VJCCCA MANUAL

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Effective: July 1, 2012

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How to Use This Manual

This manual provides guidance and consistent information to those involved in providing services to juveniles through the VJCCCA.

Updates: It is anticipated that this document will be reviewed frequently. As issues arise, the Department of Juvenile Justice (DJJ) and, as appropriate, the Board of Juvenile Justice (BJJ) will explore and develop ways to resolve them, and make modifications to this manual.

The most recent version of this manual and forms are available on the DJJ web site: **www.djj.virginia.gov**. If there are questions not answered in the manual, please contact your Regional VJCCCA Coordinator for guidance.

Hypertext links. The Table of Contents and text in this document are equipped with hypertext links. When reading this manual on-line or on-disk, simply click on the web address in blue text and the computer will launch your internet browser and go directly to that site.

Definition of Terms

Balanced Approach	DJJ responds to juvenile offenders through a system that provides: • Control of a juvenile's liberty through secure confinement and/ or community supervision to ensure *public safety*; • A structured system of incentives and graduated sanctions in both institutional and community settings to ensure *accountability* for the juvenile's actions; • A variety of services and programs that builds skills and *competencies*.
Board of Juvenile Justice (**BJJ**)	The seven member body, appointed by the Governor, to provide policy oversight to the Department of Juvenile Justice in accordance with § 66-4 through § 66-11 of the Code of Virginia. Unless otherwise noted, "Board" refers to the Board of Juvenile Justice.
Chief Administrative Officer	The city manager or county administrator of the locality.
Combined Plan	A plan submitted by more than one locality for a complete pooling of VJCCCA funds, and for which one locality shall bear responsibility for the receipt, disbursement, and reporting requirements for all VJCCCA funds related to the plan.
Community Programs Reporting (**CPR**) System	An Internet-based database system designed to collect both financial and service data on programs and participants in VJCCCA.
Data Compliance Certification Form	Form to be submitted annually indicating that all service data entered into the CPR System is complete and accurate.
Data Contact	An individual designated by the chief administrative officer to provide the required data about participants in VJCCCA funded programs and services. This person serves as the single point of contact to DJJ for data related issues. The data contact is responsible to the chief administrative officer to ensure that reports are accurate and timely.
Department (**DJJ**)	Unless otherwise noted, "Department" refers to the Department of Juvenile Justice
Direct Service Personnel	Local or commission employees assigned to local or commission operated programs or services who deliver programs or services to VJCCCA eligible juveniles
Diversion	The provision of programs and services, consistent with the protection of the public and public safety, to juveniles that can be cared for or treated through alternatives to the juvenile justice system as provided for in § 16.1-227 of the Code of Virginia

Expenditure	While many localities may allow programs to encumber funds, the Code of Virginia specifically speaks to the "expenditure" of funds. Consequently, localities must have incurred the expense by June 30 of a given year. Payment must be processed before the locality closes its books for the year. This follows the accrual method of accounting.
Expenditure Compliance Certification Form	Form to be submitted annually indicating that all VJCCCA expenditures are in accordance with §§ 16.1-309.3(C) (non-supplantation of funds); 16.1-309.6 (expenditure of Maintenance of Effort); and 16.1-309.9 of the Code of Virginia.
Fiscal Adjustment Form (**FAF**)	The mechanism by which a locality advises the Department of budget adjustments to the plan within set limits, and verifies that the chief administrative officer, judge(s) and court service unit director have been notified.
Fiscal agent	The locality that acts on behalf of all localities within a combined plan, with respect to all financial and reporting matters related to the VJCCCA
Fiscal Year	July 1 through June 30 of the subsequent year. For example, FY2013 runs from July 1, 2012 through June 30, 2013.
Indirect Costs	Those costs for a common or joint purpose that support one or more non-VJCCCA cost objectives (contract, award, project or program). Indirect costs are not allowed. These are costs that do not directly contribute to the operation of a VJCCCA program or service. For example, the locality may not take 5% of the VJCCCA allocation to cover overhead or expenses incurred processing VJCCCA services.
Local Plan	A document or set of documents prepared by one or more localities pursuant to § 16.1-309.3(D) of the Code of Virginia, describing a range of community-based sanctions and services addressing individual juvenile offenders' needs and local juvenile crime trends.
Local Planning Team	A group of people who meet to develop the VJCCCA plan based on a review of community data, identification of needs, determination of service gaps and identification of resources to fill the identified needs. The team should include: judge(s), court service unit (CSU) staff, community policy and management team (CPMT) representation, office on youth (OOY) director, representatives of child serving agencies, plan contact, and data contact.
Maintenance of Effort (**MOE**)	Local funding that the locality must spend first, in order to be eligible to expend the state allocation.
Monitoring Visit	In years alternating with the periodic review, a monitoring visit is conducted, which may include case records reviews, data, personnel information, progress made on plans of action, as well as interviews of plan officials and program personnel.

Optional Local Funding	Local funding a locality chooses to contribute to VJCCCA programs and services beyond the required maintenance of effort.
Other Funding	Funding such as user fees, USDA, revenue from other localities, recovered costs for non-VJCCCA placements, federal or private grants, etc. that support VJCCCA programs or services.
Periodic Review	A formal on-site review of the VJCCCA plan to ensure that the locality is operating according to the plan and that all applicable regulations and requirements are being met. The periodic review will include case records reviews, data and financial reviews, personnel information, progress made on plans of action, as well as interviews of plan officials and program personnel.
Plan Contact	Single point of contact designated by the chief administrative officer to be responsible for ensuring development, coordination, implementation, operation, monitoring and evaluation of the locality's VJCCCA plan. This contact is identified in the local plan and is the official contact person for DJJ. The chief administrative officer must notify DJJ should the plan contact change during the biennium.
Program	A coordinated set of activities designed to produce specific changes for a particular client base. Programs have structure and processes that are defined in enough detail to allow the program to be duplicated by others. Programs address the following elements: • Resources: includes staff, facilities, equipment, funds and clients, etc. • Processes: the activities used to accomplish the results • Outputs: units of service and numbers of clients receiving amounts of service or activities • Outcomes: measurable change in behaviors following the activities (e.g., fewer fights, less truancy, cessation of drug use, etc.) or degree of success in meeting preset criteria (e.g., completed court ordered hours, sessions, procedures, etc.)
Provider	An agency, organization or association that delivers a program or service funded through the VJCCCA.
Regional VJCCCA Coordinator	DJJ staff that conducts periodic reviews and monitoring visits of VJCCCA plans, offers technical assistance, conducts regional meetings and provides training.
Regulation	Regulation for Nonresidential Services (6VAC35-150-10) promulgated by the Board of Juvenile Justice
Resolution	A document promulgated by the local governing body (city council, board of supervisors) that sets out terms of participation in the VJCCCA.
Sanction	Disciplinary actions, restrictions, limitations, suspension of

	privileges, or increases in levels of supervision.
Serious Incident Report	The method for reporting to the Department of Juvenile Justice any serious incident (e.g., death, fire, hostage taking, riot, escape/AWOL, serious juvenile/staff injury or illness, suicide attempt, alleged child abuse or neglect, staff/major juvenile arrest, chemical agent use) while participating in or operating a VJCCCA program or service.
Service	A limited set of related activities for a specific purpose. A service could be one of the activities of a program, or it could exist alone. Examples of services are drug screens, curfew checks, collection of restitution, etc.
Service Population	The specific segment of the target population that a program or service is designed to serve based on offenses, risk level, needs, etc.
Start-up Costs	One time costs incurred to develop new programs or services. Costs may include equipment, program specific curricula or materials.
State Allocation	State general funding that DJJ provides to the locality to support VJCCCA programs and services (See State Funding section of this Manual).
Target Population	"Juveniles before intake on complaints or the court on petitions alleging that the juvenile is a child in need of services, child in need of supervision, or delinquent" (§ 16.1-309.2 of the Code of Virginia).
USDA	United States Department of Agriculture funding for programs that serve meals to participants. It is not impacted by the VJCCCA.

Introduction

History

In 1993, the General Assembly received a number of requests to fund the construction of secure detention facilities for the pre-dispositional placement of juveniles. Because of this, legislators requested that the Commission on Youth study issues of access to alternative, non-secure pre-dispositional placements for juveniles. The study concluded that there were few non-secure pre-dispositional options available throughout the Commonwealth.

Simultaneously, Virginia was undergoing a reform of the statutes pertaining to the juvenile justice system. With increased emphasis on accountability and more severe sanctioning, many saw the need to intervene early in the lives of juveniles involved in the juvenile justice system in order to prevent their further offending and deeper involvement in the system. Few programs and services existed however, to provide such interventions.

In 1995, the General Assembly enacted the Virginia Juvenile Community Crime Control Act (VJCCCA) that restructured funding for local juvenile justice programming. Block grant funding was discontinued for all programs except secure detention. Established block grant funds formed the basis for VJCCCA. The General Assembly appropriated additional funding so that all localities could implement programs and services to meet the needs of juveniles involved in the juvenile justice system. As a component of the legislation, all localities were required to expend an amount equal to the sum of their fiscal year 1995 expenditures for pre-dispositional and post-dispositional block grant alternatives to secure detention. This required local funding is called the Maintenance of Effort (MOE).

Intent

Section 16.1-309.2 of the Code of Virginia sets out the intent and six purposes of the Virginia Juvenile Community Crime Control Act as follows:

> "The General Assembly, to ensure the imposition of appropriate and just sanctions and to make the most efficient use of correctional resources for those juveniles before intake on complaints or the court on petitions alleging that the juvenile is a child in need of services, child in need of supervision, or delinquent, has determined that it is in the best interest of the Commonwealth to establish a community-based system of progressive intensive sanctions and services that correspond to the severity of offense and treatment needs. The purpose of this system shall be to deter crime by providing immediate, effective punishment that emphasizes accountability of the juvenile offender for his actions as well as reduces the pattern of repeat offending. In furtherance of this purpose, counties, cities or combinations thereof are encouraged to develop, implement, operate and evaluate programs and services responsive to the specific juvenile offender needs and juvenile crime trends.

This article shall be interpreted and construed to accomplish the following purposes:

1. Promote an adequate level of services to be available to every juvenile and domestic relations district court.
2. Ensure local autonomy and flexibility in addressing juvenile crime.
3. Encourage a public and private partnership in the design and delivery of services for juveniles who come before intake on a complaint or the court on a petition alleging a child is in need of services, in need of supervision or delinquent.
4. Emphasize parental responsibility and provide community-based services for juveniles and their families which hold them accountable for their behavior.
5. Establish a locally driven statewide planning process for the allocation of state resources.
6. Promote the development of an adequate service capacity for juveniles before intake on a complaint or the court on petitions alleging status or delinquent offenses."

Target Population

Section 16.1-309.2 of the Code of Virginia specifically states that the Virginia Juvenile Community Crime Control Act is to serve "juveniles before intake on complaints or the court on petitions alleging that the juvenile is a child in need of services, child in need of supervision, or delinquent…" It also specifically excludes secure detention from the VJCCCA. Section 16.1-309.3(A) of the Code of Virginia states that "…services [are] for juvenile offenders who are before intake on complaints or the court on petitions alleging that the juvenile is delinquent, in need of services or in need of supervision but shall not include secure detention for the purposes of this article." Consequently, all VJCCCA funding (state allocation and local Maintenance of Effort) spent by a locality must be spent serving only juveniles and their families before intake, adjudicated delinquent, Children In Need of Services (CHINS) or Children In Need of Supervision (CHINSup) through non-secure programs and services. Traffic offenders may only be served through VJCCCA funds if their offense rises to the level of a misdemeanor or felony.

VJCCCA funding may not be used for services for juveniles or their families while the juveniles are committed to the Department of Juvenile Justice or are placed in secure settings such as pre- or post-dispositional detention.

Programs and Services

Fundamentals

The Department of Juvenile Justice endorses the Balanced Approach philosophy. This framework includes three components in each juvenile's supervision/service plan: public safety, accountability and competency development. The Balanced Approach lends itself well to the intent of the VJCCCA to provide a "community-based system of progressive intensive sanctions

and services that correspond to the severity of offense and treatment needs" (§ 16.1-309.2 of the Code of Virginia).

In accordance with the Balanced Approach philosophy, all VJCCCA programs must:

1) Promote public safety;

2) Hold juveniles accountable for their behavior (sanctions); and/or

3) Build skills or provide treatment to improve a juvenile's behavior (competency development).

Core probation and parole services, ***cannot*** be funded through VJCCCA funds. They are funded directly through appropriations to the Department of Juvenile Justice. Such core services are: investigations and investigation reports, routine supervision and supervision reports, informal supervision, preparing probation conditions, intake and preparing and filing petitions (See § 16.1-237 of the Code of Virginia). Localities may still use VJCCCA funds to provide services including surveillance, case management and intensive supervision that go beyond the core probation functions.

Allowable Programs and Services

The Board of Juvenile Justice Regulations for Nonresidential Services effective July 1, 2011 allows for programs and services to be developed to meet the individual needs of programs, services and localities. The most recent Regulation Governing the Monitoring, Approval and Certification of Juvenile Justice Programs and Facilities require that programs and services follow statutory requirements, regulatory requirements and applicable departmental procedures or manuals.

The table on page 12 describes the programs and services that may be funded through VJCCCA. Following the table, guidance is provided regarding minimum requirements for identified programs and services as determined necessary by DJJ.

Table 1: Allowable VJCCCA Programs and Services

Academic Improvement Programs	Programs that reduce recidivism and deter continued court involvement by improving academic achievement. Services may include: tutoring, study skills, GED preparation, correspondence courses, adult education, and alternative school placement.
After School or Extended Day Programs	Programs that reduce opportunities for juveniles to reoffend by providing structured activities during or after regular school hours (especially during high risk hours of 3:00 p.m. to 7:00 p.m.) or during curfew periods. Services may include: education and academic tutorial skills, vocational and occupational skills, GED preparation, activities, counseling, crisis intervention, behavior management, and pre-employment skills.
Case Management	Case management services for juveniles receiving VJCCCA funded services, including but not limited to referral, monitoring compliance with services, reports to referring agents, and monitoring service provision. Case management services should be recorded in units of hours or contacts.
Community Service	Programs that provide an option to courts and a sanction for delinquent behavior by providing community work experience programs.
Coordinator/ Administrative	Administrative services or positions to manage VJCCCA programs and services. These functions include CPR data entry; negotiating/monitoring service contracts; handling fiscal matters (e.g., processing invoices); entering expenditures; attending VJCCCA meetings and trainings.
Crisis Intervention and Shelter Care	Programs that provide short-term residential or non-residential crisis care which focuses on stabilizing the juvenile's behavior, making an initial assessment of treatment needs, and planning for future (short term and long term) service needs with a goal of reunification with the family. Services may include: case management services, group counseling, individual counseling, tutoring, and interagency service referrals.
Employment/ Vocational Programs	Programs that prepare clients with basic employment skills and assist them in obtaining employment. Services may include: vocational counseling, teaching job skills, on-site supervision/supported employment, pre-employment skills, coordination of transportation, and vocational assessment.
Family Oriented Group Homes	Programs that provide a residential placement in a homelike foster care environment. Services may include: residential care, group and individual counseling, assessment and case management, life skills, recreation, educational support, etc.
Group Homes	Programs that provide a residential placement in a non-secure environment. Services may include: residential care; group, family and individual counseling; assessment and anger management; life skills; recreation; educational support; etc.
Home-Based / In-Home Services	Programs that prevent the removal of a juvenile from the home and deter juveniles from further involvement with the juvenile justice system by providing counseling to the juvenile and family within the home. Services may include: family counseling, improvement of social relationships and problem solving, community coordination, and educational and vocational support.

Individual, Group, Family Counseling	Programs that meet the needs of juveniles and their families by providing individual, family and group counseling. Services may include: conflict resolution skills, improving communication skills between juveniles and parents/guardians, setting consequences and rewards, and developing positive living skills.
Law Related Education	Programs that reduce recidivism and the need for continued court involvement by providing educational programs and services on law related issues. Services may include law-related education programs that teach: individual accountability and responsibility, an understanding our legal system, and an individual's rights and responsibilities.
Less Secure Detention	Programs that provide a short-term, pre-dispositional residential placement between secure detention and group homes. Services may include: residential care; group, family and individual counseling; assessment and case management; life skills; recreation; educational support, etc.
Life Skills	Programs that provide opportunities for personal growth and the development of skills designed to assist juveniles in appropriate community functioning. Services may include: using public transportation, making and keeping appointments, grocery shopping and meal planning/preparation, laundry and home hygiene, preventing pregnancy, STDs, tobacco use, healthy communication, and training for adolescent parenting.
Mental Health Assessments	Programs that provide the court with the necessary information about the juvenile's mental status to make an appropriate disposition and referral to other agencies.
Mentoring	Programs that reduce recidivism and deter continued court involvement by providing a positive adult relationship and role model. Services may include: reinforcing and coaching positive behavior, interpersonal skills training, and coping mechanisms.
Office on Youth	This category is to be used for services/support of a local office on youth.
Outreach Detention **Electronic Monitoring**	Programs that provide for the public safety by providing an alternative to secure detention, assuring the youth's availability for court and allowing the parents or guardians to have physical custody of their child. Outreach Services may include GPS and/or electronic monitoring and voice verification. GPS, electronic monitoring and voice verification may also be a standalone services not attached to Outreach Detention.
Parenting Skills	Programs designed to improve the parenting skills of parents and caretakers of delinquent juveniles. Services may include: education, individual, group and family counseling, and support groups.
Pro-Social Skills	Programs that reduce recidivism and the need for continued court involvement by providing programs and services that use cognitive behavioral approaches to teach alternative means of communicating and problem solving. Services may focus on areas including anger management, conflict resolution skills, communication skills, problem-solving, pro-social thinking skills, and stress management techniques.
Restitution/ Restorative Justice	Programs that provide a sanction for delinquent behavior, compensation to victims, and teach juveniles appreciation for consequences of their actions and how their actions may impact their victims' lives. Services may include restitution, mediation, family or community conference committees.

Sex Offender Assessment	Programs that provide assessment of juveniles charged with sex offences or exhibit sex offending behavior. Services may include: assessment, polygraph examinations, and referral to additional services.
Sex Offender Treatment	Programs that ensure public safety through treatment of sex offenders. Services may include: outpatient individual, family and group counseling, and/or residential placement.
Shoplifting Programs	Programs that educate participants on the consequences of shoplifting. Services may include: alternatives to delinquent behavior, problem solving skills, education on shoplifting laws and consequences, and group discussion.
Substance Abuse Assessment	Programs that provide evaluation of a juvenile's use of alcohol or other drugs. Services may include: clinical substance abuse assessments, urinalysis, breathalyzer and referring juveniles to additional services.
Substance Abuse Education	Programs designed to teach youth the dangers of illegal substance use and assist the youth in remaining drug-and alcohol free as well as avoid related delinquent behavior that may lead to further court involvement. Services may include: substance abuse education.
Substance Abuse Treatment	Programs that help clients become and remain drug and alcohol free and avoid delinquent behavior and court involvement. Services may include: outpatient substance abuse counseling and/or intensive treatment (residential or nonresidential).
Supervision Plan Services	Funding set aside to purchase services depending on the individual needs of the child that are beyond the services normally provided by the court service unit. Services may include residential, nonresidential, pre-dispositional or post-dispositional non-routine services, specialized assessments and evaluations.
Surveillance / Intensive Supervision	Programs that prevent juveniles from engaging in further delinquent behavior and commitment to DJJ by providing additional surveillance and/or intensive supervision to juveniles in the community on probation or parole. May include: intensive supervision, monitoring and surveillance, GPS and electronic monitoring as part of the program.

Program Guidelines

The Board of Juvenile Justice Regulations for Nonresidential Services effective July 1, 2011 in Part II Programs and Services Article 1 provide the General Requirements for VJCCCA programs. Article 2 addresses requirements for Alternative Day Treatment and Structured Day Programs.

