



## **Economic Impact Analysis Virginia Department of Planning and Budget**

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### **6 VAC 35-60 – Minimum Standards for Virginia Delinquency Prevention and Youth Development Act Grant Programs Department (Board) of Juvenile Justice August 30, 2001**

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The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 9-6.14:7.1.G of the Administrative Process Act and Executive Order Number 25 (98). Section 9-6.14:7.1.G requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

### **Summary of the Proposed Regulation**

The proposed amendments will (i) require background checks for volunteers and full-time employees at offices on youth, (ii) require that the elements in community youth development and delinquency needs and resources assessment be updated based on a four-year cycle, (iii) require offices on youth to provide an assessment for program effectiveness in their annual plans, (iv) change the way monitoring reviews on offices on youth are done, (v) require training for volunteers and staff, (vi) repeal the requirement that youth programs provide help for court service units, and (vii) establish a number of standards that would govern direct service programs and services operated by offices on youth.

## Estimated Economic Impact

These regulations establish standards for offices on youth in delivery of youth services such as mentoring and tutoring and providing support to localities seeking to respond to juvenile delinquency.

The proposed amendments will require background checks for volunteers who provide one-on-one services to youth outside of a group setting and for full-time employees at offices on youth. The purpose of this requirement is to determine if the volunteers and employees involved in criminal acts or other circumstances that would compromise the integrity of the program, or the safety of the youth, or families with whom they come in contact. A background check may cost from \$25 to \$100. According to the agency, most localities report that employee background checks have been done in current practice. Also, the agency believes that approximately two thirds of offices have been doing the background checks for the volunteers who had unsupervised contact with juveniles while the remaining programs have not. There are about 55 ongoing programs providing direct services such as mentoring and tutoring. Most programs provide these services in a public place without leaving the volunteer and the juvenile unsupervised. Of about 500 volunteers, it is not known how many will be required to go through the background check. Thus, the amount of additional costs associated with the proposed background checks is not known. Further, some programs are able to have the background checks provided through local police or sheriff's department, or through the Department of Human Services. Thus, some of these programs do not incur background check costs while others do. The proposed volunteer background check may reduce the number of volunteers due to the costs associated and because some potential volunteers may object to sharing the information necessary to conduct the checks. On the other hand, the proposed requirement is likely to help increase the safety of juveniles when they are vulnerable.

The elements to be considered in community's youth development and delinquency needs and resources assessment which include youth attitudes and behavior, youth service agencies' opinions, an analysis of public opinion, and available current archival data will be required to be updated over a four-year cycle. Currently, the overall community plan with all four elements is done once every six years. The proposed change will require that one element

of the plan be updated every year. Thus, all four components will be completely updated every four years instead of six.

A four-year cycle is proposed because of limited staffing at offices on youth and the potential administrative costs. The agency indicates that offices on youth often have only one staff member and this makes it difficult to update all elements of the assessment every year. Also, the administrative costs in preparing, conducting, and assessing the new information increases with the frequency of update. The agency believes that the proposed four-year cycle will keep a balance between administration of current programs and services and administration of planning and evaluation without overloading the requirements for on-going assessment. In addition, the most critical component of an overall needs assessment, the survey of youth attitudes and behaviors, is particularly difficult for several reasons. First, the cost of a validated instrument necessary for this critical element varies from \$1.00 to \$15.00 per survey. Second, the most suitable way to administer this instrument is through a local school system. School systems are reported to be often reluctant to take part because it takes time away from standards of learning preparation and classroom instruction, and the survey results may seem to reflect badly on the school system if students report drug use, fear of violence at school, etc. According to the agency, infusing the current plan with the new information from one component each year should be sufficient.

Although more frequently updated survey of youth attitudes and behaviors is likely to introduce additional costs to the programs, the costs of updating other three components are not expected to be large. For example, the youth service agencies' survey costs are believed to be minimal because the surveys do not have to be prepared every time but may only need to be updated through on-line communication. Thus, the majority of the costs to youth service agencies are likely to be the information retrieval costs to respond to the survey.

