

Texas Legislative and Government Code Requirements

This section provides a brief outline of the roles and responsibilities of CRCGs within the legislative and government codes. Visit the CRCG [website](#) for more information on Texas Legislative and Government Code requirements for CRCGs.

Non-Educational (Non-Ed) Funds

The 74th Legislature appropriated funds to school districts to provide non-ed community-based support services for certain students with disabilities and their families who are at risk for being placed in residential facilities for educational reasons or who are currently in a residential placement for educational purposes to return home.⁵ Non-ed funds help families care for their children and enable them to better cope with having an individual with a disability at home.⁶ These services are not intended to be intensive or long-term but rather, periodic and short-term.⁷

- CRCGs assist in the planning process for non-ed funds by reviewing and signing the application that is submitted by the Independent School District, also known as the Local Education Authority. The school district applies for non-ed funds on behalf of the student; therefore, it is the district's responsibility to submit the application. The application is submitted to the regional education service center which then approves or denies the application.
 - School districts and charter schools that apply for non-ed funds must have a planning meeting to discuss options for non-ed services. The CRCG may serve as the planning meeting.
 - Once non-ed funds are awarded, the CRCG supports the family to identify service providers.⁸

Permanency Planning

The goal of permanency planning is to support children with developmental disabilities who either live in an institution or who are at imminent risk of admission to an institution that live in a family setting. Texas law requires permanency planning for each child living in an institution who has a developmental disability and is younger than 22 years.⁹ Institutions include nursing facilities, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions including state supported living centers, and settings with supervised living and residential support through the Home and Community-Based Services program.

⁵ 2 Texas Education Code, [§29.013](#)

⁶ [Texas Education Agency \(2007-2020\). Non-educational Community-Based Support Services.](#)

⁷ [Texas Education Agency \(2009, August\). Noneducational Community-Based Support Services Frequently Asked Questions.](#)

⁸ [Texas Education Agency \(2007-2020\). Non-educational Community-Based Support Services.](#)

⁹ 40 Texas Administrative Code (TAC), [§19.805](#)

Institutions must notify the CRCG in the county in which the parent or guardian of the child resides within three days of the child's admission.

Permanency planning responsibilities are assigned to designated local intellectual and developmental disability authorities (LIDDAs) and EveryChild, Inc. When a CRCG is contacted by an institution, the CRCG may also contact the permanency planner and/or the child's parent or guardian to ensure they are aware of services and supports that could provide alternatives to the institution, available placement options, and opportunities for permanency planning.¹⁰ The CRCG can help identify and coordinate services in the least restrictive setting for persons with complex needs.

Waco Center for Youth

Waco Center for Youth is a long-term psychiatric residential treatment facility that serves youth 13 through 17 years old with severe emotional or behavioral disorders, who have experienced serious dysfunction, and who have exhausted available community treatment resources.¹¹

Youth must be referred to the Waco Center for Youth to be considered for admission. Referrals are made through a local mental health authority (LMHA), local behavioral health authority (LBHA), or state mental health facility (SMHF).

- Referrals from the LMHA or LBHA should be reviewed by the local CRCG to determine if all appropriate community-based resources have been exhausted and Waco Center for Youth is the least restrictive environment needed.
- If all community-based resources have been exhausted, the CRCG may write a letter of recommendation to accompany the referral, stating that the CRCG met and endorses the referral.¹²
- An ISP should be created to support the youth and family with recommendations for services while they wait for admission.
- For youth who are currently receiving services at the Waco Center for Youth, a CRCG meeting should be utilized prior to discharge to ensure continuity of care and support for the youth and their family as they reintegrate into the community.

North Texas State Hospital

The Adolescent Forensic Program is a maximum-security residential program located on the North Texas State Hospital - Vernon South Campus serving youth throughout the state of Texas. The adolescents served range in age from 13 to 17 years old with a variety of mental health and substance use needs. Admission to

¹⁰ 4 Texas Government Code, [§531.155](#)

¹¹ [Texas Health and Human Services \(n.d.\). Waco Center for Youth.](#)

¹² 26 Texas Administrative Code (TAC), [§306.174](#)

the AFP of North Texas State Hospital is accomplished through referral by a family court, Local Mental Health Authority or Local Behavioral Health Authority¹³.

CRCGs review requests or recommendations for placement in the North Texas State Hospital:¹⁴

- The CRCG is required for admission as a voluntary condition of probation and should evaluate if long-term residential treatment is appropriate. The CRCG should hold a staffing with community stakeholders, such as family, treatment providers, and probation officers, to review the recommendation and ensure all community resources have been utilized and exhausted.
- Once this has been confirmed, the CRCG may provide a letter of recommendation with the referral to assist with gaining admission to the North Texas State Hospital - Vernon South Campus.

Prior to discharge, a CRCG meeting should be organized to assist the facility, youth, and family with creating a transition plan and support services to ensure continuity of care services for reintegration back to the community.

Juvenile Justice Diversion

H.B. 1204 changed the way juvenile referrals and detentions for those under 12 years old are handled. This bill requires the following:

- The person conducting the preliminary investigation refers the child's case to a CRCG or local juvenile service provider for a staffing if they determine the child is:
 - Younger than 12 years of age;
 - Believed to have engaged in delinquent conduct or conduct indicating a need for supervision;
 - Not required to be referred to a jurisdiction's prosecuting attorney;
 - Eligible for deferred prosecution; and
 - Their family is not currently receiving services and would benefit from services.¹⁵
- The CRCG or local community juvenile service provider will evaluate the child's case and make recommendations to the juvenile probation department for appropriate services for the child and child's family.¹⁶
- The probation department carries responsibility for initiating the staffing, creating a service plan that incorporates resulting recommendations, monitoring and adjusting the service plan for up to three months, and referring the juvenile back to the prosecuting attorney if the child fails to successfully participate in the required services during the period.¹⁷

¹³ Texas Health and Human Services (n.d.). *State Hospitals*. Retrieved April, 8 2021, <https://hhs.texas.gov/services/mental-health-substance-use/state-hospitals>

¹⁴ 26 Texas Administrative Code (TAC), [§306.173](#)

¹⁵ 3 Texas Family Code, [§53.01](#)

¹⁶ 3 Texas Family Code, [§53.011](#)

¹⁷ 3 Texas Family Code, [§53.011](#)

- Each juvenile board establishes policies to divert juveniles younger than 12 from referral to the prosecuting attorney and to limit detention for juveniles younger than 12 years to circumstances of last resort.¹⁸

¹⁸ 10 Texas Human Resources Code, [§152.00145](#)