The General Requirements 6VAC35-150-430 specifies what is required of each program and service to be in a written format. Programs and services should follow best practices, use evidence based interventions and use cognitive behavioral approaches as their guiding principles. Below are minimum expectations for identified services areas that will be required in the development of your VJCCCA programs and services

A variance to the minimum requirements may be requested by a Plan Contact when conditions exist where the program or service is not able to comply. The request must be submitted to your VJCCCA regional coordinator who will forward the request for approval to the VJCCCA Administrator.

Outreach Detention: When Outreach Detention is used a pre-dispositional alternative to secure detention a minimum of 4 weekly face-to-face contacts with no two consecutive days between contacts.

Electronic Monitoring: When GPS or electronic monitoring is used as a standalone service for a pre-dispositional alternative, regular contact to consist of a minimum of 2 home visits per week should be conducted. Best practice indicates that electronic monitoring alone without minimal contact or supervision may not be sufficient for insuring compliance and public safety. When GPS or electronic monitoring is used post-dispositional or as a graduated sanction, the CSU probation or parole officer assigned to the juvenile may provide the required contacts as determined by the written supervision or service plan. The maximum time a juvenile may be on GPS or electronic monitoring is 45 days unless determined by the written supervision plan to include a CSU supervisory review every 90 days, a court order, or administratively directed by DJJ Director.

Surveillance and Intensive Supervision: Surveillance and Intensive Supervision services typically as are to be used as a post-dispositional service. The required contacts shall be determined by the written supervision or service plan and should decrease over time. When used as a graduated sanction for a juvenile on probation or parole, the required contacts will be as specified in writing by the probation or parole officer and in accordance with the juvenile's written supervision or service plan.

Crisis Intervention: Those programs and services providing crisis intervention services, including, but not limited to, outreach detention, mental health counseling or treatment, and home-based counseling services, shall provide for responding 24 hours a day to a juvenile's crisis and shall provide notification to all juveniles in writing on how to access these services at any time.

State Funding

Funding Formula

Funding for the Virginia Juvenile Community Crime Control Act was initially set according to a specific formula and is based on specific appropriations by the General Assembly. The original formula is laid out in § 16.1-309.7(A) of the Code of Virginia. However, revisions and clarifications to the formula have been included in the *Appropriation Act*, which supersedes the *Code*.

Quarterly Payment Schedule

The annual appropriation for each locality shall be disbursed on a quarterly basis, as close as practicable to the first of the following months:

July - First quarter payment
October - Second quarter payment
January - Third quarter payment
April - Fourth quarter payment

When possible, funds are distributed each quarter through electronic funds transfer (EFT) by the Treasurer of Virginia. If funds are distributed through an EFT, DJJ also sends a copy of the payment voucher for each state disbursement through the U.S. mail. It is the locality's responsibility to notify the individual programs of the receipt and distribution of VJCCCA funds at the local level. If it is not possible to do an EFT, a check is mailed to the fiscal agent locality.

Quarterly payments will be disbursed to each locality that has been approved by the appropriate regional VJCCCA coordinator (regional coordinator) and the DJJ VJCCCA Administrator and for the specific amount approved. The quarterly state disbursement shall not exceed the proportionate amount applicable to that period. However, current fiscal year funds that may have been withheld (prior quarter withholding or reduction of funds) may be approved retroactively and released upon notification of approval by the DJJ VJCCCA Administrator. The release of VJCCCA funds is contingent upon the locality's compliance with all established terms and conditions and may be withheld as provided below.

Any state funds received by a locality that remain unspent at the end of each year must be refunded to the Commonwealth.

Local Fiscal Agent Receives Payments

All localities in the Commonwealth with VJCCCA plans approved by the Board of Juvenile Justice (*or Board*) for the current fiscal year are eligible to receive funding as appropriated by the General Assembly. Localities that submit combined plans shall appoint one locality to act as the fiscal agent for all localities represented within the combined plan. All funds shall be directed to that locality.

Authority to Withhold Payments

"If the Department [of Juvenile Justice] determines that a program is not in substantial compliance with the approved plan or regulation, [it] may suspend all or any portion of financial aid made available to the locality until there is compliance" (§ 16.1-309.9(C) of the Code of Virginia).

Circumstances under which payments may be withheld

Reasons for withholding payments may include, but are not limited to, the following circumstances:

- The locality does not have a plan approved by the Board of Juvenile Justice for the current year.
- A revised plan is pending approval by the Board of Juvenile Justice.
- The locality is not up to date reporting financial or statistical data on programs and services as required by the Department of Juvenile Justice.
- The locality has not submitted the required Program Evaluation Report and accompanying Corrective Action Plans (if necessary) for each program funded under the VJCCCA plan.
- The locality does not have an approved expenditure report for the prior fiscal year (did not meet annual MOE, expenditure of funds is not in agreement with Board approved plan, incomplete information on forms, or other reporting issues as identified).
- A prior year refund of unexpended VJCCCA funds is due to the Treasurer of Virginia.
- The locality is not operating in compliance with their Board approved plan.
- The Department has identified significant issues concerning sound management and expenditure practices and is working with a locality to remedy these concerns.

Acceptable compliance

The regional VJCCCA coordinators will review, on an on-going basis, the various programs for compliance with their Board approved plans, adequate utilization rates, levels of expenditure and compliance with other Board and Departmental directives. Quarterly payments may be proportionately withheld for programs with unsatisfactory findings, as determined by the DJJ VJCCCA Administrator. Before withholding any funding, the regional coordinator will initiate discussion of the issue with the locality and offer technical assistance. The funds may be released retroactively upon corrective action or resolution of the issue.

Notification of withholding

Localities will be notified by the DJJ VJCCCA Administrator prior to the withholding of any quarterly state disbursement. The notification will include the justification for withholding funds and any corrective action required by the locality.

Appeals

If a locality wishes to appeal the withholding of funding, it should submit its concerns in writing to their regional coordinator. The regional coordinator and the DJJ VJCCCA Administrator will recommend a resolution to the Deputy Director for Operations who will have authority to resolve the issue. After the issue is resolved, the regional coordinator and the DJJ VJCCCA Administrator will communicate the resolution to the locality and the DJJ fiscal unit, if applicable. At this point, if the locality wishes to appeal this decision, they may send a letter to the regional coordinator to request a meeting with the Deputy Director for Operations or Director of DJJ who will have final authority on the issue.

Maintenance of Effort (MOE)

Purpose

Section 16.-309.6 of the Code of Virginia states that "any county, city or combination thereof which utilized pre-dispositional or post-dispositional block grant services or programs in fiscal year 1995 shall contribute an amount not less than the sum of its fiscal year 1995 expenditures for child care day placements in pre-dispositional and post-dispositional block grant alternatives to secure detention…" Section 16.1-309.3(C) of the Code of Virginia further states that "funds provided to implement the provisions of this article shall not be used to supplant funds established as the state pool of funds under § 2.2-5211."

In short, the legislature intended that the level of financial commitment shown by communities prior to the VJCCCA would not be replaced or supplanted by the VJCCCA. This prior level of commitment has become known as the Maintenance of Effort, or MOE.

As of July 1, 2011, localities have an option of reducing their Maintenance of Effort to equal the amount of state funds allocated for the locality through the Virginia Juvenile Community Crime Control Act (VJCCCA).

Source of MOE

The Maintenance of Effort must be locally appropriated funds and may not be generated as revenues from VJCCCA programs or services. Maintenance of Effort must be cash and not an in-kind contribution.

A locality shall not use the proceeds from VJCCCA programs and services provided to another locality to meet their MOE.

A locality may not use the same funding to simultaneously meet both matching funds or Maintenance of Effort requirements for VJCCCA and other state funding streams. (For example, a locality cannot use the same $10,000 of local funding to match a social services grant and meet their VJCCCA MOE.)

Notification of Required MOE

Biennially, the Department of Juvenile Justice will send to each designated plan contact, notification of the locality's required MOE, along with instructions for completing their local plan. If notice is not received by May 1 of an even numbered year, or if other questions or concerns remain, the chief administrative officer, or his designee, should contact their regional coordinator.

Expending MOE

The full amount of the MOE must be expended in each year of the biennium. Failure to expend the entire MOE shall result in the locality having to return the entire state allocation to the Treasurer of Virginia.

Funding from Other Sources

VJCCCA requires a community planning process that may identify a variety of existing services as well as gaps in service. It is hoped that localities will look at their service needs, their community assets, available funding sources and the constraints on those funds. A comprehensive community plan can lead to localities matching resources to meet their needs and will provide sound data to justify grant requests.

The Department of Juvenile Justice encourages localities to seek additional funds to supplement VJCCCA programs and services and to meet the full range of service needs in their community.

Localities should report revenue and expenditures from other funding sources if they partially support programs and services included in the VJCCCA plan so that the actual cost of the services can be identified.

Using VJCCCA to Match Funds

The DJJ supports localities using their state VJCCCA allocation and/or their required local MOE to match federal funding sources (e.g., federal JABG grants) and private foundation grants that provide funding to serve the same populations. This constitutes using state and local funding to match federal and private funding sources. VJCCCA funds used in such a manner must still be expended in accordance with all applicable VJCCCA requirements. It is the locality's responsibility to ensure that the funding source for which VJCCCA is being used as a match approves of VJCCCA as a match source.

Using CSA or VJCCCA

The Comprehensive Services Act for At-Risk Children (CSA) is a funding source localities can use to serve juveniles before intake or the Court for CHINS, CHINSup or delinquency. If those children qualify for mandated services under prevention of foster care, the services should ideally be paid for through CSA. An Attorney General's opinion (2000 Va. Op. Att'y Gen. 034) found that a "family assessment and planning team may not refer a juvenile for services funded under Juvenile Community Crime Control Act rather than Comprehensive Services Act, where juvenile is eligible under both acts for services not yet funded by either act."

Expending VJCCCA Funds

Types of Revenue

There are four types of funding support VJCCCA programs:

State allocation	State general funding that DJJ provides to the locality to support VJCCCA programs and services. (See State Funding)
Maintenance of Effort (MOE)	Local funding that must be spent in its entirety, in order to be eligible to expend the state allocation. (See Maintenance of Effort)
Optional local funding	Funding a locality chooses to contribute to VJCCCA programs and services beyond the required maintenance of effort.
Other funding	Funding such as user fees, USDA, revenue from other localities, recovered costs for non-VJCCCA placements, federal or private grants, etc. that support VJCCCA programs or services.

These four types of funding are budgeted in a VJCCCA plan. The state allocation and MOE must be expended in compliance with the allowable expenditures below.

Allowable Expenditures

VJCCCA funding can only be expended on programs or services included in a Board of Juvenile Justice approved plan. If a locality starts a new VJCCCA program or service without or before Board approval and the Board fails to approve the program, 1) no state allocation funding or MOE can be expended on the program; and 2) no local funding spent will count towards the MOE.

VJCCCA funds can only be expended on the target population specified in the Code of Virginia*:* "Juveniles before intake on complaints or the court on petitions alleging that the juvenile is a child in need of services, child in need of supervision, or delinquent ..." (§ 16.1-309.2).

VJCCCA funded programs may serve non-targeted populations under the following conditions:

- Serving non-target population juveniles does not prevent an eligible VJCCCA placement.
- Non-target population placements are funded through sources other than the VJCCCA state allocation or Maintenance of Effort.
- Recovered funds go into the locality's VJCCCA budget.
- The locality devises and uses an accounting mechanism to clearly show the reimbursement of MOE and state allocations for non-target placements.

<u>Contracted services</u>

MOE and state allocations may be used to purchase or contract for VJCCCA programs or services from public or private providers. Local procurement policies must be followed. Localities may not prepay for services in a subsequent year.

Personnel

Direct service and administrative staff positions may be funded through VJCCCA with state allocations and/or local MOE funding. Direct service personnel are local or commission employees assigned to local or commission operated programs that provide VJCCCA programs or services directly to juveniles. However, state and local probation officer positions are not permitted. As discussed earlier, core probation and parole services, ***cannot*** be funded through VJCCCA funds.

State allocations and MOE may be used to pay administrative staff that is dedicated to VJCCCA activities such as a plan contact, data contact, or administrative/clerical support. Only VJCCCA administrative functions can be paid for with VJCCCA funding. (For example, if a position is half-time VJCCCA coordinator and half-time CSA or IV-E coordinator, VJCCCA funds can only pay for half the position with the other half paid by CSA or IV-E.) Such administrative costs shall not exceed five percent (5%) of the total budget for the VJCCCA Plan.

Travel

MOE and state allocations may be used to pay travel costs only for the transportation of juveniles or staff as a part of their direct participation in, or provision of, a VJCCCA program or service.

Staff development

MOE and state allocations may be used to pay staff development costs only if they are directly related to the performance of their duties in a VJCCCA program or service.

Telecommunications

MOE and state allocations may be used to pay telecommunications costs only for juveniles or staff as a part of their direct participation in a VJCCCA program or service, or for internet service to comply with reporting requirements if it is not otherwise available in the locality.

Supplies and materials

MOE and state allocations may be used to pay for office supplies directly related to the operation of the program (e.g., pens, pencils, pads, computer media and copy paper) provided they are used directly for programming or for VJCCCA required administrative activities.

Materials for programming conducted by locally operated VJCCCA approved programs can be purchased with MOE and state allocations. Materials of this nature would include consumables such as program manuals to be used by the juveniles and counselors, recreational supplies, first aid kits, protective garments such as disposable gloves for those juveniles in community work programs and those that conduct urine screenings.

Equipment

When equipment is purchased with VJCCCA funds, it must be clearly documented that the equipment purchased is necessary for the operation of the VJCCCA program or service. Equipment purchases should be planned and approved in the locality's VJCCCA plan. All planned purchases of equipment exceeding $1,000 in value should be explained in the plan submission. If not included in the Board of Juvenile Justice approved VJCCCA plan, any expenditures for equipment in excess of $1,000 must be preapproved by the regional coordinator or they may be disallowed. Such approval will be based on a justification of why the equipment is necessary and documenting that such equipment is not otherwise available through the completion of an Equipment Purchase Justification Form which can be found in the Appendix. During the periodic review, the locality must be able to show that equipment purchased

with VJCCCA state allocations or Maintenance of Effort is used directly by the juveniles being served, VJCCCA funded staff in performance of their official duties, or for the majority of the time for VJCCCA administrative tasks.

The Department of Juvenile Justice requires data collection on services provided to juveniles and program expenditures. This requires the use of a personal computer and internet access. To insure appropriate data collection and reporting requirements, locally operated VJCCCA programs that do not have access to computer equipment may purchase (per plan):

- One computer (computers must conform to guidelines provided by DJJ MIS).
- Necessary software.
- One printer.
- An internet service provider.

Equipment may be replaced every five years or upon documentation that it is no longer serviceable.

Office space rental

VJCCCA funds may be allocated to rent space appropriate to conduct non-residential programs or services that will directly serve the targeted population, as long as the program or service was included in the local plan that has been approved by the Board. Rental expenses should be planned for and approved in the locality's VJCCCA plan. All rental expenses in excess of $1,000 per year shall be accompanied by the submission of a Rent Justification Form that can be found in the Appendix. Rental expenses that arise after the approval of the VJCCCA plan should either reflect a new program needing Board approval or change in an existing program. If the rental expense is for an existing program the Rent Justification Form shall be submitted, even if the rental expense is less than $1,000.

If the rental space is being shared with other non-VJCCCA approved programs and services, the program shall pay an appropriate portion of the expense, but shall not incur the total cost of the rental property. Localities may not use VJCCCA funds for rent, utilities, or other services provided in locally owned buildings.

Other costs

Costs that have not been identified in this Manual should be addressed with your regional coordinator. The regional coordinator will be able to determine if it is an acceptable expense. In the event that the regional coordinator identifies the expense as one which should not be approved, the local program may appeal the decision to the DJJ VJCCCA Administrator.

Prohibited Expenditures

The following types of expenditures are strictly prohibited:

Capital costs

State allocations and MOE funding ***may not*** be spent on construction, enlargement, renovation, purchase or rental of residential facilities. Special provisions are made for these expenditures in § 16.1-309.5 of the Code of Virginia. Please contact the DJJ Deputy Director for Administration and Finance to assist in capital expenditure matters.

Secure detention

Section 16.1-309.3(A) of the Code of Virginia specifically excludes detention from the VJCCCA. Secure juvenile detention facilities are funded under § 16.1-322.1 of the Code of Virginia. Costs associated with the operation and maintenance of secure residential components of juvenile detention facilities ***may not*** be covered with VJCCCA funding, whether pre- or post-dispositional. If a child resides in a secure detention facility, services provided to that child ***may not*** be paid for with VJCCCA funds during the period of confinement.

Traffic offenders

VJCCCA funding ***may not*** be used for juveniles before the court on traffic offenses that do not rise to the level of a misdemeanor or felony. The Office of the Attorney General has determined that traffic offenses, in and of themselves, are not criminal acts. The Code of Virginia defines felonies, misdemeanors, and traffic infractions. It states that "traffic infractions are violations of public order as defined in § 46.2-100 and not deemed to be criminal in nature" (§ 18.2-8).

While judges may place traffic offenders into programs and services designed for VJCCCA, funding to pay for services cannot come from state VJCCCA allocations or the required Maintenance of Effort. It is encouraged that traffic offenders be served as appropriate, but through funding sources other than VJCCCA. Localities may wish to consider charging participant fees as is done for driving school and Virginia Alcohol and Safety Action Program (VASAP) programs. Of course, other private or local funding, other than those funds used as local Maintenance of Effort, can also be used.

Indirect costs

Indirect costs, sometime referred to as overhead costs, are those that are not directly associated with expenses incurred for programs and services for the targeted population. Indirect costs include rent, utilities, administrative costs not directly related to VJCCCA, and any other costs that are not directly related to service delivery for juveniles before intake or the court.

Mandated Court Service Unit functions

VJCCCA funding ***cannot*** be used to provide mandated court service unit functions (See § 16.1-237 of the Code of Virginia). Such core services include: investigations and investigation reports, routine supervision and supervision reports, informal supervision, preparing probation conditions, intake and preparing and filing petitions. Localities may still provide services including surveillance, case management and intensive supervision that go beyond the core probation functions.

Developing a VJCCCA Plan

The Code of Virginia states that to participate in VJCCCA a locality "shall biennially submit to the State Board for approval a local plan for the development, implementation and operation of such services, programs and facilities…" (§ 16.1-309.3(D)) funded through the VJCCCA. The system of services "shall be based on an annual review of court-related data and an objective assessment of the need for services and programs for juveniles before intake on complaints or the court on petitions alleging that the juvenile is a child in need of services, in need of supervision, or delinquent" (§ 16.1-309.3(A) of the Code of Virginia).

Combined Plans

Localities that wish to operate VJCCCA programs jointly with one or more other localities shall submit only one plan and one set of reports. Localities must choose the same fiscal agent and the same plan and data contacts. The fiscal agent shall be responsible for filing the combined plan and reports.

A combined plan, reflecting all participating localities, shall include:

- A resolution from each governing body that states their intent to join with the other listed governing bodies and which designates one of them as the fiscal agent (See sample Resolution).
- A Participation Compliance Certification Form from each chief administrative officer. A copy of the form is included in the plan workbook and in the Appendix.
- Identification of the same plan and data contact for all localities in the combined plan.
- The total Maintenance of Effort, optional local funding, state allocation, and other funding for all participating localities.

Participants in the Plan

While the chief administrative officer can designate any individual or group to develop this system of services, the Code of Virginia specifies that there must be "consultation with the judge or judges of the juvenile and domestic relations district court, the director of the court services unit, the community policy and management team established under § 2.2-5205, and, if applicable, the director of any program established pursuant to § 66-26" (§ 16.1-309.3(A)).

Localities are encouraged to have participation from *all* local child serving agencies, public and private when developing the VJCCCA plan. In addition to the Code of Virginia mandated participants, the following parties (with their specific duties and responsibilities detailed below) are key in developing the plan.

