



# Transforming Education Data Sharing for Nebraska's Court-Involved Students

*Improving Academic Outcomes Through Cross-Agency Collaboration*

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# Introduction

Much of Xavier's young life was marked by his mother's struggle with kidney disease. They faced constant instability and spent many years couch surfing, living in a motel, or sleeping in their car while she was in and out of the hospital, unable to hold a steady job. Despite the challenges, Xavier's mom dreamed of him going to college. But at school he struggled academically, often finding it hard to concentrate in class. As he got older, his attendance became sporadic — and when he did show up to school, he was frequently distracted, restless, and disruptive.

When Xavier was 12, his mother died of renal failure awaiting a transplant. Without any close family to go to, he was placed in a foster home in Scottsbluff, Nebraska — 450 miles from Omaha. He was more withdrawn than ever and often skipped class to hang out with a group of older kids in the neighborhood. Over the next three years, he changed placements frequently — never remaining in one home long enough to build a sense of community.

At 16 years old, Xavier was involved in an armed robbery. His case went to court, and he was placed in a secure juvenile facility. At this point, Xavier had been a student in three different school districts. He had very few credits accrued toward graduation and missed large chunks of the foundational learning needed to participate in grade level classes.

Two years later, by age 18, Xavier had bounced around four more school districts and spent time in three different juvenile facilities. During each transition, his education records thinned, and, because records were incomplete — and sometimes incorrect — he found himself repeating the same coursework multiple times. Despite attending school much more regularly in a secure juvenile facility, he learned that he would not have enough credits to graduate. By then, he did not trust the adults who tried to encourage him to prioritize his schooling. Instead, Xavier dropped out of high school after his release and has struggled to find stability ever since. His girlfriend is now expecting their first child.<sup>1</sup>

***"I've been to five different high school programs because I have no steady place to stay or because of things I've done. A lot of my credits were lost in these transitions. When I went from one placement to another, they wouldn't accept my credits. I've done everything and all my credits have been lost, so I've just given up. The lack of communication and disorganization is bad."***<sup>2</sup>

—Student in a Secure Juvenile Facility, Nebraska

Xavier is just one example of the many young people in Nebraska facing the challenges and consequences of involvement with the foster care and juvenile justice systems. The state is home to approximately 4,100 young people in foster care, incarcerated youth, youth on probation, youth in residential treatment facilities, and youth with concurrent adjudications, like Xavier.<sup>3</sup> These young people are often referred to as "systems-involved" to indicate their connection with one of the state's formal youth-serving systems, which include Nebraska's Department of Health and Human Services (DHHS), Department of Education (NDE), the Courts, and the Probation Division (both agencies of the Judicial Branch). Systems involvement can be the result of a young person's actions (e.g., adjudicated as delinquent), the actions of their caregivers (e.g., foster care), or a combination of these factors (e.g., "crossover youth").

Students who are systems-involved or, as this case study refers to them, "court-involved," retain all their rights to education, including their entitlement to general and special education services under state and federal law (Sidebar 1). Court-involved students are educated in a variety of settings ranging from traditional public schools to placements (an arrangement in which a youth is placed in a structured, supervised congregate care living environment outside their home) in secure facilities, residential treatment centers, and more.

Providing those education services at a high level of quality is complex and challenging, as court-involved students are often highly mobile, have concentrated needs, and may have missed significant stretches of school.

Precedent-setting legal cases like *Goss v. Lopez*, *In re Gault*, and *Roper v. Simmons* recognize that education is critical to the development of court-involved students and suggest a higher likelihood of rehabilitation and developmental potential among juveniles than among adults.<sup>4</sup> Meanwhile, researchers and justice-oriented organizations emphasize the importance of providing youth with high-quality educational services during incarceration to improve recidivism rates, the transition back to school, graduation rates, employability, and other future outcomes.<sup>5</sup> If education is not viewed as a primary and life-changing component of their out-of-home placement, court-involved students are unlikely to receive the support they need to thrive.

A successful approach to providing a high-quality education for court-involved students requires that systems can and do move education records — such as transcripts, attendance records, assessments, and special education plans — between schools as quickly as the youth themselves are moving. The efficiency and completeness of education records transfer is crucial for a more seamless and appropriate educational experience. Just like in any other education setting, these records ensure a young person is enrolled in the right coursework, receives the proper special education services, and, overall, has their needs met no matter where they attend school.

For decades, Nebraska's approach to sharing education records for court-involved students has been inefficient and ineffective, making it difficult to track any one student's academic history, attendance, and services. As a result, providers across the state's educational settings, whether in a secure facility, a residential treatment center, or a traditional public school, are typically unable to access the up-to-date records they need to deliver coherent and high-quality educational services. Delays in data transfer and/or incomplete records prohibit court-involved students from enrolling

## SIDEBAR 1

### Defining Court-Involved Students

This case study uses the term “court-involved” to encompass the broad experiences of young people under a court’s jurisdiction, including youth in foster care, youth in juvenile facilities, and those on probation. This term acknowledges that even though court involvement is a temporary legal status, its effects often have long-term implications that shape an individual’s life. By using inclusive, person-centered language, this case study emphasizes the systemic nature of these challenges rather than defining individuals by their circumstances and recognizes the enduring influence of court involvement on a young person’s future. Other terms in the field may include “system(s)-involved,” “justice-involved,” “incarcerated youth,” “adjudicated youth,” and “directly impacted youth” (Appendix A).

in, attending, and thriving in the proper coursework and receiving any relevant special education services. This means that court-involved students in Nebraska may be missing critical instructional hours or be placed in repetitive courses — causing frustration, increased disruptive behavior, truancy, and, ultimately, disengagement.

Silos between Nebraska’s child-serving state agencies have exacerbated this problem. Historically, efforts by Nebraska’s DHHS, NDE, Courts, and Probation Division to improve cross-agency data sharing for court-involved students were well-intentioned but largely unsuccessful.

***“Nebraska tried to accomplish this type of collaboration for years; yet it didn’t come together. State leaders shared with me that this time is different.”<sup>6</sup>***

—Dr. Lynette Tannis, Juvenile Justice Education Expert



However, in January 2023, Sen. John Arch, speaker of the Nebraska Unicameral Legislature, introduced LB 708 (later amended into LB 705) to *Require the Office of Probation Administration, the State Court Administrator, the State Department of Education, and the Department of Health and Human Services to enter into a memorandum of understanding for the sharing of data relevant to students who are under the jurisdiction of the juvenile court.*<sup>7</sup> In June 2023, the bill was passed by a 35-1 vote, demonstrating a commitment by the Nebraska legislature — a nonpartisan body — to create innovative policies and procedures for comprehensive and secure data sharing for court-involved students.<sup>8</sup> With Nebraska Revised Statute (NRS) §79-303.01 in place, the message to the four named agencies was clear: There must be a collaborative endeavor to address the educational experiences and outcomes of court-involved students in the state.<sup>9</sup>

Bellwether, chosen as the partner mandated by NRS §79-303.01, began a nine-month effort to support a team of state leaders from Nebraska’s youth-serving agencies in creating a recommendation and implementation plan to centralize — and improve — many of the education data-sharing functions that are currently being used in inefficient and duplicative ways by state agencies, school districts, and various placements.

This case study details Bellwether’s approach to building and implementing a centralized records service, anchored on the real experiences of youth in Nebraska, to improve education data sharing for court-involved students.<sup>10</sup>

***“Bellwether’s [work] expertly identifies the unique challenges faced by system-involved youth in the education space. Bellwether’s solution-focused analysis, coupled with the commitment of all three branches of government, will result in more opportunities for these students to achieve academic success.”<sup>11</sup>***

—Sen. John Arch, Speaker, Nebraska Legislature



# Nebraska's Court-Involved Students Face Considerable Challenges Throughout Their Young Lives

Most recent data show that, on any given day, nearly 28,000 young people are held in juvenile justice facilities across the United States.<sup>12</sup> Meanwhile, over the course of a year, approximately 370,000 youth spend time in foster care.<sup>13</sup> Both populations have seen steady decreases, with the juvenile justice population declining 75% over the past two decades and the foster care population declining slightly in more recent years (Sidebar 2).<sup>14</sup>

In juvenile justice facilities, approximately two-thirds are youth of color and 86% are male.<sup>15</sup> Black youth are more likely than white youth to be in custody in every state but Hawaii.<sup>16</sup> Black youth make up 42% of juveniles in residential placement, white youth 32.9%, Hispanic youth 19.7%, Native American 2.1%, and Asian American 1%.<sup>17</sup> This disproportionality is echoed within the foster care system, with Black youth making up 23% of youth in the system, but only 13.8% of the overall youth population.<sup>18</sup> White youth make up 43% of the foster care population (compared to 48.8% of overall youth), Hispanic youth 22%, Asian American youth 1%, Native American youth 2%, and multiracial youth 8%.<sup>19</sup>

Crossover youth, or youth with involvement in both systems, experience compounded challenges. According to research, youth in foster care are much more likely than their peers to become involved in the criminal justice system, with more than 50% of youth in care experiencing an arrest, conviction, or overnight stay at a correctional facility by age 17.<sup>20</sup> Crossover youth have greater risk factors than youth involved in a single system, and are often entering either system with frayed social or family connections, a history of abuse or neglect, significant trauma, substance abuse issues, unmet mental health needs, and more.<sup>21</sup>

Research shows that students who receive a high-quality education while in juvenile justice facilities are more likely to see positive outcomes upon release.<sup>22</sup> However, as Bellwether's "Double Punished" report describes, many juvenile justice education programs fail "to provide basic educational services to students, let alone high-quality programming."<sup>23</sup> Instead, "students in these programs are held to lower academic standards than their peers in traditional settings (i.e., schools outside the juvenile justice system), have less access to higher-level coursework, and are taught by educators who have not been adequately prepared or supported."<sup>24</sup> The lack of engaging, relevant, and, oftentimes, credit-bearing coursework for a population of students with already low aspirations, a history of truancy, and multiple disciplinary infractions leads to disengagement and, ultimately, dropout.<sup>25</sup> One study estimates that only about one-third of youth return to school after their release from custody.<sup>26</sup> On top of that, incarcerated youth are far less likely to ever graduate from high school compared to their non-detained peers.<sup>27</sup>

Much like their peers in the juvenile justice system, youth in foster care face negative educational experiences and outcomes. Research shows that youth in foster care are more likely to have poor standardized test scores and receive failing grades than their peers.<sup>28</sup> They are far more likely to change schools during the school year, and nearly one-third repeat a grade level.<sup>29</sup> Without the proper academic and social-emotional supports, youth in foster care are vulnerable to school dropout.<sup>30</sup> Nationwide, an estimated 50% of youth in foster care graduate from high school — a significantly lower rate than that of other students.<sup>31</sup>

## SIDEBAR 2

### Defining ‘Youth’

This case study discusses young people who are justice-involved, young people in foster care, and those involved in both systems in response to the legislative mandate of NRS §79-303.01. Comparing data across these three populations is challenging, particularly given how a source refers to young people and how state laws set ages of eligibility. Some research uses “youth,” while other sources use “children” or “students” — different data sources contemplate different age ranges for different reasons. These terms may be used interchangeably to allow comparisons of existing data that employ differing terminology, acknowledging that precise definitions may vary while maintaining the focus on broader trends and insights.

