>

### Background and Education

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What are the proper qualifications of a case manager? They vary according to the context. A national study examining 140 case managers in six cities, for example, found that roughly a third had less than a college degree, 55% had four years of college and only 15% were master's level. Social work training was typical, but not obligatory.

### Characteristics of a Case Manager

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#### 1. Disciplined Empathy:

- Respect and care about clients, and can develop partnerships with these clients.
- Ability to listen to what a client says and can read between the lines, and size them up.
- Ability to work with the client to develop a service plan, and can have the client "buy in" to it as if it were his or her idea in the first place.
- Demands accountability from clients.
- Compassionate but tough minded understanding of the youth he/she works with - an ability to develop a therapeutic alliance, and to challenge and confront kids to meet their end of the bargain.

#### 2. Partnership Skills:

- Ability to develop partnerships with institutions, community schools, juvenile justice schools, etc. Diplomatic sensitivity is a key trait.
- Ability to negotiate with bureaucracies for services.
- Adept social skills, and an ability to read institutional cultures.
- Ability to cross jurisdictional lines—doing business on someone else's turf.
- Ability to assert client interests, while being creative and flexible enough to make case management complement the mission of the host.
- Having a working knowledge of the community and being of the same racial or linguistic background as the majority of clients can be helpful (Neither is a precondition.)
- Having a human services orientation.
- Adopting a realistic philosophy that barriers to youth self determination are both internal and external, and constantly interacting with the youth.

#### 3. Entrepreneurial Ingenuity:

- Exhibit entrepreneurial ingenuity. Because resources are not immediately accessible.
- Ability to fashion client support networks from resources under others' control.
- Ability to mediate alliances among competing agencies, establish trust and articulate mutual interests.

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<sup>7</sup> [http://smhp.psych.ucla.edu/qf/case\\_mgmt\\_qt/Case\\_Management\\_with\\_At-risk\\_Youth.pdf](http://smhp.psych.ucla.edu/qf/case_mgmt_qt/Case_Management_with_At-risk_Youth.pdf) Retrieved August 18, 2009.



## JOB DESCRIPTION LANGUAGE for EDUCATION ADVOCATE<sup>8</sup>

### Purpose Statement

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The purpose of the Education Advocate is to assist juveniles previously incarcerated in county detention centers or juvenile institutions to successfully transition back to community schools, vocational training, college, GED programs or jobs.

### Functions of an Education Advocate

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- Assesses student needs and recommends educational programs to meet those needs for the purpose of successful transition into a community school program.
- Assists in developing education plans for transitioning students suspended or expelled from school for the purpose of finding an appropriate school
- Meets with students and families, counselors, school officials and others for the purpose of facilitating school enrollment and coordinate job placement.
- Monitors progress and attendance of transition students for the purpose of assisting students in developing and achieving educational goals.
- Participates in a variety of meetings and travels both locally and statewide (e.g. conferences, meetings, trainings) for the purpose of gathering and conveying information regarding transition students.
- Serves as a liaison between the students and a variety of educational opportunities; manages a variety of records (participant files, portfolios) and reports for the purpose of providing required information and documentation as required for Federal US Department of Education reporting.

### EA Minimum Qualifications – Skills, Knowledge and Abilities

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Education or Experience equivalent to a Bachelors degree in a job-related area is desired.

- **Skills** are required to perform tasks in order to meet changing job conditions. Specific skills are required to satisfactorily perform the functions of the job such as: operating standard office equipment including using pertinent software applications, preparing and maintaining accurate records/case management in a confidential manner, and utilizing group presentation skills.
- **Knowledge** is required to perform basic math, including calculations using fractions, percents, and/or ratios, read technical information, compose a variety of documents, and/or facilitate group discussions, and analyze situations to define issues and draw conclusions. Specific knowledge required to satisfactorily perform the functions of the job includes: knowledge of the Department of Social and Health Services, Division of Juvenile Rehabilitation, Juvenile Justice Programs, school systems, stages of child development, conflict resolution methods and safety practices and procedures.

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<sup>8</sup> Educational Service District #101. [www.esd101.net](http://www.esd101.net). (11/08) Educational Advocate Job Description.

- **Ability** is required to schedule activities, meetings, and/or events gather, collate, and/or classify data and use basic, job-related equipment. Flexibility is required to independently work with others in a wide variety of circumstances, work with data utilizing defined but different processes and operate equipment using defined methods. The aptitude to work with a diversity of individuals and/or groups, work with a variety of data and utilize specific, job-related equipment is necessary. In working with others, problem solving is required to analyze issues and create action plans. Problem solving with data frequently requires independent interpretation of guidelines; and problem solving.

Specific abilities required to satisfactorily perform the functions of the job include such things as: adapting to changing work priorities, communicating with diverse groups in a nonjudgmental manner, establishing and maintaining effective working relationships with hostile/violent youth, their families, community services, and corrections agency staff, working flexible hours, displaying patience and a sense of humor, understanding verbal input, responding quickly, and maintaining confidentiality.




- **Working Conditions include** the usual and customary methods of performing the job's functions require the following physical demands: some lifting, carrying, pushing, and/or pulling and significant fine finger dexterity. Generally the job requires 60% sitting, 20% walking, and 20% standing. The job is performed under a generally hazard free environment.

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# SECTION D.

## PROGRAM FORMS

- 
1. EDUCATION ADVOCATE REFERRAL FORM
  2. CONSENT TO RELEASE CONFIDENTIAL INFORMATION
  3. EDUCATION ADVOCATE INTAKE FORM
  4. EDUCATION ADVOCATE STRENGTH-BASED INTERVIEW
  5. PARENT PERMISSION (OPTIONAL)
  6. EDUCATION ADVOCATE SCHOOL-BASED NOTICE OF CONFIDENTIALITY (OPTIONAL)
  7. EDUCATION ADVOCATE COMMUNITY-BASED NOTICE OF CONFIDENTIALITY (OPTIONAL)
  8. ACADEMIC & COMMUNITY SUCCESS PLAN
  9. CASE MANAGEMENT SERVICE LOG
  10. EDUCATION ADVOCATE PROGRAM OUTCOME RECORD KEEPING LOG
  11. PROTOCOL FOR EDUCATION ADVOCATE PROGRAM MONTHLY TRACKING FORM
  12. EDUCATION ADVOCATE PROGRAM MONTHLY TRACKING FORM
  13. EDUCATION ADVOCATE FACT SHEET
- 
- 

# EDUCATION ADVOCATE REFERRAL FORM

## GENERAL INFORMATION

Date \_\_\_\_\_ Student's Name \_\_\_\_\_ DOB \_\_\_\_\_

Parent/Guardian Name & phone number \_\_\_\_\_

Students phone number if different \_\_\_\_\_

Address & email: \_\_\_\_\_

Sex (circle one) Male/ Female Grade Level \_\_\_\_\_ School student is/should be enrolled \_\_\_\_\_

Contact Person at the school/work (if available): \_\_\_\_\_

<p><b>School Information - Is the student:</b> (Check all that apply)</p> <p><input type="checkbox"/> Attending</p> <p><input type="checkbox"/> Dropout</p> <p><input type="checkbox"/> Suspended</p> <p><input type="checkbox"/> Expelled</p> <p><input type="checkbox"/> Receiving Special Ed Y/N or Unknown</p>	<p><b>Living Arrangements</b></p> <p><input type="checkbox"/> Living with both parents</p> <p><input type="checkbox"/> Living with one parent</p> <p><input type="checkbox"/> Living with relatives</p> <p><input type="checkbox"/> Homeless</p> <p><input type="checkbox"/> Other: _____</p>
<p><b>Criminal History</b> (Check all that apply)</p> <p><input type="checkbox"/> Against person offenses/arrests</p> <p><input type="checkbox"/> Property offenses/arrests</p> <p><input type="checkbox"/> Drug and alcohol offenses/arrests</p> <p><input type="checkbox"/> Other offenses/arrests (specify)</p> <p>_____</p>	<p><b>Probation expires on:</b></p> <p>_____</p> <p><b>Probation officers name:</b></p> <p>_____</p>

List community referral in place (i.e., GED, Job Corp, Parks and Recreation, Boys and Girls Club, Food/Shelter, etc... )

\_\_\_\_\_

\_\_\_\_\_

*Referrals for Education Advocate services should have some indication of problem behavior or circumstances for two or more of the following areas as moderate to high. Rate the severity or importance of these behaviors using: 1 = no problem; 2 low; 3 moderate; 4 high and 5 = very high.*

**AREA I – RISK OF RE-OFFENDING**

	No problem			Very high	
Continual history of delinquent behaviors	1	2	3	4	5
Has been incarcerated 3 or more times	1	2	3	4	5
Family and home environment unsupportive	1	2	3	4	5
Little supervision and disconnected from school/community	1	2	3	4	5

**AREA II – IMPAIRED SCHOOL FUNCTION**

	No problem			Very high	
History of academic failure	1	2	3	4	5
Chronic truancy issues or multiple suspensions/expulsions	1	2	3	4	5
Dropped out of school	1	2	3	4	5
Frequently disruptive in the classroom or on campus	1	2	3	4	5
Defiant to teacher/school authorities	1	2	3	4	5
Repeated referrals to office for classroom behavior problems	1	2	3	4	5

**AREA III – IMPAIRED COMMUNITY/WORK FUNCTION**

	No problem			Very high	
Lack of adaptive daily living skills	1	2	3	4	5
Lack of job and work related skills	1	2	3	4	5
Inadequate or lack of reasonable living arrangements	1	2	3	4	5
Frequently misses work	1	2	3	4	5
Not interested in getting a job or engaging in community programs	1	2	3	4	5

**AREA IV – IMPAIRED SOCIAL FUNCTION**

	No problem			Very high	
Poor socialization skills	1	2	3	4	5
Anti-social/delinquent peer influences peers is high	1	2	3	4	5
Alienated from pro-social activities	1	2	3	4	5
At-risk youth petition filed	1	2	3	4	5
Out of control	1	2	3	4	5
No parental monitoring or lack of parental control	1	2	3	4	5
Absence of positive role models;	1	2	3	4	5

**AREA V – SUBSTANCE/MENTAL HEALTH RISK**

	No problem			Very high	
Mental health problems (e.g., substance abuse, depression)	1	2	3	4	5
Self harm or self mutilation	1	2	3	4	5
Eating disorder	1	2	3	4	5
High risk sexual activity	1	2	3	4	5
Sex offender	1	2	3	4	5
Talk about hurting or killing self, suicide attempts	1	2	3	4	5
Family history of addiction or mental illness	1	2	3	4	5

**AREA VI RISK OR THREAT TO OTHERS**

	No problem			Very high	
Physically aggressive behaviors with peers	1	2	3	4	5
Shoving, pushing; fights	1	2	3	4	5
Assault behavior	1	2	3	4	5
Physically aggressive or threatening toward adults	1	2	3	4	5
Bullying/intimidation of peers/younger children	1	2	3	4	5
Repeated discipline problems for aggressive behaviors	1	2	3	4	5
Charged with violent offense	1	2	3	4	5

# CONSENT to RELEASE CONFIDENTIAL INFORMATION

I, \_\_\_\_\_, of \_\_\_\_\_  
(name of client) (client's address)

by my signature below, consent for the release of confidential information specified below and authorize Education Service District \_\_\_\_\_ Education Advocate Program to disclose information to the following person(s) or agency:

\_\_\_\_\_  
(name of person/organization to which disclosure is to be made)

## TYPE OF INFORMATION TO BE RELEASED

Check all that apply

- School assessment: (specific type)
- Identified strengths of the family and child
- Current family stressors or challenges
- Identifying information, including name, birthdate, SSN, dates admitted to and discharged from program
- Past and current counseling experience including mental health/psychological assessment, evaluation, diagnosis counseling experience
- Medical and medication information, including past and present records, diagnosis, and prognosis for client
- Emergency contacts
- Alcohol/Drug assessment, evaluation, diagnosis, treatment recommendations, and prognosis
- Treatment history and general progress report information
- To discuss progress with probation officer and other juvenile justice staff
- To discuss progress with school staff
- Other \_\_\_\_\_

## PURPOSE OF INFORMATION

- Exchange and verify client case planning information
- Access in emergency situations
- Access resources that best meet the needs of the family
- Brainstorm solutions to decrease family stressors
- Assist in appropriate treatment placements
- Other \_\_\_\_\_

This consent will be in effect until \_\_\_\_\_. This consent is subject to revocation at any time except to the extent the program has already taken action in reliance on it.