<u>Plan contact</u>

The plan contact is the specific person designated by the chief administrative officer to be responsible for ensuring development, coordination, implementation, operation, monitoring, and evaluation of the locality's VJCCCA plan. The plan contact is identified in the local plan and is the official contact person for the Department of Juvenile Justice. The plan contact's responsibilities include:

- Assessing local needs to identify what types of programs and services are needed for juveniles in the target population.
- Reviewing and observing local programs and services to assess their effectiveness, and presenting findings to the local planning team.

- Ensuring that the local VJCCCA plan is developed and approved by the appropriate persons at the beginning of each biennium.
- Convening the local planning team when necessary to develop and/or revise the local VJCCCA plan.
- Ensuring that any changes to the plan are concurred with by the planning team and supported by the juvenile judges and the court service unit director.
- Ensuring that the revised plan is presented to the chief administrative officer of the locality(ies).
- Complying with all requests for information by the Department of Juvenile Justice, to include program and financial information, as well as the submission of an annual Program Evaluation Report for each program.
- Coordinating site, program and periodic review visits by the regional coordinator and other designated DJJ personnel.
- Ensuring quality of services provided by contracted vendors.
- Ensuring that locally operated programs and contracted vendors adhere to applicable DJJ Regulation.
- Ensuring that locally operated and contracted vendor programs provide the local data contact with required service delivery information in a timely and accurate manner.
- Ensuring that incidents that are required to be reported to the DJJ are reported in a timely manner on the DJJ Serious Incident Report Form. (A copy of the Serious Incident Report Form can be found in the Appendix.)
- Attending all scheduled VJCCCA regional meetings and VJCCCA program training and development sessions.

Data contact

The data contact is the individual designated by the chief administrative officer to provide the required data about participants in VJCCCA funded programs and services and serves as the single point of contact to the DJJ for data related issues. The data contact is responsible to the chief administrative officer to ensure that reports are accurate and timely. The data contact's responsibilities include:

- Ensuring that each juvenile admitted to a VJCCCA funded program is either currently before the court or has a valid referral from a court service unit intake officer or probation officer.
- Ensuring that local programs record all services provided to juveniles in the Community Programs Reporting (CPR) System in a timely and accurate manner.
- Conferring with the regional coordinator and VJCCCA Data Specialist on issues related to program service units and the CPR system.
- Attending all scheduled training on the DJJ CPR System.

Chief administrative officer

The chief administrative officer is the city manager or county administrator of a locality. Duties and responsibilities include:

- Requesting VJCCCA funds for the locality.
- Ensuring that all required forms and reports are completed and returned to the Department of Juvenile Justice in a timely manner. Required forms and reports include VJCCCA compliance

certification forms, Annual Expenditure Report, Annual Evaluation Report and a resolution for the local governing body indicating its intent to participate in and accept funds for services under the Virginia Juvenile Community Crime Control Act.

- Officially requesting that the Board of Juvenile Justice review and accept the locally submitted VJCCCA plan at the beginning of each biennium and whenever revisions to the plan are made.
- Appointing a VJCCCA plan contact and a data contact.
- Notifying DJJ of any changes in the plan or data contact.
- Ensuring that services are provided and funds are spent according to the provisions of the VJCCCA.

DJJ court service unit staff

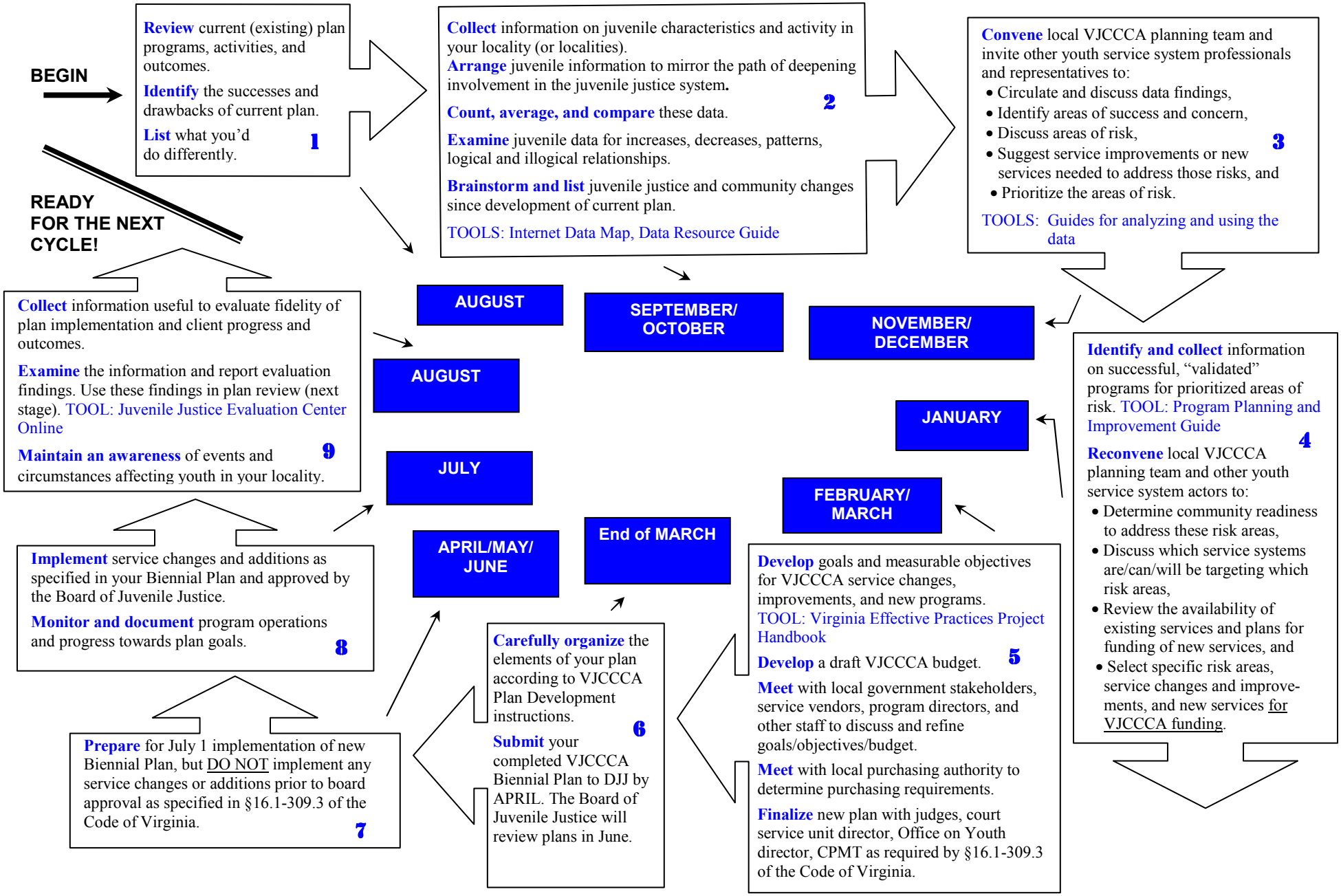
Court service units are a primary referring agents to VJCCCA. Consequently, it is vitally important that the programs and services included in the VJCCCA meet the needs of the CSU. This can best be accomplished by including CSU staff on the planning team.

If the court service unit supervises local VJCCCA staff there must be a memorandum of agreement with the fiscal agent locality and the court service unit. The memorandum of agreement must specify the operational, administrative and logistical support parameters between the CSU and the locality. A sample memorandum is included in the Appendix.

Planning Activities

Planning is important to ensure that VJCCCA dollars are well spent. This includes not only making sure the correct services are in place, but also ensuring that services are delivered in the most effective and efficient manner possible. The VJCCCA community-team planning model, that can be adapted to each locality, is presented on the next page.

VJCCCA PLANNING ACTIVITIES MODEL



Plan Components

The VJCCCA plan itself is an electronic "workbook" (in Microsoft Excel) that provides a description of the programs and services to be offered. Specific items include:

- Plan contact
- Data contact
- Planning team members
- Program or service name
- Program type
- Program or service provider
- Program start date
- Residential or nonresidential program
- Gender served
- Pre-dispositional or post-dispositional program
- Population the program is designed to serve
- Risk level (using the DJJ Risk Assessment Instrument)
- Balanced approach primary emphasis (accountability, public safety, competency development/treatment)
- Whether or not juveniles to be served must be detention eligible
- Whether or not there are any special admission criteria
- Maximum number of clients to be served at any one time
- Expected average length of stay
- Objective assessment of the need for program or service
- At least two goals (including one or two required goals, depending on program type)
- At least one objective for each goal
- Estimated number of juveniles to be served
- The type of service unit provided (days, hours, contacts, procedures, sessions)
- Estimated number of service units a juvenile will receive
- Estimated average cost per unit
- A cost comparison for the private operation of any new services included on the plan (§ 16.1-309.3(D) of the Code of Virginia)
- Projected number of personnel positions

The "workbook" is submitted to the regional VJCCCA coordinator through e-mail. In addition, there are several paper items that must be mailed to your regional VJCCCA coordinator at the following address:

Department of Juvenile Justice
600 East Main Street, 20th floor
PO Box 1110
Richmond, VA 23218-1110

Compliance certification

The chief administrative officer shall ensure that the locality is in compliance with all the requirements of VJCCCA, as provided on the form. When sure that all requirements have been met (reporting requirements *must* be met at the required times), the chief

administrative officer should sign and submit the Participation Compliance Certification Form.

Resolution

A resolution from the governing body of each participating locality, endorsing participation in the Virginia Juvenile Community Crime Control Act is required. A locality may word their resolution such that they intend to participate in VJCCCA until they notify the Department of Juvenile Justice, in writing, that they no longer wish to participate. This resolution should be flexible enough to allow revision of the plan, in accordance with plan revision policies, without additional approval of the board of supervisors or city council. If this is done, further resolutions will not be required.

If the resolution is worded such that the locality intends to participate in VJCCCA in accordance with the plan being submitted, a new resolution will be required each biennium. This resolution should be flexible enough to allow revision of the plan, in accordance with plan revision policies, without additional approval of the Board of Supervisors or City Council during the biennium.

While localities must construct their own resolution language, language can be as simple as:

> *Be it resolved that the (City Council/County Board of Supervisors) will participate in the Virginia Juvenile Community Crime Control Act and accept funds appropriate for the purpose set forth in this Act until it notifies the Department of Juvenile Justice, in writing, that it no longer wishes to participate.*
>
> *Be it further resolved that the (City Manager/County Administrator) is hereby authorized to execute a local plan on behalf of the (City/County of _____).*

For localities that wish to operate VJCCCA programs jointly with one or more other localities (combined plans), the resolution should name the localities participating in the plan and designate one locality as the fiscal agent. For example:

> *Be it resolved that the (City Council/County Board of Supervisors) will participate in the Virginia Juvenile Community Crime Control Act and accept funds appropriate for the purpose set forth in this Act until it notifies the Department of Juvenile Justice, in writing, that it no longer wishes to participate.*
>
> *Be it further resolved that the (City/County) will combine with the governing bodies of (City(ies)/County(ies)). (City/County) will act as fiscal agent for these localities.*
>
> *Be it further resolved that the (City Manager/County Administrator) is hereby authorized to execute a local plan on behalf of the (City/County of _____).*

Written comment

In addition to informal consultation with the judge or judges, the CSU director, the CPMT and the OOY (if applicable), written comments on the plan are required from the chief judge or judges (in a combined plan), the CSU director(s), the CPMT chair, and the OOY director(s), if applicable. The preferred format is a letter concerning the plan addressed to the Board of Juvenile Justice and submitted with other plan documentation. If such written comments are not included, the DJJ regional coordinator will request written comments before the plan can be submitted to the Board for approval. A comment can be as simple as "I support the local VJCCCA Plan for the biennium, FY___. However, it would be most helpful if the court service unit director's letter indicates how the services in the plan support their graduated sanctions and the Balanced Approach.

Calendar

In order to receive the first quarterly payment in July of the biennium, the locality's plans must be approved by the Board of Juvenile Justice no later than its June meeting, just prior to the beginning of the biennium. Please note the approximate dates below to obtain approval at the Board's June meeting.

January	DJJ sends local plan instructions to plan contact with the Governor's recommended funding.
Mid-March	General Assembly adjourns and DJJ notifies plan contact of best estimate of VJCCCA allocation. If any changes are made in the Veto Session, plan contacts will be notified as early as possible.
Mid-April	Local plans due to DJJ regional coordinators. Staff will review plans for compliance, provide technical assistance where appropriate and prepare plans to go to the Board.
Mid-May	Plans mailed to the Board of Juvenile Justice.
Mid-June	Board meets to approve plans.
Early July	First quarterly payments electronically transferred/mailed to localities.

If the locality is unable to meet the mid-April deadline above, please call your DJJ regional coordinator to work out a schedule and to discuss the possibility of obtaining provisional approval from the Board.

Plan Review and Approval Process

Overview

After a locality submits its plan, the appropriate regional coordinator will review it for compliance with the Code of Virginia, this VJCCCA Manual and plan requirements. The regional coordinator is available to offer technical assistance during the development of the plan, and localities are encouraged to work closely with their coordinator during this stage in order to facilitate the review process.

Should the coordinator determine that the plan requires modification, the plan will be returned to the locality with an explanation of any outstanding issues. Once the coordinator has determined that the plan is complete, the coordinator will forward the plan to the DJJ VJCCCA Administrator for action. The Administrator, if no issues are found with the plan, will submit the plan to the Board of Juvenile Justice with a recommendation for approval. If the plan is approved, the Department is authorized to disburse funding. The coordinator will notify the plan contact of the Board's action on the plan within five business days after the meeting.

Board of Juvenile Justice Meeting

While not necessary, localities may attend Board meetings. It is best to let the regional coordinator know in advance that you plan to attend so that you may be notified of schedule changes and/or put on the agenda to address the Board. Notice of all Board of Juvenile Justice meetings are posted at: http://www.townhall.state.va.us/index.cfm. Click on “Meetings” to view the date and location of meetings.

If there is a point of disagreement in a plan that cannot be resolved between a locality and DJJ staff, representatives of the locality will be invited to the Board meeting specifically to present their view of the plan directly to the Board. Board decisions are final.

Provisional Board Approval

Localities cannot be notified of their final state allocation and Maintenance of Effort until the General Assembly has finalized its budget. In order for localities to have plans approved by the Board of Juvenile Justice by June, plans need to be submitted to the appropriate regional coordinator in April. Because of this short time frame, some localities will not get plans approved by local boards and the Board of Juvenile Justice in time to receive July payments.

The following rule allows localities to receive the first quarter payment while completing their local planning process.

1. If a locality, or cooperating localities, can complete the local plan except for obtaining the local board resolution(s), it should submit the plan to its regional coordinator without the resolution(s). They should forward the resolution(s) to their regional coordinator upon passage.

   If the locality cannot obtain the local resolution before May 30, they should forward a completed extension request letter, signed by the chief administrative officer, to their regional coordinator by June 1 and submit the resolution(s) to their regional coordinator upon passage. A copy of the Request for Provisional Approval letter can be found in the Appendix.

2. If a locality, or localities, cannot complete the local plan because funding amounts require substantial changes from the current local plan, the locality(ies) must forward a completed Request for Provisional Approval letter to extend their current plan through the first quarter, of the new fiscal year signed by the city manager, county administrator or chief administrative officer, to their regional coordinator by June 1.

   Localities beginning new programs, prior to approval by the Board, may be doing so at their own risk. Should the Board not approve the new program, VJCCCA funds (either state allocations or MOE) cannot be used to support the program.

3. If a locality fails to submit either a local plan or a Request for Provisional Approval, they will not be eligible to receive first quarter payment until they have a plan approved by the Board.

4. To receive a second quarter payment, the locality must have a plan approved by the Board by their September meeting.

   To be considered at September Board meetings, the plan should be received by the regional coordinator no later than August 1.

Revising a Plan

Board Policy

The Board approves a local plan which includes the allocation of funding to each specific program or service. The “50% Rule” allows localities to move up to 50 percent of their approved plan budget between Board approved programs or services.

All localities, regardless of the amount of funding to be moved must:

- Notify their chief administrative officer, judge(s), court service unit director(s) and regional coordinator of revisions to their plan through a Fiscal Adjustment Form (FAF).
- Notify the regional VJCCCA coordinator if they wish to delete a program or service from the plan.
- Request the Board to approve an amended plan if they wish to add a program or service to the plan.

Localities in the lowest quartile of funding allocations may move funding between all Board approved programs and services without prior approval.

The following localities comprise the lowest quartile:

Alleghany	Charles City	Giles	King William	Powhatan
Amelia	Clarke	Goochland	Lexington	Radford
Appomattox	Covington	Grayson	Louisa	Rappahannock
Bath	Craig	Greene	Madison	Surry
Bedford	Cumberland	Greensville	Middlesex	Sussex
Bland	Floyd	Highland	Nelson	
Buckingham	Fluvanna	King & Queen	Poquoson	

Localities not in the lowest quartile of funding allocations:

- May move up to 50 percent (cumulative) of their total state allocation between all Board approved programs and services without prior approval.
- Must bring a plan back before the Board for approval if they wish to move more than 50 percent (cumulative) of their total state funding between all approved programs and services.

The completed Fiscal Adjustment Form may be e-mailed to the regional coordinator or mailed to the Community Programs Unit in the DJJ Central Office.

Adding/Deleting Programs

If a program or service in the plan is not being used and is no longer needed, the plan should be revised to delete it and reallocate the funding to programs that are being used. The regional VJCCCA coordinator should be notified of the intent to discontinue a previously approved program.

Likewise, a plan should be revised to add a program or service if there is a growing need for that type of service or program. Many localities have a special category in their plan called Supervision Plan Services that is used for infrequently used programs and services. Supervision Plan Services should not be used for a particular service that is used for more than ten juveniles over the course of one year. When used for more than ten juveniles, that service should be established as a separate and distinct program. There also may be instances where the court service unit or the judges have identified a need not yet met through the plan. If funding is available, the program or service may be added to the plan. To add a program or service, a revised plan must be submitted for approval. The same guidelines and procedures apply to a revised plan as the ones for a new plan. See "Developing a VJCCCA Plan."

Revision Documentation

The plan contact, having met with the local planning team and having considered the best options for revising the plans, should submit to the regional coordinator:

- A cover letter explaining what changes are needed and why.
- A revised plan form to reflect the requested changes.
- Letters of support for the revision from the judge and CSU director.

The regional coordinator will review the change, clarify any questions or issues and for newly proposed programs, prepare a Request to Amend form to go to the Board of Juvenile Justice at their next regularly scheduled meeting.

Due Dates

The Board of Juvenile Justice is expected to meet in January, April, June, September, and November. Please contact your regional coordinator to establish due dates for the revised plan to ensure that there is ample time to work through the review process.

Managing a Plan

Under the Virginia Juvenile Community Crime Control Act "counties, cities or combinations thereof are encouraged to develop, implement, operate and evaluate programs and services responsible to their specific juvenile offender needs and juvenile crime trends" (§ 16.1-309.2 of the Code of Virginia).

The following guidelines may be helpful to consider in implementing and operating VJCCCA programs and services.

Local Administration

The chief administrative officer is responsible for administering the local plan. This is because the Code of Virginia specifies that "community-based services instituted pursuant to this article shall be administered by a county, city or combination thereof…" (§ 16.1-309.3(B) of the Code of Virginia).

The chief administrative officer may delegate administration of VJCCCA to a new or existing group such as "a community policy and management team established under § 2.2-5204 or a commission established under § 16.1-315" (§ 16.1-309.3(B) of the Code of Virginia). These include, but are not limited to, groups working with the Comprehensive Services Act or commissions that provided services to juveniles when such programs were funded through the Block Grant program.

The chief administrative officer also shall designate a specific plan contact who will work closely in the development, implementation, operation and evaluation of the locality's VJCCCA plan. This contact, who may be the chief administrative officer, is reported to the DJJ in the local plan. DJJ staff will send all VJCCCA communications to this designated contact.

