

Community Corrections

Y-2006-07 Biennium

Effective date 09/01/2005

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I. GRANT DESCRIPTION.

- A. The Community Corrections grant provides funding to local juvenile boards for the purpose of developing community-based probation program alternatives for juveniles at risk of commitment to the Texas Youth Commission.

II. GRANT SPECIFIC DEFINITIONS.

- A. **Diversion Programs and Services.** Programs or services designed to provide community-based diversionary alternatives for juveniles at risk of commitment to the Texas Youth Commission (e.g., intensive supervision probation, residential placement, family preservation services, parenting skills, mental health services, etc.).
- B. **Formal Referral.** A formal referral occurs when all three of the following conditions exist:
1. Delinquent conduct, conduct indicating a need for supervision or violation of probation was allegedly committed;
 2. The juvenile probation department has jurisdiction and venue; and
 3. Either face-to-face contact occurs with the office or official designated by the Grantee or written or verbal authorization to detain the juvenile is given by the office or official designated by the juvenile court.
- C. **Ideal Commitment Criteria.** The ideal commitment criteria is defined as any commitment to the Texas Youth Commission (TYC) recommended by and consistent with the Progressive Sanctions Model as defined in Texas Family Code Chapter 59.
- D. **Juvenile Justice Program.** A program operated for the benefit of juveniles referred to the juvenile probation department that is wholly or partly operated by the juvenile board or by a private vendor under contract with the juvenile board. As defined in Texas Family Code Section 261.405, this term also includes juvenile justice alternative education programs (JJAEP) and non-residential programs that serve juveniles that have been referred to the juvenile probation department and who are under the jurisdiction of the juvenile court. A juvenile justice program does not include any program operated in a facility that is licensed or operated by a state agency other than a facility registered with the Commission.
- E. **Juvenile Probation Services.** Juvenile probation services means services provided to juvenile offenders under the jurisdiction of the juvenile court by or under the authority of the Grantee and provided by the juvenile probation department or other entity, including services contracted with third-party service providers, in response to a policy or directive instituted by the governing juvenile board or an order issued by a juvenile court and under the court's direction, including:
1. Protective services;
 2. Prevention of delinquent conduct and conduct indicating a need for supervision;
 3. Diversion;
 4. Deferred prosecution;
 5. Foster care;
 6. Counseling;
 7. Supervision;
 8. Diagnostic, correctional and educational services; and
 9. Services provided by a juvenile probation department that are related to the provision of services, operation of a secure pre-adjudication detention facility, a short-term detention facility (i.e., holdover), a secure post-adjudication correctional facility, a non-secure residential treatment facility, a juvenile justice alternative education program or a juvenile justice program.

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- F. **Non-Residential Services.** A service or program provided to a juvenile who has not been placed in a residential facility or a service or program provided to a juvenile who has been placed in a residential setting, but the service or program is not included in the cost per day for the juvenile's placement. The following services/programs are considered non-residential including:
1. Psychological, psychiatric and other professional diagnostic, evaluation and therapeutic treatment services;
 2. Medical and dental diagnosis, evaluation, treatment and supplies;
 3. Vocational and educational fees and supplies;
 4. Related programs, services, supplies and tutoring not provided by public schools;
 5. Transportation and meals;
 6. Clothing and personal hygiene supplies; and
 7. Programs and services approved in writing in advance by the Commission, including professional and contractual services.
- G. **Primary Prevention Services.** Programs, services and activities designed to prevent law and Family Code violations by youth identified as "at risk" of becoming juvenile offenders. These services are designed for juveniles that have not had contact with the juvenile probation department prior to the service (i.e., no formal referral has occurred).
- H. **Progressive Sanctions Model.** The Progressive Sanctions Model is a set of recommended graduated dispositional guidelines defined in Texas Family Code Chapter 59. The Model provides uniform and consistent standards for juvenile case dispositions, taking into account the seriousness of conduct, history of delinquent conduct, previous interventions, special treatment/training needs and special circumstances of the juvenile.
- I. **Recommendation.** Recommendation means the most appropriate course of action or option that the probation officer and department recommend or present to the juvenile court as a dispositional alternative for a juvenile offender that is in the best interest of the child and society in the professional judgment of the probation officer.
- J. **Residential Services.** Residential services means the provision of services to a juvenile that has been placed in a secure pre-adjudication detention facility, a short-term detention facility (i.e., holdover), a post-adjudication correctional facility, or a non-secure residential placement facility operated by or under the authority of the Grantee. This category also includes services contracted to a third-party service provider in any non-secure placement facility licensed and/or operated by or under the authority of another governmental entity under the laws of this state or another state.
- K. **Staff Services.** Staff services means:
1. Salaries and fringe benefits for staff employed by the juvenile probation department under the direction of the Grantee;
 2. Travel reimbursement for juvenile probation department staff for the provision of juvenile probation services, juvenile justice programs and administration; and
 3. Operating expenses for the juvenile probation department (e.g., postage, telephone, office supplies, printing and other costs, etc.) directly related to juvenile probation services, juvenile justice programs and administration.

III. PERFORMANCE MEASURES.

- A. **Goal.** The goal of the Community Corrections grant is to reduce delinquency, increase offender accountability and rehabilitate juvenile offenders through a comprehensive, coordinated, community-based juvenile probation system.