**NOTICE:** This information is disclosed to you from records protected by Federal confidentiality rules (42 CFR Part 2). The Federal rules prohibit you from making further disclosure of this information unless further disclosure is expressly permitted by the written consent of the person to whom it pertains or as otherwise permitted by 42 CFR Part 2. A general authorization for the release of medical or other information is NOT sufficient for this purpose. The Federal rules restrict any use of the information to criminally investigate or prosecute any alcohol or drug abuse patient.

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Program Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent Guardian

\_\_\_\_\_  
Date

# EDUCATION ADVOCATE INTAKE FORM<sup>1</sup>

I. DEMOGRAPHIC INFORMATION			
DATE enrolled in services			
Student Name (Last, First, MI)			
Gender (circle one) Female                      Male		DOB (mm/dd/yyyy)	Age
Race (circle one) a. White/Caucasian b. Black/African American c. Asian	d. American Indian or Alaska Native e. Native Hawaiian/Pacific Islander f. Hispanic, Latino or Chicano		g. Multi-racial (specify): _____ h. Other (specify): _____
Living Arrangement (circle one): a. Both Parents b. Mother Only c. Father Only	f. Father and Step-parent g. Mother and Partner h. Father and Partner i. Grandparent(s) j. Other Relative		k. Foster Care l. Homeless m. Friend n. On his/her own
Primary language spoken in the home:		Secondary language spoken in the home:	
Address		City	State      Zip
Home Phone (    )	Cell Phone (    )	Work Phone (    )	Email
Parent/Responsible Adult (Last, First, MI)			Daytime Phone (    )
Responsible Adult Address		City	State      Zip
Responsible Adult's Employer			Work Phone (    )
Student's Employer			Work Phone (    )
Emergency Contact (Last, First) (different from parent):			Emergency Phone (    )
II. SCHOOL/EDUCATION HISTORY			
Last School Attended (Name, City, State)			Last Date Attended (mm/dd/yyyy)
Highest Grade Completed	On Task to Graduate a. Yes      b. No		Ever held back or flunked a. Yes      b. No      If yes, # of times _____
School or vocational program returning to (if applicable)			
Academic Performance (most recent semester) a. Honor students (mostly A's) b. Above 3.0 (mostly A's and B's)		c. 2.0 – 3.0 (mostly B's and C's, no F's) d. 1.0-2.0 (mostly C's and D's, some F's) e. Below 1.0 (some D's and mostly F's)	
Current Enrollment Status a. GED Prep b. Enrolled full-time c. Enrolled part-time d. Suspended e. Expelled f. Dropped out	Attendance (most recent semester) a. Excellent, no unexcused absences b. Good attendance; few unexcused absences c. Some partial-day unexcused absences d. Some full-day unexcused absences e. Truancy petition/equivalent or withdrawn		Suspension/Expulsion History a. 1 time suspended/expelled b. 2-3 times c. 4-5 times d. 6-7 times e. 8 or more times f. Never suspended/expelled

<sup>1</sup> Adapted from Office of Superintendent of Public Instruction (April, 2008), Washington State Student Assistance Prevention-Intervention Service Program Manual (section 5 p. 116-119).



<b>School Services</b> (circle all that apply) a. Regular Classroom b. Bilingual Education c. Title I/LAP d. Gifted/Honors	a. Home/Hospital b. Special Education c. Alternative School d. Family Support/RTL e. Tutor
<b>Current enrollment status</b> a. Full time student b. Part time student c. Suspended d. Expelled e. Dropped out f. GED Prep GED – status of prep: GED test date	<b>Suspension/Expulsion History</b> a. 1 time b. 2-3 times c. 4-5 time d. 6-7 times e. 8 or more f. Never Reasons for expulsion(s)

### III. JUVENILE JUSTICE HISTORY

<b>CURRENT STATUS</b>	
<b>Juvenile Justice Status:</b> a. On probation b. On diversion c. Other (specify) _____ d. Length of time on Probation: e. Community Services hours needed Y/N # ____ f. Restitution owed Y/N	<b>Probation Officer name and contact information:</b>  <b>Court orders (circle all that apply)</b> a. to attend school b. to attend work c. to attend treatment (specify type & expectations)
<b>PREVIOUS HISTORY</b>	
<b>Previous History</b> a. Age of first offense: b. Number of times on Diversion/Probation: c. Time in Secure confinement:	<b>Criminal History</b> (circle all that apply) a. Against person offenses/arrests (specify) _____ b. Property offenses/arrests (specify) _____ c. Drug and alcohol offenses/arrests (specify) _____ d. Other offenses/arrests (specify) _____ e. None
<b>History to Threat to Others:</b> a. Physical aggressive behaviors such as shoving, pushing fights Y or N. If yes (circle all that apply) peer, adult, parent(s), or sibling b. Bullying/ intimidation of peers and younger youth Y or N. c. Repeated discipline problems for aggressive behaviors in school Y or N. If yes specify:  d. History of violent offense/s Y or N. If yes specify:  e. Gang affiliation:  f. History of sexual offense/s Y or N If yes specify:	

**IV. COMMUNITY SERVICE LINKAGES NEEDED****(Complete if services are community-based)**

Assessment of need (mark all that apply)

(1 low need; 5 high need)

Daily living skills 1 2 3 4 5

Living arrangements 1 2 3 4 5

GED prep 1 2 3 4 5

Job interest/options 1 2 3 4 5

Job search prep (i.e. Resume) 1 2 3 4 5

Job and work related skills 1 2 3 4 5

**V. PERSONAL HISTORY****Mental health diagnosis**

- a. Yes (specify) \_\_\_\_\_
- b. No
- c. Unknown
- d. Agency name assignment completed:

**Past/Current AOD Assessment diagnosis**

- a. Yes (specify) \_\_\_\_\_
- b. No
- c. Unknown
- d. Agency name assignment completed:

**Peer Behaviors (past 30 days)**

- a. % of friends who used any drugs \_\_\_\_\_
- b. % who got drunk (5 or more drinks) \_\_\_\_\_
- c. % of friends who worked fulltime \_\_\_\_\_
- d. % of friends involved in illegal activity \_\_\_\_\_

**Extracurricular Activities**

- a. Currently involved? If yes, specify.
- b. Previously involved? If yes, when?

**VI. ATOD USE HISTORY**

(EA if not qualified to do ATOD use history skip severity of use IX section. ATOD use)

In your lifetime, have you ever used any alcohol, marijuana, hallucinogens, amphetamines, cocaine/crack, inhalants, or other drugs?

- a. Yes
- b. No, if no **SKIP drug use history**

Has your alcohol/drug use ever caused you problems at home or at school?

- a. Yes
- b. No

**56.** Have you ever dealt drugs?

- a. Yes
- b. No

**57.** Do you think you may have a problem with alcohol, marijuana, or other drugs?

- a. Yes
- b. No

**58.** Do you want help with your drug use?

- a. Yes
- b. No

**VII. SEVERITY OF USE**

*In the following section, I am going to ask you about your specific drug use. Please be honest about your drug use, if any.*

54. Drug used	Age of first use?	Last time you used (days)?	In the past 90 days, on how many days did you use?	What was the most you had in one day?	What was the least you had in one day?	How much do you normally use?	How often do you use?
a. Tobacco							
b. Alcohol							
c. Marijuana							
d. Amphetamine							
e. Heroin							
f. Ecstasy							
g. Hallucinogens							
h. Rx.drugs							
i. OTC drugs							
j. Other							
k. Other							

**VIII. SUMMARY OF NEEDS / NOTES**

# EDUCATION ADVOCATE STRENGTH-BASED INTERVIEW<sup>1</sup>

To be used in conjunction with intake or completed by the third session

## SCHOOL

1. There are good thing and bad things about school. Tell me what school is like for you?
2. What are your educational plans for the future? What will it take for you to accomplish these plans in the future?
3. Rate yourself as a student 1 (failure) to 10 (outstanding). Tell me why you rated yourself this way? What would it take to for you to become a 10.
4. Tell me about what teachers you get along with. Why do you think you got along so well with them?

## EMPLOYMENT

1. Tell me about the jobs you have held. How long did you work at each job? What was the reason you left each job?
2. How would you describe a good worker? Tell me ways you were a good worker.
3. What are three things you could do to be a better employee/worker?
4. Tell me about easy you get along with your supervisor and not get along.

<sup>1</sup>Retrieved 7/28/09 from [www.aimspea.iupui.edu](http://www.aimspea.iupui.edu). Needs Assessment Interview (5/05)

# EDUCATION ADVOCATE STRENGTH-BASED INTERVIEW p2

## PEER and LEISURE

1. Tell me about your closest friends.
2. In what ways can you make better choices about peers you hang around with?
3. How can your friends support you in staying out of trouble?
4. What do you usually do in your spare time (with and without friends and family)?
5. How can leisure activities keep you out of trouble?
6. Rate your health on a scale from 1-10. 1 poor health and 10 excellent. Tell me why you rated yourself that way.

## FAMILY

1. How do you rate your family relationship from 1 being poor to 10 excellent (list all)?
2. Explore for each what would it take to improve the relationships from a \_\_\_\_ to a \_\_\_\_.
3. What are 3 ways that you can improve your relationship with your parents (significant adult).
4. What can your family do to help you stay out of trouble?

**FAMILY, continued**

5. Tell me about where you live. Do you live in an apartment/house? Do you have your own room?  
Home/Neighborhood issues?
  
6. Tell me what you like most about yourself and what would you like to change?
  
7. Summary of Needs/Notes:

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# PARENT PERMISSION FORM

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Dear Parent/Guardian,

This is to inform you that your son/daughter has been referred to the Student Assistance Education Advocate. The services that are provided through the Student Assistance Education Advocate are as follows:

1. A Substance Abuse Social and Behavioral screening to assist in identifying the specific needs for one or more of the following areas - academic support, career and job guidance, GED, skill building, coping skills, communication, anger management, or alcohol and drug counseling services.
2. Case management and guidance counseling to support your son/daughter in one or more of the following areas:
  - Obtaining a high school diploma or completion of a GED.
  - Assistance and support in enrolling and monitoring progress in school
  - Assistance and support in enrolling and staying in post-secondary school.
  - Assistance and support in enrolling and monitoring progress.
  - Assistance and support in finding a job and staying employed.
3. Communication with school, community and juvenile justice staff as needed and appropriate to assist your son/daughter in transitioning from the detention facility into the school and community.
4. Information and Referral Resources
5. Individual and group support in the following areas study skills, career and job guidance, coping skills, communication, anger management, or alcohol and drug counseling services.

According to the Protection of Pupil Rights Amendment (PPRA) (20 U.S.C. § 1232h; 34 CFR Part 98) we are required to obtain written parental consent before minor students receives service. Below is a consent form, which I will need to verify your consent or non-consent. Please return the permission slip below in a self-addressed, stamped envelope.

If you have any further questions, please feel free to contact me.

I can be reached at \_\_\_\_\_.

I am looking forward to working with you and \_\_\_\_\_.

Sincerely,

Student Assistance Education Advocate

---

\_\_\_\_\_  
Student Name

- I give permission for my son/daughter to be seen by the Education Advocate to provide the above indicated services.
- I do not give permission for my son/daughter to be seen by Educational Advocate.

