Heidi W. Abbott, Chair
Tamara Neo, Vice-Chair
Karen Cooper-Collins, Secretary
Anthony W. Bailey
William C. Bosher, Jr.
David R. Hines
Helivi L. Holland
Robyn Diehl McDougle
Kenneth W. Stolle

Post Office Box 1110
Richmond, VA 23218-1110
804.588.3903

COMMONWEALTH *of* VIRGINIA
Board of Juvenile Justice

DRAFT MEETING MINUTES

November 12, 2014

Main Street Centre
600 East Main Street, 20th Floor, Conference Room SOUTH
Richmond, Virginia 23219

Board Members Present: Heidi Abbott, William "Bill" Bosher, Karen Cooper-Collins, David Hines, Robyn Diehl McDougle

Board Members Absent: Anthony Bailey, Helivi Holland, Tamara Neo, Kenneth Stolle

Department of Juvenile Justice (Department) Staff Present: Kenneth "Ken" Bailey, Andrew "Andy" K. Block, Jr., Patrick Bridge, Lisa Floyd, Daryl Francis, Martha Hazelgrove, Wendy Hoffman, Jack Ledden, Joy Lugar, Riley Matsen, Mark Murphy, Margaret O'Shea (Attorney General's Office), Barbara Peterson-Wilson, Deron Phipps, Ralph Thomas, Angela Valentine, Janet Van Cuyk

Guests Present: Kate Duvall (JustChildren Program), Jeree Thomas (JustChildren Program)

CALL TO ORDER
Chairperson Heidi Abbott called the meeting to order at 9:45 a.m.

INTRODUCTIONS
Chairperson Abbott welcomed all that were present and asked for introductions.

APPROVAL of September 10, 2014, MINUTES
The minutes of the September 10, 2014, Board meeting were provided for approval. On MOTION duly made by Karen Cooper-Collins and seconded by Robyn Diehl McDougle to approve the minutes as presented. Motion carried.

PUBLIC COMMENT PERIOD
There was no public comment.

DIRECTOR'S CERTIFICATION ACTIONS
Ken Bailey, Certification Unit Manager, Department.

Included in the Board's packet are the individual reports and the summary of the Director's certification actions completed on October 16, 2014. Mr. Bailey noted that all programs were in compliance with the regulatory requirements and certified for three years.

OTHER BUSINESS

Education Update
Dr. Lisa Floyd, Deputy Director for Education, Department.

Dr. Floyd updated the Board on the Education Divisions' (Ed Division's) initiatives and challenges.

There are two levels of accountability regarding student performance. The federal level is based on the Elementary and Secondary Education Act which primarily focuses on reading, math, and graduation rates. Federal accountability uses an assessment process and pass rates as the main indicators of results. State accountability is based on the standards of accreditation which focuses on performance in English, reading, writing, math, science, history/social science, and graduation rates. Federal accountability considers the performance of all students and subgroups. State accountability considers performance of all test takers in each content area.

Dr. Floyd outlined the pass rates for the 2013-2014 school year and compared the results with the overall pass rate for the Commonwealth of Virginia.

Reading
State pass rate is 74%.
Department pass rate is 29% (Includes grades 6, 7, and 8).

Math
State pass rate is 74%.
Department pass rate is 7% (Includes 6th grade math, 6th grade plain English math, 7th grade math, 8th grade math, 8th grade plain English math, Algebra I, Algebra II, and Geometry).

Algebra I (2001 version)
Department pass rate is 75% (Four students passed the course).

The 2009 assessment of Algebra I, the Department had a total of 113 students tested with 12 students passing the class. There were no passing scores for the 6, 7, and 8 grades. Geometry had 66 students tested and 2 passed the class.

History
State pass rate is 84%.
Department pass rate is 23%.

Science
State pass rate is 80%.
Department pass rate is 20%.

During the 2013-2014 school year, the Department issued 40 diplomas to its students and 39 GEDs were awarded. As of November 10, the Department has 369 diploma seeking students with 107 post-graduate students and 45 GED students.

Chairperson Abbott asked if the student is in 6th grade math, does that mean the student is a 6th grader. Dr. Floyd responded yes, that when the Department administers a 6th grade assessment those students are in a 6th grade school setting.

As the Ed Division moves forward with its academic offerings, the goal is to mirror public school division's academic programs so the transition for the resident back into the community will be seamless. Economics and personal finance are two courses newly acquired in the state system and the Ed Division has begun to offer these courses to its students as well. The Ed Division is also trying to establish online courses.

The Department is partnering with Southside Virginia Community College on a Dual Enrollment program that will afford qualified residents the opportunity to be eligible for high school and college course credit simultaneously. The Ed Division will be working to establish a degree-seeking college course program.

