

FINAL REGULATION

MINIMUM STANDARDS FOR VIRGINIA DELINQUENCY PREVENTION AND YOUTH DEVELOPMENT ACT GRANT PROGRAMS

Adopted by the Board of Juvenile Justice on July 10, 2002

6VAC35-60-10. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise:

"Alternative day treatment" or "structured day programs" means nonresidential programs that provide services, which may include counseling, supervision, recreation, and education to referred juveniles at a central facility.

"Biennial Operating Annual Plan" means a written plan, covering two fiscal years a single fiscal year , setting forth measurable goals and objectives for developing, coordinating, and evaluating youth services. The Biennial Operating Annual Plan is to be based primarily on the six year Delinquency Prevention and Youth Development Plan on an assessment of the community(s) needs.

"Background check" means steps taken to ascertain whether various records on a person include criminal acts or other circumstances that would be detrimental to juveniles or their families or to the integrity of a program, in addition to a driving record check where applicable to job function.

"Counseling" means the planned use of interpersonal relationships to promote behavioral change or social adjustment.

~~"Delinquency Prevention and Youth Development Plan" means a document, developed every six years, which analyzes the problems, opportunities and conditions of youth and concludes with a plan of action to meet identified needs.~~

"Department" means the Department of Juvenile Justice.

~~"Direct service programs or services " means programs or services in which Office on Youth staff or assigned Youth Services Citizen Board members or both Office on Youth volunteer(s), providing substantial are the primary providers of a service involving ongoing person-to-person contact with youth or families or both for purposes of instructional or skills development training.~~

"Individual service or contact plan" means a written plan of action developed, and modified at intervals to meet the needs of each juvenile. It specifies short-term and long-term goals, the methods and time frames for reaching the goals and the individuals responsible for carrying out the plan.

~~"Local governing body" means a city council or county board of supervisors. Any Youth Services Citizen Board and Office on Youth that provides services to more than one governmental jurisdiction must have the endorsement and support of all affected governing bodies.~~

~~"Locality" means the city, county or combination thereof served by a Youth Services Citizen Board an Office on Youth.~~

"Monitoring review" means the written report completed by [the department's prevention specialist designated department personnel] based on an on-site review of the progress made toward goals and objectives identified in the Office on Youth's Annual Plan.

~~"Office on Youth" means the staff and the place of business of the staff of the Youth Services Citizen Board~~ local entity funded by the authority of the Delinquency Prevention and Youth Development Act (Chapter 3 (§ 66-16 et seq.) of Title 66 of the Code of Virginia).

~~"On-site status report" means the semi-annual written report completed by the department's regional office staff based on a visit to the office on youth to review progress on the office's Biennial Operating Plan.~~

"Sponsoring locality" means the locality that is the fiscal agent or administrator of the grant.

"Supervision" means visiting or making other contact with or about, or providing treatment, rehabilitation or services to a juvenile as required by the court, court service unit staff, or a designated referral source.

"Time-out" means a systematic behavior management technique designed to reduce or eliminate inappropriate behavior by temporarily removing a juvenile from contact with people or other reinforcing stimuli.

"Volunteer" means any individual or group who, of their own free will and without any financial gain, provide(s) goods or services to the program without compensation.

"Youth Needs Assessment" means an objective assessment of the community's youth development and delinquency prevention needs and resources.

"Youth Services Citizen Board" means the board appointed by the county or city governing body or combination thereof in accordance with § 66-34 of the Code of Virginia.

Youth Services Citizen Board Administration

6VAC35-60-20. ~~Ordinance required.~~ (Repealed.)

~~The Youth Services Citizen Board shall be established by an ordinance or resolution of the governing body or bodies of one or more localities in accordance with §§66-29 and 66-34 of the Code of Virginia, and shall derive its authority from and be administered by the local governing body or bodies.~~

6VAC35-60-30. ~~Appointment of Youth Services Citizen Board members.~~ (Repealed.)

~~The members of the Youth Services Citizen Board, a majority of whom shall be citizens who are not employed by government or service agencies and who are not elected government officials, shall be appointed by the local governing body or bodies. At least one member shall be below the age of 18 years.~~

6VAC35-60-40. Terms.

Youth Services Citizen Board members shall be appointed for a term of no less than three years and not more than five years and may be reappointed; appointments shall be staggered for continuity. [At least one Youth Services Citizen Board member shall be below the age of 18 years at the time of appointment.] Youth members shall serve one-year terms and may be reappointed as eligible.

6VAC35-60-170. Implementation of strategies.

The Office on Youth shall implement the strategies to accomplish the goals and objectives as established and authorized in the ~~Biennial Operating~~ Annual Plan.

6VAC35-60-215. ~~Personnel qualifications.~~ Staffing requirements.