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date

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# EDUCATION ADVOCATE SCHOOL-BASED

## NOTICE of CONFIDENTIALITY

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### A. Notice of Confidentiality of Program Participant Records

Federal and State law protects the confidentiality of participant records maintained by this Student Assistance Prevention-Intervention Services Program (the Program). Generally, this means that the Program may not disclose to anyone outside the Program that a participant attends the Program or disclose communications between staff and participants. Under Federal and State law, confidentiality protections do not apply in these circumstances:

Exceptions applicable to all Program participants:

- A participant gives written consent to release information to a specific person or agency. (Probation officers will receive only a summary of work done toward goals.)
- A court order that includes special findings requires it.
- The disclosure is made in the course of reporting suspected child abuse or neglect as required by State law.
- When a person is in danger of harming themselves or others the Program may notify school administrators, counselor, parents/guardian, a Mental Health Professional, or law enforcement, as may be appropriate and necessary. This includes suicidal intent or late stage addiction constituting "imminent harm." Program staff will not disclose that a participant is being seen for substance abuse without written consent.
- The Program Director, in the course of carrying out his or her duties to administer the Program and supervise staff.
- The disclosure is made to medical personnel in a medical emergency where disclosure of the diagnosis is necessary to treat the emergency.
- The disclosure is made to qualified personnel for research, audit, or program evaluation.
- The disclosure is made in the course of reporting to law enforcement any crime committed by a participant at the Program or against any Program staff, or any threat of such a crime.

For substance abuse programs, federal law prohibits disclosure outside the Program that a participant is being seen in the Program for a substance abuse or disclosure of any information that identifies a participant as a person who has a substance abuse, except for the circumstances described above. Violation of this Federal law and regulation by the Program is a crime. You may report suspected violations to the appropriate authorities in accordance with Federal regulations. (See Federal laws 42 U.S.C. 290dd-3 and 42 U.S. C. 290ee-3 and Federal regulations 42 CFR, Part 2.). In all cases described above, except when written consent is given, the Program Director will be consulted before any disclosure is made. In all cases, the recipient of the disclosure will be informed that disclosure is not permitted without your written consent.

### B. Consent for Release of Confidential Information

Because this is a school-based program offered in cooperation with your school district, you are asked to consent to the disclosure of limited information (including your status as a participant in the Program for substance abuse, if applicable) to school administrators and your parents or guardian under the following circumstances:

- The fact that you have complied with a referral to the Program (including completing or dropping out of the program) may be disclosed to a school principal or counselor for the purpose of informing them how your needs are being served.
- The dates and times of your attendance at the Program may be disclosed to a school principal or attendance officer for the purpose of verifying that you complied with the State school attendance laws and were properly absent from class.
- The fact that you are a participant in the Program may be disclosed to school administrators and your parents or guardians if Program staff are obligated to report a medical emergency in accordance with school district policy and procedures concerning notification of medical emergencies involving students.



- The fact that you are a participant in the Program may be disclosed to school administrators and your parents or guardians if Program staff are obligated to report any violations by you of school district policies, including those concerning the commission of a crime, or threat to commit a crime, on school premises or being on school premises or at school functions under the influence of alcohol or drugs.

Anyone receiving information allowed by this Consent will also be given written notice that they may not further disclose the information unless you give written consent.

You may revoke this Consent at any time except to the extent that action has been taken in reliance on it and, in any event, this Consent expires automatically when you are no longer a student in the School District in which you are currently enrolled.

### C. Signature

I have read the Notice of Confidentiality Participant Records and the Consent for Release of Confidential Information and had them explained to me.

---

Signature of participant/student

Date

---

Signature of parent/guardian

Date

---

Signature of Specialist

Date

---

# EDUCATION ADVOCATE COMMUNITY-BASED NOTICE of CONFIDENTIALITY

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Federal and State law protects the confidentiality of participant records maintained by this Educational Advocate Services Program (the Program). Generally, this means that the Program may not disclose to anyone outside the Program communications between staff and participants. Under Federal and State law, confidentiality protections do not apply in these circumstances:

Exceptions applicable to all Program participants

- A participant gives written consent to release information to a specific person or agency. (Probation officers will receive only a summary of work done toward goals.)
- A court order with special findings that requires it.
- The disclosure is made in the course of reporting suspected child abuse or neglect as required by State law.
- When a person is in danger of harming themselves or others the Program may notify school administrators, counselor, parents/guardian, a Mental Health Professional, or law enforcement, as may be appropriate and necessary. This includes suicidal intent or late stage addiction constituting "imminent harm."
- The Program Director and Program Manager, in the course of carrying out his or her duties to administer the program and supervise staff.
- The disclosure is made to medical personnel in a medical emergency where disclosure of the screening or appraisal is necessary to treat the emergency.
- The disclosure is made to qualified personnel for research, audit or program evaluation.
- The disclosure is made in the course of reporting to law enforcement any crime committed by a participant at the Program or against any Program staff, or any threat of such a crime.

Violation of this Federal law and regulation by the Program is a crime. You may report suspected violations to the appropriate authorities in accordance with Federal regulations. (See Federal laws 42 U.S.C. 290dd-3 and 42 U.S. C. 290ee-3 and Federal regulations 42 CFR, Part 2.) In all cases described above, except when written consent is given, the Program Manager will be consulted before any disclosure is made. In all cases, the recipient of the disclosure will be informed that redisclosure is not permitted without your written consent.

I have read the Notice of Confidentiality and had it explained to me.

---

Signature of participant/student

Date

---

Signature of parent/guardian (as applicable)

Date

---

Signature of Student Assistance Professional

Date

# ACADEMIC & COMMUNITY SUCCESS PLAN

Student name: \_\_\_\_\_ Date: \_\_\_\_\_ (when plan was developed)

Review dates: \_\_\_\_\_

List all who were consulted re: plan: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Grade Level (age) \_\_\_\_\_ Grade Level (credits-include amt) \_\_\_\_\_

STUDENT ACADEMIC PROFILE			
School/City/State	Dates & Grades attended	Reason left	GPA/credits

Pre-EA	90 days	120 days
Credits		
Absences (X # of X days)		

**Area of Focus**    Education    Vocational    Life Skills

<p><b>School Specific Goal(s)</b> (check all that apply) :</p> <p><b>Behavior Improvement in</b></p> <p><input type="checkbox"/> Attendance</p> <p><input type="checkbox"/> Self management</p> <p><input type="checkbox"/> Peer relationships</p> <p><input type="checkbox"/> Study skills</p> <p><b>Academic Improve in</b></p> <p><input type="checkbox"/> Reading</p> <p><input type="checkbox"/> Writing</p> <p><input type="checkbox"/> Math</p> <p><input type="checkbox"/> Science</p> <p><input type="checkbox"/> Health/ Fitness</p> <p><b>Assistance with</b></p> <p><input type="checkbox"/> GED prep</p> <p><input type="checkbox"/> GED test</p> <p><input type="checkbox"/> College Enrollment</p> <p><input type="checkbox"/> Other _____</p>	<p><b>Vocational Specific Goal(s)</b> (check all that apply) :</p> <p><b>Behavior Improvement:</b></p> <p><input type="checkbox"/> Attendance</p> <p><input type="checkbox"/> Self management</p> <p><input type="checkbox"/> Conflict management/relationship</p> <p><b>Job placement assistance</b></p> <p><input type="checkbox"/> Vocational program</p> <p><input type="checkbox"/> Link to Worksource/Job Corp</p> <p><input type="checkbox"/> Resume</p> <p><input type="checkbox"/> Interview skills</p> <p><input type="checkbox"/> Career planning/Job Search</p> <p><input type="checkbox"/> Other _____</p> <p><b>Life Skills Specific Goal(s)</b> (check all that apply) :</p> <p><input type="checkbox"/> Banking/Finances</p> <p><input type="checkbox"/> Parenting Skills</p> <p><input type="checkbox"/> Housing</p> <p><input type="checkbox"/> Other _____</p>
---	---

**Plan of Action for:** \_\_\_\_\_ ( Write in goal)

**Identify steps to assist youth to achieve this goal**

Step 1:

Step 2:

Step 3:

**People who can support youth in achieving this goal:**

**Plan of Action for:** \_\_\_\_\_  
( Write in goal)

**Identify steps to assist youth to achieve this goal**

Step 1:

Step 2:

Step 3:

**People who can support youth in achieving this goal:**

**Plan of Action for:** \_\_\_\_\_  
( Write in goal)

**Identify steps to assist youth to achieve this goal**

Step 1:

Step 2:

Step 3:

**People who can support youth in achieving this goal:**

STUDENT STRENGTHS:

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PROGRESS REVIEW: (INCLUDE DATES & PERSONS INVOLVED)

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SIGNATURES

Student \_\_\_\_\_ Date \_\_\_\_\_

Parent/Guardian \_\_\_\_\_ Date \_\_\_\_\_

Educational Advocate \_\_\_\_\_ Date \_\_\_\_\_

# CASE MANAGEMENT SERVICES LOG

STUDENT NAME \_\_\_\_\_ DATE \_\_\_\_\_

TYPE OF MEETING:       face to face       telephone       email       letter

TYPE OF CONTACT	ACADEMIC OUTCOME	VOCATIONAL OUTCOME
<input type="checkbox"/> Student <input type="checkbox"/> Basic needs <input type="checkbox"/> School staff <input type="checkbox"/> GED <input type="checkbox"/> College staff <input type="checkbox"/> Special ED/Disability <input type="checkbox"/> Employment <input type="checkbox"/> Mental Health <input type="checkbox"/> CPS <input type="checkbox"/> Family meeting <input type="checkbox"/> Parent/Guardian meeting <input type="checkbox"/> Probation/Parole/JJ	<input type="checkbox"/> Enrolled in a GED program <input type="checkbox"/> Enrolled in/returned to school <input type="checkbox"/> Obtained GED <input type="checkbox"/> Obtained high school diploma <input type="checkbox"/> Earned high school credit <input type="checkbox"/> Accepted into a post-secondary school <input type="checkbox"/> Enrolled in a post-secondary school <input type="checkbox"/> After 90 days the youth is enrolled in school <input type="checkbox"/> After 90 days the youth is gainfully employed <input type="checkbox"/> After 90 days youth is enrolled in a work training program.	<input type="checkbox"/> Enrolled in job training courses <input type="checkbox"/> Obtain employment <input type="checkbox"/> Other - please explain <hr style="border: 0.5px solid black;"/> <div style="background-color: #e0e0e0; padding: 2px;"><b>COMMUNITY RESOURCE REFERRAL</b></div> <input type="checkbox"/> Referral made to:  <input type="checkbox"/> Appointment scheduled for:  <input type="checkbox"/> Attended  <input type="checkbox"/> Completed

NOTES:

STUDENT NAME \_\_\_\_\_ DATE \_\_\_\_\_

TYPE OF MEETING:       face to face       telephone       email       letter

TYPE OF CONTACT	ACADEMIC OUTCOME	VOCATIONAL OUTCOME
<input type="checkbox"/> Student <input type="checkbox"/> Basic needs <input type="checkbox"/> School staff <input type="checkbox"/> GED <input type="checkbox"/> College staff <input type="checkbox"/> Special ED/Disability <input type="checkbox"/> Employment <input type="checkbox"/> Mental Health <input type="checkbox"/> CPS <input type="checkbox"/> Family meeting <input type="checkbox"/> Parent/Guardian meeting <input type="checkbox"/> Probation/Parole/JJ	<input type="checkbox"/> Enrolled in a GED program <input type="checkbox"/> Enrolled in/returned to school <input type="checkbox"/> Obtained GED <input type="checkbox"/> Obtained high school diploma <input type="checkbox"/> Earned high school credit <input type="checkbox"/> Accepted into a post-secondary school <input type="checkbox"/> Enrolled in a post-secondary school <input type="checkbox"/> After 90 days the youth is enrolled in school <input type="checkbox"/> After 90 days the youth is gainfully employed <input type="checkbox"/> After 90 days youth is enrolled in a work training program.	<input type="checkbox"/> Enrolled in job training courses <input type="checkbox"/> Obtain employment <input type="checkbox"/> Other - please explain <hr style="border: 0.5px solid black;"/> <div style="background-color: #e0e0e0; padding: 2px;"><b>COMMUNITY RESOURCE REFERRAL</b></div> <input type="checkbox"/> Referral made to:  <input type="checkbox"/> Appointment scheduled for:  <input type="checkbox"/> Attended  <input type="checkbox"/> Completed

NOTES:

**EDUCATION ADVOCATE CASE MANAGEMENT  
OUTCOME RECORD KEEPING LOG**



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# PROTOCOL for EDUCATION ADVOCATE PROGRAM

## MONTHLY TRACKING FORM

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The EA Monthly Tracking form is to be completed monthly and turned in within five days following the end of the month. The EA Monthly Tracking is to be sent by email to Kristin Schutte at [schutte@oesd.wednet.edu](mailto:schutte@oesd.wednet.edu)

### INSTRUCTIONS FOR COMPLETING THE INTAKE FORM

- Q-1      **NAME of EA**                      Enter your name
- Q-2      **MONTH COMPLETED**      The month you are reporting on activity completed
- Q-3      **CASE CONSULTED/REFERRAL INFORMATION**

#### How to know if a youth is on caseload or a consult:

A youth becomes part of the EA caseload when the EA intakes, establishes a relationship with the youth and has establishes a Re-entry Plan. If none of this has occurred then the EA can count this as a consult. However, it is important to track if and when the youth the EA consulted on becomes part of the caseload to make sure the number count is removed from consult and placed into caseload (see Q-4).