Procurement and Other Policies

VJCCCA "programs and services may be provided by qualified public or private agencies, pursuant to appropriate contracts" (§ 16.1-309.3(B) of the Code of Virginia). If a locality wishes to operate its own programs or services, it may do so. If it wishes to purchase services from other public or private vendors, it must comply with its own procurement policies and procedures.

Policies and Procedures

All programs using VJCCCA funding must follow, as appropriate, either the *Standards for Interim Regulation of Children's Residential Facilities, Standards for Juvenile Residential Facilities,* or *Regulation for Nonresidential Services* promulgated by the state Board of Juvenile Justice. The standards identify the general requirements of programs and services, which include the hiring and training of staff, juvenile rights, and contract monitoring; and the specific requirements of particular programs and services. Each program must meet the required standards, to include being able to present written policies and procedures, program accounting/expenditures, and juvenile program records.

Staff Background Checks

As promulgated in the Board of Juvenile Justice Regulation for Nonresidential Services
no person shall provide services or conduct programs in direct contact with juveniles who have not had the required background checks. All background record check documentation shall be maintained in personnel files and shall be available for review by DJJ. At a minimum, the record

checks shall include a reference check, a criminal history record check, a fingerprint check with the Virginia State Police (VSP) and the Federal Bureau of Investigation (FBI); a central registry check with Child Protection Services (CPS), and a DMV check for those staff that operate motor vehicles as a part of their job function.

The responsibility for insuring that staff of both locally and contractor operated programs who are in direct contact with juveniles have undergone the required background checks will be the responsibility of the locality. The locality should implement procedures to insure that the background checks for local and contracted staff are reviewed each fiscal year.

Persons who maintain professional licenses, such as Certified Substance Abuse Counselors, Licensed Clinical Social Workers, etc. shall undergo the appropriate background checks. There is no waiver of this provision for professional staff. Should situations arise where it is believed that the licensed provider's behavior with a juvenile is unprofessional, it should be reported to the appropriate licensing authority. If the behavior falls in the realm of abuse, it should be reported to the local Child Protective Agency, and the licensing authority.

Supervising Juveniles

There are no provisions under the Board of Juvenile Justice regulations for juveniles to be supervised by a third party, such as parks and recreation staff or staff at a fire station. This is a concern especially in community service programs. Therefore, it is assumed that local VJCCCA staff will supervise juveniles while they engage in community work. The level of supervision should be such that the staff is aware of the time frame that the juvenile is at his community service work. The staff periodically shall check on the juvenile during this time frame to insure his safety.

Indirect supervision, the level of supervision displayed by the work site supervisor to insure that the assigned task is completed properly, is allowed. The ultimate responsibility for the juvenile's care and safety lies with the local program staff.

Localities that operate community work programs, or other programs where program staff or vendors are not continuously in sight or sound supervision of juveniles, should develop procedures for insuring the safety of the juveniles.

Transporting Juveniles

The Board of Juvenile Justice Regulation for Nonresidential Services address the requirement for a well-stocked first aid kit to be available in all vehicles used to transport juveniles. Staff in programs such as Outreach Detention may transport juveniles in their personal vehicles. Therefore, it is suggested that they be provided with a first aid kit for their personal vehicles and any local vehicles used to transport juveniles. The staff should also be aware of the medical needs of any juvenile they transport. Guidelines should be developed for handling medical emergencies for juveniles in their care. Standards also require staff that transport juveniles in personal cars must carry liability insurance.

Fire Safety

The Board of Juvenile Justice Regulation for Nonresidential Services address the requirement for a written fire plan developed in conjunction with the local fire marshal and the need for monthly fire drills. Juveniles are routinely gathered together for groups in private offices and public buildings. It is imperative that the staff conducting the group sessions be aware of the fire evacuation plan at each of the locations they utilize. Juveniles in attendance should be advised of the plan.

There is no requirement that the advisement of the fire evacuation plan announcement be documented.

Insurance

The Department of Juvenile Justice maintains three insurance policies that may intersect with VJCCCA programs and services, depending on how VJCCCA is administered.

- The state Risk Management policy insures DJJ entities (CSU's, Juvenile Correctional Centers [JCC], etc.). It pays legal fees if they are sued.
- DJJ purchases an additional supplemental policy to cover secondary automobile and medical insurance to cover persons who directly volunteer with a state-operated CSU or a JCC. (The volunteer would have to be listed on the CSU's or JCC's volunteer list and actively engaging in volunteer activity at the time of the insured incident.) The volunteer's own insurance would be the primary insurance. This policy would pay the cost incurred beyond the volunteer's own insurance.
- DJJ purchases a Court Referred Volunteer Insurance Policy to cover juveniles performing community service under court order, when the program is a DJJ program. (The juvenile must have been referred by a state-operated CSU and the CSU must administer the program.) The community service worker's own insurance would be the primary insurance. This policy would pay the cost incurred beyond the community service worker's own insurance.

Programs and services administered by localities, non-profit organizations, private vendors, etc., other than the court service units are not state entities, and therefore would not be covered under any of the above mentioned insurance policies.

Reporting Requirements

Overview

The Code of Virginia requires localities that choose to participate in VJCCCA to provide information on their efforts to the Department of Juvenile Justice. "Each locality shall report quarterly to the Director the data required by the Department to measure progress on stated objectives and to evaluate programs and services within such locality's plan" (§ 16.1-309.3(E) of the Code of Virginia).

Data are needed for a variety of reasons, especially to evaluate the VJCCCA, the local plans, the individual programs and services, and facilities. Data collected will be used to:

- Determine VJCCCA allocations;
- Improve agency financial reporting at the service, program, and facility level;
- Determine if a service, program, or facility is being utilized or operating as stated in the local plan;
- Provide data for evaluations of a program, facility or service's operations and effectiveness; and
- Provide data for needs assessments, statewide evaluations, legislative and recidivism studies, grant applications and policy analysis.

Perhaps most importantly, these data assist localities assess their needs, identify areas for improvement and ensure that programs and services are fitting the needs of the juveniles placed into them.

Responsibility for Reporting Data

Chief administrative officers can designate any individual or organization (including service providers) to provide the required data. However, it is still the responsibility of the chief administrative officer to ensure that reports are accurate and timely.

Plan contact

Each locality must designate a "Plan Contact" to be the primary contact with DJJ for management of the plan. This person will receive all instructions, reminders and questions about their VJCCCA plan. While others in the community may play an active role in implementing the plan, it is the plan contact's responsibility to coordinate activities, gather information from others involved and communicate the information to DJJ. The regional coordinator must be notified immediately if the plan's contact changes.

Data contact

Each locality also must designate a "Data Contact" to be the primary contact with DJJ for information on services provided to juveniles through VJCCCA. This person may also be the plan contact, but may have only service level data responsibilities. This person will receive all instructions, reminders and questions about VJCCCA service level data. Like the plan contact, it is the data contact's responsibility to coordinate and ensure that all persons charged with reporting service data do so in a timely and accurate manner. The regional coordinator must be notified immediately if the data contact changes

Localities with combined plans must designate a single plan contact and data contact for all localities. Reports submitted to DJJ must include information on all localities participating in the plan. (*Note:* This does not preclude the individual localities participating in the combined plan from assigning personnel to assist the designated plan contact.)

Program IDs

To complete financial or service reports, each program must have a Program ID. Upon approval of the local VJCCCA plan, the plan or data contact must contact the Regional VJCCCA Coordinator to obtain program IDs for any programs that do not already have an assigned ID.

CPR System access and usage

Each person who is approved to use the CPR system must have their own username and password. Forms to apply for a username and password can be obtained by request from the Regional VJCCCA Coordinator or the Community Programs Unit. Persons may be given access to either one or both components (Placement Data Entry or Financial Data Entry) of the CPR system, depending on their security level and role. Data can be entered into the CPR from most computers that have internet access. Instructions for entering data into the CPR system are included in the CPR Manual that is available online and can be downloaded. Updates to the manual will be made as changes to the system occur. Please review this site regularly.

Contact your regional coordinator for training or technical assistance.

Quarterly Financial Reporting

Each fiscal agent locality must report their expenditures for each VJCCCA program, by funding source, into the financial portion of the Community Programs Reporting (CPR) system on a quarterly basis. The system also is designed to accept monthly data for the convenience of those that account for their expenditures monthly.

Management data

Service utilization data found on the “Financials” tab of the CPR system is automatically extracted from what has been recorded in the “Placements” tab of the CPR system. It uses these data to determine a cost per service unit. The cost per service unit should be helpful for localities to review at least quarterly to determine whether their program utilization is on track with projections and whether expenditures are appropriate. It also is a valuable tool to use when determining whether or not service unit data are being recorded in a timely manner. Also included on the CPR Financial screen is the percentage of the year that has passed and the percentage of the funding that has been expended. This will allow the user to immediately see whether their program is over- or under-expending, based on a straight-line projection.

Expenditure Review

Expenditures must be consistent with the local plan. Maintenance of Effort expenditures must match the required MOE. Expenditures of state VJCCCA funding must match or be less than the state allocation provided. An error message indicating that there is a problem will appear if these conditions are not met. Any variances should be corrected before signing the annual Expenditure Compliance Certification Form. Localities that submit combined plans must provide a single expenditure report that captures the combined expenditures of all localities included in the plan.

Due dates

Quarterly financial data must be entered into CPR no later than the **15th** of the month following the end of the quarter (October 15, January 15, April 15, and July 15).

Failure to meet these dates may result in the withholding of future quarterly VJCCCA payments to the locality. Likewise, inaccurate or incomplete expenditure reporting may result in withholding of quarterly VJCCCA payments until reporting issues are resolved.

Annual Expenditure Report and Reimbursement of Unspent Funds

In addition to the expenditure reports entered into the CPR Financials section, localities also must submit an annual certification that their expenditure data are correct as entered into CPR Financials section and that all expenditures were in compliance with VJCCCA requirements.

Localities that submit combined plans must provide a single expenditure report that captures the combined expenditures of all localities included in the plan. The fiscal agent specified in the combined plan must submit an Expenditure Compliance Certification Form (a copy of which can be found in the Appendix) which specifies that all funds were expended as recorded in the Financials section of the CPR system.

Financial audit

Localities are encouraged to have annual independent audits of their VJCCCA allocations and expenditures.

Due dates

To allow time for localities and commissions to close their books, complete their audits, and finalize their reports, Annual Expenditure Reports must be received no later than **October 1** of the following fiscal year.

The regional coordinator will review the report and make contact concerning any questions. Once any issues are resolved, the coordinator will confirm a final reimbursement amount, if applicable.

While many localities may allow programs to encumber funds, the Code of Virginia specifically speaks to the "expenditure" of funds. Consequently, localities must have incurred the expense by June 30 of a given year. Payment must be processed before the locality closes its books for the year. This follows the accrual method of accounting.

Reimbursement of unspent funds

Any state VJCCCA funds left unexpended on June 30 must be returned to the DJJ. After the final reimbursement amount is confirmed, the regional coordinator will contact the plan contact with the total amount that is to be reimbursed to the DJJ. Reimbursement checks should be made payable to the **"Treasurer of Virginia"** and sent directly to:

Accounting Department
Department of Juvenile Justice
PO Box 1110
Richmond, VA 23218-1110

The check must be received at the DJJ's Central Office no later than **December 1** of the following fiscal year and must be for the exact amount unspent (including cents).

Failure to meet these dates, or inaccurate or incomplete reporting, may result in the withholding of future quarterly VJCCCA payments. Should the amount of reimbursement due be greater than the remaining quarterly payments allocated to the locality, the past due amount also may be turned over to the Commonwealth's debt set-off program to be deducted from any other state funds that might otherwise go from the state to the locality.

Fiscal Adjustments

Budgets are plans and even the best conceived plans may change. Throughout the year, the needs of juveniles may differ from those anticipated or other unanticipated circumstances may require major changes to the budget.

If your locality (or localities) needs to adjust its budget during the fiscal year by moving less than 50 percent of the total funding (state allocation and local MOE), a Fiscal Adjustment Form must be submitted to the regional coordinator. To ensure that persons within the locality are in agreement with the change, it is the locality's responsibility to notify their chief administrative officer, the judge(s), court service unit director, and the regional coordinator of financial revisions to their plan through a FAF. A copy of the FAF can be found in the Appendix of this manual. The Fiscal Adjustment Form is also included in the plan workbook. A copy of the final cumulative FAF should be attached to the year-end report submitted to the regional coordinator.

If your locality (or localities) is not in the lowest quartile and wants to make adjustments to its budget during the fiscal year that will exceed 50 percent of the total funding, a revised plan must be submitted and approved by the Board of Juvenile Justice. A revised plan also must be submitted to add a program or service to the plan. (See "**Revising a Plan"**)

Monthly Services Provided

Data about participants in VJCCCA funded programs normally are reported monthly and recorded in the DJJ CPR system. Reporting services is a two-stage process. First a child must be enrolled in a program through the "Add New Placement" screen. The participant's Juvenile (JTS) Number is required to complete this process. Juveniles who receive a direct summons into court or who otherwise would not come before intake must be processed through intake to generate a JTS Number prior to being enrolled in VJCCCA funded services. The court service unit is *required* to send the Juvenile Number with the referral to a program or service. Once the juvenile is enrolled, services can be entered for each month in which they participate in a program or service.

Utilization

Services should only be reported as actually delivered. No services should be reported for periods of time when the juvenile is AWOL or not participating in the program or service.

Data to report

You must report each juvenile who participates in a program or receives a service funded by VJCCCA. Juveniles who participate in more than one program or service must be reported in each program or service they receive.

If a program or service serves non-VJCCCA juveniles as well as VJCCCA juveniles, only report those juveniles whose placement is funded by VJCCCA.

If a family member of a juvenile receives a program or service (e.g., parenting classes), this program or service must be reported under the juvenile's name and the DJJ assigned Juvenile Number.

If the program or service is provided or managed by a court service unit, and it is funded by VJCCCA, it must be reported on the CPR, whether or not it is also accounted for in the Caseload Management Module of the BADGE system. (*Note*: Certain activities in which VJCCCA funded staff provide intensive supervision of juveniles on probation or parole may also typically be entered in the Caseload Management Module of the BADGE system).

If you are the data contact for several localities, you must report on all the localities for which you are responsible, or insure that they are reported, in the CPR.

Due dates

Data must be entered into the CPR system monthly, no later than the 15th of the following month.

Annual Program Evaluation Report

Each VJCCCA plan is required to submit an annual Program Evaluation Report containing the following information for each program in the plan:

- Actual service units provided as compared to the number of units projected in the plan. Variances of greater than 10% in either direction should be explained. The actual service unit data is available through the CPR – Program Summary report available through the CPR.
- Actual cost per service unit as compared to the projected cost per service unit. Variances of greater than 10% in either direction should be explained. The actual service unit cost data is available through the CPR – Program Summary report available through the CPR.
- Performance on the required successful completion rate outcome (75%). Program completion rates are available through the CPR – Program Summary report available through the CPR.
- Ongoing successful completion rates below the established 75% rate may result in those programs being reviewed for the appropriateness of continued funding.
- For identified program types, performance on the required plans recidivism outcome. This is described in detail below under "Required Outcome Measure". Program recidivism rates are available through the CPR – Program Summary report available through the CPR. Recidivism data are updated annually by DJJ, typically around the first of the year. Ongoing recidivism rates above the established target rate may result in those programs being reviewed for the appropriateness of continued funding. Only specific program types are subject to this requirement.
- Results for the locally defined outcome measures for each program. This data may or may not be available through the CPR system. Consequently, plan and data contacts should be aware of what data are needed to report on these outcome measures and therefore, should plan accordingly to obtain the data.

A corrective action plan should be submitted along with the Program Evaluation Report for each program that fails to meet any of the outcomes listed above. The corrective action plan should indicate:

- The cause of the identified issue (why the outcome was not met).
- The action that has been or will be taken to correct the identified issue.
- Action that will be taken to ensure that the issue does not recur/continue.
- Completion data for the action taken or to be taken.
- Person responsible for ensuring that the corrective action will occur.

More specific information pertaining to the above goals and objectives can be found in the next section: Evaluating VJCCCA.

Due date

The annual Program Evaluation Report will be due on March 15. It should cover the period of the previously completed fiscal year. For example, the report to be submitted by March 15, 2011 should cover results from FY 2010.

Serious Incident Reports

From time to time a serious incident may occur in a residential or non-residential program. Such incidents include, but are not limited to: death, fire, AWOL for 24 hours, serious juvenile injury or illness, serious staff injury or illness, juvenile on juvenile assault (requiring outside emergency medical attention), suicide attempt, alleged child abuse or neglect, staff arrest, major arrest of juvenile, fight (three or more juveniles), and chemical agent use.

When such incidents occur, the DJJ must be notified through the Serious Incident Report. A copy of the form and the instructions for completing it are located in the Appendix.

Evaluating VJCCCA

Overview

Evaluating VJCCCA programs and services is vitally important for a number of reasons. It:

- Identifies what types of programs and services are making a difference for what types of juveniles.
- Targets limited resources to maximize their benefit.
- Justifies the need for future resources.

The VJCCCA planning process includes consideration of both required outcome measures (program completion and recidivism rates) and a limited number of program specific goals and objectives determined by the locality. This does not preclude localities from conducting their own, more extensive program evaluations. State VJCCCA staff are available to consult with localities on the design and implementation of program evaluation activities and where available, to extract data for such evaluations from DJJ data sources.

Required Outcome Measures

Program completion rates

VJCCCA operates to provide locally determined services to court-involved juveniles in their communities. Participation in, and *successful completion* of, these programs is integral to the spirit of the VJCCCA. Each program is responsible for achieving *at least a 75% satisfactory completion rate*; i.e. at least three out of four participants complete the program successfully.

Specifically, the rate is calculated as the number of juveniles completing the program in a fiscal year with a release code of "2" divided by the number of juveniles completing the program with release codes of "2", “3”, or "4". This effectively determines the proportion of satisfactory completions while not holding programs responsible for juveniles who are discharged for reasons not relevant to program activities.

For example, if 50 juveniles were released from the fictitious Jefferson County Electronic Monitoring program in FY09 with release codes of “2”, “3”, and “4”, and 38 of those satisfactorily completed the program (release code of “2”), those satisfactory completions represent 76% (38 of 50), and the *75% satisfactory completion rate* outcome is achieved.

An alternative required completion rate is allowed if a program’s rate for the prior year for which data are available is less than 60%. The alternative rate is *at least a 10 percentage point improvement over the prior year’s rate*. For example, if the Jefferson County Anger Management program had a 40% satisfactory completion rate in FY08, an improvement in the rate to at least 50% is expected for FY09. Continued low satisfactory completion rates may suggest program deficiencies or other problems, and the regional coordinators will identify such programs for review and plans for improvement.

Performance on the required outcome measures will be determined through data entered into the CPR data system and will be compiled by DJJ and reported back to programs through the CPR - Program Report. Programs are encouraged to use the CPR system to monitor their completion rates on an ongoing basis so as to better oversee program operations.

Release codes

The usefulness of the Satisfactory Completion Rate required outcome measure as a tool to monitor program operations is dependent on consistent, accurate, and thoughtful application of release codes. The Community Programs Reporting (CPR) manual directs the use of these release codes.

CODE	REASON
1	Changed from pre-dispositional to post-dispositional status
2	Completed program, satisfactory completion
3	Terminated program, further participation is of no use
4	Terminated program for noncompliance (dishonorable discharge)
5	Terminated program for unrelated reasons
6	Program terminated

It is the intention that a release code meaningfully conveys the reason and circumstance of a juvenile's separation from a program. The codes are generally self-explanatory, however, questions have arisen which warrant the following explanations.