The Ed Division is working with the Community College Workforce Alliance to provide non-credit training and educational programs. The education offerings include Medical and Billing, National Serve Safe Certification and Culinary Cook Academy, Comp TI A A+ Certification (IT careers), National Retail Certification in Customer Service, and Computer Training. These course offerings have limited attendance requirements and are in high demand, so it is important to target students who are interested and able to complete the course.

The GED program has been changed to an online assessment, and the Ed Division has been attending training to learn about and maintain this online testing tool.

The Virginia Department of Education changed the guidelines for how school divisions work with English for second language learners. Consequently, the Ed Division participated in training sessions focusing on strategies for struggling readers.

The Virginia Department of Education adjusted their assessments to include a requirement that 40% of the teacher's evaluation is tied to student academic progress. In preceding years, those performance measures were given to principals as well as superintendents. The Ed Division is just now implementing this new evaluation measurement and is in the process of setting their goals for all Ed Division employees.

Board Member Hines asked about the timeline for an educational assessment on the youth when they first arrive at the Department. What happens if the resident is in the 7th grade, but reads on a 4th grade level?

Dr. Floyd responded that when a student enters the system as a 7th grader, the Ed Division will receive their schedule from their previous school and test them on 7th grade material. There is no

changing the grade level. As for the student's ability to perform at that grade level, the Ed Division will know immediately if the student is performing at a lower level. In public schools, they would have specialists to help support that student; however, the Ed Division does not have those resources and will have to tailor the instruction for that student to fit their needs.

Board Member Hines asked for clarification, can the Department place a student back a grade?

Dr. Floyd responded that as an educator retaining students is not beneficial but providing instruction at their level is absolutely beneficial. The Department uses SOL scores as a benchmark to develop a plan for the student with regard to their educational needs. This will allow the student to receive the needed help and not put a stigma on the child by setting them back a grade.

Chairperson Abbott asked about resources.

Dr. Floyd acknowledged that there are significant challenges in that area. The priority is special education students and ensuring compliance. The other major priority is the scheduling of courses to match the needs of its students. The Ed Division has a need for reading specialists and leadership managers; however, support is dictated by budget so resources are being re-allocated to focus on the priorities.

Board Member Cooper-Collins asked what percentage of our students are in special education?. Dr. Floyd stated that 43% of the student population is special education students. This is a critical area and resources for additional special education teachers are needed.

Board Member Hines asked what is the average stay for a resident?

Director Block responded that the average length of stay is different due to the youth's sentence, but on average, the length of stay is 18 months, which is twice the national average.

Board Member Hines has concerns about keeping the youth as a "captured" audience for 18 months and not being able to teach them to read.

Dr. Floyd noted that reading is a priority. The Ed Division is using Read 180, a comprehensive system of curriculum, instruction, assessment, and professional development to raise reading achievement of struggling readers. This is a great model and will be very helpful. The Ed Division is also reviewing Virtual Virginia to help with instruction and the use of Internet options as a learning tool.

Board Member Cooper-Collins voiced a concern with Read 180 and the importance of phonological awareness in reading. Dr. Floyd stated that the Ed Division's teachers are not elementary school teachers and are trying to bridge that gap to teach English and basic grammar.

Board Member Bosher asked Dr. Floyd about her previous experience in the preparation of the young people transitioning back to their community.

Dr. Floyd responded that in her previous position at a public school, the Department had problems in their communication with the school when residents were released and returned to the local school

system. However, most public schools have a liaison the Department contacts when a resident is ready to be released and placed back in their local school. Typically the student does not go directly back to the school; the student will be sent to an alternative school setting with smaller class sizes and then gradually merged back into a regular school setting.

Director Block stated that the Department received a grant from the Office of Juvenile Justice Delinquency Prevention to develop a comprehensive re-entry plan. The Virginia Department of Education is represented on the taskforce to pull this plan together. Director Block thanked Dr. Floyd for her hard work and tireless dedication.

Employment Levels Update
Daryl Francis, Deputy Director for Administration and Finance, Department.

Mr. Francis updated the Board on the employment levels from the April Board meeting. The presentation is attached.

Mr. Francis highlighted the security positions. Back in February, the Department had a vacancy of 81 security positions and as of October 31, the Department has a vacancy rate of one. This is a huge improvement.

Board Member Hines asked the reason for the disparaging numbers regarding Virginia Sickness and Disability Plan (VSDP). Mr. Francis responded that it is a moving target and changes frequently. Employees are hurt on the job, hurt off the job, need surgery, etc.

Board Member McDougle asked if the Department was lucky or has the Department been recruiting differently to reach the impressive fill rates. Mr. Francis responded it is a little of both. Operations staff and the Training Unit have done great work in understanding where the problems are and addressing the situation. Focus groups are established to discuss the problem areas. A majority of the employees the Department loses happens within their first year of employment. The employee begins work and realizes this work is not for them.

Board Member Bosher asked about the part-time positions for education. Mr. Francis stated that the Ed Division has ten substitute teacher positions that are part-time employees and can be used when the full-time teachers are out of work.