#### RECORDING DATA UNDER Q-3

- a. Record the number of youth that are **NOT ON CASELOAD** that the EA consulted on or provided referral information about. Note this must be EA related not part of Student Assistance/other position where the EA is in a combined position.
- b. Identify the number of youth that are **NOT ON CASELOAD** that the EA consulted on or provided referral information about by age and gender.
- c. Identify the number of youth that are **NOT ON CASELOAD** that the EA consulted on or provided referral information about by race.

#### Q-4      **NUMBER OF YOUTH WITH CHANGE IN CIRCUMSTANCE**

This represents the number of youth the EA had previously case consulted and provided referral resource information (Q-3, a, b, & c) and the youth has **NOW BEEN ADDED TO THE EA'S CASELOAD**. This is a requirement because the EA number count can not be duplicated. *The information from the Q-4 is subtracted from Q-3 and recorded. This is done by the data collection team and is not to be done by the EA.* In addition, the data on the youth added to caseload need to be recorded in item # Q-5- Q-8.

- a. Identify the number of youth that are to be removed from case consult and added to caseload.
- b. Identify the number of youth that are to be removed from case consult and added to caseload by age, gender and race.

## **Q-5 NUMBER of YOUTH on CASE LOAD and PROFILE INFORMATION**

Record an UNDUPLICATED NUMBER (not been reported in previous months) the number of youth on your caseload:

- a. Identify the total number of new youth added to caseload. This includes the number from Q-4.
- b. Identify the total number for the EA's active caseload. This includes adding together the existing (Tier 3, 2, 1 and inactive) plus the new cases.
- c. Identify the number of youth served by age, gender and race. Include information on youth under Q-4.

## **Q-6 OUTCOME DATA**

Record UNDUPLICATED NUMBERS for specific outcome.

### **Detention Center and JRA collaboration for outcome reporting:**

Together, the EA, Detention Center and/or JRA staff can only record one categorical outcome per year per youth. However, you can report more than one categorical outcome if the youth obtains more than one outcome over the course of the year. See Section C on Outcome data reporting for specific examples on recording data/data entry.

The EA also transfers this data information to the Education Advocates Case Management Outcome Record Keeping Log with the students name, birth date, age, gender and race. The EA uses the Outcome Record Keeping Log when meeting with Detention Center Transition/JRA staff to go over outcomes each party recorded to eliminate duplication.

## **Q-7 LIVING ARRANGEMENT, REFERRALS AND SERVICE PROVIDED**

Indicate the number of youth UNDUPLICATED NUMBERS (not been reported in previous months) served in each category as it applies.

## **Q-8 BARRIERS AND SUCCESSES (OPTIONAL)**

Explain any obstacles/barriers you have in encountered and how you resolved them, or a success story.







**6. Outcome data - show UNDUPLICATED NUMBERS\* specific to an outcome.**

ACADEMICS	VOCATIONAL
a. _____ Enrolled in a GED program	a. _____ Enrolled in job training courses
b. _____ Enrolled in/returned to school	b. _____ Obtain employment
c. _____ Obtained GED	c. _____ Connected to Work Source
d. _____ Obtained high school diploma	
e. _____ Earned high school credit	
f. _____ Accepted into a post-secondary school	
g. _____ Enrolled in a post-secondary school	
h. _____ After 90 days the youth is enrolled in school	
i. _____ After 90 days the youth is gainfully employed	
j. _____ After 90 days youth is enrolled in a work training program	

**7. Indicate the number of youth served in each category as it applies to each category. UNDUPLICATED NUMBERS (not been reported in previous months)**

**LIVING ARRANGEMENT**

	Both Parents	Mother Only	Father Only	Parent/ Step-parent	Parent Partner	Grand-parent	Foster care	Homeless	Friend	On their own
M										
F										

NUMBER YOUTH REFERRED to any of the FOLLOWING SERVICES	NUMBER YOUTH PROVIDED INFORMATION / GUIDANCE in the FOLLOWING AREAS
a. _____ Special Education	a. _____ Communication
b. _____ School Counselor	b. _____ Self control
c. _____ SAT Alcohol/Drug Specialist	c. _____ Assertiveness
d. _____ Transportation	d. _____ Self esteem
e. _____ Community Support Group	e. _____ Decision making
f. _____ Substance abuse TX	f. _____ Substance abuse TX
g. _____ Mental health care	g. _____ Social skills
h. _____ Medical / financial assistance	h. _____ Career planning
i. _____ Child protective services	i. _____ Tutoring
j. _____ Living arrangements	j. _____ Life skills (balance checkbook, bus schedule, etc.)
k. _____ Childcare	k. _____ Job coaching (resume writing, interview skills)
l. _____ Family worker	l. _____ Parenting
m. _____ Parenting	

**8. Optional - Explain any obstacles / barriers you have encountered and how you resolved them, or a success story. (use back of paper if necessary)**

# **Education Advocate Project FACT SHEET**

**Project Goal:** Reduce the rate of recidivism/return to the detention center.

- **Objectives:**

1. Expand support & case management for youth transitioning out of detention centers;
2. Assist youth to overcome barriers in returning to school and work; and
3. Improve school coordination activities for youth returning to or re-engaging in school.

- **Target Outcomes:**

1. High school diplomas or GED certificate completed;
2. Students return and stay engaged in school;
3. Students enrolled in post-secondary school;
4. Students enrolled in job training programs;
5. Students obtaining employment; and For 90-days+ students, academic grade-level improvements in Reading and Math.

- **Who does the Educational Advocate Serve?**

1. Youth 15-17 years of age and involved in the Juvenile Justice System and considered moderate to high risk
2. School-based youth at risk of “slipping through the cracks”, re-offending or dropping out of school.
3. Community-based youth at risk of not staying engaged in vocational/community programs or need support to obtain a GED.

- **How are referrals handled?**

1. All referrals must go through the Detention School Educational Services Coordinator.
2. The Educational Services Coordinator will determine the level of risk and who will benefit from longer term, intensive services and make the referral to the Educational Advocate.

- **What services will the Educational Advocate provide?**

1. Assessment of student’s needs.
2. Links to services in schools and the community.
3. Monitors for behavioral “cues” that may indicate the student is slipping back into “old behaviors”, probation compliance, and attendance in schools or community programs (i.e. WorkSource, GED, etc.).
4. Provide counseling guidance and groups support for coping with life, relationships, everyday skills, and opportunities.

- **How many kids will be on the caseload?**

The Educational Advocate will serve 7 – 10 and work approximately 16 hours per week.

- **When and where are the youth served?**

Youth may be served at: home, school, detention, community centers, or wherever the youth can be best reached and engaged. The Educational Advocate will work a flexible schedule to be able to serve youth in the evenings, weekends and on school breaks, as well as during school hours.

- **What support is available to the family?**

Parents can get assistance with the following: coping with family conflict, family management skills, monitoring youth behaviors, information and referral to community resources, support and guidance as it relates to assisting their child’s needs and facilitating their child’s success.

# SECTION E. COUNSELING TOOLS in the FIELD

## CASE MANAGEMENT with AT-RISK YOUTH<sup>1</sup>

### The Case Manager's Role

The basic principles of case management point to a multifaceted role for the case manager. In essence, case managers are "jacks of all trades." They stimulate, coordinate, and monitor service delivery so that youth do not fall through cracks. They do whatever is necessary to remove barriers hindering a client's advance towards self-sufficiency. According to one text, case managers "help clients develop and effectively utilize their own internal problem solving and coping resources, and facilitate ongoing interactions between resource systems to enable those systems to work together more effectively.

Case managers facilitate and improve interaction between staff within resource systems to promote the effective and humane operation of these systems and to make them responsive to client needs. They establish linkages between clients and resource systems, and between resource systems themselves to make them accessible to each other. They develop new resource systems to meet the needs of clients." [Anne Minahan, "Generalists and Specialists in Social Work," *Arete* (Fall, 1976)]

Case managers serve as surrogate parents, role models, counselors, social entrepreneurs, and political advocates. They nag, cajole, prod, and encourage clients. They pressure institutions to act responsibly or lubricate the gears between institutions. They make referrals, and monitor client fit. They deal with the client's family life; work and school; social services and public institutions. They alter client behaviors strengthening client capacity to exercise self determination and autonomy.

<sup>1</sup> Retrieved August 18, 2009 from [http://smhp.psych.ucla.edu/qt/case\\_mgmt\\_qt/Case\\_Management\\_with\\_At-risk\\_Youth.pdf](http://smhp.psych.ucla.edu/qt/case_mgmt_qt/Case_Management_with_At-risk_Youth.pdf)



### **Case management is an approach that seeks to make service delivery:**

Integrated	Client-Centered	Coordinated
Goal-Oriented	Sequenced	Cost-Effective
Sustained	Comprehensive	Accountable

#### **Why Is Case Management Needed?**

At-risk youth have needs that are often complex and intertwined. They require help determining which among a variety of services they need, when, and in what order. They require assistance finding and accessing those services, and support to successfully complete those services.

Human service institutions, on the other hand, are often one-dimensional and specialized. They typically offer services that are funded and provided as separate entities: housing is the niche of one agency, education that of another, and job training that of a third. The result is that there is often a mismatch between the behavior of the helping-professions and the needs of the youth whom those services intend to help. Without case management, interventions are often uncoordinated and scarce resources squandered. A young person can easily fall through the cracks or give up trying to navigate what is, in most locales, a disjointed multi-institutional “nonsystem.”

**The function of case management is to overcome the mismatch between institutions and client needs and to provide the continuity of services that is critical for at-risk youth.**

#### **Effective Themes for Case Management**

The review of literature and discussions with practitioners revealed four major themes that stood out as central to almost every aspect of the case management process. These themes set the context for case management and shape much of what takes place in each step of the case management process.

**1. Case Management Requires Partnership.**

Case management is, first and foremost, a system of partnerships: between case manager and client, and between organizations. In an effective case management system, the case manager works in partnership with the client, sharing responsibility, rather than working on the client. There is a division, rather than a substitution, of labor. Case management also involves partnerships among institutions. At some level, each must be willing to be flexible and to share access to services or resources. In that context, the case manager works for all the partners, helping institutions access clients, and linking clients with those institutions that offer the services young people need.

**2. Case Management Must Provide Predictability.**

Many disadvantaged youth experience life as a series of random events over which they have little control. Successful case management systems work to rebuild that sense of control and predictability by helping young people to plan, to set goals, and to undertake a systematic process of meeting those goals. Young people learn that they can make choices and that their actions lead directly to concrete.

**3. Case Management Demands Accountability.**

Client trust and effective coordination rest on the delivery of promised services. For case management to work, clients, case managers, and institutions must be clear about their roles and responsibilities; tasks and associated time lines must be written down; and ambiguity must be replaced by explicit agreements. When accountability is not clear, case management systems break down.