Overall, the agency expects the costs of conducting the surveys and collecting information to increase by about half of the current costs, but does not have dollar estimates for the additional amounts. On the other hand, the proposed periodic update every four years is an improvement over the current regime. Youth development and delinquency prevention planning are likely to improve when based on more recent information.

Pursuant to changes in the statute, offices on youth will be required to provide an assessment of program effectiveness. The purpose of the change is to identify the programs that are not effective and stop ineffective programs, and to identify which programs work and recommend them to other localities. Offices will be asked to provide a plan for measuring each goal and each objective in their annual plans. The offices will use some staff time for information retrieval, analysis, and evaluation. The annual additional cost to 41 offices on youth cannot be estimated with accuracy, but are unlikely to be substantial.

The proposed amendments will change the way monitoring of offices on youth is done. The purpose of the monitoring review is to monitor an office's progress toward the goals and objectives listed in its annual plan. Currently, three regional offices generate on-site status reports, which requires nine people to conduct two on-site visits to each office on youth annually. The proposed change will allow monitoring visits to be done by one central office staff visiting the site or by meeting with directors during regional meetings. This will eliminate half of the current on-site visits to the offices on youth. This change is expected to provide cost savings in travel expenses from regional offices to local offices on youth. About 41 visits to offices on youth will be eliminated annually. The agency expects to reduce its travel expenses by about \$1,000 per year. In addition, there is likely to be some staff timesavings from this change because one person could complete the review at the regional meeting instead of three. According to the agency, estimated net savings in staff time is approximately 174 hours per year. The services of these staff are likely to be assigned to other responsibilities within the agency.

The effectiveness of the monitoring review is not expected to decline because of this change. The agency indicated that the substance of this particular review is a conversation, which can take place on-site or off-site equally well. Currently, few if any programs or services are delivered at the office on youth offices; for those that are, the once-a-year visits provide sufficient opportunity for direct observation of the facilities. Otherwise, the conversations with the office on youth director might focus on the characteristics of youth served by various programs, the levels of participation being achieved, the contents of the overall plan, the processes that might be used to analyze community attitudes, the methods to be used to evaluate programs, identifying issues with local boards, and discussing training needs. According to the agency, all such matters can be discussed in virtually any venue, and lose little if anything from being conducted "off-site."

Moreover, the proposed changes will require staff and volunteer to have training for the positions and duties they perform. This new requirement will introduce training requirements for about 82 employees and 500 volunteers. The training costs are likely to vary depending on the positions they are assigned. The training programs tend not to be extensive and costs are primarily in terms of staff providing the training. There are currently some training requirements and the agency believes that the additional training costs would be small. The proposed training requirement is likely to increase efficiency in the way the services are provided and provide the authority to the agency to follow up what training is provided to the staff and volunteers at these programs. According to the agency, this is the most significant aspect. The training of volunteers may also help mitigate the risk at these facilities. For example, a detailed job description provided during the training is likely to improve employee's understanding of job responsibilities and reduce potential misconducts. The training of volunteers and staff is consistent with good management procedures.

The proposed amendment will repeal the requirement that the youth programs provide help for court service units. Types of services provided by youth programs to court service units include shoplifting diversion programs for first offenders, community service programs, day camps for at-risk youth, and anger management groups, etc. Approximately 40 programs fall into the "delinquency prevention" category, but this number may be higher since there are programs that would be appropriate for both delinquent and non-delinquent youth. According to the agency, the current requirement that the youth programs provide help for court service units contradicts with the objectives of these programs to provide planning, collaboration, and coordination of services for youth and families in localities. In effect, the offices on youth were to have a planning role for all youth services/needs in a community. While other agencies have parts of this responsibility; i.e., court service units provide services/rehabilitation to delinquent youth, departments of social services provide assistance to child abuse victims, etc., there wasn't an agency in a "hub of the wheel" position in terms of youth and family needs in communities. The offices on youth were to provide this overall planning role. With 51% of the offices' work plan objectives supporting court service unit juveniles, the planning and collaboration role did not receive the necessary focus. The repeal of this requirement is expected to free some resources for the programs that have been providing help to court service units. The programs

are expected to use these resources to improve and enhance the planning and coordination role they serve in localities.