2 – Completed program, satisfactory completion

This code should be used when the juvenile completes program expectations as outlined in his/her individualized service plan. For programs that utilize some type of standardized "level system" or set of expectations for all participants, it is not necessary for the juvenile to complete all such levels or expectations in order to be assigned a release code of "2". If the juvenile meets the majority of his/her individualized service plan goals and objectives, regardless of meeting all standard program requirements, this release code should be used.

An education analogy is that this release code may be used when the juvenile being released would receive a grade of "C" or even "D", if this grade is judged to be a fair expectation for the juvenile given their mental and emotional capabilities. Of course, juveniles that would receive grades of "A" or "B" would also receive this release code.

3 – Terminated program, further participation is of no use

This code should be used when a juvenile is released from the program, typically prior to the normally expected duration of participation, due to a judgment that their attendance, level of participation, and/or behavior has resulted in less than acceptable progress on either their individualized service plan or on standardized program expectations. It should also be deemed by staff that the resources of the program are insufficient or inappropriate to justify further participation by the juvenile.

This release code will typically be reserved for "early" terminations, prior to the juvenile's expected length of participation. This code would not typically be used for a juvenile who completes the expected duration of participation or has made some progress on individualized goals and objectives, but has failed to achieve all standard expectations, e.g. attainment of all program levels.

4 – Terminated program for noncompliance (dishonorable discharge)

This code should be used when a juvenile is released from the program, typically prior to the normally expected duration of participation, due to overt violation or disregard for program rules, failure to participate in required programming and/or "complete failure" to make even minimal efforts toward progress on either individualized or standardized program goals and objectives.

Direct any questions on the use of release codes to your regional coordinator.

Recidivism

An important goal of VJCCCA is to prevent reoffending and the subsequent involvement of the juvenile in the juvenile justice system. Recidivism is one key indicator relative to this goal. For purposes of evaluating VJCCCA programs, recidivism is defined as the juveniles being rearrested for a new criminal offense within 12 months of their enrollment in the program (not including violations of probation, Child in Need of Services or Supervision, non-criminal traffic violations). Rearrest information is obtained from the DJJ Juvenile Tracking System and cooperative agreement with other state agencies (e.g., Virginia State Police).

Not all VJCCCA program types are appropriate for using recidivism as an outcome measure as their goals are clearly more limited in nature. For example, outreach detention and electronic monitoring are designed to work over a short period of time and to ensure that the juvenile stays problem-free in the pretrial period. Only the following program types are required to have recidivism outcome measures:

- Academic Improvement Programs
- After School/Extended Day Programs
- Community Service
- Employment/Vocational Programs
- Group Homes
- Family Oriented Group Homes
- Home-Based/In-Home Services
- Individual, Group, Family Counseling
- Law Related Education
- Life Skills
- Mentoring
- Parenting Skills
- Pro-Social Skills Programs
- Restitution/Restorative Justice
- Sex Offender Treatment
- Shoplifting Programs
- Substance Abuse Education
- Substance Abuse Treatment
- Surveillance/Intensive Supervision

DJJ annually compiles recidivism rates for all VJCCCA programs and this data will be made available through CPR - Program Summary report in the CPR system on or about January 1 of each year.

Target Recidivism Rates

The target recidivism rate for the specified VJCCCA programs will be the rearrest rate for juveniles placed on probation in the CSU of the juveniles served by the program.

An alternative required recidivism rate is allowed if a program's rate for the prior year for which data are available is more than 10% higher than the probation benchmark. The alternative rate is *at least a 5 percentage point improvement over the prior year's rate*. For example, if the Jefferson County Life Skills program had a 40% recidivism rate in FY08 and the Jefferson County CSU probation recidivism rate was 30%, an improvement in the rate to at least 35% for the Life Skills Program is expected for FY09. Continued high recidivism rates may suggest program deficiencies or other problems, and the regional coordinators will identify such programs for review and plans for improvement.

The CSU-based probation recidivism rates are available through the annual DJJ Data Resource Guide released around January of each year and placed on the DJJ website. The chart titled *"Twelve Month Re-Arrest and Reconviction Rates by Court District"* will provide the rearrest rates for the previously completed fiscal year. The regional coordinator will also distribute this data once it becomes available and any questions regarding the recidivism outcome measure should be directed to your coordinator.

Program Specific Outcome Measures

In addition to the program completion and recidivism outcome measures described above, each program on a VJCCCA plan must include *at least* one locally defined goal and related performance indicators. Data for these measures will need to be tracked by the locality.

A program goal describes the purpose of the program. A straightforward formulation of goals follows this formula:

One goal of Program X *(insert your program name)* is –
to provide/produce: _____ *insert your service or product* _____
to: _____ *insert a description of your client* _____
in order to: _____ *insert a description of the desired outcome* _____

Performance indicators are necessary to assess and measure a program's progress in meeting the *desired outcome.* At least one performance indicator is required for each goal. An indicator is more than a statement of program activities and evidence that activities occurred. An indicator measures movement towards the goal and does not simply count names on a roster or hours of service. A straightforward formulation of performance measures follows this formula:

Progress towards Goal X is shown by:
the improvement/reduction of: _____ *(insert wording)* _____
by: _____ *(what amount/percentage)* _____
as measured by: _____ *(how?)* _____

For example, Goal #1 of the fictitious Jefferson County Shoplifters Program may be:

To educate juveniles charged with petit larceny on the definitions and types of criminal theft and on the potential consequences of theft so as to discourage subsequent larceny arrests.

Two sample performance indicators that measure progress towards this goal are:

At least 90% of participants will improve their scores on a 100 point pretest/posttest on larceny definitions/types/penalties by at least 20 points

No more than 1% of clients completing the program will have subsequent larceny arrests/charges for one year after program completion. Program staff will review reoffense data on each juvenile for one year post-program and will compile and report the data to their local plan contact and their regional coordinator.

An alternative goal for the program might be:

To train juveniles charged with petit larceny to control their impulses to steal so they can avoid further larceny arrests.

Two sample performance indicators that measure progress towards this goal are:

At least 80% of juveniles will rate each of the five role-playing activities as "useful" or "somewhat useful" in providing strategies for dealing with temptations and impulses to steal. Program staff will hand out ballots after each role-playing activity so each juvenile can rate the activity. Program staff will compile and report the data to their local plan contact and their regional coordinator.

No more than 1% of clients completing the program will have subsequent larceny arrests/charges for one year after program completion. Program staff will review statewide reoffense data on each juvenile for one year post-program and will compile and report the data to their local plan contact and their regional coordinator.

Utilization Rates

In addition to the outcome measures, programs also will be evaluated on maintaining a minimum level of utilization. This is to ensure that VJCCCA is cost effective. A utilization review will be completed by the regional coordinator based on quarterly financial and service unit data. A program would generally be expected to expend approximately one-half of its planned service units or its budgeted funds by mid-year and the cost per service unit should be reasonable as compared with other like programs and with the estimated cost per service unit as specified in the VJCCCA plan.

If it appears the program (or locality as a whole) will not expend its budget or will fail to meet the expected number of service units by year end, the regional coordinator will contact the locality's plan contact to discuss the matter and provide technical assistance if needed. New plans that include programs that have historically been unable to adjust their budgets or services to correct the problem during the previous two-year cycle will not be recommended to the Board of Juvenile Justice for approval without an acceptable corrective action plan. Localities with such programs will be required to reassess needs, reallocate available funds, or develop an acceptable corrective action plan to improve utilization.

Monitoring and Technical Assistance

Technical Assistance

The Code of Virginia states that "the Department of Juvenile Justice shall provide technical assistance to localities, upon request, for establishing or expanding programs or services pursuant to this article" (§ 16.1-309.3(B)).

A locality or combination of localities wishing to receive assistance should initially contact their regional coordinator (A listing of staff and assignments can be found in the Appendix). Regional coordinators may schedule visits to assist in any way possible, as well as to ask questions concerning your program in the areas of utilization, data reporting procedures, and program development and evaluation.

Additionally, the Department of Juvenile Justice may offer a variety of training and informational sessions throughout the year. Localities are highly encouraged to send at least one representative.

Regional meetings

There will be semi-annual regional meetings to allow those participating in VJCCCA to receive updates on information, guidance on preparation of VJCCCA reporting documents and share juvenile justice information. The times and locations of these meetings will be scheduled by your VJCCA regional coordinator. E-mail notification will be sent to plan and data contacts.

Training opportunities

The Department's Training Unit offers a variety of training opportunities throughout the year. Local VJCCCA staff can register and attend these sessions on a space-available basis.

Periodic Review

The Code of Virginia states that "the Department [of Juvenile Justice] shall periodically review all services established and annually review expenditures made under this article to determine compliance with the approved local plans and operating standards" (§ 16.1-309.9(C)).

During the biennium, the regional coordinator will make arrangements with the plan contact to conduct a periodic review of the programs and services specified on the VJCCCA plan. They also will consider the *Regulation for Nonresidential Services,* which are applicable to VJCCCA programs and services. (Residential programs will be certified by the Department's Certification Unit.)

The review will be on-site in the locality at a place designated by the plan contact. In many instances the information is located in several places. The regional coordinator should be advised if this is the case so that an appropriate amount of time will be allocated for the review. However, it would be helpful if the review is conducted at a place where financial data, program evaluation data, and program records are available.

Case record review

All juveniles assigned to VJCCCA programs must have a case record. The Board of Juvenile Justice's Regulation for Nonresidential Services state that:

A. For each juvenile, a separate case record shall be kept up to date and in a uniform manner.

B. The juvenile case record shall always contain:

1. Identifying and demographic information on the juvenile;
2. Court order, placement agreement or service agreement;
3. Rules imposed by judge or probation officer, if applicable; and
4. Date of acceptance and release.

Where the CSU is responsible for the VJCCCA plan, all information pertaining to juveniles placed in VJCCCA programs and services must be kept as a part of the CSU case record. Since the requirements for VJCCCA and the CSU are similar, the CSU must include a separate section in their case record that contains the required VJCCCA information in lieu of maintaining two case records on the same juvenile. The first inside tab is recommended. The tab should be divided and labeled to distinguish CSU information from VJCCCA information. Shared items (e.g., reports from vendors) may be kept in their normal place in the CSU file with a location reference to the item in the VJCCCA running record.

The Board of Juvenile Justice Regulations for Nonresidential Services provides the requirements for each program and service. Standard 6VAC35-150-430 requires that each program and service provider shall have a written statement of its:

1. Purpose;
2. Population served;
3. Criteria for admission;
4. Criteria for measuring a juvenile's progress;
5. Supervision or treatment objectives;
6. Intake and acceptance procedures, including whether a social history or diagnostic testing is required;
7. General rules of juvenile conduct and the behavior management system with specific expectations for behavior and appropriate incentives and sanctions, which shall be made available to juveniles and parents upon acceptance into the program;
8. Criteria and procedures for terminating services, including terminations prior to the juvenile's successful completion of the program;
9. Methods and criteria for evaluating program or service effectiveness;
10. Drug-free workplace policy; and
11. Procedures regarding contacts with the news media.

Information obtained as a result of the periodic review will be used for evaluation purposes by the Department. A copy of the Periodic Review Form can be found in the Appendix.

APPENDICES

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SAMPLE MEMORANDUM OF AGREEMENT

The following represents a memorandum of agreement between the Department of Juvenile Justice (DJJ) and the City/County of Glass. This memorandum of agreement sets forth operational, administrative and logistical support parameters to be used as guidance for providing direction and support to City/County of Glass employees assigned to the Department of Juvenile Justice in connection with the Virginia Juvenile Community Crime Control Act (VJCCCA). Conditions of the agreement are as listed below:

1. The City/County of Glass will be responsible for providing to the Department of Juvenile Justice persons to work on activities related to the VJCCCA projects. The number and job classification of persons assigned to DJJ by the City/County of Glass will be as agreed upon by DJJ and the City/County of Glass.

2. The City/County of Glass may elect to hire persons specifically to work at DJJ on VJCCCA projects or it may assign persons already employed by the city to work on the VJCCCA projects. At its option, the City/County of Glass may invite DJJ representatives to assist it in the hiring of persons to work on VJCCCA projects or delegate the hiring authority to DJJ. In the event the City/County of Glass delegates the hiring authority to DJJ, the Organizational Unit Head of the DJJ Unit will ensure that the hiring process is conducted in accordance with the rules governing the City/County of Glass employment process.

3. Persons assigned to DJJ by the City/County of Glass will remain employees of the City/County of Glass and subject to the personnel rules and practices governing the employees of that locality.

4. The Organizational Unit Head of the DJJ Unit will be responsible for ensuring that managers and supervisors assigned to the unit are informed of the personnel rules governing persons assigned to the unit by the locality and adhere to such rules in supervising such persons. DJJ and City/County of Glass representatives will establish procedures for DJJ supervisors to report and address the work performance of persons assigned to the VJCCCA projects. Specific emphasis will be placed on procedures to be taken to complete annual job performance evaluations and to report interim job performance observations.

5. The Organizational Unit Head of the DJJ unit will develop the work plan, plan for the availability of required resources, establish work hours and evaluate the work activities of city employees assigned to DJJ.

6. DJJ shall ensure that timesheets are accurately recorded for all non-exempt employees and forwarded to the city (locality) in a timely manner. The city (locality) shall determine the Fair Labor Standards Act (FLSA) exemption status of individual positions, ensure that overtime hours are appropriately compensated, and maintain applicable timekeeping records required by FLSA.

7. DJJ and City/County of Glass representatives will develop and implement procedures for reporting and acting upon work-related disciplinary infractions committed by city employees assigned to DJJ. In addition, DJJ and city representatives will ensure that procedures are available that provide city employees the opportunity to seek management resolution of workplace issues and to initiate formal grievance if deemed appropriate by the employee.

8. DJJ and city representatives will ensure that measures are in place to account for the receipt, utilization and safeguarding of DJJ and/or city property provided city employees assigned to DJJ.

9. DJJ and city representatives will ensure that measures are in place to provide insurance or other liability coverage for city employees assigned to DJJ. Such coverage as a minimum will be equal to that afforded DJJ employees performing similar duties.

AGREED: _____ _____

City Manager / County Administrator — Date

_____ _____

Court Service Unit Director — Date

Virginia Juvenile Community Crime Control Act
Participation Compliance Certification

The Department of Juvenile Justice has notified you of funding allocated to your locality. Will your locality participate in the Virginia Juvenile Community Crime Control Act in FY20__?

☐**Yes** ☐**No**

The chief administrative officer submitting this local plan certifies that the participating jurisdiction:

A. Will not contribute less funding for the implementation of this local plan than the amount required in § 16.1-309.6 of the Code of Virginia;

B. Will not utilize funds provided by this Act to *supplant* funds established as the state pool of funds under § 2.1-757 in compliance with § 16.1-309.3 C of the Code of Virginia;

C. Will expend local maintenance of effort funds prior to expending state VJCCCA funding;

D. Will comply with all provisions of § 16.1-309.9 of the Code of Virginia which gives the Board of Juvenile Justice the authority to establish and enforce regulation and to review the expenditures and services established by the local plan;

E. Will, prior to development of this plan, have consulted with the judges of the Juvenile and Domestic Relations District Court, the directors of court service units of the participating jurisdictions, the Community Policy and Management Teams established under § 2.1-751 of the Code of Virginia and the director of any Office on Youth established under § 66-26 of the Code of Virginia (if such office serves the jurisdictions); and

F. Will submit routine reports and any other information to the Director of the Department of Juvenile Justice for each program or service funded by the Act in compliance with §§ 16.1-309.3 E and 16.1-309.10 of the Code of Virginia and all applicable Departmental procedures.

_____	_____
Name of Chief Administrative Officer (County Administrator/City Manager)	Title
_____	_____
Signature	Jurisdiction

Virginia Juvenile Community Crime Control Act
Data Compliance Certification

Section 16.1-309.9 C. of the Code of Virginia provides that:

> "The Department [of Juvenile Justice] shall periodically review all services established and annually review expenditures made under this article to determine compliance with the approved local plans and operating standards. If the Department determines that a program is not in substantial compliance with the approved plan or standards, the Department may suspend all or any portion of financial aid made available to the locality until there is compliance."

Section 16.1-309.9 E. of the Code of Virginia provides that:

> "Each locality shall report quarterly to the Director the data required by the Department to measure progress on stated objectives and to evaluate programs and services within such locality's plan."

The VJCCCA Plan Contact and VJCCCA Data Contact certify that the data submitted through the Community Programs Reporting (CPR) system for FY200_ (July 1, 200_ through June 30, 200_) are complete and accurate:

VJCCCA Plan Contact	VJCCCA Data Contact
Title	Title
Signature	Signature
Date	Date
Jurisdiction	Jurisdiction

Virginia Juvenile Community Crime Control Act
Expenditure Compliance Certification

The Chief Administrative Officer submitting this annual expenditure report certifies that in FY 20__ the participating jurisdiction:

A. Did not contribute less funding for the implementation of this local plan than was expended for block grant funded programs or services either *operated or utilized* in FY 1995 in compliance with § 16.1-309.6 of the Code of Virginia;

B. Did not utilize funds provided by this Act to *supplant* funds established as the state pool of funds under § 2.1-757 in compliance with §16.1-309.3 C of the Code of Virginia;

C. Did comply with all provisions of § 16.1-309.9 of the Code of Virginia which gives the Board of Juvenile Justice the authority to establish and enforce regulation and to review the expenditures and services established by the local plan;

D. Expended local maintenance of effort funds prior to expending state VJCCCA funding;

_____
Signature

_____
Name

_____
Title

_____
Date

_____
Jurisdiction

REQUEST FOR PROVISIONAL BOARD APPROVAL OF LOCAL VJCCCA PLAN

Date: _____.

To: _____, State and Local Partnerships Manager

From: _____, City Manager, County Administrator or Chief Administrative Officer

_____, (City or County)

Re: Request to Delay Submission of the FY _____ VJCCCA Plan

It is our intention to file a VJCCCA Plan as specified in § 16.1-309.3 of Code of Virginia, for the FY _____ Biennium. However, we will not be able to complete and submit our plan by the required due dates.

We are requesting that the Board extend the approval of our current plan until the end of the first quarter of FY _____. It is our understanding that under this continuing approval, the Department of Juvenile Justice would be authorized to make one quarterly payment to our locality from our allotted appropriation. This amount would be one-fourth of the total amount approved in the Appropriation Act. When making this request we acknowledge the following conditions:

1. The amount appropriated to our locality for FY _____ may be different than the amount appropriated to fund our current plan. The first quarter payment paid to us under the plan will be one-fourth of our new annual appropriation and not of our current year amount.

2. Using the schedule supplied by your office, we will submit our plan in time for it to be reviewed by the Board of Juvenile Justice before September 30. If the Board has not approved our plan by October 1, we understand that subsequent quarterly payments will be withheld until a plan is approved by the Board.

3. It may be necessary to adjust the payment for the last three quarters of the year to match the amount in the approved plan.

4. If we choose to implement new programs before the Board has approved our plan, we understand that we do so at our own risk. We understand that should the Board not approve the new concept, neither state nor local VJCCCA funds can be used to support the program.