**4. Case Management Communicates Respect for the Client.**

The success of any case management effort depends on the degree to which the young person is engaged in the development and joint ownership of a remediation plan, and has a major stake in insuring its success. A strategy that is imposed with little regard for a client's interests or concerns has little chance to bear fruit. In every aspect of case management, then, the client has to be treated as a mature, responsible adult not as a number or a child.

**Effective Case Management**

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In order to locate and walk a young person through a sequence of services, the typical case management system has the following components:

- Finding and attracting appropriate clients;
- Intake and assessment;
- Designing a service plan;
- Intervening in the community: broke ring, advocating, and linking;
- Implementing and monitoring the service plan;
- Evaluating the effectiveness of case management.

### 1. Finding and Attracting Appropriate Clients.

Initial contacts with a case management system are an important opportunity to establish a relationship and set expectations. Predictability and accountability should be hallmarks of those contacts. Equally important, those initial contacts need to convey an attitude of respect.

- a. Potential clients need to be oriented to the purposes and structure of case management, what it can and cannot provide, and what their responsibilities will be.
- b. The Clients need to know that case manager's work in partnership with them, not on them, and that development of a case management plan may constitute a commitment to long-term services.
- c. Case managers and their supporting service providers need to show a genuine feeling of enthusiasm, caring, and dignity to the youths who approach them. This includes initial telephone contacts. No contact with a young person should be conducted in an impersonal, bureaucratic manner: it will only turn that young person off.
- d. Case management is not for everyone. To be effective, a case management system needs to identify a target population that can benefit from long-term, holistic services, and that is amenable to receiving them.

### 2. Intake and Assessment.

The enrollment process sets a tone for an ongoing relationship. When the case manager (not a clerical functionary) interviews the client, he or she should retrieve not only the information typically sought in the organization's regular intake process, but also data related to comprehensive, long-term services. This information will contribute to current and later accountability. At the same time, to contribute to the client's sense of predictability and partnership, care must be taken to inform him or her about why data is being gathered and how it will be used.

The most effective assessment tool is a series of personal appointments in which the case manager hears, sees, and senses the young person's situation. The case manager can learn who this person is, what strengths can be worked with, and what vulnerabilities must be compensated for.

Interviews should shed light on such questions as:

- a. What social skills does the client possess? How developed are verbal and expressive capacities?
- b. What affect and emotional tone are conveyed? How organized is the client? How does he or she describe problems, possible solutions, and future ambitions?
- c. What support network already exists? Who within the client's environment can be turned to for help? Are there role models?

- d. What is the client's school history? What problems crop up and when? Do patterns emerge in the relationship of the client to teachers and school authorities?
- e. What is the client's employment experience? What issues recur? What vocational interests are expressed? Are the client's expectations realistic?
- f. What is the client's service history? Is it possible to pick up where a previous service provider left off?

Assessment will probably also involve testing; however, it is important to choose tests capable of generating information that is accurate and that a program will actually use. Many testing instruments exist; however, no one test renders a complete understanding of a client's problems and potentialities. In addition, unless testing is related to real program options and can help determine which options make sense for a client, the entire process becomes a misleading exercise. Respect for the client leads to the rule: "collect all the information you can use, and use all the information you collect."

In sum, the intake and assessment process helps map out the terms of the case manager/client partnership, subject, of course, to revision and renegotiation. But it is equally important to note that, while there are advantages to gathering lots of good data up front, assessment is an ongoing process. The case manager will need to work hard over time to develop a relationship with the client and to continually track his or her progress.

### Designing a Service Plan

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The alliance between case manager and client is intended to bring about change. The case manager works in partnership with the client to develop clear expectations and set realistic goals. The client's views of what she or he wants must be acknowledged, respected, and then tempered with the case manager's input about reality. How goals are subsequently translated into changes, through what means, and over what period of time, are issues that are addressed and pinned down in a written service plan. To assure predictability, the case manager needs to explain how one service precedes another, and to help the client sequence each service. Together, they work as partners to formulate a written contract that insures mutual accountability - one that delineates their respective responsibilities and is explicit about the nature of the partnership being agreed to.

An ideal plan includes long-term goals accompanied by short-term objectives that are quickly achievable - the client can experience regular, predictable "wins." The plan translates those objectives into the services necessary to achieve them, and identifies organizations or individuals who provide those services. A well-designed service plan ensures client ownership. Specific, mutually defined tasks, clear time lines, and delineation of mutual roles help the young person feel that it is his or her plan, and that he or she is empowered to carry it out. To reinforce the ownership, predictability and accountability represented by the plan, the case manager should also include dates to review the plan with the client, and a projected date for termination of case-management.

### Intervening in the Community: Brokering, Advocating, and Linking

For a case manager to make effective referrals, institutions at the receiving end must have slots available on an needed basis. They must be willing to grant timely admission to their programs, rather than placing the client on a waiting list. Ideally, the case manager can say: “I need my client enrolled in your program this week,” and have it happen.

The tools needed to assure timely referrals and to institutionalize case management over the long-term are most likely to result from the creation of a formal inter-agency partnership or providers alliance in which member institutions empower case managers to “requisition” slots across institutional boundaries. Formed specifically to enable case managers to arrange fast admission to services for their clients, these collaborations can be organized with clear rules that ensure accountability, communicate respect, and build in predictability.

### Implementing and Monitoring the Service Plan

The partnership between client and case manager continues in accomplishing the terms of the service plan. That process involves a division of labor in which the young person carries his or her weight: showing up for appointments, enduring testing, attending training classes, etc. The case manager provides oversight, ensures coordination and continuity of service, and gives the youth opportunities to show initiative and develop competence. The relationship is dynamic and shifting, sometimes requiring hand-holding, sometimes stern lectures (“tough love”), sometimes nagging, sometimes a gentle push to risk “going it alone” - always based in respect.

A case manager skilled in the use of referral procedures can help a young person become an active partner in his or her own service plan.

After assisting a client to identify the problems he or she faces, translating those problems into service needs, and giving each an appropriate priority, the case manager generates a set of service options from which the client can choose. Before choosing, the case manager and client discuss how each option might meet the client’s needs - issues such as the reputation of each agency, their eligibility requirements and fees, the amount of time the client will have to spend in service, and agency locations and proximity to transportation.

Once the client has chosen an option, he or she needs to hear about the referral procedure in simple step-by-step terms. Ideally, the client will then, in the case manager’s presence, call a known person at the referral organization and schedule an appointment. In all cases, the client should write down the appointment date, time, contact person’s name, and directions to the referral agency. Predictability is the watchword. The case manager also needs to determine how much additional support the client needs to carry out the referral successfully (transportation, hand-holding, baby-sitting, etc.) and help the client arrange for that support.

## FAMILY ENGAGEMENT<sup>1</sup>

Research on effective practices in juvenile justice shows that family involvement has a positive impact on successful re-entry and reduced recidivism. However, due to the various competing demands of juvenile justice staff and administrators, as well as the inherent challenges of family participation, family involvement may not be at the forefront of the transition planning.



According to family advocacy experts, there are several compelling reasons for including families in the re-entry process, these include:

1. the family is most familiar with the child;
2. the family is a large part of the environment into which the child will transition back after release; and
3. targeted family counseling reduces recidivism.

More importantly, parents can provide the Education Advocate with the background history of their child related to:

- Educational history including, learning disabilities, Individual Education Program (IEP) status and the child's history of involvement with special education.
- His/her child's history of mental health issues and medications, if applicable.
- The child's strengths and needs.
- History of what has worked and patterns of the child's response to people and events.
- Family history of learning disabilities, mental health issues and addictions.

A family systems approach as opposed to a child focused method, has shown to be significantly positive to youth success in the transition/re-entry process.

*Although familial challenges influence youth and affect their involvement in delinquency, family advocacy groups... emphasize that all families have strengths and coping mechanisms to handle stressors. ... [I]t is a matter of tapping into those strengths and building upon them, rather than continually focusing on the negative aspects and problems that promote strong family relationships. Instead of labeling families and children as 'at risk' for failure, which assumes a deficit, the strength approach labels families as 'at promise' (Brock, Burrell, and Tulipano, 2006, p.1-2).*

<sup>1</sup> L. Brock, J Burrell and T. Tulipano (August 2006) NDTAC Issue Brief: Family Involvement. Retrieved [www.neglected-delinquent.org/nd/resources/spotlight](http://www.neglected-delinquent.org/nd/resources/spotlight). July 17, (2009)

Family counseling teaches all family members to deal with home life challenges through various coping mechanisms, anger management, and effective communication. If the family system is not addressed, youth when released from incarceration return to unhealthy environments where negative coping behaviors are reinforced. Relapse into old patterns of thinking and behaviors may be very likely with no change in the surrounding environment. Therefore, the EA needs to make family engagement a priority.

Family sessions need to be structured, teach skills, and focus on intervening on family problems and addressing youth needs. Research indicates that the most effective approaches incorporate a combination of cognitive problem solving training and parent training to successfully reduce antisocial behavior in youth and reduce stress and depression in parents (Brock, Burrell, and Tulipano, 2006). Family advocates note there are three vital components of family engagement. These are (Brock, Burrell, and Tulipano, 2006):

1. Family members must be seen, included, and supported as valuable members of the child's team;
2. Family members need information about the juvenile justice system, as well as their child's rights to services; and
3. If family members are unable or unwilling to be involved, surrogate family members, extended family members, or mentors (role models) should be assigned.

The Education Advocate has a significant role in supporting parents who may not have the necessary parenting skills to recognize strengths within the family and assist in improving parenting practices. This might include teaching or providing information to the parent(s) on:

- positive discipline methods
- setting limits, monitoring and supervision
- child advocacy
- how to be positive and supportive
- how to communicate and handle conflict
- mitigation when the relationship between the youth and his family has been strained.

The EA also can serve as a liaison for parents between the juvenile justice staff, schools, and community agencies.

### **Suggested Areas of Focus for Family Sessions**

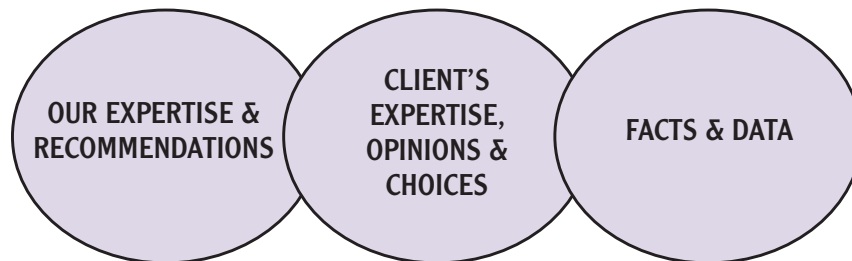
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The first session would involve the EA introducing the program, describing the EA's role and responsibilities, conducting a family strength based assessment, identification of area of focus and need of the family. Follow up sessions include checking in on the identified needs/area of concern, linking the parent(s) to resources, teaching a skill and providing highlights of child's success and areas for parents to reinforce as his/her child is doing well and areas where monitoring is needed.

## MOTIVATIONAL INTERVIEWING TECHNIQUES for EDUCATION ADVOCATE RE-ENTRY PROJECT<sup>1</sup>

### Introduction

Motivational Interviewing (M.I.) brings a young person's circle of expertise and ultimate decisions and choices into the forefront, using their viewpoint as the starting and ending point for case management. Common responses when working with adolescents having little investment in change and little willingness to discuss change is simply denial, justification and blame. Resisting change is NOT the same as resisting being told what to do and how to do it (but it sure sounds the same!). Blending these three elements of a youth's return to the community is not simple, nor easy.



