

JJAEP Discretionary

W-2020-21 Biennium

Effective date 09/01/2019

Latest Revision 06/04/2019

I. GRANT DESCRIPTION.

- A. The Juvenile Justice Alternative Education Program (JJAEP) Discretionary grant is a competitive grant intended to assist counties with a population below 125,000 in the basic operation of a Juvenile Justice Alternative Education Program (JJAEP) subject to the approval of the Texas Juvenile Justice Department (TJJD), and to provide for program enhancement to JJAEPs in counties with a population of 125,000 or more. The JJAEP is designed to provide an educational setting for students who have been expelled from public schools.
- B. **Grant Term.** This grant is in effect for two years, beginning on the date indicated on the original grant award notice provided to Grantee. The Grant may be renewed for up to two (2) additional two-year terms.

II. GRANT SPECIFIC DEFINITIONS.

- A. **Assessment Instrument.** The assessment instrument selected by TJJD for assessing JJAEP student performance in the areas of reading and mathematics.
- B. **Discretionary Students.** Students who are expelled from a public school for an offense listed under Sections 37.007(b), (c), (f), or (i), 37.0052, or 37.0081, Texas Education Code, and in the school code of conduct as provided in the District of Innovation Plan according to Section 12A.003, Texas Education Code, subject to relevant Texas Education Agency administrative rules.
- C. **Grantee.** The juvenile board and/or juvenile probation department, receiving funds under this grant.
- D. **In-Kind Contributions.** In-kind contributions represent items paid for by a source other than funds through the original grant Request for Proposal (RFP). Items donated or contributed to the project (e.g., personnel, classroom space, etc.) are considered in-kind contributions.
- E. **Juvenile Justice Alternative Education Program (JJAEP).** Programs in counties with a population over 125,000 that are mandated to operate a JJAEP according to the requirements of Chapter 37, Texas Education Code, and programs in counties with a population between 72,000 and 125,000 that voluntarily operates a JJAEP.
- F. **Mandatory Students.** Students who are required to be expelled from public school for an offense listed under Texas Education Code Section 37.007(a), (d), or (e).
- G. **Match Requirement.** The match requirement that a Grantee is required to meet to receive funding under this grant. The county shall maintain the same match as required in the 2012-2013 biennium. The match requirement must be directly related to the operation of the JJAEP and/or to program enhancement.
- H. **Other Students.** Students enrolled in a JJAEP who have not been expelled from a public school (e.g., court-ordered placement, etc.) and registered sex offenders under Texas Education Code Section 37.309.
- I. **Out of County students.** Students who reside in a county other than Grantee's county or who attend school in a district not located in Grantee's county.
- J. **Statewide Assessment Instruments.** The annual statewide assessments required under Chapter 39, Texas Education Code, which are used to demonstrate student performance in the areas of reading and mathematics [State of Texas Assessment of Academic Readiness (STAAR) and End of Course Examinations (EOCs)].

III. PERFORMANCE MEASURES.

- A. **Goal.** The goal of the JJAEP is to reduce delinquency, increase offender accountability, and rehabilitate offenders through a comprehensive, coordinated community-based juvenile probation system.
- B. **Program Objective.** The objective of the JJAEP is to enable students to perform at grade level. The JJAEP shall provide an instructional program that results in a level of student academic achievement.
- C. **Program Performance.** Grantee performance under the grant shall be determined using the following measures:
 1. the number of student entries and exits during the previous school year;

JJAEP Discretionary**W-2020-21 Biennium**

Effective date 09/01/2019

Latest Revision 06/04/2019

2. the number of, and reason for, student entries and exits during the previous school year;
3. the number of students who entered the program during the previous school year who were eligible for special education services;
4. academic performance for students who exited the program during the previous school year, as measured by passing rates (to the next grade) and, if applicable, half-credits earned;
5. assessment scores for mathematics and reading as measured by the TJJD-required pre-test and post-test scores, if applicable, for students who were enrolled for at least 75 school days and exited the program during the previous school year;
6. attendance rates for the entire length of enrollment for students who exited the program during the previous school year;
7. the number of new arrests or referrals that occurred during the entire length of enrollment for students who exited the program during the previous school year; and
8. the number of restraints by type (i.e., mechanical or personal) during the previous school year.