When it comes to age ranges, there are not always clear and meaningful cutoffs that can apply across state and national datasets and/or between foster care, juvenile justice, and crossover youth populations. Many states do not have a statutorily set minimum age for prosecuting children in juvenile court, while the majority of states set an upper age limit at 17 for delinquency offenses.<sup>32</sup> In some states, young people can be transferred to adult court at age 15 and in others, they may remain under the jurisdiction of the juvenile court until their 25th birthday. In Nebraska, anyone as young as age 11 who has committed an act that would constitute a felony is under the jurisdiction of the juvenile court.<sup>33</sup> Meanwhile, children can be born into foster care with services typically ending at age 18. Nebraska offers an extended foster care program, known as Bridge to Independence, that provides support for people between the ages of 19 and 21 as they transition from foster care to adulthood.<sup>34</sup>

In education settings, these terms get even more jumbled. For example, a 20-year-old with an individualized education program (IEP) is still a student, even if they are not considered a youth. In Nebraska, the age of majority (i.e., the age at which an individual is legally considered an adult) is 19, not 18, so a young person can still be classified as a juvenile even if they are no longer seen as a child.<sup>35</sup> Therefore, for the purpose of this case study, Bellwether anchors as much as possible on the term “students” and refers to the focal population as “court-involved students.” This is due to reasoning listed earlier in the case study and backed up by Nebraska’s compulsory attendance law.<sup>36</sup>

## Court-involved students experience adverse educational outcomes.

National demographic trends of court-involved students extend to Nebraska. Although the state’s population of traditional public school students is approximately 7% Black, Black youth make up 30% of the population in juvenile justice facilities.<sup>37</sup> In fact, Black and Hispanic youth alone make up 50% of the population in Nebraska’s juvenile residential facilities, with white youth underrepresented at 38% compared to 65% in traditional public schools.<sup>38</sup> Within Nebraska’s foster care system, most recent estimates show that Hispanic or Latino, Black, and multiracial youth make up 50% of youth.<sup>39</sup> White youth make up 44% of Nebraska’s foster care population.<sup>40</sup>

There is no single set of high-quality data describing the population of court-involved students in Nebraska (partly due to the data-sharing issues detailed later in this case study). Without comprehensive data, it is difficult to determine the nature and quality of the educational programming that court-involved students receive. However, the available data on outcomes for youth in Nebraska mirrors the national landscape. For students classified as “systems-involved,” proficiency on both English language arts (ELA) and Math ACT tests are in the single digits (6.3% and 3.6%, respectively). Systems-involved students are much more likely to be chronically absent, drop out, and not graduate after four years compared to their peers (Table).

TABLE: SYSTEMS-INVOLVED STUDENT OUTCOMES IN NEBRASKA

Outcome	All Students	Systems-Involved Students <sup>41</sup>
4-Year Graduation Rate	87.0%	15.6%
Dropout Rate	1.4%	8.0%
Chronic Absenteeism Rate	28.6%	68.5%
Scored Proficient on ELA ACT	46.9%	6.3%
Scored Proficient on Math ACT	43.1%	3.6%

Note: Data as of school year (SY) 2022-23.

The state’s current approach to education data sharing is inefficient for adults and disruptive for students.

Although a seemingly small piece of a much larger system with many challenges, education data sharing for court-involved students meaningfully affects a young person’s educational outcomes. Court-involved students are a highly mobile population and may attend multiple schools over the duration of a year and throughout their childhood. Consistency in a highly mobile young person’s educational experience relies heavily on the rapid movement of their education data (e.g., transcripts reflecting credit accumulation, IEPs, disciplinary records) between schools.

Like many states, Nebraska’s education data-sharing system for court-involved students has fallen short of advancing a high-quality educational experience. Nebraska’s data systems lack necessary integration across and within DHHS, NDE, the Courts, and the Probation Division to facilitate direct care staff’s quick compilation of education information on a court-involved student. Instead, staff must piece together informal methods of acquiring data, typically through multiple rounds of phone calls, emails, and faxes, to determine residency and gather as much data as they can about students’ education history. In some instances, direct care staff rely on youth and their parents or guardians to be the keepers of information on their history, previous coursework, special education needs, and other factual details. The information that does exist often does not arrive at a student’s new school promptly.

This piecemeal method of data acquisition is particularly acute for crossover youth who have been engaged in multiple systems, as staff members must conduct individual investigations to determine which agency is likely to have the most recent information about a student. A significant lack of collaboration and trusting relationships among agencies further hinders comprehensive, efficient data sharing.

*“For decades, we’ve been picking up the phone and calling for records or having to visit a school to track down information. This has been a consistent practice.”<sup>42</sup>*

—NRS §79-303.01 Steering Committee Member

Ineffective data sharing is enormously consequential for Nebraska’s court-involved students, who may be missing critical instructional hours or be placed in repetitive courses resulting from the flawed system. Court-involved students often feel frustrated, disheartened, or detached from their education and, as a result, act out, skip classes, or drop out. This dynamic results in a double punishment for youth: “The punitive experience of incarceration for their alleged offense and the potentially catastrophic disruptions of their educational pathway. The long-term consequences of this corroded system are severe, and they fall disproportionately on young people who are already marginalized.”<sup>43</sup> Arguably, this double punishment exists for youth in foster care and crossover youth as well, who experience multiple barriers to attaining a high-quality



education throughout their lives, coupled with increased odds of incarceration, neglect, and other trauma.

Not only is this system costly for youth, but it is also costly for the state. Using a detailed model, Bellwether estimates that the cost to serve the approximately 6,300 youth in Nebraska experiencing a disruptive event (i.e., incarceration, foster care, homelessness, unplanned pregnancy) today, plus the corresponding disruptive events these young people experience in adulthood, will cumulatively cost the state approximately \$7.9 billion. The status quo is enormously expensive, and failing to fix it costs money every day (Figure 1).

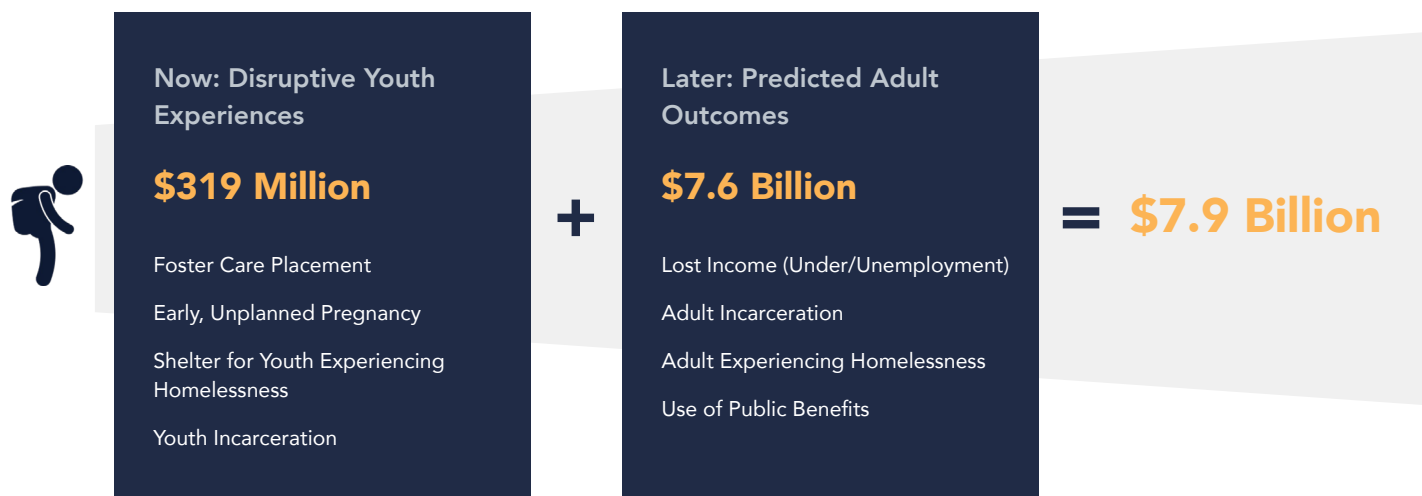
Until recently, any effort to reform Nebraska's education data-sharing policies and procedures and increase collaboration between youth-serving agencies had stalled due to funding concerns and failed legislation. With the June 2023 passage of NRS §79-303.01, data sharing became a top priority and a shared commitment in the state. The statute established a mandate for the development and execution of a data-sharing Memorandum of Understanding (MOU) among NDE, DHHS, and the Judicial Branch (via the Office of Probation Administration and the State Court Administrator) to share data relevant to students who are under the jurisdiction of the juvenile court.<sup>44</sup>

**FIGURE 1: THE COST OF A FRAGMENTED SYSTEM OF SOCIAL SERVICES IN NEBRASKA**

### Nebraska will spend at least \$7.9 billion to address the lifetime effects of disruptive events impacting today's young people.<sup>45</sup>

*Right now, one disruptive event in a young person's life cascades into another and leads to long-term effects in adulthood. Public agencies end up spending more because systems of support for youth are not as effective as they could be.*

This means the state spends \$1.2 million for every youth experiencing disruptions in Nebraska.



# Fostering Cross-Agency Collaboration Helps to Improve Education Data Sharing

In February 2024, in partnership with DHHS, NDE, and the Judicial Branch (via the Office of Probation Administration and the State Court Administrator), Bellwether began the statutorily mandated work to conduct research on the current state of data sharing and stakeholder engagement. Bellwether used a human-centered design model — an approach centered on the needs of those most impacted by ineffective or harmful policies or practices — to develop a recommendation for improving cross-agency data sharing for court-involved students in Nebraska (Sidebar 3).

At the onset of the work, Bellwether assembled a leadership team of 19 representatives from DHHS, NDE, the Courts, and the Probation Division and invited these individuals to participate in monthly meetings. With support and facilitation from Bellwether, the leadership team developed the core commitments and design principles that served as the foundation for the recommendation Bellwether eventually created. The leadership team also provided feedback and input, debating the finer points of the final recommendation for a new centralized approach to education data sharing for court-involved students.

A steering committee of five top agency leaders was also established and tasked with the final review of and input on the leadership team's work. These working groups were instrumental to the human-centered design process, serving as experts on the numerous complex components of each agency's system of support for young people. In the end, the leadership

and steering committee members not only offered helpful insights to the Bellwether team, but they also built relationships with one another and clarified the obscure or confusing aspects of their own agencies' processes and procedures.

The regular interactions among leadership team members during monthly meetings began to break down silos between agencies and create a more collaborative approach to serving Nebraska's court-involved students. Aided by the human-centered design process, purposeful stakeholder engagement, and ongoing touchpoints with the leadership team and steering committee, Bellwether built a deep understanding of Nebraska's current approach to education data sharing for these students.

***"It often takes an outside organization or entity to 'force' everyone into the same room to come to conclusions to solve problems. While each MOU partner supports students in their own ways, it wasn't until we were tasked with finding solutions to a complex problem that results came to fruition. Having access to evidence-based options, seeing how other states have responded to similar issues, and analyzing Nebraska-based examples grounding us in the 'why' led to a strong end product."*<sup>46</sup>**

—NRS §79-303.01 Leadership Team Member

## Bellwether's Human-Centered Design Approach

Human-centered design offers strategies for developing policies and systems that are created with and responsive to the people they serve.<sup>47</sup> In the case of Nebraska, this meant collaborating with leaders from youth-serving state agencies and engaging with other public agency staff, Nebraska professionals, direct service providers, and national experts. This also meant spending time in juvenile facilities and interacting with students and site-based staff. The core components of Bellwether's human-centered design included monthly convenings of a leadership team and steering committee, an extensive stakeholder engagement process, and the development of six comprehensive use cases that describe the types of data-sharing scenarios that will confront students, educators, and system leaders.

**Engaging a leadership team and steering committee broke down silos.** Each step of the work was conducted in partnership with the leadership team across five monthly meetings. These meetings were guided by four commitments and six design principles crafted by the leadership team during the project's early stages.