### Use of Language to Build Rapport and Ownership

The EA's role in a youth's varying level of motivation. Since we know that "talking at" evokes resistance, M.I. offers a research-based style of increasing a client's motivation and investment in their own situation and choices. Often adolescents' feel conflicting ways about having a different life:

- They don't want to get into further trouble, but are
- Comfortable within the system, and
- Lack skills and confidence to live different life

Their motivation increases and decreases throughout Detention/JRA experience and making positive choices becomes more and less important with minimal predictability. **HOWEVER, research shows that the case manager/counselors behavior can affect this motivation!** An EA's expertise and ideas for change can quickly trigger resistant responses and motivation to change. It is important to remember good listening is not agreeing, advising, persuading, or sympathizing it is about really hearing what is being said asking questions, reflect summarize and affirm. The following are examples of Motivational Interviewing approaches to help the EA in "listening" to his/her client(s).

<sup>1</sup> Written by Jonnae Tillman (July 2009), [www.jtillmantrainig.org](http://www.jtillmantrainig.org). Edited by Kristin Schutte OESD 114 Student Services Director. Original document title: Motivational Interviewing & Juvenile Justice Re-entry



**Technique # 1: ASK QUESTIONS**

- What questions might you have for me?
- What worries you about life at home?
- What would it be like if you made this change?
- Why do others decide to quit using drugs?
- If you did quit, how might you do it?

**Technique # 2: OFFER REFLECTIONS & SUMMARIES**

- You're worried that sharing might get you into further trouble.
- It's hard for you to talk about this.
- You're used to dealing with your troubles by yourself.
- Trusting others isn't something you're used to.
- It's not easy coming to these groups.

**Technique # 3: GIVE EFFECTIVE AFFIRMATIONS**

- Affirmations are verbalizing individual strengths, attempts, values – not compliments, not praise.
- You've shown up here three weeks in row, even though you haven't wanted to come.
- I appreciate your willingness to share your ideas.
- It took courage for you to share this with me.
- I know how hard this has been.

**Technique # 4: SUPPORT AUTONOMY**

- People who perceive themselves as having choices often become more compliant.
- I wish I could make these choices for you, but you are truly the only person who knows how these choices fit into your life.

**Technique # 5: HELP RESOLVE AMBIVALENCE**

- “On one hand you want \_\_\_\_\_, and on the other hand you can't imagine \_\_\_\_\_.”

## Use of Language to Foster Change

Motivational Interviewing also includes “Change Talk.” Research shows<sup>2</sup> that when people use change language (in the M.I. world, it is called ChangeTalk), it is the best predictor for actual change. Practitioners, often want to increase their client’s Change Talk, which in M.I. one want to increase the clients (Desire, Ability, Reasons & Need (DARN ) for change. To do this one must train his/herself to hear Change Talk. For example, the client put up resistant with “ain’t gonna or can’t make me” attitude. Below are some examples of what a youth might say and the phrases connection to DARN.

- If I go back to jail, I can’t keep my little brother on track. (reason)
- I don’t like any of this. (desire)
- I need to keep this job, but they take U.A.’s (reason)
- There’s nothing else to do but smoke pot. (boredom; desire)
- Who would I hang out with if I quit going to the mall? (considering the change).

## Providing Feedback and Sharing Expertise

It is not unusual for case managers, counselors, teachers and others who work with youth to share their opinions, expertise or thoughts about what we think. However, this often comes across as giving a lecture and the youth tunes out. The M.I. technique involves a process that is known as Elicit-Provide-Elicit as one way to offer share expertise/ideas without triggering resistance:

- Elicit what they already know: What have you heard about what it’s like in the first month after getting out of jail?
- Provide a bite-sized bit of information: Many kids think it will be easy and then find out that it’s not. Many end up back in jail.
- Elicit what they think about what you just shared: Have you heard that? Why do you think that happens?
- An EA has nothing to gain by directly pushing against resistance and everything to gain by viewing young peoples’ choices through their lenses.

### About the Author:

*Jonnae Tillman has degrees in Psychology and Addiction Studies from Seattle University. She has been teaching Motivational Interviewing for over ten years and is a member of MINT, (Motivational Interviewing Network of Trainers), an international group of professionals trained by Drs. William Miller and Stephen Rollnick, authors of Motivational Interviewing, Guilford Press 1992, 2002. Jonnae Tillman provides tailored training for healthcare and social service organizations throughout Washington and Oregon. She can be reached at [www.jtillmantraining.org](http://www.jtillmantraining.org).*

<sup>2</sup> Miller, W. R., & Rollnick, S. (2002). Motivational interviewing: Preparing people for change, 2nd edition. New York: Guilford Press.

## NAVIGATING the SCHOOL SYSTEM



A primary goal of the Educational Advocate is to facilitate the transitional process from the detention/JRA facilities to the community school. This is often where juvenile offenders tend to fail or slip through the cracks due to lack of school bonding and engagement as well as:

- History of the youth’s relationship with the school. How did he/she get along with the teachers, students and administration;
- Whether or not the youth has a learning disabilities;
- His/Her number of credits earned and grade level standing; and
- Parental support.

Regardless of the barriers all children and youth ages 8 through 17 must attend school in the district where they live unless excused for one of the following reasons<sup>1</sup>:

1. They are in an approved private, home school, or other education program.
2. They are at least 16, lawfully employed, are either emancipated or have parental permission, and have already met graduation requirements or received a certificate of educational competence.
3. They are excused from attendance by the Superintendent of the district which they reside because they are physically or mentally unable to attend school, are incarcerated in an adult facility, or are attending a DSHS residential school.
4. They are temporarily excused upon the request of their parents for the purposes agreed upon by school authorities and the parents (p.38).

A school cannot just automatically suspend or take a child/youth to court due to multiple unexcused absences. The school must first try to address the problem(s) that is causing the truancy. The school and district will have a written policy in the student handbook outlining the consequences for unexcused absences. However, often for youth transitioning from the juvenile justice facilities, probation or parole is contacted when a youth misses school, which

<sup>1</sup>Permission to copy excerpt from TeamChild and Casey Foundation Educational Advocate manual. This can be downloaded at <http://www.TeamChild.org>. Information retrieved [www.casey.org](http://www.casey.org) 5/2009; TeamChild and Casey Foundation (2000) Make a Difference in a Child’s Life: A manual for Helping Children and Youth Get What They Need in School.

may result in the youth being locked up for a offending his/her terms related to probation/parole.

Therefore, it is important that the EA has a good working relationship with the probation/parole officers to discuss violations and determine if lock up is the best solution for a particular youth. The EA needs to provide support in assisting the youth attend and stay in school.

According to TeamChild (2000)<sup>2</sup>, no student may be denied an equal educational opportunity because of national origin, race, religion, economic status, sex, pregnancy, marital status, previous arrest, previous incarceration, or physical, mental, or sensory handicap. See WAC 392-400-215.

The only exceptions to this rule authorized by the Legislature are that a student convicted of a violent offense against a teacher or another student may not be placed in the same class as his/her victim or the victim's siblings (who are also notified of the offender's release from detention). See RCW 28A.0600.460 and RCW 13.40.215.

Schools and juvenile authorities are generally authorized to share and exchange their records about a student who is a juvenile offender, but they are generally not authorized to disclose these shared records to others. See RCW 28A.600.475 and RCW 13.50.050.

If a school tells you that all youth released from juvenile detention must be enrolled in a special program, ask for information about the program's curriculum and compare it with the basic education offered in the district's regular schools. If there is a meaningful difference in the programs that matters to the student, consider filing a grievance with the school district or a discrimination complaint, and contact an advocacy organization (p.43-44).

### Helping Children Enroll and Succeed in School<sup>3</sup>

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- Pick up an “enrollment packet” from your local school district. It will contain necessary forms, etc., and help you in enrolling the student.
- If you have problems, request a copy of the district's written enrollment of admissions policies. Review them to see if the district is following its own rules.
- Don't delay! Get the student enrolled as quickly as possible, even if you do not know the student's entire education history or have all of the paperwork needed.
- Identify any special characteristics or needs of your child in writing at the time of

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<sup>2</sup> Ibid

<sup>3</sup> Ibid

enrollment, and ask that the school inform you of all special programs or services for which the student might qualify.

- If the student is being treated differently because of race, gender, pregnancy, disability, or other reason, consider filing a complaint with the U.S. Department of Education or the Office of Superintendent of Public Instruction.
- If the student wants to attend a school other than his or her “home school,” request the district’s policies and forms for enrollment in another school within the same district (p. 45).
- If you think that the student may have unique needs, ask about special programs for which the student may qualify.
- Is the school delaying responding to a request? Consider filing a grievance under the district’s policies.
- If a school tells you that additional testing or an IEP must be done before allowing a student who lives in the district to start school, request a meeting with the Superintendent, file a grievance or seek assistance from an advocacy organization.
- If the school contacts you about a student being truant, ask the district in writing to assist you in identifying and responding appropriately to the underlying causes of these absences.

# SECTION F. RESOURCES

## EDUCATION

- **Office of the Washington State Office of the Education Ombudsman** for activities information about Basic Education Rights in Public Schools in Washington State. Available at <http://www.governor.wa.gov/oeo>
- **Office of Superintendent of Public Instruction, Institutional Education.** Across the state, over thirty-five school districts and four Education Service Districts provide a wide range of quality K-12 education services to incarcerated and previously incarcerated juveniles inside: 1) State-operated institutions and group homes; 2) County-operated juvenile detention centers, residential habilitation centers; 3) Adult correctional facilities; and 4) Community schools. These education services promote academic achievement in alternative learning environments and are consistent with the State's learning goals. It is the purpose of the Institution Education program to provide technical assistance and support to both the service providers and the institution administrators regarding laws, policies, procedures and program issues designed to promote the provision of education services to these juveniles. Available at <http://www.k12.wa.us/InstitutionalEd/Resources.aspx>
- **“Making a Difference in a Child’s Life: A Manual for Helping Children and Youth Get What They Need in School.”** (2008). TeamChild. The TeamChild Education Advocacy manual provides tools to help children and youth. It is a guide on how to be an advocate. The manual focuses on education issues faced by student who are in foster care, group homes, relative care, and other situations where they may not have a birth parent helping them. Available at <http://www.teamchild.org/manual.html>

## EMPLOYMENT

- **Washington State WorkSource.** Links to information about employment opportunities, resume writing and various careers for young adults. Available at <https://fortress.wa.gov/esd/worksource/Employment.aspx>
- **The Job Hunter Workshop** series modules (put on by WorkSource offices all across Washington State). Available at <http://www.cw1stop.org/JobHunter.pdf>

## TRANSITION / RE-ENTRY

- **“Working Together for Successful Transition, The WA State Adolescent Transition Resource Notebook.”** Washington State Dept of Health. This resource book on transition from adolescence to adulthood for young adults with special health care needs and disabilities. The document is organized by sections based on content such as post-secondary education, community participation, and vocational rehabilitation. Available at <http://depts.washington.edu/healthtr/notebook/default.html>
- **“Educational Aftercare & Reintegration Toolkit for Juvenile Justice Professionals.”** (2006) This Toolkit should serve as a roadmap for sorting out what education problems involve the legal rights or “entitlements” of delinquent youth, as compared to problems that raise policy and/or practice issues (and which, as a result, may not have an easy solution). It should also serve as a guide to resources that are available to help juvenile justice professionals answer educational questions and as a link to individuals and organizations that can provide additional technical support and assistance with complicated issues. Available at <http://www.elc-pa.org/pubs/downloads/english/juv-JPO%20Toolkit%2010-11-06.pdf>
- **The National Evaluation and Technical Assistance Center for the Education of Children and Youth Who Are Neglected, Delinquent, or At-Risk (NDTAC).** Established in 2002 through support from the U.S. Department of Education (USED). NDTAC serves as a national resource center to provide direct assistance to States, schools, communities, and parents seeking information on the education of children and youth who are considered neglected, delinquent, or at-risk. Information, resources, and technical assistance are provided through a variety of avenues, including Web site resources, Center-sponsored conferences and Webinars, and personalized assistance. Most importantly, the website provides pertinent information on Title 1, Part D, Transition services, Advocate work, parent involvement and many other topics: <http://www.neglected-delinquent.org/>
- **The Office of Juvenile Justice and Delinquency Prevention (OJJDP).** Website if full of information, resources, funding opportunities and research related to juvenile delinquency. OJJDP a component of the Office of Justice Programs, U.S. Department of Justice, accomplishes its mission by supporting states, local communities, and tribal jurisdictions in their efforts to develop and implement effective programs for juveniles. The Office strives to strengthen the juvenile justice system's efforts to protect public safety, hold offenders accountable, and provide services that address the needs of youth and their families. Go to: <http://www.ojjdp.ncjrs.gov/tools/firsttime.html>

