

JJAEP Program (Reimbursement)

2022-23 Biennium

Effective date 09/01/2021

Latest Revision 04/27/2020

I. GRANT DESCRIPTION.

- A. The Juvenile Justice Alternative Education Program (JJAEP) grant provides reimbursement to the juvenile board of a county with a population greater than 125,000 to operate a juvenile justice alternative education program subject to the approval of the Texas Juvenile Justice Department (TJJD). This program provides an educational setting for students that have been expelled from the public schools.

II. GRANT SPECIFIC DEFINITIONS.

A. Attendance Category.

1. **Discretionary Students.** Students who are expelled from a public school for an offense described in Section 37.007, 37.0052, or 37.0081, Texas Education Code, or in the school code of conduct as provided in the District of Innovation Plan according to Section 12A.003, Texas Education Code, as one for which a student "may be" expelled.
2. **Mandatory Students.** Students who are expelled from public school for an offense described in Section 37.007, Texas Education Code, as one for which a student "shall be" expelled.
3. **Non-Expelled Students.** Students, including those required to register as a sex offender, who have not been expelled from a public school but who have been enrolled in a JJAEP as provided by Section 37.309, Texas Education Code.
4. **Out-of-County Students.** Students who reside in a county other than Grantee's county or who attend a public school in a school district not located in Grantee's county.

- B. **Grantee.** The juvenile board and/or juvenile probation department receiving funds under this grant.

III. PERFORMANCE MEASURES.

- A. **Goal.** The goal of the JJAEP is to reduce delinquency, increase juvenile accountability, and rehabilitate juveniles 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 performance measures listed in 37 TAC Section 348.200(e).

IV. PROGRAMMATIC COMPONENTS.

- A. **Release of Funds.** In accordance with 37 TAC Section 348.400, TJJD will not release funds under the provisions of this grant until TJJD has received the current student code of conduct, a copy of the JJAEP school calendar for the current school year, and a copy of the executed memorandum of understanding required by 37 TAC Section 348.200.

B. Attendance Category Requirements.

1. **Mandatory Students.** These students are only eligible for JJAEP funding under this program if the following requirements are met:
 - a. the student was expelled by the school district for an offense listed in Section 37.007, Education Code, as one for which expulsion "shall be" ordered;
 - b. the school district notified the school district police department or local law enforcement (i.e., made a report) regarding the alleged incident that is the basis of the expulsion; and
 - c. a law enforcement entity:
 - i. completed an offense report on the incident;
 - ii. made a formal referral of the case to the juvenile court if the person was a child; or

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- iii. forwarded the case to the criminal court prosecution intake if the person was an adult.
- 2. **Out-of-County Students.** These students are eligible for funding under this grant for a period of no more than 90 actual attendance days per student and only if there are available funds and the following conditions are met:
 - a. the student is eligible for placement in a JJAEP as per Subsection IV.B.1;
 - b. 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 Section 37.011(k), Texas Education Code;
 - c. Grantee has provided TJJD with a copy of the executed memorandum of understanding; and
 - d. Grantee has received written approval for funding of the particular student after submitting a completed *Out-of-County Student Form* [TJJD-JJAEP-005].
- 3. **Discretionary Students and Non-Expelled Students.** These students are not eligible for funding under this program.
- C. **Exemption Requests.** Grantee may make written funding requests for students who do not meet the eligibility requirements under Subsections IV.B.1. and 2. A funding request shall state the reasons why the student was expelled from the home school and why the student does not meet the eligibility requirements under Subsections IV.B.1. and 2. No student shall be funded without the express written permission of TJJD. TJJD reserves the right to deny funding for any ineligible student.
- D. **Expiration of Funding Eligibility.** A student who was eligible for funding becomes ineligible for funding on the earliest of the following dates:
 - a. the date of completion of the requirements of the juvenile court order or deferred prosecution agreement; or
 - b. the end of the expulsion term.
- E. **Extended School Year Funding.** TJJD makes no express or implied representation or guarantee of future funding for extended year programs (i.e., summer school). TJJD may, at its discretion and according to guidelines developed by TJJD, fund students attending the JJAEP during the extended school year if funds from appropriations for this purpose are available at the end of the regular school year. If funding is available, Grantee may be eligible to receive payments for up to 35 days of operation during summer school for each year.

V. FINANCIAL COMPONENTS.

- A. **Allowable Expenditure of Funds.** The Grantee may expend 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.** Any expenditures not authorized in Section V.A. are unallowable under this grant, including all unallowable costs set out in the Contract.
- C. **Overpayments.** See Also General Grant Requirements. In the event an overpayment is discovered through any means, TJJD may deduct the amount of the overpayment from the next scheduled payment under this grant.
- D. **Disaster Compensation.** TJJD may, at its discretion, compensate a JJAEP program funded under this grant for missed mandatory student attendance days in which disaster, flood, extreme weather condition, or other calamity has a significant effect on the program's attendance.
- E. **Financial Assurances.**
 - 1. All students for whom JJAEP grant funds were collected were eligible for funding as defined in this grant.

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2. Actual student attendance days reported on the *JJAEP: Monthly Attendance Voucher* [TJJD-JJAEP-001] are verifiable and in agreement with Grantee's monthly attendance roster.
3. The amount of funds received is reconciled with reported student attendance days and unearned funds have been refunded to TJJD.

VI. FINANCIAL REPORTING.

- A. **Monthly Reports.** Grantee shall complete the *Attendance Voucher* [TJJD-JJAEP-001] and submit it to TJJD on or before the 10th calendar day of the month following the month for which reimbursement is claimed.
- B. **Other Periodic Reports.** Grantee shall complete the *JJAEP Cost Report* in the format and timeframe required by TJJD.