

Intensive Community Based Program

X-2008-09 Biennium

Effective date 09/01/2007

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I. GRANT DESCRIPTION.

- A. The Intensive Community Based Program provides funding for services for habitual misdemeanor youth. The grant funds are intended to serve a priority population of juvenile offenders adjudicated for misdemeanor offenses that, under prior law, were eligible for commitment to the Texas Youth Commission (TYC). [SB 103, 80th Legislature Regular Session (2007)].

II. GRANT SPECIFIC DEFINITIONS.

- A. **End Date.** The date a juvenile will be terminated from receiving services through the intensive community based program.
- B. **In-Kind Contributions.** In-kind contributions are any gain or benefit to a person which is not in the form of money payable directly to the client such as clothing, public housing or food.
- C. **Intensive Community Based Program.** A program that provides a higher level of specialized services at the community level to the priority population.
- D. **Priority Population.** The chronological sequence and adjudication pattern of jailable misdemeanor offenses which, in combination with other misdemeanors, felony or probation violation adjudications would have resulted in eligibility for commitment to TYC under prior law.

III. PERFORMANCE MEASURES.

- A. **Goal.** The goal of the Intensive Community Based Program is to create or enhance community based programs to serve the priority population and other adjudicated youth.
- B. **Program Objective.** The objective of the Intensive Community Based Program is to increase the resources available for juvenile probation departments to serve a priority population of juvenile offenders adjudicated for misdemeanor offenses that, under prior law, were eligible for commitment to the Texas Youth Commission.
- C. **Program Performance.** Grantee performance under the grant shall be determined using the following measures:
1. Percent change in misdemeanor offenders participating in all programs.
 2. Number of youth served by the grant funded program.

IV. PROGRAMMATIC COMPONENTS.

- A. **Service Providers.** The Grantee shall be required to monitor service providers paid with funds received from this grant at least two (2) times each year during the grant period. Contracts with service providers shall meet all the contract provisions contained in the General Grant Requirements regarding service providers.
- B. **Program Requirements.** All programs shall adhere to the programmatic requirements identified below. Applicants must certify their willingness to provide the necessary funds and services to operate the programs in compliance with representations made in the grant proposal, contractual agreement and applicable standards.
1. **Program Oversight.** The Grantee shall provide services as established within the grant requirements and their respective program proposal. The Commission shall provide program oversight to ensure that grant funds are appropriately and efficiently expended. This oversight does not supersede or replace any rules or requirements administered by a licensing entity.
 2. **Allowable Services.** Programs may include one or more of the following:
 - a. Youth skills development/behavior modification;
 - b. Vocational Training
 - c. Crisis intervention;

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- d. Family counseling;
 - e. Individual counseling;
 - f. Mentoring;
 - g. Tutoring
 - h. Intensive after school program;
 - i. Education and skills training;
 - j. Parenting and family management training;
 - k. Substance abuse prevention and intervention programs;
 - l. Family preservation programs;
 - m. Crisis intervention programs;
 - n. Sex offender treatment;
 - o. Independent living; and
 - p. Telemedicine.
3. **Eligibility Population.** The Grantee shall ensure that fifty-one percent (51%) of youth served in this program meet the priority population definition. All other youth served must be adjudicated.
4. **Documentation of Activities.** Documentation for all services provided shall include, if applicable:
- a. Date, time and duration of activity;
 - b. Location of activity;
 - c. Staff/volunteers conducting activity;
 - d. Purpose and goal of activity; and
 - e. Number of participants.
5. **Collaboration.** The Grantee shall collaborate with other entities in the community in an effort to establish a continuum of services for all clients served by the program.
6. **Program Policy and Procedure.** The Grantee shall have a written policies and procedures outlining all functions and services.
7. **Staff Requirements and Responsibilities.** The Grantee shall maintain documentation of the following information on all of it's employees and service providers:
- a. Criminal History Checks.
 - i. Prior to employment and at least every 24 months thereafter, all staff who in the performance of their assigned duties have direct contact with children shall undergo a criminal background records check. The following criminal record background checks shall be conducted:
 - (-a-) Texas criminal history background search [Texas Crime Information Center (TCIC)];

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(-b-) A local law enforcement sex offender registration records check in the county where the applicant resides; and

(-c-) A Federal Bureau of Investigation fingerprint based criminal history background search [National Crime Information Center (NCIC)].

ii. Internet based criminal background searches shall not be used to conduct the TCIC and NCIC background searches.

iii. The grant recipient shall have a written policy detailing how criminal history information is used to identify and disqualify applicants for direct care positions from employment with the program.

b. Licensing and Certification. The grant recipient shall ensure that all licensed and/or certified staff maintain a current license and/or certification as required by the Commission.