### Commitments and Design Principles

The following commitments created a collaborative and trusting dynamic for the leadership team to work through their understanding of research findings, agree upon design principles with the highest impact for potential solutions, and brainstorm, refine, and finalize solutions:

1. **Collaboration:** We commit to breaking out of our silos, collaborating more effectively across agencies, and forging long-term partnerships to better share data on court-involved students, as allowed by law.
2. **Shared Learning:** We commit to learning more about each agency's work and sharing critical knowledge and guidance about sharing data with each other.
3. **Centering Youth and Families:** We commit to centering court-involved students and their families and guardians in all decisions.
4. **Intentional Focus:** We commit to staying focused on the specific needs of court-involved students, while remaining mindful of other youth in the state who might also benefit from improved data sharing.

In addition to the commitments, Bellwether, the leadership team, and the steering committee used six design principles throughout the project to develop and refine a new approach to data sharing for court-involved students. These design principles are meant to articulate the group's values and priorities as they worked toward a new system of education data sharing:

1. **Accurate:** Shared education data needs to be correct, complete, and comprehensive.
2. **Collaborative:** The four state agencies must be allowed, encouraged, and incentivized to cooperate.
3. **Mission-Focused:** Improving the educational experience of court-involved students is the ultimate purpose of a new approach to data sharing.
4. **Rapid:** Information must be transferred to the appropriate party quickly enough that students' educational programming is not interrupted.
5. **Secure:** A new approach to data sharing must ensure that data is only accessed for approved purposes and only by those who need it, when they need it.
6. **Simple:** All staff should be able to consistently put information in and take information out.

**Stakeholders from across Nebraska contributed to key findings in the work.** From March through July 2024, Bellwether conducted interviews and focus groups with more than 75 public agency staff and other Nebraska professionals. Bellwether also visited seven juvenile facilities and conducted interviews and focus groups with 37 students and 24 site-based staff, held weekly office hours, held a parents- and families-only virtual meeting, distributed surveys in English and Spanish to all stakeholders, and circulated a monthly newsletter providing progress updates on the work. In addition to stakeholders in Nebraska, Bellwether also interviewed more than a dozen national experts on state longitudinal data systems, cross-agency data-sharing agreements, and federal privacy laws. Each of these touchpoints laid the foundation for the analysis of the current state and creation of high-impact solutions for Nebraska's education data sharing for court-involved students.

**Use cases helped to ground the project team's work in the real experiences of students.** The final component of the human-centered design approach was a set of six "use cases." A use case is a fictional story inspired by real events that highlights the journey a young person makes throughout Nebraska's systems and the key transition points in their life that may be hindered by a lack of timely, comprehensive, and integrated data sharing. The use cases incorporate the unique and shared experiences of students under the care of the different MOU agencies, the staff who interact with them, and the processes they are subject to when transitioning between educational settings. Use cases were informed by the stakeholder engagement process and reviewed for accuracy by the leadership team. The stories of Andre, Elijah, Mikey, Brianna, Amir, and Sierra were important reference points for the team as they vetted possible solutions that could work for all, not just some, court-involved students.<sup>48</sup>

# Ineffective Data Sharing Disrupts Education Pathways for Court-Involved Students

Court-involved students in Nebraska attend school in a variety of settings, including the state's 244 school districts and 22 additional educational settings in detention centers, residential programs, correctional facilities, and rehabilitation centers.<sup>49</sup> These additional educational settings are primarily referred to as interim-program schools and special purpose schools.<sup>50</sup> The types of specialized schools included within the interim-program school category are those in secure detention centers, those hosted in residential programs, and those located in group homes or emergency shelters. Schools in adult correctional facilities (for youth adjudicated as adults), youth rehabilitation and treatment centers, job corps schools, and residential nonpublic schools are categorized as special purpose schools. Generally, the core educational purpose of these schools is to ensure that students accrue appropriate academic credit and progress toward high school graduation.

Nebraska's system of supporting and educating court-involved youth involves DHHS, NDE, the Courts, and the Probation Division. Each agency operates under federal and state law, as well as its own policies and rules governing data sharing, making it nearly impossible to establish consistent practices and produce the systemwide coordination needed to securely share education data. Within each agency there are proprietary data-sharing platforms that only agency staff are trained on and authorized to use. Additional background data on court-involved students is stored across these data platforms, and such records become increasingly complex and disconnected when a young person is highly mobile, a crossover case, frequently on the run, and/or moving in and out of the state.<sup>51</sup>



***“The problem we’re trying to solve varies depending on each user, with each requiring timely, thorough, detailed information sharing across all stakeholders who work with youth. This information will be utilized differently by each entity. The work we need to do is to consolidate all that information into one central location — not everyone needs every piece, but having it all together is crucial. ... Currently, none of this occurs in a timely manner; it’s largely on paper.”<sup>52</sup>***

—NRS §79-303.01 Leadership Team Member

Many different direct care staff provide educational and noneducational services to the court-involved students in interim-program, special purpose, and traditional public schools. For example, a justice-involved youth may have their own lawyer, a judge overseeing their case, a probation officer, a counselor or therapist, and a set of youth security supervisors at their facility, alongside educators, a site principal, and administrative staff. Direct care staff rely on educational data to inform how they will support court-involved students. These records help staff in countless ways, such as:

- Understanding students’ history and unique needs.
- Making placement, residency, or best-interest determinations.
- Planning for student coursework, supports, and credit accumulation.
- Contracting for or delivering special education services.
- Ensuring efficient reentry and transition.
- Tracking accountability of sites and student outcomes.

Every decision made using student data has a considerable impact on court-involved students and their educational outcomes. Without relevant historical and up-to-date information about students’ unique educational needs, system staff lack a robust evidence base to make well-informed decisions in students’ best interests.

When it comes to managing students’ education data at the site level, some interim-program or special purpose schools have their own student information system (SIS), or have access to the local district’s SIS, while others do not. Providers are often aided by school liaisons (at some sites this is an administrative assistant, while at others it is a more established role), who independently manage students’ credit accumulation and class assignments and are responsible for translating and securing academic credits for work completed in placement facilities. Under the current system, school liaisons are largely responsible for deciding (without any formal policy guidance) how students’ previous placements have contributed to their credit accumulation, and they use that information to make class assignment decisions so that the students can earn credits that will count toward graduation. Once a student is ready to return to a traditional school, the liaison must again translate the work the student completed into credits that align with the receiving school’s structure and graduation requirements (Sidebar 4).



## Accounting for and Awarding Credits Toward Graduation

Credits are the units of measurement for course completion and must be accrued in sufficient quantity and type for students to become eligible for high school graduation. When students move from one educational setting to another, their credits must be transferred — a process that is neither straightforward nor simple. The current state of credit transfer for court-involved students has three specific components, each with its own challenges: variations in graduation requirements, accounting for credits, and awarding credits.

**Graduation requirements vary across the state.** All students in Nebraska must complete at least 200 credit hours to graduate high school, with 80% of the hours covering core curriculum courses.<sup>53</sup> Additional credit requirements for graduation may also be imposed by districts beyond the 200, with district policies governing the process of evaluating and accepting prior credits. Districts can also require different amounts of foreign language, fine arts, or technology credits.

Meaningful differences in graduation requirements across districts create significant challenges for court-involved students. When these students move between districts as they transition from one placement to another, translating credits from one system to the next becomes increasingly complex, leading to duplicated coursework, missed opportunities for credit accrual, and students feeling like the goalposts keep moving due to ever-changing requirements.

**Credit accounting processes within districts are not designed to benefit court-involved students.** In addition to differences in graduation requirements, staff must know how each school or district translates instructional units (900 minutes equals one instructional unit) into credits, the units of measurement for transcripts that accrue toward eligibility for graduation. The calculations vary significantly and are not always resolved with simple arithmetic. For example, in Lincoln Public Schools, students must take five social studies courses totaling 30 credits (four courses with five credits each and one course with 10 credits). Meanwhile in nearby Omaha Public Schools, seven social studies classes would have seven credits, as each is recorded as a single credit, and students only need to earn 49 total credits to graduate.<sup>54</sup>

These discrepancies make it difficult for staff to properly account for and award credits to transfer students who arrive from outside their school or district, particularly midway through the school year. During the admissions process, staff at interim-program schools must determine the credits a student has already earned, map them to the classes they provide, and then align that work with the graduation requirements in the district to which the student will transfer. There is no formal process supporting these credit calculations and translations, making it difficult to properly place students and ensure they are enrolled in credit-bearing, transferable courses aligned with their future school's graduation requirements.

*“These kids have a lack of trust. If we tell them their credits transfer and then they don’t, we just become another adult who has lied to them.”<sup>55</sup>*

—Staff Member at a Secure Facility, Nebraska

**Schools decide if and how credits are awarded.** Public schools in Nebraska are required to accept academic credits earned at out-of-home placements but do have discretion over how and whether to award them.<sup>56</sup> This means that while credits will “count” toward the total required for graduation, the receiving district will almost always have the authority to make determinations about course equivalencies and whether certain credits meet the specific requirements for graduation.

Some schools — perhaps driven by reasonable concerns over the quality of education provided at interim-program schools — may accept the credits but award them as elective rather than core course credits. This can derail grade promotion and progress toward graduation, forcing students to repeat classes and decreasing the likelihood that they will ultimately graduate from high school.

Moreover, Nebraska has no clear policy on accepting and awarding partial course credits. This is a common and acute challenge for court-involved students who frequently move in and out of classes and school systems, as their placements are changed without regard to the academic calendar. Rather than accumulating partial credits that can be combined into full course credits, these students are far more likely to start courses from the beginning, repeating coursework over and over and falling further behind.

Nebraska's 244 school districts also play crucial roles in the management and sharing of education data for court-involved students. Besides accounting for and awarding credits toward distinct graduation requirements, districts are responsible for securely storing and distributing transcripts, grades, IEP information, certain demographic information, disciplinary infractions, and more for their resident students (Sidebar 5). In smaller districts, data sharing typically happens at the individual school level and relies on a guidance counselor or school secretary to transfer student records when a young person transitions to another district or court-ordered placement. In larger districts that see a higher volume of student transition to and from schools, this data transfer is handled by dedicated staff at the district level.

## SIDEBAR 5

### Good- and Bad-Faith Misinterpretations of the Family Educational Rights and Privacy Act (FERPA)

In interviews with Nebraska stakeholders, staff acknowledged that they were reluctant to share student data, citing both good- and bad-faith misreadings of FERPA and other data privacy restrictions. Staff across youth-serving agencies often point to confidentiality or privacy concerns during data requests. They "tend to hold up FERPA as a shield, even when it's not a real barrier."<sup>57</sup> School districts are equally hesitant, and, given the local control nature of the state, every district does data sharing in its own way. Each district's "lawyers might interpret FERPA differently, and they don't often look to FERPA for guidance on how we can share data. They'll use it based on what they want to or don't want to accomplish."<sup>58</sup>

Federal and state guidance cautions those responsible for sharing education records to carefully consider children's and parents' rights throughout the data-sharing process. However, these rights do not conflict with practices and procedures facilitating appropriate sharing of educational records. In fact, joint guidance from the U.S. Departments of Justice and Education emphasizes the importance of "the timely transfer of accurate education and related records [for students in juvenile justice secure care settings]."<sup>59</sup>

**FERPA enables the disclosure of certain education information for court-involved students.** At the highest level, under FERPA, disclosure of personally identifiable information regarding a student requires prior signed and dated written consent by a parent ("natural parent, guardian, or individual acting as a parent in the absence of a parent or guardian") or eligible student (age 18 or older or engaged in postsecondary education).<sup>60</sup> However, FERPA also provides many exceptions (with clear limitations) to the consent requirement that may apply to data sharing for court-involved students:

1. Enrollment in school<sup>61</sup>
2. Directory information<sup>62</sup>
3. Disclosure to the juvenile justice system before a child's adjudication<sup>63</sup>
4. Health or safety emergency<sup>64</sup>
5. Judicial order or subpoena<sup>65</sup>
6. Legally responsible child welfare case worker (Uninterrupted Scholars Act)<sup>66</sup>

Hesitancy by Nebraska school or agency staff to share information out of concern for statutory privacy protections does not appear to be based on actual legal restriction but rather on a broad misapplication of FERPA. Ultimately, such misinterpretation (whether in good faith or not) is likely to harm court-involved students who are not receiving the support or academic experiences they need to succeed if their data is not promptly and lawfully shared. The detailed exceptions provide a basis on which education data holders can securely and legally share important information about a court-involved student.