Chairperson Abbott asked how many of the employees on VSDP return to work. Mr. Francis responded that the biggest majority do return to their jobs.

Director Block stated that the Department's recruiting efforts has improved. There are bigger recruiting classes with a higher caliber of candidate. More effort is being made to communicate with and support the juvenile correctional officers.

Overtime is an issue the Department has dealt with for several years. Overtime is a problem because the Department is not given money to cover overtime costs. Traditionally, the Department has paid for overtime using salary accumulated by vacant positions. As noted in the presentation, the Department's vacancy rate has gone down; the Department does not have vacant positions to

harvest money to pay overtime. The cost becomes expediential. Consequently, the Department loses flexibility and deducts overtime from other areas in the budget.

The presentation details that the Department has actually spent less money on overtime this year than last year. The biggest users of overtime work in the juvenile correctional centers.

FY15 Budget Reduction Plan
Daryl Francis, Deputy Director for Administration and Finance, Department.

The presentation details the Department's FY2015 budget reduction plan (see attached notes). The budget reduction causes the Department to be creative in covering expenses not originally in the FY2015 budget. Painful as the FY2015 budget reductions were, indications are that FY2016 may be worse for state government. The Department has submitted their FY2016 budget reduction plan, but decisions on reductions will be announced early next year by the Governor.

Board Member Bosher asked about the insurance payment, did the Department pay in advance and if so, did the pre-June 30th payment revert back to general funds? Mr. Francis said that was correct, but it is only a one-time savings.

Board Member Hines was concern with the reduction of the two employee programs, the "Employee Recognition Program" and the "Employee Tuition Assistance Program." Mr. Francis said the Department tried not to cut these programs; however, the objective was to keep from having to lay employees off from their jobs.

Chairperson Abbott asked what the employee recognition program generally entails. Mr. Francis indicated that employees who achieve five, ten, and twenty years of state service are recognized for their hard work with recognition gifts. This program was not affected. The employee recognition program allows the supervisor to recognize an employee for their hard work with a monetary bonus or time off. This program was part of the reduction plan.

The Director noted that the Department's priority in recommending its budget reductions was preserving jobs and not eliminating positions. The Department is cautiously optimistic that 2016 will not bring a large budget shortfall in part due to the recognition of the cuts the Department already experienced in previous years. The Department was fortunate that it was able to cover the $3.1 million reduction in FY2015 and did not have to lose $3.1 million worth of employees.

Board Member Bosher asked if the operating expense for the facilities the Department has closed goes back into the general fund. Deron Phipps responded that the Department lost 480 positions and $21 million that went back to the general fund. The cuts have been very deep.

Request to Advance to the Proposed Stage of the Regulatory Process 6VAC35-170, Minimum Standards for Research Involving Human Subjects or Records of the Department
Barbara Peterson-Wilson, Regulatory & Policy Coordinator, Department.

The Department is requesting the Board approve the proposed changes to 6VAC35-170, Minimum Standards for Research Involving Human Subjects or Records of the Department, and grant permission to proceed to the proposed stage in the standard regulatory process.

Background information can be found on page 73 of the Board packet with the changes to the regulation noted on page 78.

Ms. Peterson-Wilson detailed the major changes requested: (1) Language added to clarify the process and timeline for approving aggregate data requests; (2) Language added on the De-identified data requests that outlines the review process, determines who is involved in that review process, and the timelines for the review; and (3) A new section added addressing researcher noncompliance. The language added requires the researcher to report noncompliance. The second piece of that proposed change, allows the Department or the Human Research Review Committee to prohibit or restrict the researcher further use of the data and restrict publication of the data if they are found to be in noncompliance with state statutes, regulations, or Department procedures governing external research.

Ms. Peterson-Wilson outlined the technical changes. The Department reviewed *Code of Virginia*, Title 32.1–162.19, which governs human subject research for all state agencies, and ensured that language corresponds with the Department's proposed changes. The second set of changes adds clarifying language specifying written requirements.

The Department is in the second stage of the regulatory process. If the Board approves the proposed changes, the regulation will be moved to the proposed stage, which entails an executive branch review and a 60-day public comment period. In the previous stage, Notice of Intended Regulatory Action (NOIRA), no public comments were received. At the final stage, there will be an opportunity to make additional changes if the Board desires.

Chairperson Abbott asked about the provisions on the noncompliance; what would be a scenario where a researcher does not self report and the Department or the Human Research Review Committee would block the research.

Janet Van Cuyk, Legislative and Research Manager for the Department, explained that the Department wanted to ensure researchers knew the consequences of being out of compliance and not reporting any abnormalities in the research topic they were approved to perform. This proposed changed mirrors what Institution Review Boards require under federally funded research. An example, a researcher would ask questions of the participant that was not on the approved questionnaire document or include subjects that are minors and have only been approved to have subjects who were 18 years of age or older.

Board Member Bosher asked if the Board could do research.