IV. PROGRAMMATIC COMPONENTS.

- A. **Program Oversight.** *The Juvenile Justice Alternative Education Program Proposal* submitted by Grantee is incorporated by reference into the requirements of this grant. Grantee shall provide services as established within the grant requirements and their respective proposal. TJJD shall provide program oversight to ensure that grant funds are appropriately and efficiently expended.
- B. **Requirements.**
 1. Grantee shall operate the JJAEP as an educational setting for students expelled from the local independent school districts that enter into a joint Memorandum of Understanding (MOU) not later than September 1 of each school year during the grant period.
 2. Grantee shall adhere to the programmatic requirements applicable to counties with populations greater than 125,000. These requirements are found in the:
 - a. Section 37.011, Texas Education Code; and
 - b. Chapter 348, Title 37, Texas Administrative Code, or successor provisions which become effective during the term of this Contract.
- C. **Students From Other Counties.** The following criteria must exist for funding to be expended on students who reside in a county other than Grantee's county or who attend school in a district located outside of Grantee's county:
 1. Grantee, the juvenile board in the county where the student resides, and the student's expelling school district have entered into a memorandum of understanding patterned after Texas Education Code Section 37.011(k); and
 2. Grantee has provided TJJD with a copy of the executed memorandum of understanding.

V. PROGRAMMATIC REPORTING.

- A. **Annual Reports.**
 1. Performance Measures Report. A written report must be completed and submitted to TJJD no later than October 1 of each year that includes the data listed in III.C.1-8, an analysis of the JJAEP's effectiveness and any changes to be implemented as a result of the review.

JJAEP Discretionary**W-2020-21 Biennium**

Effective date 09/01/2019

Latest Revision 06/04/2019

2. **End-of-Year Program Summary Report.** Grantee shall complete an end-of-year program summary report no later than August 1 of each year. This report shall include:
 - a. a description of how the program met the overall goals and objectives of the program;
 - b. a description of the progress made including service components implemented;
 - c. a list of program activities;
 - d. the number of students served;
 - e. data demonstrating the project objectives;
 - f. output performance measures;
 - g. outcome performance measures;
 - h. areas of the grant unfulfilled and an explanation as to why; and
 - i. a proposed budget for the second year of funding.

B. **Quarterly Reports.** None.

C. **Monthly Reports.**

1. **Monthly Attendance Roster.** On or before the 10th calendar day of the month, Grantee shall submit a monthly attendance roster detailing which students were in attendance, absent, or on inactive status at the JJAEP for every school day in the preceding month.
2. **JJAEP Individual Student Data.** In accordance with TJJD administrative standards and as requested by TJJD, Grantee shall collect individual student data for each student admitted into the JJAEP. The data shall be collected upon the student's admission to and exit from the JJAEP and entered by the last day of the reporting month. Grantee shall accumulate said information for all students admitted and exited in a given month and submit the data electronically to TJJD by the 10th calendar day of the following month.
3. **Monthly Activity Report.** Grantee shall complete the JJAEP Monthly Activity Report [TJJD-JJAEP-004] on a monthly basis. The report shall be completed and submitted on or before the 10th calendar day of the month via TJJD's internet database and shall contain information for the preceding month.

D. **Other Periodic Reports.** See General Grant Requirements.

VI. **PROGRAMMATIC MONITORING.**

- A. **On-site Monitoring Visits.** See General Grant Requirements.
- B. **Unannounced On-site Monitoring Visits.** See General Grant Requirements.
- C. **Desk Audits.** See General Grant Requirements.
- D. **Other.** None.