Although data-sharing relationships exist between school districts and among school districts and facilities in Nebraska, the actual manner in which the data is shared is often very low-tech, inefficient, and incomplete. Given the varied access to platforms that organize and export student data and the individual variations in the liaison role at different facilities, it is not surprising that there is no standardized way to collect, store, and share data across every interim-program and special purpose school. A court-involved student's data is more commonly shared via email, phone call, or paper copy among school staff (such as a liaison, a guidance counselor, or district personnel) than transferred through a secure electronic platform. And because court-involved students tend to be highly mobile or experience disengagement from school, the data that is shared has significant gaps or is out-of-date. So, when transition occurs, schools must expend significant time and effort locating the resident district or the facility where the student was last enrolled and manually obtaining the relevant academic records via phone, email, or an in-person visit.

As a result, court-involved students are asked to fill in the blanks in their records, miss out on critical instructional hours, enroll in repetitive coursework, or go without crucial special education services. The lack of consistent policies and systemwide coordination to efficiently and comprehensively share education data has detrimental, and in many cases destructive, effects on the lives of court-involved students.

***"I saw a kid who had 11 previous placements, but only two of them were actually inputted into our [data] system. Our state doesn't know what to do when a child moves around a lot and is only in one place for a few days."<sup>67</sup>***

—NRS §79-303.01 Leadership Team Member

## A variety of factors contribute to data-sharing failures.

*Bellwether found six primary and widespread factors that contribute to data-sharing failures in Nebraska.*

### DELAYED ACTIONS

Educational data, and key documents that enable data sharing, are not shared in a timely manner when court-involved students change schools.

*"The delays of getting transcripts and credit information make it challenging for us to provide programming in a timely manner, which further disrupts education pathways."*

*"Data and information do not go where it needs to go in an accurate and timely manner. It literally takes five people on a phone call to track it down."*

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### MISTRUST AMONG AGENCIES

Historically, the relationships among agencies have been cautious and limited, as have their relationships with school districts. Without trusting relationships to enable effective collaboration, data sharing has become complicated and fraught.

*"Sharing across agencies is a stressor for a lot of people. It does happen, but it will take time. We don't have policies in place. There are big separations between agencies."*

*"I think that there is a lack of trust between different systems. ... Relationships cannot form, and trust has not been established."*

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### LACK OF DATA SYSTEM INTEGRATION

Because there is no integration among the many data systems agencies use to serve court-involved students, staff need more time to track down educational data and other relevant information to support youth.

*"Lack of integration between systems is a huge barrier. Because we don't have the information we need, we cannot share in a timely manner."*

*"Right now, there is no way in Nebraska that you can track a family from start to finish that has come through Education [NDE], DHHS, and the Justice system."*

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### PEOPLE-POWERED, LOW-TECH WAYS

Even with data platforms, data is often shared via email or over the phone. Staff members who have developed relationships with their counterparts at other agencies rely on those connections to gather education data. This heightens the risk of poor-quality data entry and slow responses.

*"It is a people-dependent system, not a system-system."*

*"It is hard to get information on everywhere a young person has been. We all rely on this underground network of people we know to call. I literally have a list of who to call at every district."*

*"People often give verbal information or fax or email."*

## LEGITIMATE PRIVACY CONCERNS

Concerned that bad actors might misinterpret or judge students, staff hesitate to share data on court-involved students.

*"There is always concern that data will not be shared in the right ways and will harm students."*

*"My officers don't want to give schools information because they feel like kids are targeted and don't trust that it remains confidential."*

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## KNOWLEDGE GAPS

Staff cause delays in sharing education data or share incomplete data if they have not been properly trained to understand the privacy statutes that allow data sharing.

*"One of the barriers is just understanding probation's unique role in the system. ... They don't understand the statutory authority of our systems."*

*"Too often people think 'okay, that's federal regulation or law and there's nothing we can do about it.' And that's not true at all. ... Some people think there are regulations and laws when there aren't."<sup>68</sup>*

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*There are four common consequences of these challenges that can lead to disengagement from education.*

## YOUTH AND FAMILIES ACTING AS HISTORIANS OF INFORMATION

When data is not shared quickly or comprehensively, young people and their families are often relied upon to be historians of their own information. For any court-involved student, but especially those with a difficult or traumatic history or with multiple and frequent transitions, this is challenging. Relying on young people to provide their oral history can result in gaps in their record and inaccurate education information.

*"[If districts] don't automatically receive educational information, they have to look to students to be the historians of their education."*

*"If there is a delay in receiving school records and there have been a lot of transitions, we would maybe ask the parent about their academic history, but their memory is not always accurate."*

*"The kids are sometimes the best source of what they've taken before."*



## REPEATING COURSES

Court-involved students often experience repetitive coursework because of poor data sharing. When transcripts and credits are not quickly and accurately shared among educational programs, students will be placed in courses that they have already taken, sometimes multiple times.

*"When systems don't talk to each other, kids have to repeat classes and they get behind in credits for graduation, which is extremely frustrating."*

*"Students have taken the same class three times, because they'd bounce around different schools, and nobody had the time or resources to flag it."*

*"I've had to retake classes because they didn't take my credits. Why would I keep caring if I've taken this three times in a row?"*

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## LOSING INSTRUCTIONAL TIME

If data is not shared in a timely manner, or if an agency and district have trouble receiving a signed release of information, youth spend time sitting at home not receiving any education.

*"A kid is released from a facility but sits at home for two weeks waiting for records to transfer. That timeliness and urgency isn't there."*

*"Students will be placed before their documents are transferred to the facility. It produces a lot of frustration for students when they are sitting with nothing to do."*

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## NONEXISTENT SPECIAL EDUCATION SERVICES

Court-involved students with additional learning needs, such as special education accommodations or English proficiency supports, face increased barriers to accessing a high-quality education when their education data is not shared. School sites are unaware of a student's additional learning needs for the entirety of their placement and perpetuate this lack of service by sharing back data that does not include a history of an IEP or other needs.

*"A lot of kids face negative consequences if their IEPs aren't transferred from their last placement in a timely manner. ... The rights they have in school are impacted. [For example,] they may be suspended when they shouldn't because behavioral information is not updated in the IEP."*

*"When an English learner is moved around and in multiple placements, some placements may realize belatedly [that the student's status offers them] some special supports."*

*"I have a 504 and they've never done anything about it. I'm supposed to have a hearing aid and sit on a certain side of the classroom, but that doesn't happen."*

*"I have an IEP and I'm not getting anything. Last time someone talked to me about it was a year ago. I don't even know what's in my IEP."<sup>69</sup>*

This harm is compounded by the poor quality of education programming within many of Nebraska's facilities. Although the legislative mandate of NRS §79-303.01 focused narrowly on the transfer of education data for court-involved students, it became clear at the outset and throughout Bellwether's stakeholder engagement efforts and site visits that low-quality educational programming severely limited students' access to the educational opportunities that would produce meaningful, transferable credits.<sup>70</sup> Students in out-of-home facilities, including juvenile detention centers, group homes, and treatment facilities, shared their experiences with completing coursework at a far-too-rapid rate, with little to no support from the education staff. In some cases, students reported that they received no direct instruction at all and did all their work in front of a computer — including physical education. In other cases, students completed packets that were originally designed in the 1970s.

***"The work here is lonely. I barely get any help, and when I do, I'm just given a cheat sheet. I want to really learn the material. It will be hard to go back to school and I'm scared to have to do it all myself again. Right now, I don't interact with others. We can't get the credits we need."*<sup>71</sup>**

—Student in a Group Home, Nebraska

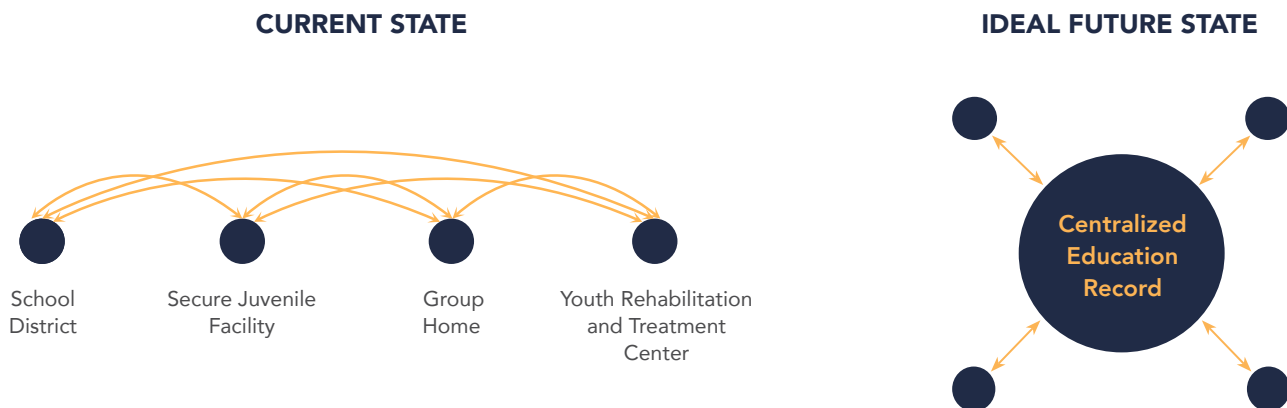
The widespread, enduring, and consistent challenges to delivering high-quality education across facility-based schools cannot be attributed to individual educators or school leaders, nor can it be solved by them alone. Many educators who participated in focus groups with Bellwether demonstrated a high level of care and determination to support the students in their classrooms. This problem, instead, is a systems and incentives issue that relies on the state's leaders to commit to improvement. By focusing first on the act of education data sharing, Nebraska's leaders have signaled that the educational environments and opportunities for court-involved students are a priority for the state.



# Recommendation for a New Approach to Education Data Sharing in Nebraska

Bellwether’s recommendation for a new approach to education data sharing in Nebraska, emerging through months of collaboration with the leadership team and steering committee, is the creation of a “centralized records service” at NDE. This proposed centralized records service uses a hub-and-spoke model in which education data is collected, held, and distributed by a central source at NDE (Figure 2). Once fully operational, this system will replace the current ad hoc approach, in which education data is sent and received on a point-to-point basis through a variety of idiosyncratic mechanisms (e.g., phone calls, emails, postal mail, hand-delivered paper documents, faxes) where individual students’ full education records are diffused across many holders.

**FIGURE 2. NEBRASKA’S CURRENT AND IDEAL FUTURE STATE FOR EDUCATION DATA SHARING**



A team of highly trained registrars employed by NDE would collect, track, update, and share the education data of court-involved students. Each student’s complete education history would be stored within the service, including which courses they are taking, their academic needs, the supports they are entitled to, and the credits they have accrued. Teachers and staff can prepare for the student’s arrival to ensure they receive educational support and begin credit-bearing, transferable, and graduation-aligned coursework as soon as is feasible.

