

# Small County Diversionary Placement Fund

R-2008-09 Biennium

Effective date 09/01/2007

Latest Revision 09/01/2007

## I. GRANT DESCRIPTION.

- A. The Small County Diversionary Placement Fund is a grant designed to help small counties pay the cost of residential placements of juvenile offenders who are at risk of commitment to the Texas Youth Commission.

## II. GRANT SPECIFIC DEFINITIONS.

- A. **After Care Services Plan.** A plan designed by the juvenile probation department and/or the placement facility to identify the juvenile's needs and the intervention planned to address those needs during the aftercare period.
- B. **Aftercare Services.** Identified goals and interventions to be addressed in the period following the release of the juvenile from the facility. These may include but are not limited to participation in programs and counseling, continued probation, regular contact with juvenile probation officers, attending school or attaining a high school diploma.
- C. **Common Application.** A multi-part document that is used by the state of Texas for placement of juveniles in a residential placement facility.
- D. **Eligible Placement Day.** A placement day that is eligible for payment under the Small County Diversionary Placement Fund is defined as:
1. The day that a juvenile is admitted into a residential facility regardless of the time of day;
  2. Each day or partial day the juvenile is present in a residential facility at least during all or part of the non-program hours (e.g., sleeping hours); and
  3. The day the juvenile is discharged from a residential facility as long as the juvenile is discharged after 12:00 p.m. and was present at least during all or part of the non-program hours (e.g., sleeping hours).
- E. **Program Rates.** The commission shall reimburse at a rate not to exceed \$90 per juvenile per day unless the juvenile is eligible for a specialized treatment program rate.
- F. **Small County.** A small county is defined as a Texas county having a juvenile age population of 4,000 or less based on the most recent U.S. Census.
- G. **Residential Facility.** A residential facility includes:
1. A secure residential facility;
  2. A non-secure residential facility; and
  3. A secure post-adjudication correctional facility.
- H. **Residential Services.** Residential services means the provision of services to a juvenile that has been placed in a secure 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 residential facility.

## III. PERFORMANCE MEASURES.

- A. **Goal.** The goal of the Small County Diversionary Placement Fund is to reduce delinquency, increase offender accountability and rehabilitate juvenile offenders through a comprehensive, coordinated, community-based juvenile probation system.
- B. **Program Objective.** The objective of the Small County Diversionary Placement Fund is to assist small counties in securing residential placements for juvenile offenders.

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### Summary of Grant Requirements

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C. **Program Performance.** Grantee performance under the grant shall be determined using the following measure:

1. Total number of placements made utilizing funds from this grant.

IV. **PROGRAMMATIC COMPONENTS.**

A. **Eligibility/Target Population.** To be eligible for payment under this grant for the cost of placement of a juvenile, the following criteria are required:

1. The juvenile shall be adjudicated and placed on court-ordered probation and ordered into a residential facility by the juvenile court;
2. The juvenile shall be assigned a Progressive Sanctions Model Guideline Level 3 or higher; and
3. The Grantee's county shall be defined as a small county.

B. **Type of Placement.** To be eligible for payment for the placement of a juvenile under this grant, the placement shall be in a secure post-adjudication correctional facility certified and registered according to the requirements of the Texas Family Code Section 51.12 or in a residential facility licensed by a state or governmental regulatory agency.

C. **Length of Placement.** The Grantee shall be eligible to receive payment for a placement for a period not to exceed 180 calendar days unless this timeframe is extended by prior written approval by the Commission based upon the special and reasonable circumstances of the case. The funding calculation of the length of placement regarding a juvenile whose probation supervision has been transferred shall relate to the length of placement of the juvenile who is the subject of the transfer, regardless of the change of location of the initial county of placement.

D. **Eligible Placement Day.** A placement day that is eligible for payment under the Small County Diversionary Placement Fund shall meet the definition of eligible placement day.

E. **Aftercare Services.** The Grantee shall afford aftercare services to the juvenile for a minimum of 90 calendar days after the juvenile exits the residential facility.