_____

Signature

Approved _____, DJJ VJCCCA Administrator
Date: _____

Reply to City Manager, County Administrator, Chief Administrative Officer
Date: _____

Copy: Contact Person
Deputy Director for Community Programs

VJCCCA EQUIPMENT EXPENDITURE JUSTIFICATION

Name of Locality: _____

Equipment to be purchased (if multiple items list each):

_____
_____
_____
_____

Equipment used primarily for VJCCCA purposes (Yes/No): _____

Equipment is a replacement item (Yes/No): _____

Location of equipment (if multiple locations list each):

_____
_____
_____
_____

Justification for purchase (if multiple items justify each):

_____
_____
_____
_____

Cost of item (if multiple items list cost of each):

_____
_____
_____
_____

Local authorizing authority:

_____
Signature

_____ _____
Title Date

VJCCCA RENT JUSTIFICATION

Name of Locality: _____

Location of rental property/office space (if multiple items list each):

_____
_____
_____
_____

Property/office space used primarily for VJCCCA purposes (Yes/No): _____

Is the property/office space shared with others? (Yes/No): _____

What percentage of the property do you rent? _____

_____
_____
_____

Justification for purchase of office/program space (if multiple items justify each):

_____
_____
_____
_____

Cost of item (if multiple items list cost of each):

_____
_____
_____
_____

Local authorizing authority: Fiscal Year _____

_____ _____
Title Date

VJCCCA FISCAL ADJUSTMENT FORM (FAF)
FY13-14

LOCALITY(OR COMBINED PLAN): _____

(1) Program/Program ID #	(2) BJJ Approved Budget	(3) Fiscal Adjustments of State Funds A	B	C	D	E	(4) Revised Budget	(5) Cumulative Adjustments	(6) Percentage Change
							0	0	
							0	0	
							0	0	
							0	0	
							0	0	
							0	0	
							0	0	
							0	0	
							0	0	
							0	0	
							0	0	
							0	0	
							0		
Total	0	0	0	0	0	0	0	0	**0.00%**
Amount Reallocated								0	

Date of Adjustment Explanation of Adjustments:

_____ A _____

_____ B _____

_____ C _____

_____ D _____

_____ E _____

(1) List each Board approved FY06 program or program ID.
(2) Enter the budget for State funds for each approved FY06 program.
(3) 5 columns are provided for adjustments throughout the year. List the first adjustment in column A, the second adjustment in Column B, etc. Note: The sum of all adjustments at the bottom of each column must equal 0.
(4) This column is self-calculating and is the revised State funded budget after all adjustments.
(5) This column is self-calculating and is the sum of all adjustments to each program.
(6) This column is self-calculating and is the percentage change of reallocated funds. If this percentage exceeds 50%, a revised plan must be submitted to the DJJ Board.

I certify that I have notified the City Manager/County Administrator, Court Services Director, and Chief Judge of the most recent revised VJCCCA Fiscal Adjustment.

_____
Plan Contact

VJCCCA Staff Contacts

Regional VJCCCA Coordinators:

Natalie Dalton, Community Program Specialist
Department of Juvenile Justice – Central Office
600 E. Main Street, 20th Floor
PO Box 1110
Richmond, Virginia 23218-1110
Telephone: 804-588-3895 Fax: 804-371-6498
natalie.dalton@djj.virginia.gov

Alleghany
Amherst
Appomattox
Augusta
Bath
Bland
Botetourt
Bristol
Buchanan
Buckingham
Buena Vista
Campbell
Carroll
Charlotte
Covington
Craig
Cumberland
Danville
Dickenson
Floyd County
Franklin County
Galax
Giles
Grayson
Halifax
Henry County
Highland
Lee
Lexington
Lunenburg
Lynchburg
Martinsville
Mecklenburg
Montgomery
Nelson County
Norton
Orange
Page
Patrick County
Pittsylvania
Prince Edward
Pulaski
Radford
Roanoke City
Roanoke County
Rockbridge
Russell
Salem
Scott
Smyth
Staunton
Tazewell
Warren
Washington
Waynesboro
Wise

Katherine Farmer, Community Program Specialist
Department of Juvenile Justice – Central Office
600 E. Main Street, 20th Floor
P. O. Box 1110
Richmond, Virginia 23218-1110
Telephone: 804-588-3894 Fax: 804-371-6498
katherine.farmer@djj.virginia.gov

Albemarle
Alexandria
Arlington
Augusta
Caroline
Charlottesville
Clarke
Culpeper
Essex
Fairfax City
Fairfax County
Falls Church
Fauquier
Fluvanna
Frederick
Fredericksburg
Goochland
Greene
Hanover
Harrisonburg
Henrico
King George
Lancaster
Loudon
Louisa
Madison
Manassas
Manassas Park
Northumberland
Orange
Page
Prince William
Rappahannock
Richmond County
Rockingham
Shenandoah
Spotsylvania
Stafford
Warren
Westmoreland
Winchester

Carolyn Stewart, Community Program Specialist
Richmond, Virginia 23218-1110
Telephone: 804-588-3837 Fax: 804-371-6498
Carolyn.Stewart@djj.virginia.gov

Accomack	Gloucester	New Kent	Southampton
Amelia	Greensville	Newport News	Suffolk
Brunswick	Hampton	Norfolk	Surry
Charles City	Hopewell	Northampton	Sussex
Chesapeake	Isle of Wight	Nottoway	Virginia Beach
Chesterfield	James City	Petersburg	Williamsburg
Colonial Heights	King and Queen	Poquoson	York
Dinwiddie	King William	Portsmouth	
Emporia	Mathews	Powhatan	
Franklin City	Middlesex	Richmond City	

CPR / Data Questions (statewide):

Natalie Dalton – Region 1
804-588-3895
Katherine Farmer – Region 2
804-588-3894
Carolyn Stewart – Region 3
804-588-3837

Mail Paper Forms / Documentation to:

Community Programs Unit
Department of Juvenile Justice - Central Office
600 E. Main Street, 20th Floor
PO Box 1110
Richmond, Virginia 23218-1110

For unresolved issues contact:

Angela Valentine, Community Programs Manager
Department of Juvenile Justice - Central Office
600 E. Main Street, 20th Floor
PO Box 1110
Richmond, Virginia 23218-1110
Telephone: 804-588-3906 Fax: 804-371-6498
Angela.Valentine@djj.virginia.gov

Program Monitoring Form

Program:	Date:
Program Type:	Monitor:
Funding Source:	Prog Rep:
Locality:	

PROGRAMS AND SERVICES					
	YES	**NO**	**N/A**	**REF**	**COMMENTS**
Written program description.					
Written description of the population to be served.					
Defined program objectives.					
Adheres to defined admissions and release criteria.					
Services are provided per the contract, service agreement or individualized service plan.					
Documentation of targeted program performance indicators					
When applicable, meals and/or snacks are provided.					
BEHAVIOR MANAGEMENT	**YES**	**NO**	**N/A**	**REF**	**COMMENTS**
Behavior management system is defined and provided to juvenile and family.					
Unacceptable behaviors are tied to specific consequences.					
Progressive privileges are earned for positive behavior.					
Unacceptable behaviors and consequences are documented in the case files.					
Staff is consistent in administering the behavior management system.					
Use of physical restraints follows policy and procedures.					
Use of physical restraints is fully documented in case file.					
Use of time-out follows policy and procedures.					
Appropriate actions are taken following the investigation of grievances.					

Program Monitoring Form

CASE MANAGEMENT	YES	NO	N/A	REF	COMMENTS
A uniform and separate case record is kept for each juvenile.					
Each file contains:					
Identifying and demographic information					
Court order, referral, placement or service agreement					
Rules of supervision					
Acceptance date					
Termination date					
Medical and Emergency Contact Information					
An individual service plan is prepared for each juvenile.					
Individual service plan provided to PO, youth and youth's family.					
Individual service plan filed in case record.					
Contacts with juvenile, juvenile's family and others are documented.					
Written progress report on each youth is submitted at agreed upon intervals and at termination.					
Maintain updated case files for all enrolled youths.					
Maintain confidentiality of all case files.					
Coordinates services with the youth's PO, family members, or employers or with other public agencies as needed.					
Serious incident reports are completed and forwarded per departmental procedures.					
Participants and parents are advised of how to file a complaint regarding program services or discipline.					
ADMINISTRATIVE	**YES**	**NO**	**N/A**	**REF**	**COMMENTS**
Background checks employees who have direct contact with juveniles include:					
Virginia State Police (VSP) check					
Child Protective Services (CPS) check					
Division of Motor Vehicles (DMV) check					
FBI Check					

Program Monitoring Form

Personnel files contain the following documentation:					
Background record check					
Current driver's license information					
Professional license information					
First aid and CPR certification					
Training record noting staff and required training					
Agency has a policy and procedure manual which contain the following:					
Drug free work place policy					
Contacts with news media					
Medical emergency procedures					
Medication management procedures					
Juvenile's rights					
Juvenile's participation in research					
Child abuse or neglect reporting procedures					
Safety procedures for staff who provide services in client's home					
Contracts, RFP's, MOA's, MOU's include:					
Vendor must comply with applicable BJJ regulation.					
Vendor is subject to independent audit or examination by DJJ.					
SAFETY	**YES**	**NO**	**N/A**	**REF**	**COMMENTS**
A written fire plan is developed.					
Building has a well stocked first-aid kit.					
Vehicles have well stocked first-aid kits.					
Program's place of operation has:					
Fire inspection					
Sanitation inspection					
Inside and outside of building(s) are clean, in good repair and free of rubbish.					

Program Monitoring Form

DATA MANAGEMENT	YES	NO	N/A	REF	COMMENTS
Program Utilization					
Timely submission of data					
Data Accuracy					
Usage					
Evaluation					
Planning					
FISCAL MANAGEMENT	**YES**	**NO**	**N/A**	**REF**	**COMMENTS**
Documentation of provision of services					
Verification of delivery & quality of services					
Insurance					
Program carries liability insurance for their dwelling.					
Program carries liability insurance (bonding) of fiscal staff.					
Program carries liability insurance for employees and vehicles.					
Employees who use personal vehicles carry liability insurance.					
PLAN REVIEW	**YES**	**NO**	**N/A**	**REF**	**COMMENTS**
Documented Need for Program or Service					
Interagency Collaboration					
TECHNICAL ASSISTANCE NEEDS	**YES**	**NO**	**N/A**	**REF**	**COMMENTS**
Totals	**0**	**0**	**0**		

Periodic Plan Review Form

VJCCCA PLAN PERIODIC REVIEW		Date:	
Locality		Monitor:	
Other Localities		Prog. Rep:	

	Program	Type
Program #		
Program #		
Program #		
Program #		
Program #		

Program Number	# 1	# 2	# 3	# 4	# 5
CASE MANAGEMENT - Juvenile Records	Rating	Rating	Rating	Rating	Rating
Written program description.					
Written description of the population to be served.					
Defined program objectives.					
Adheres to defined admissions and release criteria.					
Services are provided per the contract, service agreement or individualized service plan.					
Documentation of targeted program performance indicators					
When applicable, meals and/or snacks are provided.					
BEHAVIOR MANAGEMENT					
Behavior management system is defined and provided to juvenile and family.					
Unacceptable behaviors are tied to specific consequences.					
Progressive privileges are earned for positive behavior.					
Unacceptable behaviors and consequences are documented in the case files.					
Staff is consistent in administering the behavior management system.					
Use of physical restraints follows policy and procedures.					
Use of physical restraints is fully documented in case file.					
Use of time-out follows policy and procedures.					
Appropriate actions are taken following the investigation of grievances.					

Periodic Plan Review Form

CASE MANAGEMENT					
A uniform and separate case record is kept for each juvenile.					
Each file contains:					
Identifying and demographic information					
Court order, referral, placement or service agreement					
Rules of supervision					
Acceptance date					
Termination date					
Medical and Emergency Contact Information					
An individual service plan is prepared for each juvenile.					
Individual service plan provided to PO, youth and youth's family.					
Individual service plan filed in case record.					
Contacts with juvenile, juvenile's family and others are documented.					
Written progress report on each youth is submitted at agreed upon intervals and at termination.					
Maintain updated case files for all enrolled youths.					
Maintain confidentiality of all case files.					
Coordinates services with the youth's PO, family members, or employers or with other public agencies as needed.					
Serious incident reports are completed and forwarded per departmental procedures.					
Participants and parents are advised of how to file a complaint regarding program services or discipline.					
ADMINISTRATIVE					
Background checks employees who have direct contact with juveniles include:					
Virginia State Police (VSP) check					
Child Protective Services (CPS) check					
Division of Motor Vehicles (DMV) check					
FBI Check					
Personnel files contain the following documentation:					
Background record check					
Current driver's license information					
Professional license information					

Periodic Plan Review Form

First aid and CPR certification					
Training record noting staff and required training					
Agency has a policy and procedure manual which contain the following:					
Drug free work place policy					
Contacts with news media					
Medical emergency procedures					
Medication management procedures					
Juvenile's rights					
Juvenile's participation in research					
Child abuse or neglect reporting procedures					
Safety procedures for staff who provide services in client's home					
Contracts, RFP's, MOA's, MOU's include:					
Vendor must comply with applicable BJJ regulation.					
Vendor is subject to independent audit or examination by DJJ.					
SAFETY					
A written fire plan is developed.					
Building has a well stocked first-aid kit.					
Vehicles have well stocked first-aid kits.					
Program's place of operation has:					
Fire inspection					
Sanitation inspection					
Inside and outside of building(s) are clean, in good repair and free of rubbish.					
DATA MANAGEMENT					
Program Utilization					
Timely submission of data					
Data Accuracy					
Usage					
Evaluation					
Planning					
FISCAL MANAGEMENT					
Documentation of provision of services					
Verification of delivery & quality of services					

Periodic Plan Review Form

Insurance					
Program carries liability insurance for their dwelling.					
Program carries liability insurance (bonding) of fiscal staff.					
Program carries liability insurance for employees and vehicles.					
Employees who use personal vehicles carry liability insurance.					
PLAN REVIEW					
Documented Need for Program or Service					
Interagency Collaboration					
TECHNICAL ASSISTANCE NEEDS					

Periodic Plan File Review Form

VJCCCA FILE REVIEW		Date:	
Locality		Monitor:	
Other Localities		Prog. Rep:	

	Juvenile	Admit	Release	Staff	Hire Date
Case # 1					
Case # 2					
Case # 3					
Case # 4					
Case # 5					

Case Number: Juvenile & Staff	# 1	# 2	# 3	# 4	# 5
CASE MANAGEMENT - Juvenile Records	Rating	Rating	Rating	Rating	Rating
Identifying and demographic information					
Court order, referral, placement or service agreement					
Rules of supervision					
Acceptance date					
Termination date					
Medical and Emergency Contact Information					
An individual service plan is prepared for each juvenile					
Individual service plan provided to PO, youth and youth's family					
Individual service plan filed in case record					
Contacts with juvenile, juvenile's family and others are documented					
Written progress report on each youth is submitted at agreed upon intervals and at termination.					
Coordinates services with the youth's PO, family members or others					
Serious incident reports are completed and forwarded IAW DJJ policy					
Participants and parents are advised of how to file a complaint					
ADMINISTRATIVE - Staff Files					
Virginia State Police (VSP) check					
Child Protective Services (CPS) check					
Division of Motor Vehicles (DMV) check					

Periodic Plan File Review Form

FBI Check					
Current driver's license information					
Professional license information					
First aid and CPR certification					
Training record noting staff and required training					

Commonwealth of Virginia
Department of Juvenile Justice
Incident Notification Form for Community-Based NON-RESIDENTIAL PROGRAMS
(Other than Court Service units)

1. Program (full name):	
2. Incident date: Time:	3. Report date: Time:
4. Location:	5. Activity:
6. Reported by:	7. Title:
8. Reported to:	9. Title:

10. REPORT INCIDENTS LISTED BELOW IMMEDIATELY BY FAX TO 804-786-1461. ALSO SEND A COPY TO YOUR VJCCCA COORDINATOR.
Check all categories that apply.

	a. **Death** - the death of any person that occurs at the program or of any staff or juvenile while on official business away from the program (enter name of deceased below)		f. **Juvenile on juvenile assault** – occurring at the program and requiring outside emergency medical attention
	b. **Fire at the program**– when alarm is sounded due to a fire at the program and fire or emergency personnel respond to the program		g. **Juvenile assault on staff** – requiring outside medical attention
	c. **Alleged child abuse or neglect**– allegations against staff or alleged to have occurred at the program or on a program-sponsored activity		h. **Staff arrest or serious misconduct**– arrest for a Class 1 or a Class 2 Misdemeanor or a felony; or misconduct involving a juvenile
	d. **Serious juvenile injury or illness** - occurring at the program and involving response by emergency personnel to the program or removal of juvenile from the program to receive medical care		i. **Other**-- any serious occurrence out of the ordinary course of operations that is likely to attract attention of the media or the general public or that could result in litigation.
	e. **Serious staff injury or illness**– occurring on the job or related to the workplace		

11. Juvenile Name (First & Last)	JTS Intake Number	Date of Birth	Sex	Race	CSU & Locality	Most Serious Charge/ Offense (not VOP)	Date of Placement
1.							
2.							
3.							

12. Describe the incident (who, what, when, where). Use additional sheets if needed.

13. The following parties have been notified of this incident. (Use additional sheets if needed)

Commonwealth of Virginia
Department of Juvenile Justice
Instructions for Completing the Incident Notification Form
for Community-Based NON-RESIDENTIAL Programs

A typed Incident Notification Form must be sent to the Deputy Director of Community Programs within a business day of the incident.

1. Write the full name (no abbreviations) of the program that is reporting the incident.

2. Enter the date and time the incident occurred.

3. Enter the date and time the incident is actually reported, NOT when the form is filled out.

4. Indicate the location (city, town, etc.) where the incident occurred.

5. Describe the activity (in house, field trip, etc.) in progress when the incident occurred.

6. Identify (name) the person who completed the Incident Notification Form.

7. Provide the title of the person who completed the Incident Notification Form.

8. Identify (name) the DJJ staff to whom the incident was reported.

9. Provide the title of the DJJ staff to whom the incident was reported.

10. Indicate the type of incident with a checkmark. Check all categories that apply. FAX the form to the Central Office and to the VJCCCA Coordinator as indicated.

Guidelines on what to report under each category of incident:

11. Provide the names of juveniles involved in the incident. Use additional pages if necessary. For each juvenile provide:

    - Name (first, middle initial, last)
    - JTS Intake number
    - Date of birth (MM/DD/YY)
    - Sex (**M**ale or **F**emale)
    - Race (**W**hite, **B**lack, **H**ispanic, **A**sian, **O**ther)
    - Supervising or placing court (CSU #)
    - The MOST SERIOUS charge or offense for which the juvenile is in this placement (DO NOT ENTER VIOLATION OF PROBATION OR PAROLE.)
    - Date placed in program (MM/DD/YY)

12. Describe the incident. The description should include:

    - Names, titles, and locations of staff who responded.
    - Clear statement of what happened including any physical evidence.
    - Nature of the response including any use of physical force, any medical treatment, any external assistance, and who was notified.
    - Any program sanctions, criminal charges or justification when criminal charges are not sought in instances of assault causing serious injury.

13. Indicate other persons who have been notified of the incident.

Commonwealth of Virginia
Department of Juvenile Justice
Incident Notification Form for NON-SECURE RESIDENTIAL FACILITIES

1. Facility (full name):	
2. Incident date: Time:	3. Report date: Time:
4. Location:	5. Activity:
6. Reported by:	7. Title:
8. Reported to:	9. Title:

10. REPORT THE FOLLOWING INCIDENTS *AS SOON AS THE SITUATION IS UNDER CONTROL*

- STATE HALFWAY HOUSES: Notify the Director and Report to the Regional Operations Manager
- ALL OTHER FACILITIES: IMMEDIATELY call the certification unit at 804-212-8803 AND FAX to 804-371-6496.