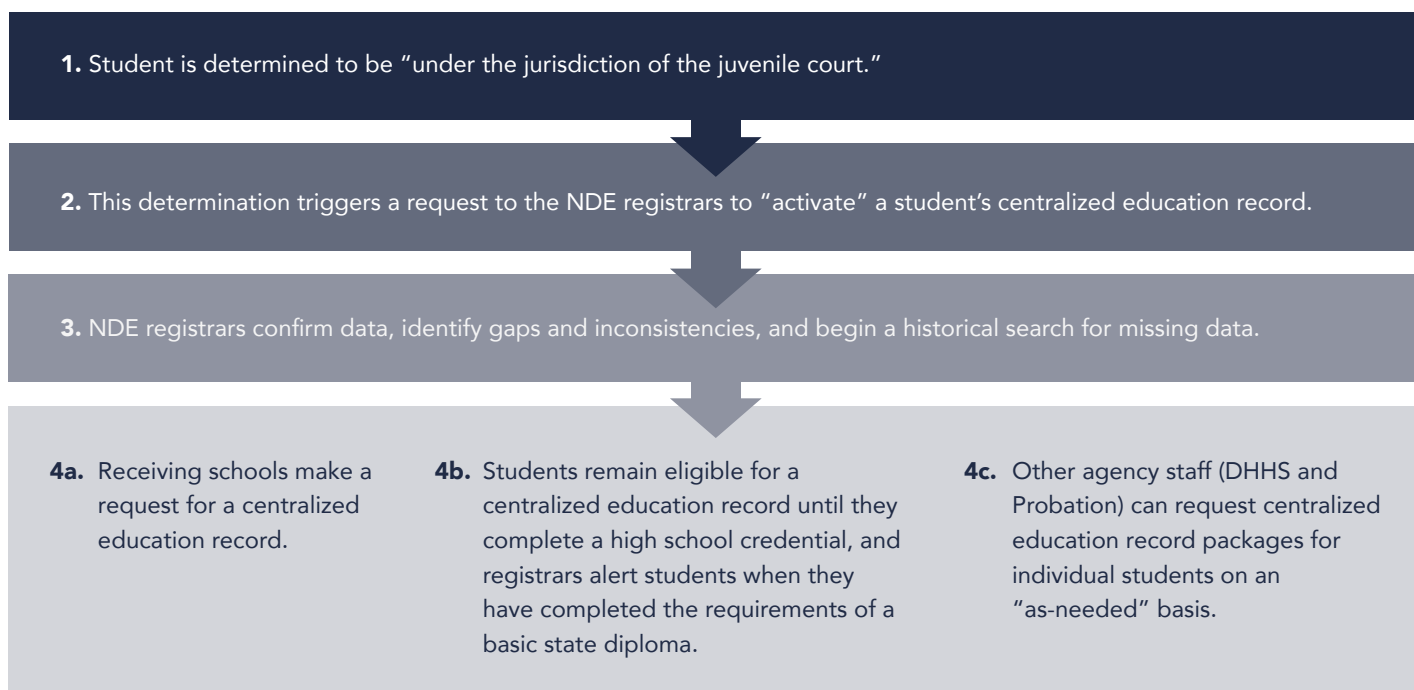
NDE is well-equipped to build and maintain a data system. The Department already has an existing statewide data system called ADVISER, which stores education data for students enrolled in Nebraska’s public schools with up-to-the-minute connectivity to all public school districts’ student information systems.<sup>72</sup> The process to build and implement ADVISER will be a helpful reference point during the implementation of the centralized records service.

In addition to the simple aggregation and portability of education records, the centralized records service also incorporates many other improvements to Nebraska’s policies and procedures for the education of court-involved students, most notably improvements to the governance design that will create efficiency, consistency, and accountability.

## Trained registrars will carry out the four key steps of the centralized records service.

At the highest level, the mechanics of the proposed centralized records service will include four main steps (Figure 3).

**FIGURE 3. PROPOSED NDE CENTRALIZED RECORDS SERVICE PROTOCOL**



**Note:** Refer to Appendix B for a more detailed protocol for the centralized records service.

A newly created NDE registrar position would play a vital role in the operation of a centralized records service by managing education records for court-involved students. Their responsibilities would include ensuring accurate, complete, and timely education records to support students’ educational progress. **Registrars would:**

- Activate student records and initiate transcript assembly when a young person is determined to be under the jurisdiction of the juvenile court.
- Research and address gaps in education history.
- Translate credits across different districts and placements.
- Incorporate and maintain new data as it becomes available.
- Maintain records until high school completion, even after students exit juvenile court jurisdiction.
- Provide copies of complete education records, when appropriately requested.

*“Using our hub-and-spoke system, we can actually get the education records of a student from the school they’re in today and let the school who [will enroll] them tomorrow know exactly what [coursework] that child was taking. The employment of registrars at the Department will allow us to work with all of these education providers to make sure that, when [court-involved students] move, there’s a conversation going on about [their credit accrual, their coursework, and their needs]. The people who actually know the detail [about a student] can talk directly to each other and compile a transcript that can be immediately available moving forward.”<sup>73</sup>*

—Brian Halstead, Deputy Commissioner,  
Nebraska Department of Education

Bellwether’s recommendation and implementation plan suggest hiring up to three initial registrars to be included on the design team as the centralized records service is being built. These initial hires should be longtime professionals with deep experience as registrars and understanding of credits, course codes, graduation requirements, and data privacy. Eventually, they could also support writing the registrar’s job description, provide feedback on other components of the work, and start to compile necessary information about credit equivalency. In addition to the new hires, the full corps of registrars would be hired later in the implementation process (the exact number would be determined by NDE but should consider caseload size and complexity, as well as the size of the hiring pool).

Registrars would maintain a court-involved student’s record throughout their education, even if they exit the jurisdiction of the juvenile court. Once eligible, all students remain eligible for the centralized records service until they complete a high school credential (i.e., high school diploma or GED), meaning that their

records continue to be centrally held and updated. This provides critical continuity of information for students who exit and reenter juvenile court jurisdiction multiple times before high school graduation.

## Implementation of the centralized records service should occur in three phases.

Bellwether proposed a three-phased implementation plan to the leadership team and steering committee to support Nebraska’s design, development, and full execution of the centralized records service. All three phases are designed to continue the momentum of cross-agency collaboration and generate buy-in among all possible users. Each phase will produce the support, infrastructure, and funding needed to develop and implement the service. The data-sharing behavior of professional staff will gradually change through training, education, and new ways of working.

**Phase I** prioritizes the creation of supporting structures to provide a foundation for the centralized records service and beginning to build the service’s infrastructure alongside key stakeholders. **Phase II** focuses on developing a clear centralized records service protocol (with the proposed steps from Bellwether listed earlier) and creating key process components that enable the protocol to operate smoothly. **Phase III** includes hiring and training a corps of NDE registrars; piloting, studying, and refining the service; and fully implementing the centralized records service (Appendix C).

If a mature centralized records service is implemented successfully, it is plausible that this could one day be part of a multi-agency effort to integrate all the MOU partners’ data systems and create a single comprehensive case management system. This service could be expanded to include all students in Nebraska, which would limit education disruptions for any student who switches schools, comes from out of state, or is highly mobile for any other reason.



## The design of the centralized records service will address several data-sharing challenges.

With a centralized records service, Nebraska's inefficient, inconsistent, and diffused data-sharing approach will become streamlined, collaborative, and secure.

	CURRENT STATE		IDEAL FUTURE STATE
<b>Lack of Data System Integration</b>	<p>Each school or placement creates its own education records for students, resulting in multiple incomplete, conflicting, and duplicative records for individual students.</p> <p>Because public school districts across the state have varying graduation requirements and credit translation practices, it is difficult for staff to properly account for and award credits to students transferring in from other educational placements.</p>	➔	<p>The centralized records service would enable one entity, NDE, to create a single education record for each student.</p> <p>NDE registrars could also engage in investigations over time to resolve ambiguities, settle disputes, and fill in gaps to create complete and comprehensive education records.</p>
<b>Lack of Trust and Collaboration Among Agencies</b>	<p>Data sharing and the responsibility for creating complete student transcripts and records are diffused among local staff across hundreds of schools and dozens of placements.</p> <p>High turnover coupled with idiosyncratic recordkeeping and differing credit-awarding practices lead to several different versions of student transcripts.</p>	➔	<p>Shifting the responsibility for constructing student transcripts to well-trained and accountable NDE registrars would allow the creation of a single source of "truth," which would accelerate data sharing, minimize prolonged decision-making, and enable students to receive appropriate educational programming more quickly.</p>
<b>Discrimination, Discretion, and Pushback</b>	<p>There is no accountability for schools or placements that do not comply with or significantly delay the transfer of education records from entity to entity.</p>	➔	<p>State authority would take care of local noncompliance. Highly trained NDE registrars would be equipped with statutory guidance when responding to local staff members who are pushing back or unwilling to share student records.</p>

**Opaque  
Demographic  
and Outcomes  
Data**

Student education information is diffused across districts and facility-based schools.

The information and data that do exist are not standardized and are often stored or handled by a single staff member, rendering it useless for research and evaluation purposes.



The NDE centralized records service protocol would result in a set of standardized data and information, allowing agency staff and researchers to study issues such as the quality of facility-based schools, credit accrual trends, and long-term outcomes (e.g., high school graduation, postsecondary participation).

**Inconsistent  
Privacy  
Protections**

Individuals must contact several agencies to gather education records, which can lead to more people accessing student information than is necessary or lawful.



Fewer people have access to sensitive data and can make informed decisions about when, how, and with whom to share that information to maintain consistent and rigorous privacy protections.

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## **DHHS, the Courts, and the Probation Division can contribute to an improved data-sharing system.**

As the legislative focus of NRS §79-303.01 was on education data, a large part of the planning, implementation, and scaling of the recommended centralized records service initially falls to NDE.<sup>74</sup> NDE's responsibilities, however, do not preclude the other MOU partners — DHHS, the Courts, and the Probation Division — from creating a more efficient and comprehensive data-sharing system for court-involved students.

### **Recommendations for DHHS, the Courts, and the Probation Division include:**

- Increasing education training for caseworkers, probation officers, and judges.
- Creating multiple points throughout a court-involved student's interaction with the system to confirm the accuracy of their existing directory and education data.
- Making select juvenile court records nonpublic by default.
- Establishing requirements for data-sharing moments and expectations.
- Enacting explicit requirements for education data sharing in Interstate Compacts regarding court-involved students.<sup>75</sup>

Collaboration among DHHS, NDE, the Courts, and the Probation Division is essential to create an effective data-sharing system for court-involved students. Together, these recommendations, coupled with the new centralized records service, will help to ensure that all agencies involved are better equipped to support the educational and broader needs of the Nebraskan students they serve.



## Conclusion

In this new system of education data sharing in Nebraska, Xavier's story would be different. His placement in a foster home in Scottsbluff would initiate an automatic request to the NDE registrars to compile and share his records with his new school. Upon his arrival, Xavier's new school would be aware of his academic needs and would be able to immediately support him with the right interventions. If he does spend time in multiple juvenile facilities and school districts, his credits would be tracked and updated in real time so that upon his arrival at a new placement, he would be able to pick up where he left off in his coursework. He would accrue credits and advance steadily toward graduation. Instead of feeling discouraged, Xavier would feel more academically motivated, and, when he is released, he would be determined to graduate. If he decides he would like to pursue a college degree, Xavier could easily request his transcripts from the NDE registrars at the centralized records service for his application.

Nebraska's state leaders in the legislature, DHHS, NDE, the Courts, and the Probation Division are invested in innovative measures to improve the lives and educational opportunities of court-involved students like Xavier. Bellwether's extensive research into other states' best practices kept coming back to the same finding: No one is doing what Nebraska is doing. By engaging in cross-agency collaboration, valuing human-centered solutions, and building momentum toward a centralized records service, Nebraska is poised to be a national exemplar for supporting court-involved students.