V. PROGRAMMATIC REPORTING.**A. Annual Reports.**

1. **End of Year Program Summary Report.** The Grantee shall complete an end of year program summary report no later than September 30th per fiscal year of the current grant period. This report shall include:

a. Description of how the program met the overall goals and objectives of the program;

b. List of program activities; and

c. Number of clients served.

B. **Quarterly Reports.** The Grantee shall submit the *Quarterly ICBP Programs and Services Spreadsheet* [TJPC-FIS-15-08] concurrently with the *Quarterly Expenditure Report*. 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 the *Quarterly ICBP Programs and Services Spreadsheet* is not received by the due date.

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.

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.

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.

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- c. Chapter 343 – Standards For 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. **Code of Criminal Procedure.**
 - i. Chapter 62 – Sex Offender Registration Program.
 - b. **Texas Family Code, Title III, Juvenile Justice Code.**
 - i. Chapter 59 – Progressive Sanctions Model.
 - c. **Texas General Appropriations Act.**
 - d. **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.** Grant funds shall only be expended in the salaries, travel and training category of staff services and the non-residential services category.

B. Unallowable Expenditure of Funds.

1. Grant funds shall not be expended in the residential services category.
2. Grant funds shall not be expended in operating expenses under the staff services category.
3. Unallowable expenditures for this grant include, but are not limited to, the following:
 - a. Capital expenditures (including construction, renovation, building and land purchases);
 - b. Bad debts;
 - c. Contingency reserve fund;
 - d. Entertainment costs including amusement/social activities and their related costs (meals, beverages, lodgings, rentals, transportation, and gratuities), admission fees or tickets to any amusement park, recreational activity, or sporting event;
 - e. Fines and penalties resulting from violations of federal, state, or local law;
 - f. Fund raising that is not financed by in-kind contributions;
 - g. Interest and other financial costs;
 - h. Under-recovery of costs under grant agreements;

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- i. Advertising costs other than those incurred for personnel recruitment solicitation of bids, and disposal of surplus materials;
- j. Alcoholic beverages;
- k. Tobacco products;
- l. Actual losses that could have been covered by insurance but were not, unless such losses are specifically provided for in the provider's award;
- m. Building or land purchases, lease-purchases, rental-purchases;
- n. Cash payments to intended recipients of health services;
- o. Costs of idle facilities;
- p. Cost of investment counsel;
- q. Depreciation or use charges for donated assets;
- r. Major medical equipment;
- s. Monetary judgment's against the provider or the cost of out of court settlements from any civil lawsuits to which the provider is a party;
- t. Royalties;
- u. Staff salary raises or bonuses;
- v. Taxes;
- w. Termination costs;
- x. Costs related to legal proceedings brought by government agencies for violations;
- y. Deferred research and development costs; and
- z. Research and development costs for new products.

C. Financial Match Requirements.

1. Grantees participating in the *Regional Incentive Grant* shall provide a fifty percent (50%) match of any funds allocated by the Commission under this grant. Match funds must be cash and from an identified source(s). Funding identified shall be restricted and only be used in compliance with representations made in the grant proposal, contractual agreement and applicable standards.
2. The Grantee shall ensure that county funding for juvenile services (i.e., juvenile probation services and juvenile justice programs) shall not be decreased or be supplanted by funding received under this grant. The Grantee shall certify that the amount of local or county funds expended for juvenile services is at least equal to or greater than the amount spent in the 2006 county fiscal year excluding construction and capital outlay expenses.

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.

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- 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.**

- 1. **Budget Application.** The Grantee shall submit a completed *Annual Budget Application* concurrent with the submission of the executed State Financial Assistance Contract for the Commission's approval. The *Annual Budget Application* is found on the Commission's website and shall be submitted electronically as specified by the Commission per fiscal year for the current grant period.
- 2. **End of Year Program Summary Report.** The Grantee shall complete an end of year program summary report described under Section (V) (A) (1) no later than September 30 per fiscal year of 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*, *Quarterly ISP and Residential Cost Report* [TJPC-FIS-49-04] and the *Quarterly ICBP Programs and Services Spreadsheet* [TJPC-FIS-15-08]. These 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 the *Quarterly Reports* are 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.