Finally, a number of standards will be established that would govern direct service programs and services operated by offices on youth. Many of the requirements closely track existing standards that apply to non-residential programs and services in the juvenile justice system. The new standards governing direct service programs are related to limitation of contact with juveniles, qualifications of program personnel, medical emergencies, juvenile's rights, juveniles participation in research, case management requirements, confidentiality of records, incident documentation and reporting, reporting of child abuse and neglect, programs' physical setting, individual service or contact plan, emergencies and safety in juveniles' homes, supervision of juveniles, meals when a program spans traditional mealtimes, fire safety, first-aid kits, delivery of medication, physical and mechanical restraint, and procedural requirements for time-out.

Most of the proposed standards are clarifications in nature and have been implemented in practice. For example, staff hired as nurse have been required to document their qualifications and this will continue, programs already have medical emergency standards in place, and current standards on juveniles rights or participation in research are not significantly different than what is proposed. However, some of the proposed standards are new and may introduce additional costs and benefits.

Two of these standards are related to reporting of incidents and suspected child abuse and neglect. Currently, direct service programs operated by the offices on youth are not required to report these types of incidents. This amendment will establish the requirement to report incidents and suspected child abuse and neglect for the programs operated by the offices on youth. The cost of reporting an incident or abuse typically involves a telephone call to the agency and a fax of a reporting form, or a telephone call to the Department of Social Services Child Protective Services which may cost about \$2 per incident, depending on telephone tolls. On annual basis, the agency expects no more than one or two critical incidents or reports of abuse and neglect. The main benefit of the proposed change is to protect youth in non-residential programs and protect programs as well by establishing good monitoring and reporting practices that may impact overall risk management.

Supervisors of juveniles in alternative day treatment will be required to train in CPR and first-aid in accordance with the proposed amendments. This type training is typically provided by local Red Cross Chapters or similar entities and costs about \$25 to \$30 per person. Certifications typically last for three years. According to the agency, less than 100 supervisors may need CPR and first-aid training. Thus, the proposed training requirement may increase costs of facilities providing direct services by less than \$830 to \$1,000 per year. The expected benefit is the protection afforded to youths in such programs who may need emergency care.

Programs that span traditional meal times that do not provide lunches currently will be required to do so. The standard, which applies currently to other non-residential programs, will require that if a program spans traditional meal times, the program provide lunch. This proposed change may increase meal related costs for some programs, but is also likely to better meet nutrition needs of the youth in these programs. The agency does not know whether any program that currently span traditional meal times is not providing lunch.

## **Businesses and Entities Affected**

The proposed regulations will affect 41 offices on youth and the juveniles receiving services from these offices. The exact number of juveniles that may be affected is not known because there is no reporting requirement for the number of juveniles, and some programs do not run direct service programs at all. The agency estimates that roughly 2,500 juveniles are provided direct services by the offices on youth per year.

## **Localities Particularly Affected**

The proposed regulations apply throughout the Commonwealth.

## **Projected Impact on Employment**

Although most of the changes appear to have the potential to increase the demand for labor, at least one requirement is likely to have the opposite impact. For example, proposals to increase the update frequency of community plans, to assess program effectiveness, to provide staff and volunteer training, CPR and first-aid training, are likely to increase the demand for labor while modifying the way monitoring reviews are done is expected to reduce it. With the available information, it is not known what the net impact on demand for labor will be. Thus, no conclusive statement can be made on the net impact on employment.

## **Effects on the Use and Value of Private Property**

The proposed amendments are not likely to have a significant impact on the use and value of private property.