Other states can learn from the process that Bellwether, the leadership team, and the steering committee undertook — using thorough research and an extensive stakeholder engagement process to build a clear picture of the landscape of education data sharing for court-involved students, validating and bolstering findings through ongoing partnership, brainstorming

solutions aligned to core commitments and design principles, and crafting a comprehensive recommendation and implementation plan that will impact all court-involved students, not just some.

Though there is still work to be done to accomplish full implementation and execution of the centralized records service, Nebraska has made promising steps since Bellwether's departure in November 2024. On March 11, 2025, Gov. Jim Pillen signed into law LB 296, requiring the NDE to create a centralized education records service for students under the jurisdiction of the juvenile court.<sup>76</sup> The legislation, spearheaded by Sen. Arch and passed unanimously through the legislature, sets a July 1, 2026, timeline for the launch of the centralized records service. In addition to this new legislation, the State Board of Education has identified the implementation of the recommendation from NRS §79-303.01 as a legislative priority for the 2025-27 biennium.<sup>77</sup>

*"I've been thinking a lot about what success looks like in this space, and how we'll know the effort has actually created positive change. One immediate byproduct is deepened relationships with other agencies, which, while important, will be meaningless if they don't result in improved outcomes for the youth we're concerned with. I believe if we get this right, we'll see fewer Nebraskans reentering the criminal justice system and improved economic outcomes for the youth we are serving."*<sup>78</sup>

—NRS §79-303.01 Leadership Team Member

Improving data sharing for court-involved students does not solve many of the complex problems related to education and outcomes for this population of students. Rather, it is a solution that frees up the time and energy of many adults in the system to focus on other priorities, like improving education quality in facilities, addressing disproportionate disciplinary practices, reducing and remediating adverse childhood experiences, increasing access to postsecondary and career pathways for formerly incarcerated youth, and so much more. Education can be a pathway to the stable, successful future that Nebraska's court-involved students deserve. By improving systems, adults are able to build new habits of collaboration that can improve the life trajectories of some of the state's most vulnerable young people — now and long into the future. ✨

# Appendix A

## GLOSSARY OF TERMS

**Agency:** Refers to Nebraska’s Department of Health and Human Services (DHHS), Department of Education (NDE), Courts, and Probation Division (of the Judicial Branch).

**Coursework:** The assignments, projects, and tasks that students complete within a specific course of study at an educational placement.

**Court-Involved Students:** Young people under a court’s jurisdiction, including those in foster care, in juvenile facilities, or on probation.

This population may also be referred to as “system(s)-involved,” “justice-involved,” “incarcerated youth,” “adjudicated youth,” and “directly impacted youth.”

**Credit Accrual:** The process of earning credits toward a high school diploma.

**Credits:** A way to measure and recognize a student’s learning and completion of a course. Credits are awarded to students who pass a course and can be used to earn a high school diploma.

**Data Platform:** A term that is synonymous with data system.

**Data System:** A specialized software platform or application used by state agencies to manage, store, and analyze data related to their specific functions and responsibilities.

**Direct Care Staff:** Individuals who deliver direct services and support to youth in the child welfare and juvenile justice system. This can include a range of roles, such as counselors, caseworkers, therapists, educators, or probation officers.

**Education Data:** “Records that are directly related” to students and “are maintained by an educational agency or institution or a party acting for or on behalf of the agency or institution.” These student records “include but are not limited to grades, transcripts, class lists,” course schedules, “health records (at the K-12 level),” financial information (at the postsecondary level), and discipline files.<sup>79</sup>

**Education Program:** Structured academic services provided to the youth while they are living in a facility, treatment center, or group home.

**Facility:** A building in which youth are housed and receive services in a structured and supervised residential congregate care environment. It is designed to provide care, treatment, and rehabilitation services for youth who are involved in the juvenile justice system or under child welfare supervision. Facilities include residential treatment centers, group homes, and other institutional settings where youth receive support for behavioral issues, legal matters, or protective needs under the supervision of a juvenile justice or child welfare agency.

**Facility-Based School:** An educational institution located within a residential setting, such as a treatment center, juvenile justice facility, or group home, specifically designed to deliver an education program to youth residing in that facility.

**Foster Home:** A residence where children who cannot remain in their own homes are living, receiving 24-hour care and support as an alternative to their usual parental care. This care can be provided through DHHS, a contracted foster care agency, or a probation office.



## GLOSSARY OF TERMS *(continued)*

**Home District:** The most recent school district in which a student was enrolled prior to coming under the jurisdiction of the juvenile court. For students who remain at home, this is likely to be their district of attendance.

**Home School:** The most recent school in which a student was enrolled prior to coming under the jurisdiction of the juvenile court. For students who remain at home, this is likely to be their school of attendance.

**Individualized Education Program (IEP):** A document mandated under federal and state law that outlines the special education services and supports required for a student with disabilities to succeed in school. It is tailored to the individual needs of the student and is developed collaboratively by educators, parents, and specialists to ensure the student receives appropriate educational accommodations and modifications.

**Placement:** A term that is synonymous with residential placement.

**Registrar:** A staff member of NDE responsible for all aspects of student registration and academic records.

**Resident District:** A term that is synonymous with home district.

**Residential Placement:** An arrangement in which a youth is placed in a structured, supervised congregate care living environment outside their home. This type of placement is typically used when youth require a higher level of care or supervision due to behavioral issues, legal violations, or therapeutic needs. The placement may be in one of many different kinds of facilities.

**Service Provider:** An entity, such as a public agency or a nonprofit organization, that is responsible for delivering direct services and support to youth in the child welfare and juvenile justice systems.

**Specialized School:** A Rule 18 interim-program school or a Rule 10 special purpose or nonpublic school.

**Stakeholder:** An individual or group with an interest in or concern about data sharing for youth under the jurisdiction of the juvenile court. Stakeholders in this work include service providers, agency staff, families, and young people.

**Student Information System (SIS):** A comprehensive software platform used by schools, districts, and other educational institutions to manage and track education data. This includes information on enrollment, attendance, grades, and academic performance. Examples of SIS platforms include PowerSchool, Infinite Campus, and Synergy.

**Youth:** Individuals involved in foster care, juvenile justice, or both systems, with age definitions varying by legal, educational, and social contexts. The term is used interchangeably with “students” or “children” to navigate inconsistencies across state laws and data sources, while primarily focusing on court-involved students in Nebraska.

**Youth Under the Jurisdiction of the Juvenile Court:** Youth involved with the juvenile justice system or the child welfare system, or who fall into several other categories defined by NRS §43-247.<sup>80</sup>

For the purposes of this case study, this term is synonymous with court-involved students.

# Appendix B

## POTENTIAL DESIGN CONSIDERATIONS FOR THE CENTRALIZED RECORDS SERVICE PROTOCOL

Centralized Records Service Protocol	Potential Design Elements and Considerations
1. Student is determined to be under the jurisdiction of the juvenile court.	<ul style="list-style-type: none"> <li>There are several <b>moments in time</b> when students could be designated as being under the jurisdiction of the juvenile court, such as when they make their first court appearance or the moment they are detained.</li> <li>Eventually, NDE's centralized records service could be <b>expanded to include different student groups</b>, such as students under the jurisdiction of the adult court who are entitled to K-12 education services and students who are in tribal foster care arrangements.</li> </ul>
2. This determination triggers a request to the NDE registrars to activate a student record.	<ul style="list-style-type: none"> <li>Several <b>notification approaches</b> could be used to alert NDE that students are under juvenile court jurisdiction, including an automated court notification to NDE, or it could be more diffused (e.g., a probation officer can make a request after first contact).</li> <li>Ideally, this request would be accompanied by verification of <b>parent or guardian consent to data sharing</b> (in exchange for access to NDE's centralized records service through the completion of a high school credential).</li> </ul>
3. NDE registrars confirm data, identify gaps and inconsistencies, search for missing data, and award credits.	<ul style="list-style-type: none"> <li>Ideally, NDE registrars would <b>assemble the best current transcripts</b> immediately via school district SISs, while being responsible for assembling complete records over time, as quickly as is practical.</li> <li>Ideally, NDE registrars would <b>continue to assemble students' records</b> even if they exit the jurisdiction of the juvenile court.</li> <li>Ideally, key functions of NDE registrars would include:               <ul style="list-style-type: none"> <li>- <b>Compiling and confirming credits.</b></li> <li>- <b>Collecting and confirming IEP and 504 plans.</b></li> <li>- <b>Confirming enrolled districts.</b></li> <li>- <b>Producing an inventory of credits.</b></li> <li>- <b>Tracking progress toward completion of graduation requirements.</b></li> </ul> </li> <li>NDE registrars can use district credit and graduation requirement information to translate student credits between schools and placements. They also can award full and partial credit in a manner consistent with the receiving school's policies and procedures or any superseding state guidance.</li> <li>To do this, the centralized education records office must collect and annually update the graduation requirements and credit award procedures for all districts in the state.</li> <li>Eventually, many of the manual tasks completed by NDE registrars could be <b>fully or partially automated</b>, though some elements of search will always be manual (e.g., calling school districts, making out-of-state placements).</li> </ul>

Centralized Records Service Protocol	Potential Design Elements and Considerations
4a. Receiving schools make requests for centralized education records.	<ul style="list-style-type: none"> <li>• Ideally, NDE registrars will have sufficient knowledge of upcoming youth placements to <b>send materials ahead</b> (as appropriate).</li> <li>• Eventually, the process of sending and receiving transcripts could be <b>automated, with schools having direct query access</b> via a centralized education records portal (with suitable privacy protections).</li> <li>• Ideally, registrars could track the movement of students receiving special education services to <b>determine whether and how services do or do not move with students</b>.</li> </ul>
4b. Students remain eligible for the centralized record service until they complete a high school credential, and NDE registrars alert them when they have completed the requirements for a basic state diploma (described below).	<ul style="list-style-type: none"> <li>• Ideally, the centralized records service would <b>provide continuity of information for students</b> who may exit and reenter juvenile court jurisdictions multiple times before high school graduation.</li> <li>• Ideally, <b>students will receive clear guidance</b> about the option to receive a basic state diploma if they decide to opt in. If students do not opt in, they remain eligible to earn a diploma through their enrolled district but could <b>change their mind</b> and choose the basic state diploma at any time.</li> <li>• Ideally, to the extent allowable by federal law, any student who receives this diploma can be <b>counted as a graduate by the geographic school district</b> for accountability purposes.</li> </ul>
4c. Other agency staff (DHHS and Probation) can request centralized education records packages for individual students on an as-needed basis.	<ul style="list-style-type: none"> <li>• To start, these would likely be <b>human-to-human requests</b> so that NDE registrars could confirm that it is permissible to share records with requestors for the stated purpose (because there is signed consent in place and/or an applicable legal exception).</li> <li>• Eventually, parts of this process could be <b>automated with appropriate security</b> and permission structures in place.</li> </ul>