Ms. Van Cuyk explained that the Department has a requirement that researchers be "appropriate researchers" which is a general term. For instance, the Department receives many questions from undergraduates who have an interest in criminal justice and would like to talk with the residents. The Human Research Review Committee does a case by case assessment on the applicant to determine if the research and topic are appropriate. The Department also requires an Institutional Review Board approval as well as meeting the Department's standards.

Board Member Bosher asked if Dr. Floyd requests to do research relating to students is that allowed.

Ms. Van Cuyk stated that Dr. Floyd is excluded from the Human Research Review Committee and the Institutional Review Board requirements because the information she desires would not be for generalizable knowledge. If it is not for generalizable knowledge but would be to help the agency in its operations, it is excluded from this process. However, Department employees performing research for their school work would need to go through the process.

On MOTION duly made by Karen Cooper-Collins and seconded by David Hines to approve the proposed changes as noted in the memorandum to 6VAC35-170, Minimum Standards for Research Involving Human Subject or Records of the Department of Juvenile Justice, and grants permission to the proposed stage in the standard regulatory process. Motion carried.

Chairperson Abbott and Board Member McDougle followed up by asking is there a designated person who checks behind the researcher and ensures the questions they are asking are the approved questions.

Ms. Van Cuyk stated that it is the same requirement as for the Institutional Review Boards, to self-report. The Department requires the researcher to complete a progress report if the research goes on for a year and provide a final report on the research.

Variance Request for Required Initial Training Hours for Non-Security Staff, 6VAC35-71-160(B)
Janet Van Cuyk, Legislative and Research Manager, Department.

The Department requests the Board to grant a variance to the Department from the 120 hours of training required to be completed by non-security series staff prior to assuming direct supervision responsibilities.

As of January 1, 2014, the Board regulations require all staff responsible for the direct supervision of residents to complete 120 hours of training, including training in 16 specific modules, prior to working alone with residents. This regulation has caused challenges and presented unnecessarily delays in providing services by non-security series staff.

Security series staff are recruited and hired in mass, usually 40 at a time, and go through the 120 hours of training together. Non-security series staff (therapists, counselors, teachers, and medical staff) have a different rate of attrition and are hired as the positions become vacant. Security series staff and non-security series staff complete different training curriculums. The security series staff training includes 120 hours of training on key control, control room procedures, perimeter searches, transportation of residents, in addition to other trainings required by regulation such as lesson

development, child abuse and neglect, first aid, and CPR. The non-security series staff complete a comprehensive 3-week program that provides new non-security employees with the necessary knowledge, skills and abilities to function effectively in a correctional environment along with other trainings added to fill the 120 hour requirement. Under the guidance of experienced and knowledgeable instructors and supervisors, non-security employees will receive instruction on various topics to include: Juvenile Rights, Liability, Adolescent Development, Working with Special Populations, Behavior Management, Documentation and Discipline, Safety and Security, and Use of Force. The Basic Skills for Non-Security Staff is offered every other month. Consequently, non-security staff recently hired might have to wait six to seven weeks before they can even enter the Basic Skills for Non-Security Staff training and then a couple more weeks before they are able to enter the facilities and provide essential services to residents.

The Department proposes to exempt the non-security staff (counselors, teachers, mental health providers) from the 120 hour training requirement prior to being responsible for the direct supervision of residents. This would be similar to the regulatory requirements that existed before January 1, 2014, in which there were no upfront training requirements, other than emergency preparedness, for non-security series staff. The proposed variance would require non-security series staff to complete a minimum of 40 hours of training before they started work in the facility. The 40 hours of training would be training in emergency preparedness, safety and security, and the 16 modules and, once completed, the non-security series staff could provide services to residents. The employee would complete the remainder of the training within the first year of their employment to reach 120 hours of training. This would allow the Department to provide essential services while keeping staff and residents safe within the facility.

Board Member Hines asked about the June variance approving non-security staff to work with residents outside the active supervision of security staff intersects with this variance indicating the 120 hours of training, required to be completed by non-security staff to complete prior to assuming direct supervision duties, is not needed.

Ms. Van Cuyk explained that, at the June meeting, the Board granted a variance for non-security series staff (e.g., therapists, counselors, and teachers) to work alone with residents if the following conditions were met: (1) the staff completed the 120 hours of training required by the regulation; (2) the staff completed training in safety and security; (3) the staff checked in with security staff before and after supervising residents; and (4) the staff had the means to communicate with security staff during the supervision time (e.g., possession of a radio). If this proposed variance is granted by the Board, it will intersect with the variance granted at the June meeting. It would amend the first precondition on the variance by amending the initial training requirement for all non-security staff. The Department has painstakingly reviewed the training standards to ensure that non-security series staff have all the appropriate safety and security training before supervising residents. What the non-security staff would not receive are the soft skill courses before they begin providing services. A similar topic was raised at the last Board meeting with the Virginia Juvenile Detention Association. The non-security series staff will have the training necessary to keep themselves safe and to keep the residents and staff safe and secure.