VII. **APPLICABLE LAW, POLICY, AND PROCEDURE.** Grantee shall comply with the following applicable state laws, federal laws, standards, policies, and procedures as they currently exist or as amended or renumbered and enacted and effective during the term of this Contract:

A. **Applicable Standards.**

1. **Texas Administrative Code (TAC) Title 37 Public Safety and Corrections, Chapters 341-4 359.**

B. **General Statutes.**

JJAEP Discretionary**W-2020-21 Biennium**

Effective date 09/01/2019

Latest Revision 06/04/2019

1. **Federal Law.** See General Grant Requirements.
2. **State Law.** See General Grant Requirements.
 - a. **Texas Education Code, Title 2, Public Education.**
 - i. Chapter 37- Discipline; Law and Order.
 - b. **Texas Family Code, Title 3, Juvenile Justice Code.**
 - c. **Texas General Appropriations Act.**
 - d. **Texas Government Code, Title 7, Intergovernmental Relations.**
 - i. Chapter 783 - Uniform Grant and Contract Management Act.

VIII. FINANCIAL COMPONENTS.**A. Allowable Expenditure of Funds.**

1. Grantee may expend any funds received under this grant only for those costs that are reasonable, necessary, and directly-related to the creation and ongoing operation of a JJAEP as contained in the General Grant Requirements.

B. Unallowable Expenditure of Funds. See General Grant Requirements.

1. In addition, any expenditures not authorized in Section VIII.A. are unallowable under this grant including, but not limited to:
 - a. under-recovery of costs under grant agreements;
 - b. medical equipment and services including payments to intended recipients of health services;
 - c. costs of idle facilities;
 - d. staff salary raises or bonuses;
 - e. any residential placement including pre-adjudication secure detention facilities, short-term secure detention facilities (i.e., holdover), and post-adjudication secure correctional facilities;
 - f. organization costs;
 - g. taxes; and
 - h. termination costs.

C. Financial Match Requirements.

1. Grantee shall provide the required match or in-kind match in an amount at least equivalent to the funds received under this grant during the 2012-2013 biennium. The match for a program enhancement shall be directly related to the enhancement.

D. Funding Adjustments.

1. **Reduction of Grant Payments.** See General Grant Requirements.
2. **Unexpended Balances.** See General Grant Requirements.
3. **Overpayments.** See General Grant Requirements.

JJAEP Discretionary

W-2020-21 Biennium

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Latest Revision 06/04/2019

- 4. **Refunds Due.** See General Grant Requirements.
 - E. **Timely Expenditure of Grant Funds.** See General Grant Requirements.
 - F. **Audits.** See General Grant Requirements.
 - G. **Financial Assurances.** See General Grant Requirements.
 - H. **Service Provider.** See General Grant Requirements.
- IX. **FINANCIAL REPORTING.**
- A. **Annual Reports.** Grantee shall submit a completed *Annual Budget Application* concurrent with the submission of the executed *State Financial Assistance Contract* for TJJD's approval. The *Annual Budget Application* shall be submitted electronically as specified by TJJD per fiscal year of the current grant period.
 - B. **Quarterly Reports.** Grantee shall report the expenditure of all funds received through this grant on the *Quarterly Expenditure Report*. Reports shall be submitted to and received by TJJD no later than December 31, March 31, June 30, and September 30. Funds may be temporarily suspended if a *Quarterly Expenditure Report* is not received by the due date.
 - C. **Monthly Reports.** None.
 - D. **Other Periodic Reports.**
 - 1. **Budget Adjustments.** Grantee shall submit the Budget Adjustment Request through the Grant Manager System for any adjustment to the original budget. Grantee shall receive written approval from TJJD prior to expending the funds.
- X. **FINANCIAL MONITORING.**
- A. **Annual Monitoring.** See General Grant Requirements.
 - B. **Periodic Monitoring.** See General Grant Requirements.