# Appendix C

## PROPOSED THREE-PHASE IMPLEMENTATION PLAN FOR THE CENTRALIZED RECORDS SERVICE

Phase 1	Phase 2	Phase 3	Potential Long-Term Vision
<p><b>A. Create Supporting Structures</b></p> <ol style="list-style-type: none"> <li>1. Create and fund a permanent cross-agency working group.</li> <li>2. Hold an annual systems-involved student summit.</li> <li>3. Establish a standard education placement process for youth.</li> <li>4. Require better data reporting by all placements.</li> <li>5. Facilitate general, district, and cross-agency training (e.g., FERPA, education disruptions, importance of data sharing).</li> <li>6. Require schools to accept and award all transfer credits.</li> <li>7. Require that youth be placed into credit-bearing, transferable, graduation-aligned courses.</li> </ol> <p><b>B. Create Centralized Education Records Infrastructure</b></p> <ol style="list-style-type: none"> <li>8. Hire two to three experienced registrars to support the development process and provide initial district support and outreach.</li> <li>9. NDE is granted the authority to set up a data repository and centralized records service.</li> <li>10. Establish a list of standardized data requirements for education data.</li> <li>11. NDE creates data repository that is linked to existing school district and placement SIS infrastructure via an application programming interface.</li> <li>12. NDE becomes a concurrent statewide Educational Service Unit and receives authority to assemble, translate, and award credits and a state diploma.</li> <li>13. NDE is granted authority to create and award a state diploma.</li> </ol>	<p><b>C. NDE Develops a Centralized Records Service Protocol, Including the Following Key Components</b></p> <ol style="list-style-type: none"> <li>14. Students become eligible for a centralized education record at the moment they are determined to be under the jurisdiction of the juvenile court.</li> <li>15. This determination triggers a request to the NDE registrars to activate a student record.</li> <li>16. NDE registrars confirm data, identify gaps and inconsistencies, search for missing data, and award credits.</li> <li>17. Receiving schools make requests for centralized education records.</li> <li>18. Students remain eligible for the centralized records service until they complete a high school credential, and NDE registrars alert them when they have completed the requirements for a basic state diploma.</li> <li>19. Other agency staff (DHHS and Probation) can request centralized education records for students on an as-needed basis (e.g., to prepare for court reports or support placement transitions).</li> </ol> <p><b>D. Create Key Process Components</b></p> <ol style="list-style-type: none"> <li>20. Create a single state-approved data-sharing waiver.</li> <li>21. Require all facility-based schools to adopt and use an NDE-approved SIS.</li> </ol>	<p><b>E. Hire and Train Additional NDE Registrars</b></p> <ol style="list-style-type: none"> <li>22. Provide FERPA training.</li> <li>23. Provide parent rights, student rights, and special education training.</li> <li>24. Provide credit translation training.</li> <li>25. Provide district graduation requirement training.</li> </ol> <p><b>F. Pilot, Study, and Refine the Centralized Records Service</b></p> <ol style="list-style-type: none"> <li>26. Design pilot program and evaluation plan.</li> <li>27. Implement pilot program.</li> <li>28. Analyze results.</li> <li>29. Refine and improve the centralized records service.</li> </ol> <p><b>G. Fully Implement the Centralized Records Service</b></p> <ol style="list-style-type: none"> <li>30. Create and execute a plan for implementation and scale-up.</li> <li>31. Institute accountability and enforcement mechanisms.</li> <li>32. Create feedback loops for evaluation and continuous improvement.</li> </ol>	<p><b>Plan for Potential Expansion of the Centralized Records Service Model, Components</b></p> <ul style="list-style-type: none"> <li>• Fully integrate with other agencies to create a comprehensive case management system.</li> <li>• Merge and manage DHHS Superintendent Letters within the centralized records service.</li> <li>• Create mechanisms that facilitate more timely and efficient flow of education funds, specifically those funds that would support seamless delivery of special education services.</li> </ul>

# Endnotes

- 1 Xavier's story is a composite of experiences Bellwether heard throughout the work done in Neb. Rev. Stat. §79-303.01.
- 2 Bellwether interviews.
- 3 "Data Dashboards: Demographics," Nebraska Foster Care Review Office, [https://fcro.nebraska.gov/data\\_dashboards.html](https://fcro.nebraska.gov/data_dashboards.html).
- 4 *Goss v. Lopez*, 419 U.S. 565 (1975); *In re Gault*, 387 U.S. 1 (1967); *Roper v. Simmons*, 543 U.S. 551 (2005).
- 5 "Education for Youth Under Formal Supervision of the Juvenile Justice System," Office of Juvenile Justice and Delinquency Prevention, Model Programs Guide, updated 2019, [https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/education\\_for\\_youth\\_under\\_formal\\_supervision\\_of\\_the\\_juvenile\\_justice\\_system.pdf](https://ojjdp.ojp.gov/model-programs-guide/literature-reviews/education_for_youth_under_formal_supervision_of_the_juvenile_justice_system.pdf); "Education in Juvenile Justice Facility," NAACP, 2019, <https://naacp.org/resources/education-juvenile-justice-facility>; "Education in Juvenile Justice Settings," IRIS Center, Peabody College, Vanderbilt University, <https://iris.peabody.vanderbilt.edu/module/jj1/cresource/q1/p01/>; "Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings," U.S. Department of Education, December 2014, <https://www2.ed.gov/policy/gen/guid/correctional-education/guiding-principles.pdf>.
- 6 Email correspondence with Dr. Lynette Tannis, January 30, 2025.
- 7 Neb. Leg. L.B. 705 (2023), [https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=50370](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=50370); Neb. Leg. L.B. 708 (2023), [https://www.nebraskalegislature.gov/bills/view\\_bill.php?DocumentID=50463](https://www.nebraskalegislature.gov/bills/view_bill.php?DocumentID=50463).
- 8 Vote record, Neb. Leg. L.B. 705 (2023), [https://nebraskalegislature.gov/bills/view\\_votes.php?KeyID=9203](https://nebraskalegislature.gov/bills/view_votes.php?KeyID=9203). Note: The vote also included seven senators who were present and not voting and six who were excused and not voting. Sen. Steve Erdman was the only "no" vote.
- 9 Neb. Rev. Stat. §79-303.01 (2023), <https://nebraskalegislature.gov/laws/statutes.php?statute=79-303.01>; Neb. Leg. L.B. 705 (2023); Neb. Leg. L.B. 708 (2023). Note: Nebraska's legislature became unicameral in 1934, doing away with partisan association. The legislative leadership is not based on party affiliation and allows lawmakers to base their actions on their own convictions and the needs of their districts, rather than according to party dictates. Read more at: "History of the Nebraska Unicameral," Nebraska Legislature, [https://nebraskalegislature.gov/about/history\\_unicameral.php#:~:text=Before%20becoming%20a%20unicameral%2C%20the,listed%20on%20the%20election%20ballot](https://nebraskalegislature.gov/about/history_unicameral.php#:~:text=Before%20becoming%20a%20unicameral%2C%20the,listed%20on%20the%20election%20ballot).
- 10 Note: This case study is an abridged version of the Bellwether report submitted to the Nebraska Commissioner of Education, chief executive officers of the Nebraska Department of Health and Human Services, and the Chief Justice of the Nebraska Supreme Court on September 1, 2024. If you would like to view the report in full, please visit: "Improving Data Sharing for Youth Under the Jurisdiction of Nebraska's Juvenile Courts: Nebraska Department of Education Final Report Pursuant to Nebraska Revised Statute §79-303.01," Nebraska Department of Education, November 25, 2024, [https://nebraskalegislature.gov/FloorDocs/108/PDF/Agencies/Education\\_Department\\_of/857\\_20241127-140436.pdf](https://nebraskalegislature.gov/FloorDocs/108/PDF/Agencies/Education_Department_of/857_20241127-140436.pdf).
- 11 Email correspondence with Speaker John Arch and Lisa Johns, January 30, 2025.
- 12 "Highlights From the 2022 Juvenile Residential Facility Census," OJJDP, 2022 data, [https://ojjdp.ojp.gov/publications/highlights-2022-juvenile-residential-facility-census.pdf?utm\\_campaign=data\\_snapshots\\_7\\_26&utm\\_medium=email&utm\\_source=juvjust](https://ojjdp.ojp.gov/publications/highlights-2022-juvenile-residential-facility-census.pdf?utm_campaign=data_snapshots_7_26&utm_medium=email&utm_source=juvjust); "Age Profile of Youth in Residential Placement," OJJDP Statistical Briefing Book, 2021 data, <https://ojjdp.ojp.gov/statistical-briefing-book/corrections/faqs/qa08204>; Joshua Rovner, "Youth Justice by the Numbers," The Sentencing Project, August 14, 2024, 2022 data, <https://www.sentencingproject.org/policy-brief/youth-justice-by-the-numbers/>.
- 13 Rovner, "Youth Justice by the Numbers"; "Highlights From the 2022 Juvenile Residential Facility Census," OJJDP; "The AFCARS Report," U.S. Department of Health and Human Services, Administration for Children and Families, 2023, 1, <https://acf.gov/sites/default/files/documents/cb/afcars-report-30.pdf>.
- 14 "Highlights From the 2022 Juvenile Residential Facility Census," OJJDP; "The AFCARS Report," U.S. Department of Health and Human Services, Administration for Children and Families, 1.
- 15 "Easy Access to the Census of Juveniles in Residential Placement: 1997–2021: National Graphs," OJJDP, 2023, [https://www.ojjdp.gov/ojstatbb/ezacjrp/asp/national\\_graphs.asp?display\\_type=rowp&export\\_file=&graphs=yes&printer\\_friendly=&status\\_var=v050&offense\\_var=v080](https://www.ojjdp.gov/ojstatbb/ezacjrp/asp/national_graphs.asp?display_type=rowp&export_file=&graphs=yes&printer_friendly=&status_var=v050&offense_var=v080).
- 16 "Youth Justice," Children's Defense Fund, <https://www.childrensdefense.org/tools-and-resources/the-state-of-americas-children/soac-youth-justice/>.
- 17 "Easy Access to the Census of Juveniles in Residential Placement: 1997–2021: National Graphs," OJJDP.
- 18 "POP3 Race and Hispanic Origin Composition: Percentage of U.S. Children Ages 0–17 by Race and Hispanic Origin, 1980–2023 and Projected 2024–2050," Child Stats, Table POP3, Black (Non-Hispanic), 2022, <https://www.childstats.gov/americaschildren/tables/pop3.asp?popup=true>; "The AFCARS Report," U.S. Department of Health and Human Services, Administration for Children and Families, 2.
- 19 "POP3 Race and Hispanic Origin Composition: Percentage of U.S. Children Ages 0–17 by Race and Hispanic Origin, 1980–2023 and Projected 2024–2050," Child Stats, Table POP3, White (Non-Hispanic), 2022; "The AFCARS Report," U.S. Department of Health and Human Services, Administration for Children and Families, 2.
- 20 Rachel Anspach, "The Foster Care to Prison Pipeline: What It Is and How It Works," *Teen Vogue*, May 25, 2018; Cited in Tressa Palcheck, "Child Welfare and the Criminal System: Impact, Overlap, Potential Solutions," *Georgetown Journal on Poverty Law & Policy*, March 24, 2021, <https://www.law.georgetown.edu/poverty-journal/blog/child-welfare-and-the-criminal-system-impact-overlap-potential-solutions/>.
- 21 Savannah Felix, "Improving Multisystem Collaboration for Crossover Youth," University of Chicago Advocates' Forum, June 1, 2016, <https://crownschool.uchicago.edu/student-life/advocates-forum/improving-multisystem-collaboration-crossover-youth>; Christina Reardon, "Caught in the Middle: The Plight of Crossover Youth," *Social Work Today* 21, no. 1, 14, <https://www.socialworktoday.com/archive/Winter21p14.shtml>.
- 22 "Education for Youth Under Formal Supervision of the Juvenile Justice System," Development Services Group Inc.