Check all categories that apply.

	a. **Death** – The death of any person (including residents, staff, volunteers, other individuals over whom the facility has supervisory authority, and visitors) that occurs at the facility or on facility-related activities. (enter name of deceased below)		d. **Alleged sexual child abuse or neglect** - Any sexual allegation of child abuse and neglect at the facility or on facility-related activities on the part of staff, volunteers, or other individual over whom the facility has supervisory authority which is reported to the local Child Protective Services (CPS) and/or law enforcement. *Accusations of a non-sexual nature are categorized separately. Child abuse or neglect involves (i) a victim under the age of 18; (ii) an abuser who is a custodian or caretaker; and (iii) suspected child abuse or neglect.*
	b. **Fire**– A fire or suspected fire at the facility that requires the fire department to respond and provide assistance.		e. **Serious juvenile injury or illness**– Any juvenile impairment or sickness that requires immediate medical treatment (excluding basic first aid) from medical staff on-site or off-site. The treatment provided or condition diagnosed causes significant disruption to the normal routine due to required follow-up medical care. *If the injury is the result of an assault, do not report it here (that injury is captured in the assault reporting).*
	c. **Alleged non-sexual child abuse or neglect** - Any non-sexual allegation of child abuse and neglect at the facility or on facility related activities on the part of staff, volunteers, any other individual over whom the facility has supervisory authority, or visitors which is reported to the local Child Protective Services (CPS) and/or law enforcement. *Accusations of a sexual nature that may be referred to the previously referenced entities are categorized separately. Child abuse or neglect involves (i) a victim under the age of 18; (ii) an abuser who is a custodian or caretaker; and (iii) suspected child abuse or neglect.*		f. **Allegation of sexual assault on resident**– Any alleged non-consensual sexual assault of a resident by any non-staff person occurring at the facility or during facility-related activities. *Staff sexual assaults are categorized as Suspected Sexual or Neglect. Do not report the juvenile injury as a separate "juvenile injury or illness" (that injury is captured here).*

11. Report the incidents listed below as follows:

- STATE HALFWAY HOUSES: Report only to the Regional Operations Manager
- ALL OTHER FACILITIES: FAX TO 804-371-6496.

****Check all categories that apply****

	g. **Serious staff injury** – Any staff injury at the facility or on facility-related activities for which the treatment provided or the condition diagnosed prevents the immediate return of the staff to duty after the treatment. *If the injury is the result of an assault, do not report it here (that injury is captured in the assault reporting).*		m. **Alleged staff sexual misconduct** - Any allegation of staff sexual misconduct that does not rise to the level of suspected sexual child abuse (e.g., staff engaging in sexual acts in the presence of residents, flirting with residents, showing videos to residents, sexual acts with a resident over the age of 18). *Accusations of sexual child abuse and neglect are captured separately.*
	h. **Juvenile on juvenile assault**– An unprovoked physical attack resulting in an injury that requires immediate medical treatment (excluding basic first aid) from medical staff on-site or off-site. The treatment provided or condition diagnosed causes significant disruption to the normal routine due to required follow-up medical care. *Do not report the juvenile injury as a separate "juvenile injury or illness" (that injury is captured here).*		n. **Staff arrest**– Any known arrest of an employee, volunteer, or other individual over whom the facility has supervisory authority for a felony or a Class 1 or 2 misdemeanor.
	i. **Juvenile assault on staff**– An unprovoked physical attack on a staff member, volunteer, or other individual over whom the facility has supervisory authority that results in an injury that requires immediate medical treatment (excluding basic first aid) from medical staff on or off site. The treatment provided or condition diagnosed causes significant disruption to the normal routine due to required follow-up medical care.		o. **Juvenile sexual activity with others**– consensual activity involving a juvenile and another juvenile or a juvenile with staff
	j. **Allegation of juvenile consensual sexual activities**– Any alleged consensual sexual activity involving a resident and another resident occurring at the facility or during facility-related activities. *Nonconsensual sexual acts are categorized as Sexual Assault on Resident. Do not report the juvenile injury as a separate "juvenile injury or illness" (that injury is captured here).*		p. **Other**- Any serious occurrence out of the ordinary course of operations that (i) is likely to attract attention of the media or the general public or (ii) could result in litigation.
	k. **Suicide attempt**– When a resident makes a deliberate act to take his or her life, involving a definite risk. The intent must be determined by a mental health professional. *List in the narrative the evaluating mental health professional.*		q. **Physical restraint**- The application by staff of a physical intervention to prevent a resident from moving all or part of his or her body (*report only if the restraint is an action involving another reportable incident*).
	l. **AWOL**– A resident's unauthorized absence from the facility or failure to return to the facility within timeframes established by the facility's policies or procedures.		

12. List the initial event (what action checked above started this reportable incident).

Initial Event _____

13. Juvenile Name (First & Last)	JTS Intake Number	Date of Birth	Sex	Race	CSU & Locality	Most Serious Charge/ Offense (not VOP)	Date of Placement
1.							
2.							
3.							

14. Describe the incident (who, what, when, where). Use additional sheets if needed.

15. The following parties have been notified of this incident. (Use additional sheets if needed)

Commonwealth of Virginia Department of Juvenile Justice
Instructions for Completing the Incident Notification Form
for NON-SECURE RESIDENTIAL FACILITIES

A typed Incident Notification Form must be sent to the Deputy Director of Operations via facsimile at (804) 371-6496 within a business day of the incident.

1. Write the full name (no abbreviations) of the facility that is reporting the incident.
2. Enter the date and time the incident occurred.
3. Enter the date and time the incident is actually reported, NOT when the form is filled out.
4. Indicate the location (city, town, etc.) where the incident occurred.
5. Describe the activity (in house, field trip, etc.) in progress when the incident occurred.
6. Identify (name) the person who completed the Incident Notification Form.
7. Provide the title of the person who completed the Incident Notification Form.
8. Identify (name) the DJJ staff to whom the incident was reported.
9. Provide the title of the DJJ staff to whom the incident was reported.
10. Indicate the type of incident with a checkmark. Check all categories that apply. State operated Halfway Houses should report ONLY to their Regional Operations Manager, 24 hours a day, 7 days a week. All other facilities should notify the Certification Unit by phone and FAX the incident report to Central Office as indicated.
11. Indicate type of incident with a checkmark. Check all categories that apply. State-operated Halfway Houses should report ONLY to their Regional Operations Manager, 24 hours a day, 7 days a week. All other facilities should FAX the incident report to the Central Office as indicated.

11. Indicate which of the incidents checkmarked in response to #10 or #11 that initiated the reportable event.

13. Provide the names of those involved in the incident. Use additional pages if necessary. For each juvenile provide:
    - Name (first, middle initial, last)
    - JTS Intake number
    - Date of birth (MM/DD/YY)
    - Sex (**M**ale or **F**emale)
    - Race (**W**hite, **B**lack, **H**ispanic, **A**sian, **O**ther)
    - Supervising court (CSU #)
    - MOST SERIOUS charge or offense for which the juvenile is in this placement (DO NOT ENTER VIOLATION OF PROBATION OR PAROLE.)
    - Date placed in facility (MM/DD/YY)

14. Describe the serious incident. The description should include:
    - Names, titles, and locations of staff who responded.
    - Clear statement of what happened including any physical evidence.
    - Nature of the response including any use of physical force, any medical treatment, any external assistance and who was notified.
    - Any facility sanctions, criminal charges or justification when criminal charges are not sought in instances of assault resulting in serious injury.

15. Indicate other persons who have been notified of the incident. Interdepartmental standards require notification of certain persons in certain cases. Other notifications may be required by the program's policy, procedure, practice.

Adopted by the Board of Juvenile Justice November 18, 2009.

BOARD OF JUVENILE JUSTICE

Title of Regulation: 6VAC35-150-10 et seq. Regulation for Nonresidential Services
Statutory Authority: §§ 16.1-233, 16.1-309.9, and 66-10 of the Code of Virginia.
Effective Date: July 1, 2011

Part I
General Provisions

6VAC35-150-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Adult" means a person 18 years of age or older who is not a delinquent child as defined in § 16.1-228 of the Code of Virginia.

"Agency" means any governmental entity of the Commonwealth or any unit of local government including counties, cities, towns, and regional governments and the departments thereof, and including any entity, whether public or private, with which any of the foregoing has entered into a contractual relationship for the provision of services as described in this chapter.

"Alternative day services" or "structured day treatment" means nonresidential programs that provide services, which may include counseling, supervision, recreation, prevocational services, and education, to juveniles at a central facility.

"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.

"Behavior management" means those principles and methods employed to help a juvenile achieve positive behavior and to address and correct a juvenile's inappropriate behavior in a constructive and safe manner, in accordance with written procedures governing program expectations, treatment goals, juvenile and staff safety and security, and the juvenile's individual service plan.

"Board" means the Board of Juvenile Justice.

"Case record" or "record" means written or electronic information regarding an individual and the individual's family, if applicable, that is maintained in accordance with approved procedures.

"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.

"Department" means the Department of Juvenile Justice.

"Direct care" means the time during which a resident, who is committed to the department pursuant to §§ 16.1-272, 16.1-285.1, or subdivision A 14 or A 17 of § 16.1-278.8 of the Code of Virginia, is under the supervision of staff in a juvenile correctional center or other juvenile residential facility operated by or under contract with the department.

"Diversion" means the provision of counseling, informal supervision, programs, or services, or a combination thereof, which is consistent with the protection of the public safety and the welfare of the juvenile as provided for in §§ 16.1-227 and 16.1-260 of the Code of Virginia.

"Electronic monitoring" means the use of electronic devices, including, but not limited to, voice recognition and global positioning systems, to verify a juvenile's or adult's compliance

with certain judicial orders or conditions of release from incarceration, as an alternative to detention, or as a short-term sanction for noncompliance with rules of probation or parole.

"Human research" means any systematic investigation using human subjects as defined by § 32.1-162.16 of the Code of Virginia and 6VAC35-170. Human research shall not include research prohibited by state and federal statutes or regulations or research exempt from federal regulations or mandated by any applicable statutes or regulations.

"Individual service plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or an adult. It specifies measurable short-term and long-term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan.

"Individual supervision plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or adult. It specifies measurable short-term and long-term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan. Individual supervision plans are applicable during probation and parole and for treatment of a juvenile or an adult and the services for the juvenile's family for the time during which a juvenile is committed to the department.

"Intake" means the process for screening complaints and requests alleged to be within the jurisdiction of the juvenile and domestic relations district court pursuant to § 16.1-260 of the Code of Virginia.

"Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the Code of Virginia.

"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the department.

"Mechanical restraint" means the use of a mechanical device that involuntarily restricts the freedom of movement or voluntary functioning of a limb or portion of a person's body as a means to control physical activity when the individual being restricted does not have the ability to remove the device.

"Outreach detention" means intensive supervision, which includes frequent contacts, strict monitoring of behavior, and case management, if applicable, of a juvenile as an alternative to placement in secure detention or shelter care.

"Parole" means supervision of a juvenile released from commitment to the department as provided for by §§ 16.1-285, 16.1-285.1, and 16.1-285.2 of the Code of Virginia.

"Physical restraint" means the application of behavior intervention techniques by trained program staff that involves a physical intervention to prevent the individual from moving that individual's body.

"Probation" means a court-ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 B 2, 16.1-278.8 A 5, 16.1-278.8 A 7, and 16.1-278.8 A 7 a.

"Provider" means a person, corporation, partnership, association, organization, or public agency that is legally responsible for compliance with regulatory and statutory requirements relating to the provision of services or the functioning of a program.

"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.

"Tamper" means any purposeful alteration to electronic monitoring equipment that interferes with or weakens the monitoring system.

"Time-out" means a systematic behavior management technique program component designed to reduce or eliminate inappropriate or problematic behavior by having staff require a juvenile to move to a specific location that is away from the source of reinforcement for a specific period of time or until the problem behavior has subsided.

"Variance" means a board action that relieves a program from having to meet or develop a plan of action for the requirements of a section or subsection of this chapter.

"Volunteer" or "intern" means any individual or group who of their own free will and without any financial gain provides services without competitive compensation.

"Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.

6VAC35-150-20. (Repealed.)

6VAC35-150-30. Applicability.

A. Parts I (6VAC35-150-10 et seq.) and II (6VAC35-150-55 et seq.) of this chapter apply to all CSUs for juvenile and domestic relations district courts.

B. Parts I (6VAC35-150-10 et seq.) and III (6VAC35-150-425 et seq.) of this chapter apply to nonresidential programs and services (i) for which the CSU contracts or (ii) are included in a local "Virginia Juvenile Community Crime Control Act" plan.

C. Part III of this chapter also applies to applicable programs and services operated by or contracted with a CSU.

6VAC35-150-35. (Repealed.)

6VAC35-150-40. Variances.

A variance may be requested by a program administrator or service provider when conditions exist where the program or service provider is not able to comply with a section or subsection of this chapter. Any such request must meet the criteria and comply with the procedural requirements provided in the Regulations Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs, 6VAC35-20, and in accordance with approved procedures.

6VAC35-150-50. Licensure by other agencies.

A current license or certificate issued by the Commonwealth shall be accepted as evidence of a program's compliance with one or more specific standards of this chapter when the requirements for licensure or certification are substantially the same as, or exceed, the requirements set out in this chapter.

6VAC35-150-55. (Repealed.)

Part II
Operating Standards for Court Service Units
Article 1
Administration

6VAC35-150-60. Organizational structure.

There shall be a written description and organizational chart of the unit showing current lines of authority, responsibility, and accountability, including the unit director's reporting responsibility.

6VAC35-150-62. Suitable quarters.

A. The CSU director annually shall review the unit's needs for suitable quarters, utilities, and furnishings and shall request from the appropriate governing body the resources to meet these needs.

B. Intake, probation, and parole officers shall have access to private office space.

6VAC35-150-64. Prohibited financial transactions.

The unit shall not collect or disburse support payments, fines, restitution, court fees, or court costs.

6VAC35-150-66. Procedures for handling funds.

The unit director shall establish written procedures for handling any ongoing unit employee fund established and maintained by the employees that is derived from employee contributions, the operation of vending machines, special fundraising projects, or other employee canteen services, that utilizes the name of the unit or the department, or that the unit approves the obtaining of or obtains a tax identification number for such funds. Any such funds are not state funds and shall not be commingled in any way with state funds. The department's tax identification number shall not be used for such funds.

6VAC35-150-70. (Repealed.)

6VAC35-150-80. Background checks.

A. Except as provided in subsection C of this section, all persons who (i) accept a position of employment, (ii) volunteer on a regular basis or are interns and will be alone with a juvenile in the performance of their duties, or (iii) provide contractual services directly to a juvenile on a regular basis and will be alone with a juvenile in the performance of their duties in a CSU, or as required by 6VAC35-150-430 C, shall undergo the following background checks to ascertain whether there are criminal acts or other circumstances that would be detrimental to the safety of juveniles:

1. A reference check;
2. A criminal history record check;
3. A fingerprint check with (i) the Virginia State Police (VSP) and (ii) the Federal Bureau of Investigation (FBI);
4. A central registry check with Child Protective Services (CPS); and
5. A driving record check, if applicable to the individual's job duties.

B. To minimize vacancy time when the fingerprint checks required by subdivision 3 of this subsection have been requested, unit staff may be hired pending the results of the fingerprint checks, provided:

1. All of the other applicable components of subsection A of this section have been completed;
2. The applicant is given written notice that continued employment is contingent on the fingerprint check results, as required by subdivision A 3 of this section; and
3. Staff hired under this exception shall not be allowed to be alone with juveniles and may work with juveniles only when under the direct supervision of staff whose background checks have been completed until such time as all background checks are completed.

C. The unit, program, or service provider shall have procedures for supervising nonstaff persons, who are not subject to the provisions of subsection A of this section, who have contact with juveniles.

D. Subsection A of this section shall apply to programs to which the CSU refers juveniles who are before the court or before an intake officer, including, but not limited to, programs included in a local Virginia Juvenile Community Crime Control Act plan. When an agency or program refers juveniles to other service providers, excluding community service programs and licensed professionals or programs licensed or regulated by other state agencies, the referring agency shall require the service provider to document that all persons who provide services or supervision through substantial one-on-one contact with juveniles have undergone a background check as required in subsection A of this section.

6VAC35-150-90. Training.

A. All employees, volunteers, and interns shall receive documented orientation appropriate to their duties and to address any needs identified by the individual and the supervisor.

B. All employees shall receive ongoing training and development appropriate to their duties and to address any needs identified by the individual and the supervisor, if applicable.

6VAC35-150-100. Personnel and operating procedures.

All staff shall have access to approved procedures governing:

1. Recruitment and selection;
2. Grievance and appeal;
3. Confidential individual employee personnel records;
4. Discipline;
5. Equal employment opportunity;
6. Leave and benefits;
7. Resignations and terminations;
8. Orientation;
9. Promotion;
10. Probationary period; and
11. Competitive salary.

6VAC35-150-110. Volunteers and interns.

A. For every volunteer and intern, the unit shall maintain a current description of duties and responsibilities and a list of the minimum required qualifications;

B. Volunteers and interns shall comply with all applicable regulations, policies, and approved procedures;

C. One or more designated persons shall coordinate volunteer services and internships; and

D. Volunteers and interns shall be registered with the department.

6VAC35-150-120. Reportable incidents.

When an event or incident occurs that is required by department procedures to be reported, staff shall report the event or incident as required by and in accordance with department procedures.

6VAC35-150-130. Research.

A. Juveniles shall not be used as subjects of human research, except as provided in 6VAC35-170 and in accord with Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1 of the Code of Virginia.

B. The testing of medicines or drugs for experimentation or research is prohibited.

6VAC35-150-140. Records management.

A. Case records shall be indexed and kept up to date and uniformly in content and arrangement in accordance with approved procedures.

B. Case records shall be kept in a secure location accessible only to authorized staff.

C. All case records shall be maintained and disposed of in accordance with The Library of Virginia regulations and record retention schedules~~,~~ and with approved procedures.

D. Any disclosure or release of information shall be in accordance with the Code of Virginia and applicable federal statutes and regulations and approved procedures.

6VAC35-150-150. (Repealed.)

6VAC35-150-160. (Repealed.)

6VAC35-150-165. (Repealed.)

6VAC35-150-175. (Repealed.)

6VAC35-150-180. (Repealed.)

6VAC35-150-190. (Repealed.)

Article 2
Security and Safety

6VAC35-150-200. Safety and security procedures.

In accordance with approved procedures, the unit shall implement:

1. Safety and security practices for the office environment to include at least fire, bomb threat, natural disasters, and hostage and medical emergency situations;
2. Safety and security practices for staff making field visits to juveniles and their families; and
3. Training on appropriate crisis prevention and intervention techniques for the office and the field that staff may use to respond to behavior that poses a risk to the safety of themselves or others.

6VAC35-150-210. Physical force.

A. Physical force shall be used only as a last resort and shall never be used as punishment. Staff shall use only the minimum force deemed reasonable and necessary to eliminate the imminent risk to the safety of themselves or others.

B. Each use of physical force shall be reported in writing to the CSU director, who shall ensure that all reportable incidents are further reported in accordance with the department's procedures for reporting serious incidents.

6VAC35-150-220. Searches.

Searches of an individual's person and immediate area may be conducted only in accordance with approved procedures, with all applicable state and federal statutes and regulations, and with the Virginia and United States constitutions. Only staff who have received training approved by the department shall conduct searches.

6VAC35-150-230. Weapons.

A. A probation officer may obtain authorization to carry a weapon as provided by § 16.1-237 of the Code of Virginia only in accordance with approved procedures that require at least: (i) firearms safety training, (ii) a psychological or mental health assessment, (iii) approval by the CSU director, and (iv) approval by the unit director's supervisor.

B. All CSU staff authorized to carry weapons shall have received training and retraining, in accordance with approved procedures, which shall include the limited circumstances when weapons may be carried and used as required by law and liability insurance coverage.

6VAC35-150-240. Arrest of juvenile by staff.

Probation officers shall exercise their arrest powers in accordance with approved procedures.

6VAC35-150-250. Absconders.

Unit staff shall cooperate with department personnel and state and local law-enforcement authorities to help locate and recover juveniles who violate the conditions of their probation or parole supervision and upon whom a detention order has been issued or who escape or run away from a juvenile correctional center, detention home, or other juvenile placement.

6VAC35-150-260. Transportation of detained juveniles.

Detained juveniles shall be transported in accord with "Guidelines for Transporting Juveniles in Detention" (September 2004) issued by the board in accord with § 16.1-254 of the Code of Virginia.

Article 3
Intake

6VAC35-150-270. Intake duties.