- **The National Center of Education, Disability and Juvenile Justice (EDJJ).** A collaborative project involving partners from the University of Maryland, Arizona State University, the American Institutes for Research in Washington, DC, and the PACER parent advocacy center in Minneapolis. EDJJ focuses on assisting practitioners, policymakers, researchers and advocates to identify and implement effective school-based delinquency prevention programs, education and special education services in juvenile correctional facilities, and transition supports for youth re-entering their schools and communities from secure care settings. Available at <http://www.edjj.org/>

## PARENTS

- **Adolescent Community Reinforcement Approach and Assertive Continuing Care (A-CRA/ACC),** Chestnut Health Systems, @ <http://www.chestnut.org/LI/acra-acc/index.html>
- **L. Brock, J Burrell and T. Tulipano (August 2006) NDTAC Issue Brief: Family Involvement** @ [www.neglected-delinquent.org/nd/resources/spotlight](http://www.neglected-delinquent.org/nd/resources/spotlight). July 17, (2009)

- **Suggested Parenting Books**

Daniel J. Seigel, M.D. & Marty Hatsell, M.Ed.; 2003; Parenting from the Inside Out, Penguin Group (USA) Inc.; New York, NY 10014

Stephen R. Covey; 1997; The 7 Habits of Highly Effective Families; St. Martin's Griffin, New York, NY 10010

Foster Cline & Jim Fay; 1992, 2006; Parenting Teens with Love & Logic; Pinon Press; Colorado Springs, CO 80935



## 4 • SECTION F

# WASHINGTON STATE JUVENILE COURT PRE-SCREEN RISK ASSESSMENT

Name _____		Initiated ____/____/____	
Last First		Month Day Year JUVIS Control Number	
<b>Domain 1: Record of Referrals Resulting in Conviction, Diversion, or Deferred Adjudication/Disposition</b>			
<i>Referrals, not offenses, are used to assess the persistence of re-offending by the youth. Include only referrals that resulted in a conviction, diversion, deferred adjudication, or deferred disposition (regardless of whether successfully completed).</i>			
<i>Circle the appropriate score</i>			
1. <b>Age at first offense:</b> The age at the time of the offense for which the youth was referred to juvenile court for the first time on a non-traffic misdemeanor or felony that resulted in a conviction, diversion, deferred adjudication, or deferred disposition.	Over 16 16 15 13 to 14 Under 13	0 1 2 3 4	
<i><b>Felony and misdemeanor referrals:</b> Items 2 and 3 are mutually exclusive and should add to the total number of referrals that resulted in a conviction, diversion, deferred adjudication, or deferred disposition.</i>			
2. <b>Misdemeanor referrals:</b> Total number of referrals for which the most serious offense was a non-traffic misdemeanor that resulted in a conviction, diversion, deferred adjudication, or deferred disposition (regardless of whether successfully completed).	None or one Two Three or four Five or more	0 1 2 3	
3. <b>Felony referrals:</b> Total number of referrals for a felony offense that resulted in a conviction, diversion, deferred adjudication, or deferred disposition (regardless of whether successfully completed).	None One Two Three or more	0 2 4 6	
<i><b>Against-person or weapon referrals:</b> Items 4, 5, and 6 are mutually exclusive and should add to the total number of referrals that involve an against-person or weapon offense, including sex offenses, that resulted in a conviction, diversion, deferred adjudication, or deferred disposition (regardless of whether successfully completed).</i>			
4. <b>Weapon referrals:</b> Total referrals for which the most serious offense was a firearm/weapon charge or a weapon enhancement finding.	None One or more	0 1	
5. <b>Against-person misdemeanor referrals:</b> Total number of referrals for which the most serious offense was an against-person misdemeanor - a misdemeanor involving threats, force, or physical harm to another person or sexual misconduct (assault, coercion, harassment, intimidation, etc.).	None One Two or more	0 1 2	
6. <b>Against-person felony referrals:</b> Number of referrals involving force or physical harm to another person including sexual misconduct (homicide, manslaughter, assault, robbery, kidnapping, rape, domestic violence, harassment, criminal mistreatment, intimidation, coercion, etc.).	None One or two Three or more	0 2 4	
<i><b>Sex offense referrals:</b> Items 7 and 8 are mutually exclusive and should add to the total number of referrals that involve a sex offense or sexual misconduct that resulted in a conviction, diversion, deferred adjudication, or deferred disposition.</i>			
7. <b>Sexual misconduct misdemeanor referrals:</b> Number of referrals for which the most serious offense was a sexual misconduct misdemeanor including obscene phone calls, indecent exposure, obscenity, pornography, or public indecency, or misdemeanors with sexual motivation.	None One Two or more		
8. <b>Felony sex offense referrals:</b> Referrals for a felony sex offense or involving sexual motivation including carnal knowledge, child molestation, communication with minor for immoral purpose, incest, indecent exposure, indecent liberties, promoting pornography, rape, sexual misconduct, or voyeurism	None One Two or more		
9. <b>Disposition orders where youth served at least one day confined in detention:</b> Total disposition and modification orders for which the youth served at least one day physically confined in a county detention facility. A day served includes credit for time served.	None One Two Three or more	0 1 2 3	
10. <b>Disposition orders where youth served at least one day confined under JRA:</b> Total number of disposition orders and modification orders for which the youth served at least one day confined under JRA authority. A day served includes credit for time served.	None One Two or more	0 2 4	
11. <b>Escapes:</b> Total number of attempted or actual escapes that resulted in a conviction.	None One Two or more	0 1 2	
12. <b>Failure-to-appear in court warrants:</b> Total number of failures-to-appear in court that resulted in a warrant being issued. Exclude failure-to-appear warrants for non-criminal matters.	None One Two or more	0 1 2	
<b>Criminal History Score: (Maximum of 31 points)</b>		---	

<b>Social History</b>		
1. <b>Youth's Gender</b>	<input type="radio"/> Female <input type="radio"/> Male	<b>0</b> <b>1</b>
2a. <b>Youth's current school enrollment status, regardless of attendance:</b> <i>If the youth is in home school as a result of being expelled or dropping out, check the expelled or dropped out box, otherwise check enrolled.</i>	<input type="radio"/> Graduated, GED <input type="radio"/> Enrolled full-time <input type="radio"/> Enrolled part-time <input type="radio"/> Suspended <input type="radio"/> Dropped out <input type="radio"/> Expelled	<b>0</b> <b>0</b> <b>0</b> <b>2</b> <b>2</b> <b>2</b>
2b. <b>Youth's conduct in the most recent term:</b> Fighting or threatening students; threatening teachers/staff; overly disruptive behavior; drug/alcohol use; crimes, e.g., theft, vandalism; lying, cheating, dishonesty..	<input type="radio"/> Recognition for good behavior <input type="radio"/> No problems with school conduct <input type="radio"/> Problems reported by teachers <input type="radio"/> Problem calls to parents <input type="radio"/> Calls to police	<b>0</b> <b>0</b> <b>1</b> <b>1</b> <b>2</b>
2c. <b>Youth's attendance in the most recent term:</b> <i>Full-day absence means missing majority of classes. Partial-day absence means attending the majority of classes and missing the minority. A truancy petition is equal to 7 unexcused absences in a month or 10 in a year.</i>	<input type="radio"/> Good attendance with few absences <input type="radio"/> No unexcused absences <input type="radio"/> Some partial-day unexcused absences <input type="radio"/> Some full-day unexcused absences <input type="radio"/> Truancy petition/equivalent or withdrawn	<b>0</b> <b>0</b> <b>1</b> <b>1</b> <b>2</b>
2d. <b>Youth's academic performance in the most recent school term:</b>	<input type="radio"/> Honor student (mostly As) <input type="radio"/> Above 3.0 (mostly As and Bs) <input type="radio"/> 2.0 to 3.0 (mostly Bs and Cs, no Fs) <input type="radio"/> 1.0 to 2.0 (mostly Cs and Ds, some Fs) <input type="radio"/> Below 1.0 (some Ds and mostly Fs)	<b>0</b> <b>0</b> <b>0</b> <b>1</b> <b>2</b>
<b>Sum of 2a to 2d:</b> _____	<b>Maximum Score of 2 points</b>	<b>0</b> <b>1</b> <b>2</b>
3a. <b>History of anti-social friends/companions:</b> <i>Anti-social peers are youths hostile to or disruptive of the legal social order; youths who violate the law and the rights of others.</i>	<input type="radio"/> Never had consistent friends or companions <input type="radio"/> Only had pro-social friends <input type="radio"/> Had pro-social friends and anti-social friends <input type="radio"/> Only had anti-social friends	
3b. <b>History of gang membership/association:</b>	<input type="radio"/> Never been a gang member/associate <input type="radio"/> Been gang member/associate	
4a. <b>Current friends/companions youth actually spends time with:</b>	<input type="radio"/> No consistent friends or companions <input type="radio"/> Only pro-social friends <input type="radio"/> Pro-social friends and anti-social friends <input type="radio"/> Only anti-social friends	<b>1</b> <b>0</b> <b>1</b> <b>2</b>
4b. <b>Currently a gang member/associate:</b>	<input type="radio"/> Not a gang member/associate <input type="radio"/> Gang member/associate	<b>0</b> <b>3</b>
<b>Sum of 4a and 4b:</b> _____	<b>Maximum Score of 3 points</b>	<b>0</b> <b>1</b> <b>2</b> <b>3</b>
5. <b>History of court-ordered or DSHS voluntary out-of-home and shelter care placements exceeding 30 days:</b> <i>Exclude JRA commitments.</i>	<input type="radio"/> No out-of-home placements exceeding 30 days <input type="radio"/> 1 out-of-home placement <input type="radio"/> 2 out-of-home placements <input type="radio"/> 3 or more out-of-home placements	<b>0</b> <b>1</b> <b>1</b> <b>1</b>
6. <b>History of runaways or times kicked out of home:</b> <i>Include times the youth did not voluntarily return within 24 hours, and include incidents not reported by or to law enforcement</i>	<input type="radio"/> No history of running away or being kicked out <input type="radio"/> 1 instance of running away/kicked out <input type="radio"/> 2 to 3 instances of running away/kicked out <input type="radio"/> 4 to 5 instances of running away/kicked out <input type="radio"/> Over 5 instances of running away/kicked out	<b>0</b> <b>1</b> <b>2</b> <b>2</b> <b>2</b>
7. <b>History of jail/imprisonment of persons who were ever involved in the household for at least 3 months:</b>	Mother/female caretaker <input type="radio"/> No <input type="radio"/> Yes Father/male caretaker <input type="radio"/> No <input type="radio"/> Yes Older sibling <input type="radio"/> No <input type="radio"/> Yes Younger sibling <input type="radio"/> No <input type="radio"/> Yes Other member <input type="radio"/> No <input type="radio"/> Yes	
8. <b>Jail/imprisonment history of persons who are currently involved with the household:</b> <i>Mother and father refer to current parent or legal guardian.</i>	Mother/female caretaker <input type="radio"/> No <input type="radio"/> Yes Father/male caretaker <input type="radio"/> No <input type="radio"/> Yes Older sibling <input type="radio"/> No <input type="radio"/> Yes Younger sibling <input type="radio"/> No <input type="radio"/> Yes Other member <input type="radio"/> No <input type="radio"/> Yes	<b>1</b> <b>1</b> <b>1</b> <b>1</b> <b>1</b>
<b>8. Sum of jail/imprisonment history:</b> _____	<b>Maximum Score of 1 point</b>	<b>0</b> <b>1</b>

