

Regional Diversion Alternatives Program - DSA 2024-2025 Biennium

Effective date 09/01/2023

Latest Revision – 5/18/23

I. GRANT SUMMARY.

- A. **Description.** The Regional Diversion Alternatives (RDA) Program is a Discretionary State Aid (DSA) grant created to comply with Section 223.001(c), Human Resources Code. The RDA grant:
1. provides resources to juvenile probation departments to obtain rehabilitative services for juveniles, including but not limited to the following programs: intensive, community-based, residential, reentry, and aftercare; and
 2. is intended to divert appropriate juveniles from commitment to the Texas Juvenile Justice Department (TJJD) to:
 - a. an evidence-based program;
 - b. a post-adjudication secure correctional facility;
 - c. a non-secure correctional facility;
 - d. a residential child-care facility; or
 - e. any other residential facility for juveniles who have been adjudicated.
- B. **Goal.** The goal of the RDA Program grant is to divert appropriate juveniles from commitment to TJJD.
- C. **Objective.** The objective of the RDA Program is to divert appropriate juveniles from commitment to TJJD while maintaining community safety.
- D. **Target Population.** The initial target population of juveniles appropriate for diversion under the RDA Program grant includes all juveniles eligible and under consideration for commitment to TJJD.
1. For a juvenile to qualify, the juvenile probation department must demonstrate a prior effort to provide appropriate intervention, with priority given to the treatment needs of the youth. Intervention should be commensurate with county resources.
 2. Priority will be given to juveniles:
 - a. between the ages of 10 and 14;
 - b. with a serious mental illness;
 - c. with a developmental or intellectual disability;
 - d. with only non-violent offenses;
 - e. with low- to moderate-risk to reoffend levels;
 - f. for whom there is clear concern they have been, will be, or are being sex trafficked, as defined in Section 20A.02, Penal Code;
 - g. who have four or more adverse childhood experiences (ACEs) or any of the synergistic pairs of ACEs;
 - h. who are/will be parenting;
 - i. who are females who have a specialized treatment need; or
 - j. who are 16 years and older and in need of vocational or educational services.

II. DEFINITIONS. For the purposes of this Grant:

- A. **Aftercare Programs.** Programs that provide intensive case management for juveniles recently released from residential placement. These programs coordinate services and programming for juveniles immediately prior to

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release and upon release from residential facilities, providing a seamless transition in care.

- B. **Community-Based Programs.** A planned and coordinated nonresidential activity designed to address a specific purpose or goal that has a measurable objective and outcome and diverts juveniles from commitment to TJJD.
- C. **General Grant Requirements.** Programmatic and financial requirements established under the *State Aid and Targeted Grants Contract and General Grant Requirements for the 2024-2025 Biennium (Contract)*.
- D. **Individual Diversion Plan or Plan.** The programs and services for a unique juvenile for which RDA Program funding is requested.
- E. **Participant.** A juvenile receiving services funded through the RDA Program.
- F. **Reentry Programs.** Any program that promotes the effective reintegration of juveniles into communities following their release from a residential facility.
- G. **Residential Program.** Any program that takes place within a post-adjudication secure correctional facility, a non-secure correctional facility, or a residential child-care facility.

III. PROGRAMMATIC COMPONENTS.

- A. **Basic Eligibility Requirements.** The Grantee shall ensure that the following conditions are met for each juvenile for whom RDA Program funding is requested, including:
 - 1. is a member of the target population of the RDA Program;
 - 2. qualifies under Subsection I.D.1.; and
 - 3. in the absence of the RDA Program, would be recommended for commitment to TJJD.
- B. **Application for Funds.**
 - 1. For each juvenile for whom RDA Program funding is requested, Grantee shall:
 - a. complete the *TJJD Regional Diversion Application* in the grant management portal;
 - b. identify the specific programs and services to be provided under the Individual Diversion Plan and all associated costs;
 - c. include a copy of the juvenile's Inter-Agency Application for Placement; and
 - d. include a copy of the juvenile's most-recent risk and needs assessment.
 - 2. If the proposed placement is a TJJD-registered facility, Grantee shall also provide a psychological evaluation, behavioral health assessment, or psychiatric evaluation that was completed within the 365 calendar days prior to the application date.
 - 3. If the proposed placement is a DFPS-licensed facility, a psychiatric evaluation, psychological evaluation, or psychosocial evaluation completed within 14 months prior to the application date if the child will be coming from another regulated placement or within 6 months prior to the application if the child will not be coming from another regulated placement.
 - 4. TJJD will review the application and act within 5 business days. In the event Grantee requests expedited processing due to exigent circumstances, TJJD will make a reasonable effort to accommodate the request.
 - 5. Requests may be approved, in full or in part, or denied based on factors including but not limited to: funding availability; accuracy, thoroughness, and timeliness of application; alignment of proposed Individual Diversion Plan with RDA Program goals, probation best practices, prior interventions by the probation department, and research standards; and reasonableness of funding request.