Board Member Hines asked if the non-security series staff would be required to have security personnel with them in the facilities. Ms. Van Cuyk answered no, that they would fall under the variance approved at the June Board meeting.

Director Block wanted to be clear that the safety and security training (40 hours) occur before the non-security staff start work with the Department. The next 80 hours of training will be completed by non-security staff within the year.

Ms. Van Cuyk noted that the 120 hours of training for non-security staff is safe to waive for the following reasons:

1. The regulations prior to January 1, 104 did not require any initial training hours prior to working with residents (only requirement was for emergency preparedness);
2. National standards (the American Correctional Association) do not require initial training requirements for security or non-security series staff;
3. Other secure facilities in Virginia (adult and juvenile) do not require initial training hours prior to working with residents;
4. Other children's residential facilities do not require initial training hour requirements.

When a security series staff starts work, it is assumed that they need to learn all parts of their job (e.g., security perimeter checks). When non-security series staff start with the Department, it is assumed that they have the skills to perform their basic job functions (e.g., teaching, counseling, therapy) and the training DJJ must provide is to teach them how to perform these functions in the juvenile correctional environment (e.g., behavior management and interventions). The Department went through the 120 hours of training to review what modules are essential for a non-security staff to perform his/her job in a correctional environment. These, with the 16 regulatory required modules, will constitute the 40 hours initial training requirement. As such, if non-security staff will provide direct supervision the following criteria must be met:

1. The employee completes the 40 hours of initial training;
2. Training in safety and security;
3. The employee checks in with security staff at the beginning and end of direct supervision;
4. During direct supervision the employee has the means of communication (e.g., radio); and
5. The employee completes 80 additional hours in the first year of employment.

Ms. Van Cuyk explained that this request did not come up at the June Board meeting because the Department was focusing on implementing the community model. The 120 hours of training is a barrier and prohibits non-security staff from performing the duties they were hired to do in a timely manner but not necessarily related to the impediments to implementing the community model. The January 1, 2014 regulations went through a prolonged review and approval process due to issues not related to the current concerns. As such, they were drafted almost five years prior to approval. Generally, a variance request would be concurrent with a request for a regulatory change. However, one was deliberately not included with this request. There are other issues in the regulations that need to be addressed, the Department is hopeful to have a list of required changes to the Board in June 2015 rather than bringing multiple changes together piecemeal.

Board Member Hines stated that he was behind the Department 100%, but at the same time is concern with the perception that the Department is reducing security and training in the facilities.

Ms. Van Cuyk responded that both this requested variance and the one in June in no way should reduce security in the facilities. The comprehensive review of the training requirements necessary to keep staff and residents safe should provide all staff who supervise residents the skills necessary to keep staff and residents safe. Additional protections are added by requiring the non-security staff to check in and out with security staff and have a means to communicate are intended to provide added protections. The Department is not looking to reduce any security requirements but to allow staff to have necessary flexibility to work with residents and timely provide services within the secure environment.

On MOTION duly made by Karen Cooper-Collins and seconded by Robyn Diehl McDougle granting a variance to the Department of Juvenile Justice to 6VAC35-71-160(B) of the Virginia Administrative Code to remove the requirement that non-security staff complete 120 hours of training prior to being responsible for the direct supervision of residents. All other training requirements in this subsection are not subject to this variance. This variance will remain in effect until 6VAC35-71-160 is amended or for five years, whichever occurs first. Motion carried.

DIRECTOR'S COMMENTS
Andrew K. Block, Jr., Director, Department.

Director Block thanked the Board members for their continued support and interest.

The Director provided a story to the Board about a young man from Campbell County who was on probation at an alternative school. One day the class was eating lunch with the teacher and the teacher started choking on her food. The young man on probation performed the Heimlich and saved the teacher's life. Here was a young man who clearly was not engaged and had every reason not to care about adults step up and save someone's life. Hopefully at the end of the day, the young man felt empowered and was a hero. This is an opportunity to recognize his good work and not have his past dictate his future.

The Director indicated that the institutional transformation was originally on the agenda but was canceled because there was not much tangible news to update the Board. There are test units at Bon Air and Beaumont Juvenile Correctional Centers and the preliminary indicators are positive. Also the facilities are in the process of planning to move from 12 hour shifts to 8 hour shifts to better serve our employees and our residents better.

Board Member Hines offered his material to the Director on shift change. Board Member Hines' Department has undergone new shift changes as well and the material might be helpful. The Director stated he would be grateful if he would send the information to the Department.

BOARD COMMENTS
Board Member McDougle announced that Melvin Johnson, VCU star basketball player, was giving a TED talk on Saturday at 10:00 a.m. at the Altria Center on his experiences and impact visiting the Beaumont Juvenile Correctional Center. This opportunity touched him and changed his view/focus of his career after basketball.