V. **PROGRAMMATIC REPORTING.**

- A. **Annual Reports.** See General Grant Requirements.
- B. **Quarterly Reports.** None.
- C. **Monthly Reports.** None.
- 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.

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

**A. Applicable Standards.**

**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.

**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 (CRM), Volumes 1 - 2.**

VIII. **FINANCIAL COMPONENTS.**

- A. **Allowable Expenditure of Funds.** Grant funds shall only be expended in the residential services category not to exceed \$90 per juvenile per day.
- B. **Unallowable Expenditure of Funds.** All expenditures other than those listed in Section VIII (A) are unallowable.
- C. **Financial Match Requirements.** None.
- D. **Funding Adjustments.**
  - 1. **Reduction of Grant Payments.** None.
  - 2. **Unexpended Balances.** None.
  - 3. **Overpayments.** See General Grant Requirements.
  - 4. **Refunds Due.** See General Grant Requirements.
- E. **Timely Expenditure of Grant Funds.** None.

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- F. **Audits.** None.
- G. **Financial Assurances.** See General Grant Requirements.
- H. **Service Provider.** See General Grant Requirements.

IX. **FINANCIAL REPORTING.**

- A. **Annual Reports.** None.
- B. **Quarterly Reports.** The Grantee shall report the expenditure of all funds received through this grant on the *Quarterly ISP and Residential Cost Report* [TJPC-FIS-49-04]. The report shall be received by the Commission no later than January 15, April 15, July 15 and October 15 of the fiscal year, respectively. Funds may be temporarily suspended if a *Quarterly ISP and Residential Cost Report* is not received by the due date.
- C. **Monthly Reports.**
  - 1. **Request for Payment Form.** The *Request for Payment Form* is generated by the Commission once the application has been approved and the funds have been encumbered for the Grantee. The Grantee shall submit on a monthly basis the *Request for Payment Form* along with the corresponding monthly invoice from the residential facility.
    - a. **Final Claims.** All final claims for a fiscal year shall be submitted no later than 45 calendar days after the end of each fiscal year in the grant period (i.e., October 15th).
  - 2. **Submission of Invoices.** The Grantee shall submit to the Commission the monthly billing document or invoice from the facility concurrently with the *Request for Payment Form*.
- D. **Other Periodic Reports.** See also General Grant Requirements.
  - 1. **Initial Application.** Prior to a placement, the Grantee shall submit to the Commission an *Application for Placement Fund Program* [TJPC-FIS-12-04]. The Grantee shall also include pages 1, 2 and 4 of the *Common Application for Placement of Children* [TJPC-AGE-06A-04] and a copy of the most current referral history from Caseworker or a similar referral history from the Grantee's computer system when Caseworker is not available.
    - a. **Approval of Application.** Upon approval of the Grantee's application for payment funding under this grant, the Commission will mail to the Grantee the *Application Approval/Adjustment/Final Report Form*. This document shall serve as the approval for the placement payment, an adjustment form and the final report form that is required to be submitted with the last payment claim for that juvenile.
  - 2. **Adjustment Form.** If under the terms or conditions of the placement, a change or adjustment (e.g., rate change, transfer from one facility to another facility) is required, the Grantee shall submit the *Application Approval/Adjustment/Final Report Form* detailing any necessary adjustments and the form shall be signed by the chief juvenile probation officer.
  - 3. **Aftercare Services Plan.** No later than 15 calendar days after the date the juvenile exits the placement, the Grantee shall submit to the Commission the Aftercare Services Plan [TJPC-FS-14-04] detailing the aftercare services to be provided for the juvenile and the juvenile's family.
  - 4. **Final Report Form.** The *Application Approval/Adjustment/Final Report Form* [TJPC-FIS-38-04] shall be submitted to the Commission along with the last payment claim for each placement.

X. **FINANCIAL MONITORING.**

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

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**Summary of Grant Requirements**