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9. <b>Problems of parents who are currently involved with the household:</b>	Alcohol Drugs Mental health Physical health Employment	<input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes	
10. <b>Current parental authority and control:</b>	<input type="radio"/> Youth usually obeys and follows rules <input type="radio"/> Sometimes obeys or obeys some rules <input type="radio"/> Consistently disobeys, and/or is hostile		<b>0</b> <b>1</b> <b>2</b>
<i>Assess whether alcohol or drug use disrupts the youth's life. Disrupted functioning involves problems in: education, family conflict, peer relationships, or health consequences. Disrupted functioning usually indicates that treatment is warranted. Indicate whether alcohol and/or drug use often contributes to criminal behavior; their use typically precipitates committing a crime, there is evidence or reason to believe the youth's criminal activity is related to alcohol and/or drug use.</i>			
11a. <b>History of alcohol use:</b>	Past use of alcohol Alcohol disrupted education Alcohol caused family conflict Alcohol interfered with keeping pro-social friends Alcohol caused health problems Alcohol contributed to criminal behavior	<input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes	0 2 2 2 2 2
11b. <b>History of drug use:</b>	Past use of drugs Drugs disrupted education Drugs caused family conflict Drugs interfered with keeping pro-social friends Drugs caused health problems Drugs contributed to criminal behavior	<input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes	0 2 2 2 2 2
11c. <b>Alcohol use within the previous 4 weeks:</b>	Current alcohol use not disrupting function Alcohol disrupts education Alcohol causes family conflict Alcohol interferes with keeping pro-social friends Alcohol causes health problems Alcohol contributes to criminal behavior	<input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes	0 2 2 2 2 2
11d. <b>Drug use within the previous 4 weeks:</b>	Current drug use not disrupting function Drugs disrupt education Drugs cause family conflict Drugs interfere with keeping pro-social friends Drugs cause health problems Drugs contribute to criminal behavior	<input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Yes	0 2 2 2 2 2
<b>Sum of 11a to 11d: _____</b>	<b>Maximum score of 2 points</b>		<b>0</b> <b>2</b>
<i>For abuse and neglect, include any history that is suspected, whether or not substantiated; exclude reports of abuse or neglect proven to be false.</i>			
12a. <b>History of physical abuse:</b> <i>Include suspected incidents of abuse, whether or not substantiated, but exclude reports proven to be false.</i>	<input type="radio"/> Not a victim of physical abuse <input type="radio"/> Physically abused by family member <input type="radio"/> Physically abused by someone outside the family		0 1 1
12b. <b>History of sexual abuse:</b> <i>Include suspected incidents of abuse, whether or not substantiated, but exclude reports proven to be false.</i>	<input type="radio"/> Not a victim of sexual abuse <input type="radio"/> Sexually abused by family member <input type="radio"/> Sexually abused by someone outside the family		0 1 1
<b>Sum of 12a and 12b: _____</b>	<b>Maximum Score of 1 point:</b>		<b>0</b> <b>1</b>
13. <b>History of being a victim of neglect:</b> <i>Include suspected incidents of neglect, whether or not substantiated, but exclude reports proven to be false.</i>	<input type="radio"/> Not victim of neglect <input type="radio"/> Victim of neglect		<b>0</b> <b>2</b>

<p>14. <b>Mental health problems:</b> <i>Such as schizophrenia, bi-polar, mood, thought, personality and adjustment disorders. Exclude substance abuse and special education since those issues are considered elsewhere. Confirm by a professional in the social service/healthcare field.</i></p>	<p><input type="radio"/> No history of mental health problem(s)  <input type="radio"/> Diagnosed with mental health problem(s)  <input type="radio"/> Only mental health medication prescribed  <input type="radio"/> Only mental health treatment prescribed  <input type="radio"/> Mental health medication and treatment prescribed</p>	<p>0 1 1 1 1</p>
<p><b>Social History Score: (Maximum of 18 points)</b> _____</p>		

**Pre-Screen Attitude/Behavior Indicators**

<p>15. <b>Reports/evidence of violence not included in criminal history:</b> <i>Includes displaying a weapon, deliberately hurting someone, violent outbursts, violent temper, fire starting, animal cruelty, destructiveness, volatility, and intense reactions.</i></p>	<p><input type="radio"/> No reports of violence that are not included criminal history  <input type="radio"/> Reports of violence that are not included in criminal history</p>
<p>16. <b>Problem with sexual aggression not included in criminal history:</b> <i>Reports of aggressive sex, sex for power, young sex partners, voyeurism, exposure, etc..</i></p>	<p><input type="radio"/> No reports of sexual aggression that are not included in criminal history  <input type="radio"/> Reports of sexual aggression that are not included in criminal history</p>
<p>17. <b>Accepts responsibility for anti-social behavior:</b></p>	<p><input type="radio"/> Accepts responsibility for anti-social behavior  <input type="radio"/> Minimizes, denies, justifies, excuses, or blames others  <input type="radio"/> Accepts anti-social behavior as okay  <input type="radio"/> Proud of anti-social behavior</p>
<p>18. <b>Attitude toward responsible law abiding behavior:</b></p>	<p><input type="radio"/> Abides by conventions/values  <input type="radio"/> Believes conventions/values sometime apply to him or her  <input type="radio"/> Does not believe conventions/values apply to him or her  <input type="radio"/> Resents or is hostile toward responsible behavior</p>
<p>19. <b>Belief in yelling and verbal aggression to resolve a disagreement or conflict:</b></p>	<p><input type="radio"/> Believes verbal aggression is rarely appropriate  <input type="radio"/> Believes verbal aggression is sometimes appropriate  <input type="radio"/> Believes verbal aggression is often appropriate</p>
<p>20. <b>Belief in fighting and physical aggression to resolve a disagreement or conflict:</b></p>	<p><input type="radio"/> Believes physical aggression is never appropriate  <input type="radio"/> Believes physical aggression is rarely appropriate  <input type="radio"/> Believes physical aggression is sometimes appropriate  <input type="radio"/> Believes physical aggression is often appropriate</p>

**Risk Level Definitions Using Criminal History and Social History Risk Scores**

Criminal History Score	Social History Risk Score		
	0 to 5	6 to 9	10 to 18
0 to 2	Low	Low	Moderate
3 to 4	Low	Moderate	High
5 to 7	Low	Moderate	High
8 to 31	Moderate	High	High

**Risk Level:**

# SECTION G.

# GLOSSARY of TERMS

## **ADJUDICATION HEARING –**

(also called a Fact-finding) The trial court proceeding in which it is determined whether the allegations of the Criminal Information are supported by legally admissible evidence.

## **ARRAIGNMENT HEARING –**

The Juvenile is advised of the charges against him/her, rights, including right to counsel, and may enter a plea of guilt or not guilty.

## **AT RISK YOUTH –**

A legislated program designed to assist and enable parents to gain control of their children through court intervention.

## **CASA –**

Court Appointed Special Advocates, appointed to protect the best interest of a child or children involved in a Dependency Court proceeding.

## **CHINS –**

The acronym for Child In Need of Services is similar to the At-Risk Program except that when a CHINS is filed for a child there is a need to remove the child from the home while the court intervention and family assistance takes place.

## **COURT SERVICES –**

Agency who, under the direction of the superior court, assists the court in processing juvenile cases filed by the persecutor's office and other entities

## **CRIME –**

See Offense.

## **CRIMINAL INFORMATION –**

The document filed by the State charging a juvenile with a criminal offense.

## **CROSS-EXAMINATION –**

Questions asked of a witness by the attorney for the party who did not call the witness to testify.

## **DECLINE –**

The judicial transfer of a case from the juvenile court to adult court for adjudication.

### **DEFENSE ATTORNEY –**

An attorney employed by the defendant or the Public Defender's Office whose job is to represent the juvenile defendant's interests in criminal proceedings.

### **DEPENDENCY –**

Dependency court proceedings address the needs of children regarding abuse and/or neglect, abandonment, no parent/guardian or that are developmentally disabled. Juvenile Services court clerk processes submitted petitions regarding these allegations.

### **DETENTION –**

A secure lockdown facility located within the local community for the detainment of juveniles held under order if the court or sentenced as offenders. Adult equivalent is jail.

### **DISCOVERY –**

The process by which the prosecutor and defense attorney learn of the evidence the other party will present at trial.

### **DISPOSITION –**

A sentencing hearing where a juvenile offender is given a court ordered sanction or commitment for the offense they are found guilty of.

### **DIVERSION –**

Diversion is a legal process whereby first time juvenile offenders alleged to have committed certain minor offenses are offered an alternative to the formal court process. Instead of formal court proceedings, the juvenile meets with the diversion counselor retained by the juvenile department and signs a diversion contract which requires the juvenile to admit to the alleged offense. The diversion can require as little as a “counsel and release” warning the juvenile not to re-offend, or it can also require the juvenile to participate in counseling or complete some community service hours. Diversion is not a finding of guilt or adjudication; however, it is considered “criminal history” for future offenses. If a juvenile fails to complete diversion, or, if they decide not to sign the contract or appear, the case will be referred back to the prosecutor for filing in court.

### **FACT-FINDING –**

See Adjudication Hearing.

### **DETENTION HEARING –**

A hearing to determine whether a juvenile should be detained or released.

### **JUVENILE –**

Any individual who is under the chronological age of eighteen years and has not been previously transferred to adult court and is not otherwise under adult court jurisdiction.

**JUVENILE COURT –**

A statutory division of superior court which had the exclusive authority to decide what happens to juveniles accused of breaking the law, or whose parents cannot care for them, or whose behavior makes them "at risk" or "in need of services." Counties operate the juvenile courts in Washington State.

**JUVENILE OFFENDER –**

Any juvenile who has been found by the juvenile court to have committed an offense.

**PROSECUTOR –**

The elected county official whose job is to prosecute persons including juveniles, accused of committing offenses.

**JUVENILE REHABILITATION ADMINISTRATION –**

The State agency (under the D.S.H.S. system) that manages various secured juvenile facilities equivalent to secure prison for long term commitment of juvenile offenders.

**OFFENSE –**

An act if committed by an adult would constitute a crime.

**PARENT –**

The term "parent" as used here means the juvenile's parent, legal guardian, or custodian. Parents are an important part of juvenile court. Studies show that when a parent goes to a diversion meeting or comes to court, the juvenile has a better chance of staying out of trouble in the future.

**PLEA AGREEMENT –**

Negotiation of an agreement between the prosecutor and the juvenile, by way of his/her defense attorney that results in different charges being filed, and/or in an agreed recommendation for the disposition of a juvenile offense.

**PRE-ADJUDICATION –**

Events that occur before the Adjudication Hearing.

**PRE-ADJUDICATION INTERVIEWS –**

Informal interviews conducted by the prosecutor or defense attorney before the trial at which victims and witnesses are questioned about their knowledge of the crime(s).

**PREDISPOSITION REPORT –**

A report prepared by a probation officer for the Judge's consideration at the Disposition Hearing. This report includes a review of the juvenile's behavior and family history.

### **PROBATION –**

Community supervision of a juvenile offender by a dedicated probation officer from the juvenile department. Supervision can include curfews, following home rules, attending school, having restricted contact with others, paying restitution, and any other conditions the court deem necessary for the proper adjustment of the juvenile's lifestyle, so long as reasonably related to the offense. Violation of probation can result in detention time being imposed by the court.

### **PROBABLE CAUSE –**

A determination made by the Judge as to the likelihood that the juvenile committed the offense.

### **RESTITUTION –**

The amount of money a juvenile is court ordered to pay the victim as a result of the offense to restore the victim to the condition they were in before the crime occurred. This can include costs to repair damaged property, medical cost actually incurred, lost wages, and counseling where deemed necessary.

### **SUBPOENA –**

A legal document requiring the person named in the subpoena to appear on a stated day and time at a specified court to give testimony in a case.

### **TESTIMONY –**

A statement or declaration made to establish a fact or facts and given under oath.

### **TRUANCY –**

Juveniles who do not attend school are referred to the court for attendance action. Juveniles can appear before a Truancy Board or the court and are ordered to school. If they fail to attend they can be ordered to serve time in detention as a remedial sanction.

### **WITNESS –**

A person who testifies at an Adjudication Hearing.