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- B. **Program Objective.** The objective of the Community Corrections grant is to develop and support a system of community programs and services designed to provide alternatives for youth at risk of commitment to the Texas Youth Commission.
- C. **Program Performance.** Grantee performance under the grant shall be determined using the following measures:
 1. Average daily population in placement;
 2. Percent of juveniles under probation and deferred prosecution supervision participating in programs;
 3. Percent of TYC eligible referrals disposed to TYC;
 4. Percent of total TYC commitments that met ideal criteria under the Progressive Sanctions Model as defined in Texas Family Code Chapter 59; and
 5. Total number of juveniles committed to TYC.

IV. PROGRAMMATIC COMPONENTS.

- A. **Diversion Programs and Services.** The Grantee shall use grant funds to provide community-based programs and/or services designed to provide diversionary alternatives for juveniles at risk of commitment to TYC (e.g., intensive supervision probation, residential placements, family preservation services, parenting skills, mental health services, etc.). The Grantee shall require its juvenile probation department staff to use due diligence to explore and recommend other appropriate community-based dispositional alternatives for youth at risk of commitment to TYC.
- B. **Target Population.** The Grantee shall ensure that diversion programs and services provided under this grant are primarily designed to serve the target population. The target population for this grant is juvenile offenders who are at risk of commitment to TYC and/or who pose a risk to public safety in the community. Included among this group of juveniles are the serious, violent, and chronic offending populations.

V. PROGRAMMATIC REPORTING.

- A. **Annual Reports.** See General Grant Requirements.
- B. **Quarterly Reports.** None.
- C. **Monthly Reports.** Grantee shall submit monthly extract data electronically to the Commission no later than the 10th calendar day of each month following the reporting period as required in Title 37, Texas Administrative Code, Sections 341.49 and 341.54.
- 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.

The Grantee shall comply with the following applicable state laws, federal laws and policies and procedures under this grant:

- A. **Applicable Standards.**

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1. **Texas Administrative Code (TAC) Title 37 Public Safety and Corrections.**
 - a. Chapter 341 – Texas Juvenile Probation Commission.
 - b. Chapter 342 – Housing Non-Texas Juveniles in Texas Detention and Correctional Facilities.
 - c. Chapter 343 – Secure Juvenile Pre-Adjudication Detention and Post-Adjudication Correctional Facilities.
 - d. Chapter 349 – General Administrative Standards.
 - e. Chapter 351 – Short-Term Detention Facilities.

B. General Statutes.

1. **Federal Law.** See General Grant Requirements.
2. **State Law.** See Also General Grant Requirements.
 - a. **Texas Family Code, Title III, Juvenile Justice Code.**
 - i. Chapter 60 – Uniform Interstate Compact on Juveniles.
 - b. **Texas General Appropriations Act.**
 - c. **Texas Government Code, Title 7, Uniform Grant and Contract Management.**
 - i. Chapter 783 - Uniform Grant and Contract Management Act.

C. Policy and Procedure.

1. **Texas Juvenile Probation Compliance Resource Manual, Volumes 1 - 2.**

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

1. Grant funds shall be expended solely for provision of juvenile probation services and juvenile justice programs within the following three categories of staff services, non-residential services and residential services in accordance with the approved *Annual Budget Application* [TJPC-FIS-01-04] submitted by the Grantee per fiscal year of the current grant period.
2. The Grantee may use grant funds to lease, contract for or reserve bed space with public and private residential facilities for the purpose of diverting juveniles from commitment to the Texas Youth Commission (TYC). See Texas General Appropriations Act.

B. Unallowable Expenditure of Funds. See General Grant Requirements.**C. Financial Match Requirements.** See General Grant Requirements.**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.
4. **Refunds Due.** See General Grant Requirements.

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- 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.** The Grantee shall submit a completed *Annual Budget Application* [TJPC-FIS-01-04] concurrent with the submission of the executed State Financial Assistance Contract for the Commission's approval. The *Annual Budget Application* shall be submitted electronically as specified by the Commission per fiscal year for the current grant period.
- B. **Quarterly Reports.** The Grantee shall report the expenditure of all funds received through this grant on the *Quarterly Expenditure Report* [TJPC-FIS-02-04] and the *Quarterly ISP and Residential Cost Report* [TJPC-FIS-49-04]. Reports shall be received by the Commission no later than January 15, April 15, July 15 and October 15 of the current fiscal year of the biennium, respectively. Funds may be temporarily suspended if a *Quarterly Expenditure Report* and/or a *Quarterly ISP and Residential Cost Report* is not received by the due date.
- C. **Monthly Reports.** None.
- D. **Other Periodic Reports.**
 - 1. **Budget Adjustments.** The Grantee shall submit the *Budget Adjustment Request* [TJPC-FIS-03-04] to the Commission and have received written approval from the Commission prior to expending the funds. The Grantee shall obtain prior written approval from the Commission Contract Administrator when projected expenditures in any budget category reported in the *Annual Budget Application* for this grant exceeds or is expected to exceed the amount budgeted in that category by more than twenty-five percent (25%).

X. Financial Monitoring.

- A. **Annual Monitoring.** See General Grant Requirements.
- B. **Periodic Monitoring.** See General Grant Requirements.