The Youth Services Citizen Board, if a policy making board, or the city manager or county administrator, with the advice of the Youth Services Citizen Board if an advisory

board, shall establish (i) the number of staff; (ii) a written job description for each position; and (iii) the minimum knowledge, skills and abilities required for each position.

6 VAC 35-60-225. Staff and volunteer qualifications and training.

A. Staff and volunteers shall be qualified and trained for the positions and duties to which they are assigned.

B. Staff and volunteers who provide professional services shall be appropriately licensed or qualified as required by law.

6VAC 35-60-236. Volunteer background check

Where available, Offices on Youth shall follow the sponsoring locality's policies and procedures to secure background checks for volunteers. In the absence of such local policies, Offices on Youth shall develop a policy to ascertain, for all volunteers who provide one to one services to youth outside a group setting, whether there are criminal acts or other circumstances that would be detrimental to the safety of the youth or families with whom they come in contact.

6VAC 35-60-237. Employee background check

Offices on Youth shall follow the sponsoring locality's policies and procedures in securing background checks for full-time Office on Youth staff. In the absence of such sponsoring locality's policy covering background checks for employees, the Office on Youth shall develop a policy to ascertain whether there are any criminal acts or other circumstances that would be detrimental to the safety of the youth or families with whom they come in contact or that would compromise the integrity of the program.

6VAC35-60-280. Statewide procedures and guidelines. (Repealed.)

~~A copy of the statewide procedures and guidelines manual developed by the Department of Juvenile Justice shall be maintained in each Office on Youth and shall be followed when applicable procedures and policies are not provided by the local governing body or developed and approved by the Youth Services Citizen Board.~~

6VAC35-60-290. Training program.

A program of training with defined objectives relating to the job description, ~~the Biennial Operating and the Annual Plan and the Delinquency Prevention and Youth Development Plan~~ shall be written annually for each full-time position established for the Office on Youth.

6VAC35-60-320. Budget review.

The Youth Services Citizen Board shall review and comment on the proposed annual operating budget of the ~~Youth Services Citizen Board and the~~ Office on Youth.

6VAC35-60-330. Budget submission.

The sponsoring locality shall submit annually to the Department of Juvenile Justice the approved operating budget for the ~~Youth Services Citizen Board and~~ Office on Youth showing appropriated revenue and projected expenses for the coming year.

6VAC35-60-390. ~~Quarterly~~ Semi-annual review.

The Youth Services Citizen Board shall review, at least ~~quarterly~~ twice a year, income and disbursements of the ~~Youth Services Citizen Board and~~ Office on Youth.

6VAC35-60-400. ~~Semi-annual documentation.~~ (Repealed.)

~~The director of the Office on Youth shall provide the Department of Juvenile Justice, at least semi-annually, documentation to evaluate the accomplishment of the Biennial Operating Plan~~

6VAC35-60-410. On-site ~~status report~~ monitoring review.

The director of the Office on Youth shall circulate or distribute copies of the on-site ~~status report~~ monitoring review received from [~~the department's~~] regional program manager [~~prevention specialist~~ designated department personnel] to all members of the Youth Services Citizen Board and the city manager or county administrator of the sponsoring locality within 45 calendar days of its receipt.

6VAC 35-60-415. Evaluation

The Office on Youth shall provide for an evaluation of program effectiveness in the annual plan.

6VAC35-60-440.—~~Needs assessment every six years.~~ (Repealed.)

~~The Office on Youth shall assess the needs of youth in the jurisdiction at least every six years after the initial assessment, which shall be completed within the first two years of operation.~~

6VAC35-60-450. Needs assessment contents.

The assessment of the community's youth development and delinquency prevention needs and resources ~~of youth~~ shall include but not be limited to:

1. A detailed compilation of the problems, needs, opportunities and conditions of youth in the community that is ~~received by the regional office;~~ and based on:

- a. Youth-service agencies' opinions;
- b. An analysis of public opinion;
- c. An analysis of youth attitudes and behaviors; and,
- d. An analysis of available current archival data.

At least one of the above components shall be updated each year with the resulting updated information being incorporated into the Annual Plan. All four components shall be updated over a four-year cycle.

2. A comprehensive inventory of current programs and resources ~~impacting on~~ affecting youth, including:

- a. Identifying information;
- b. Program descriptions;
- c. Clientele served; and
- d. Fee requirements.