- 23 Paul Beach, Brian Robinson, Hailly T.N. Korman, and Linea Koehler, "Double Punished: Locked Out of Opportunity," Bellwether, June 2022, 8, <https://bellwether.org/publications/double-punished-locked-out-opportunity/>.
- 24 Hailly T.N. Korman, Max Marchitello, and Alexander Brand, "Patterns and Trends in Educational Opportunity for Students in Juvenile Justice Schools: Updates and New Insights," Bellwether, August 20, 2019; Cited in Beach, Robinson, Korman, and Koehler, "Double Punished: Locked Out of Opportunity," 8.
- 25 Kimberly Rapanut, Patrick Linehan, Gabriela Szymanowska, Brody Ford, and Kelsey Collesi, "Patchwork Education System in Juvenile Centers Often Falls Short," *Kids Imprisoned*, News 21, August 21, 2020, <https://kidsimprisoned.news21.com/education-juvenile-detention/>.
- 26 Gregory J. Benner, Songtain Zeng, Annie Laurie Armstrong, Cathrin Anderson, and Erin Carpenter, "Strengthening Education in Short-Term Juvenile Detention Centers: Final Technical Report," Center for Strong Schools, University of Washington Tacoma, December 2016, <https://www.ojp.gov/pdffiles1/ojdp/grants/251118.pdf>.
- 27 Anna Aizer and Joseph J. Doyle Jr., "Juvenile Incarceration, Human Capital, and Future Crime: Evidence from Randomly Assigned Judges," *The Quarterly Journal of Economics* 130, no. 2 (2015): 759–803; E. Jason Baron, Brian Jacob, and Joseph P. Ryan, "Pretrial Juvenile Detention," Working Paper 29861, National Bureau of Economic Research, 2022; Randi Hjalmarsson, "Criminal Justice Involvement and High School Completion," *Journal of Urban Economics* 63, no. 2 (2008): 613–630; Cited in "Double Punished."
- 28 Alexandra L. Trout, Jessica L. Hagaman, M. Beth Chmelka, Robert Gehringer, Michael H. Epstein, and Robert Reid, "The Academic, Behavioral, and Mental Health Status of Children and Youth at Entry to Residential Care," *Residential Treatment for Children & Youth* 25, no. 4 (2008): 359–374; Nikki Luke and Aoife O'Higgins, "Is the Care System to Blame for the Poor Educational Outcomes of Children Looked After? Evidence From a Systematic Review and National Database Analysis," *Children Australia* 43, 135–151 (2018); Cited in Austen McGuire, Joy Gabrielli, Erin Hambrick, Madelaine R. Abel, Jessy Guler, and Yo Jackson, "Academic Functioning of Youth in Foster Care: The Influence of Unique Sources of Social Support," *Children and Youth Services Review* 121 (2021), <https://www.sciencedirect.com/science/article/abs/pii/S0190740920322891?via%3Dihub>.
- 29 McGuire, Gabrielli, Hambrick, Abel, Guler, and Jackson, "Academic Functioning of Youth in Foster Care: The Influence of Unique Sources of Social Support"; "The 97% Project," Foster Youth of America, <https://www.fosteryouthofamerica.org/the-97-project>.
- 30 McGuire, Gabrielli, Hambrick, Abel, Guler, and Jackson, "Academic Functioning of Youth in Foster Care: The Influence of Unique Sources of Social Support"; "The 97% Project," Foster Youth of America.
- 31 McGuire, Gabrielli, Hambrick, Abel, Guler, and Jackson, "Academic Functioning of Youth in Foster Care: The Influence of Unique Sources of Social Support"; "The 97% Project," Foster Youth of America.
- 32 "Age Boundaries of the Juvenile Justice System," OJJDP, updated 2024, <https://ojdp.ojp.gov/model-programs-guide/literature-reviews/age-boundaries-of-the-juvenile-justice-system>.
- 33 Neb. Leg. Rev. Stat. 43-247, <https://nebraskalegislature.gov/laws/statutes.php?statute=43-247>.
- 34 "Bridge to Independence (b2i)," Nebraska Department of Health and Human Services, <https://dhhs.ne.gov/Pages/Bridge-to-Independence.aspx>.
- 35 Neb. Leg. Rev. Stat. 43-2101, <https://nebraskalegislature.gov/laws/statutes.php?statute=43-2101>.
- 36 Neb. Leg. Rev. Stat. 79-201 (2024), <https://nebraskalegislature.gov/laws/statutes.php?statute=79-201>.
- 37 "Age on Census Date by Race/Ethnicity for Nebraska, 2021," EZACJRP, [https://www.ojdp.gov/ojstatbb/ezacjrp/asp/Age\\_Race.asp?state=31&topic=Age\\_Race&year=2021&percent=row](https://www.ojdp.gov/ojstatbb/ezacjrp/asp/Age_Race.asp?state=31&topic=Age_Race&year=2021&percent=row); "State Summary: Nebraska," Civil Rights Data Collection Office for Civil Rights, 2020, <https://civilrightsdata.ed.gov/profile/us/ne?surveyYear=2020>.
- 38 "Age on Census Date by Race/Ethnicity for Nebraska, 2021," EZACJRP; "State Summary: Nebraska," Civil Rights Data Collection Office for Civil Rights.
- 39 "Data Dashboards: Demographics," Nebraska Foster Care Review Office, 2024 data.
- 40 Ibid.
- 41 In data provided by NDE, the population is listed as "systems-involved" rather than "court-involved students," which may be a broader category of students. Differences between the subgroup categorizations maintain the accuracy of definitions within each original data source.
- 42 Bellwether interviews.
- 43 Irvine and Canfield, "The Overrepresentation"; Wilson et al., "Disproportionality and Disparities"; Quinn et al., "Youth With Disabilities"; "Public Elementary/Secondary School Universe Survey," U.S. Department of Education; Cited in Beach, Robinson, Korman, and Koehler, "Double Punished: Locked Out of Opportunity," 8.
- 44 Neb. Rev. Stat. §79-303.01 (2023), <https://nebraskalegislature.gov/laws/statutes.php?statute=79-303.01>.
- 45 Hailly T.N. Korman and Paul Beach, "The Values of Harms Avoided in Nebraska: Calculating the Cost of a Fragmented System of Social Services," Bellwether, NRS §79-303.01 Supporting Resource, October 2024.
- 46 Bellwether survey completed December 9, 2024.
- 47 Jason Weeby, "Creating More Effective, Efficient, and Equitable Education Policies With Human-Centered Design," Bellwether, February 2018, <https://bellwether.org/publications/creating-more-effective-efficient-and-equitable-education-policies-human-centered-design/>.
- 48 Note: If you would like to view the use cases in full, please visit: "Improving Data Sharing for Youth Under the Jurisdiction of Nebraska's Juvenile Courts: Nebraska Department of Education Final Report Pursuant to Nebraska Revised Statute §79-303.01," Nebraska Department of Education.
- 49 Some youths are adjudicated in Nebraska but placed in out-of-state facilities.
- 50 Nebraska's Approved and Accredited Facility-Based Schools, Nebraska Department of Education, April 2023, <https://www.education.ne.gov/wp-content/uploads/2024/10/Facility-Based-Schools-Listing-2024.pdf>.
- 51 Note: Although background and other data about youth is vital to providing holistic, well-informed services, NRS §79-303.01 specifically mandated Bellwether's work to focus on education data and the need for timely and accurate transfer of educational records for court-involved students.



- 52 Leadership team meeting, May 30, 2024.
- 53 Neb. Rev. Stat. §79-729 (2024), <https://nebraskalegislature.gov/laws/statutes.php?statute=79-729>.
- 54 “Policy 6222: Instructional Program,” Lincoln Public Schools, 2024, <https://www.lps.org/about/policies/documents/6000/6222.pdf>; “Omaha Public Schools Graduation & College Entrance Requirements 2024-26,” Omaha Public Schools, April 2023, <https://www.ops.org/cms/lib/NE50000695/Centricity/Domain/145/OPS%20Grad%20Req%202024-26%20APRIL23.pdf>.
- 55 Bellwether interviews.
- 56 Title 92, Neb. Admin. Code Ch. 18, §008.01, Nebraska Department of Education (2003), <https://www.education.ne.gov/nderule/interim-program-schools/>; Title 92, Neb. Admin. Code Ch. 10, §003.05C, Nebraska Department of Education (2024), <https://www.education.ne.gov/wp-content/uploads/2024/05/Web-Rule-10.pdf>.
- 57 Bellwether interviews.
- 58 Ibid.
- 59 “Guiding Principles for Providing High-Quality Education in Juvenile Justice Secure Care Settings,” U.S. Department of Education, December 2014, 5, <https://www2.ed.gov/policy/gen/guid/correctional-education/guiding-principles.pdf>.
- 60 34 C.F.R. § 99.3; 34 C.F.R. §99.30.
- 61 “A Parent Guide to the Family Educational Rights and Privacy Act (FERPA),” U.S. Department of Education, July 9, 2021, 3, [https://studentprivacy.ed.gov/sites/default/files/resource\\_document/file/A%20parent%20guide%20to%20ferpa\\_508.pdf](https://studentprivacy.ed.gov/sites/default/files/resource_document/file/A%20parent%20guide%20to%20ferpa_508.pdf).
- 62 “A Parent Guide to the Family Educational Rights and Privacy Act (FERPA),” U.S. Department of Education, 4; 20 U.S.C. § 1232g(a)(5)(A).
- 63 Catherine Feeley and Jessica Feierman, “Understanding FERPA,” Juvenile Law Center, February 2015, 5, [https://jlc.org/sites/default/files/publication\\_pdfs/Understanding-FERPA-2-2015-FINAL.pdf](https://jlc.org/sites/default/files/publication_pdfs/Understanding-FERPA-2-2015-FINAL.pdf); 20 U.S.C. § 1232g(b)(1) E.
- 64 Feeley and Feierman, “Understanding FERPA,” 5; 20 U.S.C. § 1232g(b)(1).
- 65 Ibid.
- 66 Feeley and Feierman, “Understanding FERPA,” 5; 20 U.S.C § 1232g(b)(1)(L).
- 67 Bellwether interviews.
- 68 Ibid.
- 69 Ibid.
- 70 Neb. Rev. Stat. §79-303.01 (2023).
- 71 Bellwether focus group and site visit.
- 72 “ADVISER 101,” Nebraska Department of Education, 2023, <https://www.education.ne.gov/wp-content/uploads/2023/05/ADVISER-101-2019.pdf>.
- 73 Testimony at State Education Committee meeting, January 28, 2025, lightly edited for clarity, <https://www.nebraskalegislature.gov/FloorDocs/109/PDF/Transcripts/Education/2025-01-28.pdf>.
- 74 Neb. Rev. Stat. §79-303.01 (2023).
- 75 Neb. Rev. Stat. §43-1103 (2009); Neb. Rev. Stat. §43-1101 (2009).
- 76 Neb. 109th Leg. L.B. 296, introduction (2025), <https://www.nebraskalegislature.gov/FloorDocs/109/PDF/Intro/LB296.pdf>.
- 77 “State Board Legislative Priorities for the 2025–27 Biennium,” Nebraska Department of Education, August 2, 2024, [https://www.education.ne.gov/wp-content/uploads/2024/08/Board-Legislative-Priorities\\_2025-27.pdf](https://www.education.ne.gov/wp-content/uploads/2024/08/Board-Legislative-Priorities_2025-27.pdf).
- 78 Bellwether survey completed December 9, 2024.
- 79 “What Is an Education Record?,” U.S. Department of Education, Protecting Student Privacy, <https://studentprivacy.ed.gov/faq/what-education-record>.
- 80 Neb. Rev. Stat. §43-247 (2019).

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## About Bellwether

Bellwether is a national nonprofit that exists to transform education to ensure systemically marginalized young people achieve outcomes that lead to fulfilling lives and flourishing communities. Founded in 2010, we work hand in hand with education leaders and organizations to accelerate their impact, inform and influence policy and program design, and share what we learn along the way. For more, visit [bellwether.org](http://bellwether.org).

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