NEXT MEETING

The next meeting is scheduled for January 6, 2015, at Central Office, 600 East Main Street, 12th Floor, Richmond, at 9:30 a.m.

The Director asked the Board to reconsider the April 8th meeting date for next year and the Board approved setting a new date.

EXECUTIVE SESSION MOTION

On MOTION duly by Robyn Diehl McDougle and seconded by David Hines to reconvene in Executive Closed Session, pursuant to Section 2.2-3711(A)(1) and (A)(7), for a discussion of certain personnel matters and to consult with legal counsel and obtain briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation and any other specific legal matters requiring the provision of legal advice by counsel. Motion carried.

The Executive Closed Session was concluded. The members of the Board of Juvenile Justice present certified that, to the best of their knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Executive Meeting, and (2) only such public business matters as were identified in the motion convening the Executive Meeting were heard, discussed, or considered.

ADJOURNMENT

Chairperson Abbott adjourned the meeting at 12:20 p.m.

Standard regulatory process: Basic outline

Notice of Intended Regulatory Action (NOIRA)

Agency submits NOIRA for executive branch review.

Agency is authorized by Governor to submit NOIRA for publication.

NOIRA is published in *The Virginia Register of Regulations*.

Submit your comment during the 30-day public comment period.

Proposed regulation

Agency considers public comment and submits proposed regulation.

Governor approves proposed regulation.

Proposed regulation is published in the *Register* and notification is sent to all registered Town Hall users.

Submit your comment during the 60-day public comment period.

Final regulation

Agency/board considers public comment and adopts final regulation.

Governor approves final regulation.

Final regulation is published in the *Register* and email notification sent to registered public Town Hall users.

30-day final adoption period begins

Regulation becomes effective

(unless it is suspended or 25+ people request an additional public comment period).

A regulatory stage is announced as follows:

An automatic email notification is sent to registered Town Hall users.

Ten days later, a regulatory stage is published in *The Virginia Register of Regulations*, the official publication of legal record for regulations in Virginia.

When the stage is published in the *Register*, a public comment forum opens on the Town Hall and remains open through the end of the public comment period.

Source: Sections 2.2-4006 through 2.2-4017 of the Code of Virginia (Article 2 of the Administrative Process Act)

For more information, visit the Virginia Regulatory Town Hall at townhall.virginia.gov

Employment Levels
In the
Juvenile Correctional Centers (JCC)
and
Court Service Units (CSU)

Virginia Department of
Juvenile Justice

Positions At The JCC's

Data as of February 28th, 2014

UNIT/STAFF SECTION	FUNDED	FILLED	VACANT	
Beaumont Security	262	216	46	
Bon Air Security	230	194	36	
RDC Security	63	59	4	
SECURITY TOTAL	555	469	86	84.5% Fill Rate
Central Infirmary	8	7	1	
Beaumont Medical	16	12	4	
Bon Air Medical	21	12	9	
MEDICAL TOTAL	45	31	14	68.8% Fill Rate
Beaumont BSU	22	18	4	
Bon Air BSU	20	13	7	
RDC BSU	10	8	2	
BSU TOTAL	52	39	13	75.0% Fill Rate
Miller School at Beaumont	32	26	6	
Miller School O. R. Program	16	15	1	
Miller School at Bon Air	51	48	3	
Miller School at RDC	13	12	1	
TOTAL EDUCATION	112	101	11	90.1% Fill Rate

Data as of October 31st , 2014

UNIT/STAFF SECTION	FUNDED	FILLED	VACANT	
Beaumont Security	262	245	17	
Bon Air Security	230	216	14	
RDC Security	63	58	5	
SECURITY TOTAL	555	519	36	93.5% Fill Rate
Central Infirmary	8	8	0	
Beaumont Medical	16	13	3	
Bon Air Medical	21	14	7	
MEDICAL TOTAL	45	35	10	77.7% Fill Rate
Beaumont BSU	22	13	9	
Bon Air BSU	20	16	4	
RDC BSU	10	8	2	
BSU TOTAL	52	37	15	71.1% Fill Rate
Miller School at Beaumont	32	29	3	
Miller School O. R. Program	16	16	0	
Miller School at Bon Air	51	45	6	
Miller School at RDC	13	12	1	
TOTAL EDUCATION	112	102	10	91.1% Fill Rate

Virginia Department of Juvenile Justice

Security Positions

FACILITY	MAJ			CPT			LT			SGT			JCO			TOTAL		
	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT	FUNDED	FILLED	VACANT
BEJCC	1	1	0	5	5	0	8	8	0	16	15	1	232	216	16	262	245	17
BAJCC	1	0	1	5	5	0	5	5	0	15	10	5	204	196	8	230	216	14
RDC	0	0	0	0	0	0	5	4	1	7	7	0	51	47	4	63	58	5
TOTAL	2	1	1	10	10	0	18	17	1	38	32	6	487	459	28	555	519	36
CADRE														35	-35		35	-35
NEW TOTAL														494	-7	555	554	1