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6. Grantee shall timely complete and submit the *Placement Verification* for any juvenile for whom Grantee received an approved Individual Diversion Plan and shall identify the approved facility where the juvenile was placed, the length of stay, and daily rate.
7. Grantee shall complete and submit an RDA Amendment for any juvenile:
 - a. for whom an extension in RDA Program funding is requested and shall identify the specific programs and services to be extended under the Individual Diversion Plan and all associated costs;
 - b. for whom additional RDA Program funding is needed and shall identify the items required that were not included under the Individual Diversion Plan and all associated costs; or
 - c. identified as needing aftercare or a transition placement and shall identify the specific programs and services to ensure seamless transition in care and all associated costs.

C. Documentation.

1. Upon juvenile's placement, Grantee shall document the following in Grantee's individual case management system:
 - a. open a placement record documenting the approved facility, daily rate, and appropriate funding source; and
 - b. close out the placement record once the youth is discharged.
2. If a juvenile receives an approved individual diversion plan and is placed at the approved community-based program, the Grantee shall open a program record.

D. Performance.

Grantee performance under the RDA Program shall be determined using the following measures:

1. number of juveniles placed by the RDA Program;
2. cost per juvenile served;
3. percent of juveniles placed successfully completing the programs, placements, and/or other services outlined in the approved Individual Diversion Plans;
4. within one and two years after exiting the program, number of juveniles placed by the RDA Program that are:
 - a. adjudicated or convicted for a felony offense;
 - b. placed in another placement; and
 - c. committed to TJJD by any juvenile court.

E. Ad Hoc Reports.

The Grantee shall ensure Individual Diversion Plan data for juveniles participating in the RDA Program is maintained in a format so that requested data can be provided to TJJD within 24 hours of request.

IV. FINANCIAL COMPONENTS.

A. Approved Budget.

TJJD shall assign a maximum allowable budget to each approved Individual Diversion Plan.

B. Reimbursable Expenditure of Funds.

Costs identified in an approved Individual Diversion Plan are reimbursable, subject to the following:

1. expenditures for a specific program or service in an approved Individual Diversion Plan that exceed the cost identified in the Plan are not reimbursable except as approved by an amendment to the Plan as described in Subsection III.B.7.;
2. total expenditures associated with an approved Individual Diversion Plan that exceed 100% of the maximum allowable budget of the Plan are not reimbursable; and

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3. supplemental RDA Program funds to the Individual Diversion Plan shall be requested in the grant management portal prior to the expenditure of funds.
- C. **Expenditure Exception Requests.** Grantee may request an exception to the limitations in Subsections IV.B.1. and/or IV.B.2. The request must be submitted in writing and approved by TJJD prior to the expenditure of funds.
- D. **Requests for Reimbursement.**
1. **Requests.** Grantee may request reimbursement for programs and services delivered under an approved Individual Diversion Plan.
 - a. Grantee shall submit a Regionalization Reimbursement Request with each request for reimbursement.
 - b. Grantee shall not request reimbursement for expenditures not authorized under Subsection IV.B. or Subsection IV.C.
 - c. Grantee may request exemption from Subsection IV.D.1.a. for services rendered but unpaid. The request shall state the reasons why payment has not occurred (e.g., insufficient cash on hand) and shall include a copy of an invoice approved for payment by the Grantee. TJJD reserves the right to deny a request for reimbursement that does not comply with Subsection IV.D.1.a.
 - d. Upon completion of individual diversion placement, the Grantee or designee shall certify to TJJD in writing that all reimbursements for the approved diversionary placement have been submitted.
 2. **Due Date.**
 - a. Grantee shall submit any reimbursement request for RDA no later than the 10th day of the month following the month in which the juvenile was placed.
 - b. Grantee has 90 days to submit an RDA reimbursement. If the request is late, the reimbursement may not be approved.
 3. **Approval and Payment.** Grantee shall ensure that payments received from TJJD as reimbursement for allowable expenditures under this Grant are credited to Grantee's account(s) from which the expenditures were made and are designated for the same purposes for which the expended funds were otherwise designated.
- E. **Funding Adjustments.** See also General Grant Requirements.
1. **Reduction of Grant Award / Unexpended Balances.** In the event funding capacity remains within the maximum allowable budget of an approved Individual Diversion Plan after a juvenile exits the RDA Program and all authorized expenditures are reimbursed, TJJD shall reduce the maximum allowable budget accordingly.
 2. **Timely Expenditure of Funds.** Grantee shall immediately notify TJJD when expenditures under an approved Individual Diversion Plan are projected to occur outside the timeframe described in the Plan. TJJD reserves the right to adjust the maximum allowable budget as needed to comply with limitations on appropriations, state and federal law, or other applicable requirements.
- F. **Financial Assurances.** Grantee makes the following assurances. See Also General Grant Requirements.
1. Each juvenile for whom RDA Program funding is requested is eligible as defined in Subsection III.B.
 2. Reimbursement is requested only for expenditures authorized under Subsection IV.B or Subsection IV.C.
 3. All programmatic and financial data reported to TJJD is true, verifiable, and accurate and is reconciled/in agreement with Grantee's internal records.
 4. The amount of funds received is reconciled with Grantee's request for reimbursement and unearned funds are refunded to TJJD.

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V. CONTRACT APPLICABILITY.

Grantee shall be bound by the duties, responsibilities, and requirements of each part of the State Aid and Targeted Grants Contract. If a provision contained in the General Grant Requirements of that Contract conflicts with a provision in this Targeted Grant, this Targeted Grant provision controls.