A. When making an intake determination as provided for by § 16.1-260 of the Code of Virginia, whether in person or by telephone or interactive video conferencing, the intake officer shall, in accordance with approved procedures:

1. Explain the steps and options in the intake process to each person present as provided for in approved procedures;
2. Make all required data entries into the department's electronic data collection system in accordance with § 16.1-224 of the Code of Virginia and approved procedures;
3. Consult with available parents, guardians, legal custodian, or other person standing in loco parentis to determine the appropriate placement; and
4. Notify the juvenile's parents, guardians, legal custodian, or other person standing in loco parentis in cases involving the juvenile's detention.

B. When making a detention decision pursuant to § 16.1-248.1 of the Code of Virginia and when making recommendations to the court at a detention hearing pursuant to § 16.1-250 of the Code of Virginia, CSU personnel shall make use of the uniform risk assessment instrument and related procedure mandated by Chapter 648 of the 2002 Acts of Assembly.

C. When the chief judge in a jurisdiction requests the provision of a replacement intake officer pursuant to § 16.1-235.1 of the Code of Virginia, the CSU shall enter into a written agreement with the requesting court that shall address, at a minimum, the scope of the intake duties, the location where intake cases will be processed, and the protocol for arranging any required face-to-face contact between the intake officer and juvenile.

6VAC35-150-280. Medical and psychiatric emergencies at intake.

If during the intake interview, the intake officer suspects that the juvenile requires emergency medical or psychiatric care, the intake officer shall:

1. Immediately contact the juvenile's parents or legal guardians to advise them of the emergency and any responsibilities they may have; and
2. Before placing a juvenile in a more restrictive setting, the intake officer shall arrange for the juvenile to receive the needed emergency care.

6VAC35-150-290. Intake communication with detention.

When CSU staff facilitate the placement of a juvenile in detention, they shall give detention staff, by telephone, in writing, or by electronic means, no later than the time the juvenile arrives at the detention facility, the reason for detention and the offenses for which the juvenile is being detained including any ancillary offenses. CSU staff shall also give detention staff the following information when available and applicable: medical information; parents' or guardians' names, addresses and phone numbers; prior record as regards sexual offenses, violence against persons, or arson; suicide attempts or self-injurious behaviors; gang membership and affiliation; and any other information as required by approved procedure.

Article 4
Out-of-Home Placements

6VAC35-150-300. Predispositionally placed juvenile.

A. In accordance with approved procedures, a representative of the CSU shall make contact, either face-to-face or via videoconferencing, with each juvenile placed in predispositional detention, jail, or shelter care pursuant to § 16.1-248.1 of the Code of Virginia, within five days of the placement. A representative of the CSU shall make contact with the juvenile at least once every 10 days thereafter either face-to-face or by telephone or videoconferencing. All such contacts] shall include direct communication between the CSU staff and the juvenile.

B. The case of each predispositionally placed juvenile shall be reviewed at least every 10 days in accordance with approved procedures to determine whether there has been a material change sufficient to warrant recommending a change in placement.

C. When the unit is the placing agency and is supervising a juvenile in a residential facility, designated staff of the CSU shall be available to the facility's staff 24 hours a day in case of emergency.

6VAC35-150-310. Postdispositional detention.

A. When a court orders a juvenile to be detained postdispositionally for more than 30 days pursuant to subsection B of § 16.1-284.1 of the Code of Virginia, the CSU staff shall develop a written plan with the facility to enable such juvenile to take part in one or more community treatment programs appropriate for that juvenile's rehabilitation, which may be provided at the facility or while the juvenile is on temporary release status, as determined by that juvenile's risk to public safety and other relevant factors. The CSU shall provide a copy of the juvenile's social history to the postdispositional detention program upon request.

B. The case record of a juvenile placed in a postdispositional detention program pursuant to subsection B of § 16.1-284.1 of the Code of Virginia shall contain:

1. Social history;
2. Court order;
3. Reason for placement; and
4. Current supervision plan, if applicable.

6VAC35-150-320. Notice of juvenile's transfer.

When CSU staff have knowledge that a juvenile has been moved from one residential facility to another residential facility and do not have knowledge that the juvenile's parents or legal guardians have been advised of the transfer, CSU staff shall notify the juvenile's parents or legal guardians within 24 hours and shall document the notification in the juvenile's case record.

6VAC35-150-330. (Repealed.)

Article 5
Probation, Parole, and Other Supervision

6VAC35-150-335. Diversion.

A. When an intake officer proceeds with diversion in accordance with subsection B of § 16.1-260 of the Code of Virginia, such supervision shall not exceed 120 days. For a juvenile alleged to be a truant pursuant to a complaint filed in accordance with § 22.1-258 of the Code of Virginia, such supervision shall be limited to 90 days.

B. When a new complaint is filed against a juvenile who is currently under supervision in accordance with subsection A of this section, and the juvenile qualifies for diversion in accordance with subsection B of § 16.1-260 of the Code of Virginia, then the intake officer may proceed with diversion for an additional 120 days from the date of the subsequent complaint.

C. In no case shall a petition be filed by the CSU based on acts or offenses in the original complaint after 120 days from the date of the initial referral on the original complaint.

6VAC35-150-336. Social histories.

A. A social history shall be prepared in accordance with approved procedures (i) when ordered by the court, (ii) for each juvenile placed on probation supervision with the unit, (iii) for each juvenile committed to the department, (iv) for each juvenile placed in a postdispositional detention program for more than 30 days pursuant to § 16.1-284.1 of the Code of Virginia, or (v) upon written request from another unit when accompanied by a court order. Social history reports shall include the following information:

1. Identifying and demographic information on the juvenile;
2. Current offense and prior court involvement;
3. Social, medical, psychological, and educational information about the juvenile;
4. Information about the family; and
5. Dispositional recommendations, if permitted by the court.

B. An existing social history that is less than 12 months old may be used provided an addendum is prepared updating all changed information. A new social history shall be prepared as required in subsection A of this section or when ordered by the court if the existing social history is more than 12 months old.

C. Social history reports on adults may be modified as provided for in procedures approved by the CSU director after consultation with the judge or judges of the court.

6VAC35-150-340. Beginning supervision.

Within the time frames established by approved procedures for beginning supervision, a probation or parole officer shall:

1. See the juvenile face-to-face;
2. Give the juvenile the written rules of supervision, including any special conditions, and explain these to the juvenile and, when appropriate, to the juvenile's parents or guardians; and
3. Document these actions in the case record.

6VAC35-150-350. Supervision plans for juveniles.

A. To provide for the public safety and address the needs of a juvenile and that juvenile's family, a juvenile shall be supervised according to a written individual supervision plan, developed in accordance with approved procedures and time frames, that describes the range and

nature of field and office contact with the juvenile, with the parents or guardians of the juvenile, and with other agencies or providers providing treatment or services.

B. In accordance with approved procedures, each written individual supervision plan shall be reviewed (i) with the juvenile and the juvenile's family, and (ii) by a supervisor from both a treatment and a case management perspective to confirm the appropriateness of the plan.

6VAC35-150-355. Supervision of juvenile on electronic monitoring.

When a unit places a juvenile in an electronic monitoring program, use of the program shall be governed by approved procedures that shall provide for criteria for placement in the program, parental involvement, required contacts, consequences for tampering with and violating program requirements, and time limits.

6VAC35-150-365. Supervision of adult on probation.

For an adult convicted of a criminal act for which the juvenile court retained jurisdiction pursuant to § 16.1-241 of the Code of Virginia and the juvenile court does not order specific conditions of supervision, a supervision plan for the adult probationer shall be prepared within 30 days of the disposition. The adult and that adult's family, if appropriate, must be consulted in development of the supervision plan.

6VAC35-150-370. (Repealed.)

6VAC35-150-380. Violation of probation or parole.

When a probationer or parolee violates the conditions of the individual's probation or parole, unit personnel shall take action in accordance with approved procedures.

6VAC35-150-390. Transfer of case supervision.

A. When the legal residence of an individual under the supervision of a CSU is not within the jurisdiction of the original CSU, the supervision of the case may be transferred to another unit in Virginia in accordance with § 16.1-295 of the Code of Virginia and approved procedures.

B. When transferring or receiving supervision of a juvenile on probation or parole to or from another state, CSU staff shall do so in accordance with the Interstate Compact Relating to Juveniles, Article 14 (§ 16.1-323 et seq.) of Chapter 11 of Title 16.1 of the Code of Virginia.

6VAC35-150-400. Notice of release from supervision.

Notice of release from supervision shall be given in writing to the individual under the supervision of a CSU and to the parents or guardians of juveniles. Such notification shall be appropriately documented in the case record in accordance with approved procedures.

Article 6
Juvenile in Direct Care

6VAC35-150-410. Commitment information.

A. When a juvenile is committed to the department, the juvenile may not be transported to the Reception and Diagnostic Center (RDC) until (i) the items and information required by the Code of Virginia and approved procedures have been received by RDC and (ii) the case is accepted by RDC.

B. If a juvenile is transported to the department directly from the court, in addition to ensuring the immediate delivery of the items required in subsection A of this section, unit staff shall immediately notify RDC by telephone of the juvenile's impending arrival.

6VAC35-150-415. Supervision of juvenile in direct care.

For a juvenile placed in direct care, the probation or parole officer shall, in accordance with approved procedures, do the following:

1. Develop and implement a family involvement plan.
2. Develop a parole supervision plan.
   a. For a juvenile indeterminately committed to the department pursuant to §§ 16.1-272 and 16.1-278.8 A 14 of the Code of Virginia, CSU staff shall complete a parole supervision plan in accordance with approved procedures.
   b. For a juvenile determinately committed to the department pursuant to §§ 16.1-272, 16.1-278.8 A 17, or 16.1-285.1 of the Code of Virginia, a parole supervision plan shall be prepared for all serious offender judicial review hearings as required by law and in accordance with approved procedures.
3. Send a report on the family's progress toward planned goals of the family involvement plan to the facility at which the juvenile is housed.

6VAC35-150-420. Contacts during juvenile's commitment.

During the period of a juvenile's commitment, a designated staff person shall make contact with the committed juvenile, the juvenile's parents, guardians, or other custodians, and the treatment staff at the juvenile's direct care placement as required by approved procedures. The procedures shall specify when contact must be face-to-face contact and when contacts may be made by video-conferencing or by telephone.

Part III
Programs and Services
Article 1
General Requirements

6VAC35-150-425. Applicability of Part III.

A. This part applies to programs and services for which the department or CSU contracts or which provides programs and services through a local Virginia Juvenile Community Crime Control Act plan pursuant to § 16.1-309.3 of the Code of Virginia.

B. Alternative day treatment and structured day programs are subject to the provisions in Article 1 and Article 2 of this part. The provisions for alternative day treatment and structured day programs in Article 2 (6VAC35-150-615 et seq.) of this part also apply to those programs and services that are operated by a CSU.

C. Each program or service provider shall be responsible for adopting written procedures necessary to implement and for compliance with all applicable requirements of 6VAC35-150-430 through 6VAC35-150-740.

6VAC35-150-427. (Repealed.)

6VAC35-150-430. Program and service provider requirements.

A. Each program and service provider shall have a written statement of its:

1. Purpose;
2. Population served;
3. Criteria for admission;
4. Criteria for measuring a juvenile’s progress;
5. Supervision or treatment objectives;

6. Intake and acceptance procedures, including whether a social history or diagnostic testing is required;
7. General rules of juvenile conduct and the behavior management system with specific expectations for behavior and appropriate incentives and sanctions, which shall be made available to juveniles and parents upon acceptance into the program;
8. Criteria and procedures for terminating services, including terminations prior to the juvenile's successful completion of the program;
9. Methods and criteria for evaluating program or service effectiveness;
10. Drug-free workplace policy; and
11. Procedures regarding contacts with the news media.

B. The department administration shall be notified in writing of any plan to change any of the elements listed in subsection A of this section.

C. Each program or service provider shall conduct background checks in accordance with 6VAC35-150-80, or ensure that such background checks are conducted, on all individuals who provide services to juveniles under the contract as required by subsection A of 6VAC35-150-80;

D. Those programs and service providers providing crisis intervention services, including, but not limited to, outreach detention, mental health counseling or treatment, and home-based counseling services, shall provide for responding 24 hours a day to a juvenile's crisis and shall provide notification to all juveniles in writing on how to access these services at any time.

6VAC35-150-435. Contracted services.

The standard of services provided by contractual and subcontractual vendors shall not be less than those required by this chapter.

6VAC35-150-440. (Repealed.)

6VAC35-150-450. Limitation of contact with juveniles.

When there are indications that an individual who is providing programs or services poses a direct threat to the health and safety of a juvenile, others at the program, or the public, the program administrator, or department personnel shall immediately require that the individual be removed from contact with juveniles until the situation is abated or resolved.

6VAC35-150-460. Personnel qualifications for program and service providers.

A. Program staff and service providers shall have a job description stating qualifications and duties for the position to which they are assigned.

B. Staff and volunteers who provide professional services shall be appropriately licensed or certified or be supervised by an appropriately licensed or certified person as required by applicable statutes and regulations.

6VAC35-150-470. Medical emergencies.

The program or service provider shall have written procedures to deal with medical emergencies that may occur while a juvenile is in attendance at the program.

6VAC35-150-480. Financial record requirements for program and service providers.

All programs and service providers shall:

1. Manage their finances in accordance with generally accepted accounting principles;
2. Certify that all funds were handled in accord with the applicable Virginia Juvenile Community Crime Control Act plan, contract, or other agreement; and
3. Be subject to independent audit or examination by department personnel at the department's discretion.

6VAC35-150-490. Juveniles' rights.

A. Juveniles shall not be excluded from a program nor be denied access to services on the basis of race, ethnicity, national origin, color, religion, sex, physical disability, or sexual orientation.

B. Juveniles shall not be subjected to:

1. Deprivation of drinking water or food necessary to meet daily nutritional needs except as ordered by a licensed physician for a legitimate medical purpose and documented in the juvenile's record;
2. Any action that is humiliating, degrading, or abusive;
3. Corporal punishment;
4. Unsanitary conditions;
5. Deprivation of access to toilet facilities; or
6. Confinement in a room with the door so secured that the juvenile cannot open it.

6VAC35-150-500. Juvenile participation in research.

The program or service provider shall have written procedures complying with the applicable research provisions in 6VAC35-150-130.

6VAC35-150-510. Case management requirements for program and service providers.

A. For each juvenile, a separate case record shall be kept up to date and in a uniform manner.

B. The juvenile case record shall always contain:

1. Current identifying and demographic information on the juvenile;
2. Court order, placement agreement, or service agreement;
3. Rules imposed by the judge or the probation or parole officer, if applicable; and
4. Dates of acceptance and release.

C. Programs and services that provide counseling, treatment, or supervision shall:

1. Develop an individual service plan for each juvenile that shall specify the number and nature of contacts between the juvenile and staff;
2. Provide the individual service plan information to the supervising probation or parole officer, when applicable;
3. Document all contacts with the juvenile, the juvenile’s family, and others involved with the case; and
4. Provide written progress reports to the referring agency at agreed upon intervals.

6VAC35-150-530. Incident documentation and reporting for program and service providers.

When an event or incident occurs that is required by department procedures to be reported, the program or service shall document and report the event or incident as required by and in accordance with department procedures.

6VAC35-150-540. Child abuse and neglect.

When there is a reason to suspect that a child is an abused or neglected child, the program or service provider shall report the matter immediately to the local department of social services as required by Article 2 (§ 63.2-1508 et seq.) of Title 63.2 of the Code of Virginia and shall be documented in the juvenile's record.

6VAC35-150-550. Physical setting.

A. Each program that provides services to juveniles or their families within or at the program's office or place of operation shall comply with all applicable building, fire, sanitation, zoning and other federal, state, and local standards and shall have premises liability insurance.

B. The inside and outside of all buildings shall be kept clean, in good repair, and free of rubbish.

6VAC35-150-560. (Repealed.)

6VAC35-150-570. (Repealed.)

6VAC35-150-575. Physical and mechanical restraints and chemical agents in programs and services.

A. Only staff who have received department-approved training may apply physical restraint and only as a last resort, after less restrictive behavior intervention techniques have failed, to control residents whose behavior poses a risk to the safety of the resident, others, or the public, or to avoid extreme destruction of property.

1. Staff shall use the least force necessary to eliminate the risk and shall never use physical restraint as punishment or with intent to inflict injury.
2. The application of physical restraint shall be fully documented in the juvenile's record, including the (i) date and time of the incident, (ii) staff involved, (iii) justification for the restraint, (iv) less restrictive interventions that were unsuccessfully attempted prior to or harm that would have resulted without using physical restraint, (v) duration, (vi) method and extent of any physical restraint techniques used, (vii) signature of the person completing the report, and (viii) reviewer's signature and date.
3. Staff whose job responsibilities include applying physical restraint techniques, when necessary, shall receive training sufficient to maintain a current certification for the administration of the physical restraints.

B. Mechanical restraints, except in electronic monitoring and outreach detention programs, shall not be used for behavior management purposes.

C. Chemical agents, such as pepper spray, shall not be used by staff for behavior management purposes.

6VAC35-150-590. (Repealed.)

6VAC35-150-600. (Repealed.)

6VAC35-150-610. (Repealed.)

Article 2
Alternative Day Treatment and Structured Day Programs

6VAC35-150-615. Applicability of Part III, Article 2.

The following provisions apply to alternative day treatment and structured day treatment programs, including those operated by CSUs. All applicable provisions for the general requirements for programs set forth in Article 1 (6VAC35-150-425 et seq.) of this part also apply to alternative day treatment and structured day treatment programs.

6VAC35-150-620. Supervision of juveniles in alternative day treatment and structured day programs.

At all times that juveniles are on any premises where alternative day treatment or structured day programs are provided, there shall be at least one qualified person actively supervising who has a current first aid and CPR certification.

6VAC35-150-640. Emergency and fire safety in alternative day treatment and structured day programs.

A. Each site to which juveniles report shall have written emergency and fire safety plans.

1. In accordance with the emergency plan, the program shall implement safety and security procedures, including, but not limited to, procedures for responding in cases of a fire, bomb threat, hostage and medical emergency situations, and natural disaster.
2. The fire safety plan shall be developed with the consultation and approval of the appropriate local fire authority and reviewed with the local fire authority at least annually and updated if necessary.

B. At each site to which juveniles report, there shall be at least one documented fire drill each month.

C. Each new staff member shall be trained in fire safety and emergency procedures before assuming supervision of juveniles.

6VAC35-150-650. (Repealed.)

6VAC35-150-660. (Repealed.)

6VAC35-150-670. Juveniles' medical needs in alternative day treatment and structured day programs.

A. At the time of referral, the program shall request from the referring agency or party any information regarding individual juveniles' medical needs or restrictions and, if necessary, instructions for meeting these needs.

B. Written procedure governing the delivery of medication shall:

1. Either prohibit staff from delivering medication or designate staff persons authorized to deliver prescribed medication by written agreement with a juvenile's parents; and
2. Either permit or prohibit self-medication by juveniles.

C. An up-to-date, well-stocked first-aid kit shall be available at each site to which juveniles report and shall be readily accessible for minor injuries and medical emergencies.

6VAC35-150-680. (Repealed.)

6VAC35-150-690. Procedural requirements for time-out in alternative day treatment and structured day programs.

A. A program that uses time-out shall have written procedures to provide that juveniles in time-out shall:

1. Be able to communicate with staff;
2. Have bathroom privileges according to need; and
3. Be served any meal scheduled during the time-out period.

B. A time-out room shall not be locked nor the door secured in any way that will prohibit the juvenile from opening it, except if such confinement has been approved by the program's regulatory authority.

C. Time-out shall not be used for periods longer than 30 consecutive minutes.

6VAC35-150-700. (Repealed.)

6VAC35-150-710. (Repealed.)

6VAC35-150-720. (Repealed.)

6VAC35-150-730. (Repealed.)

6VAC35-150-740. (Repealed.)

DOCUMENTS INCORPORATED BY REFERENCE (6VAC35-150)

Guidelines for Transporting Juveniles in Detention, September 2004, State Board of Juvenile Justice.