Data as of October 31st , 2014

Security Position Facts

- Basic Skills Training is currently 8 weeks in length
- There are 6 Basic Skills Classes conducted during a given year
- JCO's are required to complete Basic Skills Training before providing Direct Care
- JCO's work 12 hour shifts
- JCO's are "drafted" for up to 4 additional hours to cover vacant positions
- The current required JCO to Resident ratio is 1:10

Security Position Facts

•The Prison Rape Elimination Act (PREA) will change the required JCO to Resident ratio to 1:8 in 2017

•The shortage of JCO's is NOT a budget issue (all JCO positions are fully funded)

• Mass recruiting is conducted to fill each Basic Skills Class

• Prior to hiring a JCO the candidate must complete a Physical Agility Test, Criminal Back Ground Check, and Child Protective Services Back Ground Check

• Beginning Salary for a JCO is $27,959 (Increases by 10% after 1 year)

Virginia Sickness and Disability Plan(VSDP)

The Virginia Sickness and Disability Plan(VSDP) provides state employees with income security when they cannot work because of a partial or total disability. The program includes sick, family and personal leave; short-term disability benefits; long-term disability benefits and a long-term care program. VSDP benefits cover non-work-related and work-related conditions.

The VSDP focuses on helping employees make a safe return to full duties following a disability. Return-to-work plans, such as job modifications or vocational/medical rehabilitation, may be developed in consultation with the employer and treating healthcare or medical professional to assist in the employee's recovery and return to a regular schedule.

Virginia Department of Juvenile Justice

Virginia Sickness and Disability Plan(VSDP)

VSDP ROLL-UP REPORT						
WORK UNIT	BAJCC	BEJCC	RDC	CSU'S	CO	TOTAL
JCC Management	0	1	0	0	0	1
BSU	0	0	1	0	0	1
Education	4	3	0	0	0	7
Medical	0	2	0	0	0	2
Security	16	8	4	0	0	28
Treatment	2	1	1	0	0	4
Maintenance	1	1	0	0	0	2
Food Service	0	0	1	0	0	1
Omsbudsman & Grievance	0	0	0	0	1	1
CSU 2 (Virginia Beach)	0	0	0	1	0	1
CSU 7 (Newport News)	0	0	0	1	0	1
CSU 12 (Chesterfield)	0	0	0	1	0	1
CSU 13 (Richmond)	0	0	0	1	0	1
CSU 14 (Henrico)	0	0	0	2	0	2
CSU 15 (Fredericksburg)	0	0	0	1	0	1
CSU 20L (Loudoun)	0	0	0	1	0	1
CSU 22 (Rocky Mount)	0	0	0	1	0	1
Operations	0	0	0	0	1	1
Training	0	0	0	0	1	1
TOTAL	23	16	7	9	3	58

Data as of October 31st , 2014

Virginia Department of Juvenile Justice

Positions At The JCC's

UNIT/STAFF SECTION	FUNDED	FILLED	OUT VSDP	AVAILABLE	
Security Total	555	519	28	491	88.4% Available Fill Rate
Medical Total	45	35	2	33	73.3% Available Fill Rate
BSU Total	52	37	1	36	69.2% Available Fill Rate
Total Education	112	102	7	95	84.8% Available Fill Rate

Data as of October 31st , 2014

Virginia Department of Juvenile Justice

Over-Time Usage Costs

YEAR TO DATE OVER-TIME COSTS

	EDUCATION	½ Way Houses	CSU'S	JCC'S	ADMIN	Agency Total	
July 2014	$860	$1,697	$5,007	$391,634	$0	$399,198	Cost
August 2014	$1,263	$0	$6,430	$422,831	$0	$430,524	Cost
September 2014	$1,614	$0	$9,145	$732,313	$214	$743,287	Cost
October 2014	$1,636	$0	$10,611	$861,258	$214	$873,719	Cost
Total YTD	$1,636	$0	$10,611	$861,258	$214	$873,719	Cost
Prior Year Total YTD	$1,977	$1,956	$6,882	$563,318	$831	$574,964	Cost
Year to Year Chg	-$341	-$1,914	$3,729	$297,940	-$617	$298,755	Cost

Data as of October 31st, 2014

Virginia Department of Juvenile Justice

Positions within the Court Service Units

UNIT/STAFF SECTION	FUNDED	FILLED	VACANT
CSU 1 Chesapeake	30	27	3
CSU 2 Virginia Beach	38	27	11
CSU 2A Accomac	10	9	1
CSU 3 Portsmouth	23	20	3
CSU 4 Norfolk	59	44	15
CSU 5 Suffolk	18	16	2
CSU 6 Hopewell	17	15	2
CSU 7 Newport News	40	36	4
CSU 8 Hampton	27	24	3
CSU 9 Williamsburg	22.50	21.50	1
CSU 10 Appomattox	19	17.50	1.50
CSU 11 Petersburg	20	15	5
CSU 12 Chesterfield	30	26	4
CSU 13 Richmond	45	32	13
CSU 14 Henrico	36	35	1
CSU 15 Fredericksburg	40.50	36	6.50
CSU 16 Charlottesville	27.50	23.50	4