~~6VAC35-60-460. Plan based on needs assessment. (Repealed.)~~

~~The Youth Services Citizen Board and the Office on Youth, in conjunction with other youth-serving agencies, including the court service unit, shall develop and approve the plan for their locality or localities based upon the written Delinquency Prevention and Youth Development Needs Assessment.~~

~~6VAC35-480. Distribution of needs assessment and plan. (Repealed.)~~

~~The Youth Services Citizen Board shall submit a signed copy of both the written six-year Delinquency Prevention and Youth Development Needs Assessment and the resulting plan to the local governing body or bodies and the Virginia Department of Juvenile Justice within 60 days of Youth Services Citizen Board approval.~~

Article 2

Biennial Operating Plan

~~6VAC35-60-490. Focus of plan. (Repealed.)~~

~~The Youth Services Citizen Board and the Office on Youth shall develop a written Biennial Operating Plan with 75% of the objectives based on the Delinquency Prevention and Youth Development Plan, and a majority of the objectives based on the needs of juveniles as identified by the court service unit. The Biennial Operating Plan shall set forth goals, objectives and strategies for the Youth Services Citizen Board and Office on Youth.~~

~~6VAC35-60-495. Service population. (Repealed.)~~

~~A majority of the services provided through the Biennial Operating Plan objectives shall address the needs of juveniles who are eligible to receive services through the juvenile court service unit.~~

~~6VAC35-60-500. Annual reports.~~

~~Annually, the Youth Services Citizen Board shall submit a written report to the local governing body and send copies to the regional office [Prevention Specialist of designated personnel at] the Virginia Department of Juvenile Justice, ~~the director of the court service unit, and the juvenile judges,~~ regarding progress toward accomplishing the Delinquency Prevention and Youth Development Plan and the Biennial Operating meeting the goals and objectives identified in the Annual Plan.~~

~~Article 3~~

~~Direct Service Programs~~

PART VI.

STANDARDS FOR DIRECT SERVICE PROGRAMS.

Article 1.

General Requirements of Direct Service Programs and Services.

6 VAC 35-60-575. Applicability of Non-Residential Standards.

Direct service programs operated by Offices on Youth shall comply with the following Standards for Non-Residential Services Available to Juvenile and Domestic Relations

District Courts, as applicable to the direct service program:

6 VAC 35-150-450 (limitation of contact with juveniles);

6 VAC 35-150-460 (qualifications of program personnel);

6 VAC 35-150-470 (medical emergencies affecting youth in a program);

6 VAC 35-150-490 (juveniles' rights);

6 VAC 35-150-500 (juvenile participation in research);

6 VAC 35-150-510 (case management requirements);

6 VAC 35-150-520 (confidentiality of records);

6 VAC 35-150-530 (documentation and reporting of certain incidents);

6 VAC 35-150-540 (reporting of suspected child abuse and neglect);

6 VAC 35-150-550 (physical setting in which the program is conducted);

6 VAC 35-150-560 (individual service or contact plan);

6 VAC 35-150-580 (emergencies and safety in juveniles' homes);

6 VAC 35-150-620 (supervision of juveniles in alternative day treatment and structured day programs);

6 VAC 35-150-630 (meals in alternative day treatment program);

6 VAC 35-150-640 (fire safety);

6 VAC 35-150-650 (first-aid kits in alternative day programs);

6 VAC 35-150-660 (delivery of medication);

6 VAC 35-150-680 (physical and mechanical restraint); and

6 VAC 35-150-690 (uses of time-out).

6VAC35-60-580. Documented need required.

The need for the Office on Youth to operate a direct service program shall be documented and be included in the ~~Delinquency Prevention and Youth Development Plan and Biennial Operating~~ Annual Plan. If there is a documented need for the Office on Youth to operate a direct service program, the ~~Biennial Operating~~ Annual Plan shall specify the description of services to be provided including target populations and an evaluation plan. ÷

- ~~1. The range of services to be provided, which may include individual, group or family counseling; immediate, intensive, problem specific, in-home interventions to children and their families; parenting skills training; and other services;~~
- ~~2. How these services will be made available to juveniles and their families including eligibility criteria, methods to be used, the number and type of contacts anticipated, and the factors to be considered in determining or adjusting the appropriate level and number of contacts;~~
- ~~3. Who will provide the service;~~
- ~~4. Documentation and record management requirements; and~~
- ~~5. That the service cannot be provided by existing agencies.~~

The department shall be notified in writing of any plan to change a direct service program or service included in an Office on Youth's Annual Plan.

6VAC35-60-600. Records management.

~~When a program~~ If an Office on Youth provides direct services, ~~the director of the Office on Youth shall develop~~ written policy and procedure shall, at a minimum, to ensure that:

1. Juveniles' records are kept confidential;
- ~~2. Information is released only in conformity with law;~~
- ~~3.~~ 2. Records are destroyed as prescribed in regulations issued by the Virginia State Library Board; and
- ~~4.~~ 3. All services are provided by individuals who are appropriately licensed or certified (when appropriate to the level of service delivered), or are otherwise qualified to provide the service.

6VAC35-60-605. ~~Approval of direct services.~~ (Repealed.)

~~Direct services provided by the Office on Youth shall:~~

- ~~1. Be certified under applicable regulations; or~~
- ~~2. In the absence of applicable regulations, be individually approved by the department's regional office to operate on a provisional basis for not more than two years, pending promulgation of appropriate regulations by the board.~~