UNIT/STAFF SECTION	FUNDED	FILLED	VACANT
CSU 18 Alexandria	22	19	3
CSU 20L Loudoun	13	12	1
CSU 20W Warrenton	7	6	1
CSU 21 Martinsville	18	17	1
CSU 22 Rocky Mount	23	21	2
CSU 23 Salem	10	10	0
CSU 23A Roanoke	19.50	16.50	3
CSU 24 Lynchburg	25	22	3
CSU 25 Staunton	20	19	1
CSU 26 Winchester	20	19	1
CSU 27 Pulaski	23	21	2
CSU 28 Abingdon	16	16	0
CSU 29 Pearisburg	22.50	21.50	1
CSU 30 Gate City	17	17	0
CSU 31 Manassas	40.75	36.75	4
CSU TOTAL	799.25	698.25	103

87.3% Fill Rate

Data as of October 31st, 2014

Virginia Department of Juvenile Justice

Probation Officers within the Court Service Units

CSU	PROBATION OFFICERS			
	FUNDED	FILLED	VACANT	HOLD
1	21	20	1	1
2	29	22	7	0
2A	6	5	1	0
3	16	14	2	1
4	45	36	9	4
5	13	12	1	1
6	11	10	1	0
7	31	27	4	1
8	21	19	2	0
9	15	14	1	0
10	12.5	11.5	1.5	0.5
11	14	9	5	2
12	22	19	3	0
13	34	23	11	5
14	28	28	0	0
15	34	28	6	4
16	20	17	3	0

CSU	PROBATION OFFICERS			
	FUNDED	FILLED	VACANT	HOLD
18	16	14	2	2
20L	10	9	1	0
20W	5	5	0	0
21	13	13	0	0
22	16	14	2	1
23	7	7	0	0
23A	15	12	3	2
24	19	17	2	1
25	13	13	0	0
26	14	13	1	0
27	17	16	1	1
28	11	11	0	0
29	14	13	1	1
30	12	12	0	0
31	33	30	3	0
TOTAL	587.5	513.5	74.5	27.5

87.4% Fill Rate

Data as of October 31st , 2014

Probation Officer Facts

- Probation Officers are responsible for Intake, Probation and Parole

- The number of Probation Officer positions required is based on a Work Load Formula developed by the National Council On Crime and Delinquency (NCCD) in 2001

- NCCD is currently conducting another study to determine if the formula should be adjusted

- Prior to hiring a Probation Officers the candidate must complete a Criminal Back Ground Check and Child Protective Services Back Ground Check

- The salary range for a Probation Officers is $34,958 to $62,870

Virginia Department of Juvenile Justice

Employee Loss Roll-Up Report

REASON	MAR 14	APR 14	MAY 14	JUN 14	JUL 14	AUG 14	SEP 14	OCT 14	NOV 14	DEC 14	JAN 15	FEB 15	TOTAL
Resign Home Responsibilities													0
Resign Better Job	15	17	6	2	12	12	5	7					76
Resign Dissatisfied	1												1
Resign Ill Health						1							1
Resign School								1					1
Resign Leaving Area		2	6		1	2	2	2					15
Resign During Probation			1			2		7					10
Resign Military Service													0
Resign Other	4	6	12	5	9	5	6	2					49
Seperation Completion of Limited Apt													0
Retirement Service		1	5	6	5	1	4	1					23
Retirement Enhanced													0
Death of Employee			1										1
Remove Standards of Conduct	1		1		1			2					5
Remove Unsat Performance During Probation	1	1	1		7		5	4					19
Remove Inability to Perform Duties	1	1											2
Transfer to Exempt Agency				1									1
Transfer to Local Agency		2		3	4	2							11
Transition to LTD and Layoff	1	1	2		2	3	2						11
TOTAL	24	31	35	17	41	28	24	26					226

Period Covered March 1, 2014 – October 31, 2014

Average losses per month = 28.2

Questions?

FY15 Budget Reduction Plan
(July 1, 2014 – June 30, 2015)

Virginia Department of
Juvenile Justice

FY15 Budget Reduction Plan

1 July 2014 – 30 June 2015

Budget Item	Reduction
Reduce Employee Recognition Program	$10,000
Reduce Employee Tuition Assistance Program	$25,053
Eliminate the Agency Leadership Summit	$48,000
Adjust Insurance Premium Payment Schedule	$2,041,368
Return Unused Workforce Transition Act Funding	$3,100,000
Total	$5,223,421

Questions?