

TJPC Data Coordinator's Conference

Fiscal Update

September 27, 2011

Annie Collier
Deputy Chief Financial Officer
Texas Juvenile Probation Commission
annie.collier@tjpc.state.tx.us
(512) 424-6694

Funding Overview

- Funds are allocated to the local departments to assist in operating juvenile probation departments, juvenile detention and correctional facilities and providing basic and special services to children in the juvenile probation system.
- Funds allocated to departments through *State Financial Assistance Contract* that encompasses grants to each of the 165 local juvenile probation departments.

Legislative Appropriations Request (LAR) - Restructuring of State Grant Funding

- Restricted Funding Streams
 - Allow maximum flexibility for departments to tailor appropriate programs and services to each juvenile offender's specific needs
- Restructure of Funding Streams
 - Outcome-Based Performance Measures
 - Appropriation Riders
- Legislative Session
 - Revise TJPC Budget Structure
 - Request to Eliminate and/or Revise Appropriation Riders

TJPC GRANTS FY2012-2013

- **Grant A - State Financial Assistance Fund**

- ❖ Grant F - Progressive Sanction JPO
- ❖ Grant H - Diversionary Fund
- ❖ Grant L - Secure Felony (Reimbursement)
- ❖ Grant O - Progressive Sanctions ISJPO
- ❖ Grant R - Small County Diversionary Fund
- ❖ Grant U - Intensive Community Based Pilot
- ❖ Grant V - Local Post-Adjudication Fund
- ❖ Grant X - Intensive Community Based Program
- ❖ Grant Y - Community Corrections
- ❖ Grant Z - Salary Adjustment



Encompassed
in Grant "A"

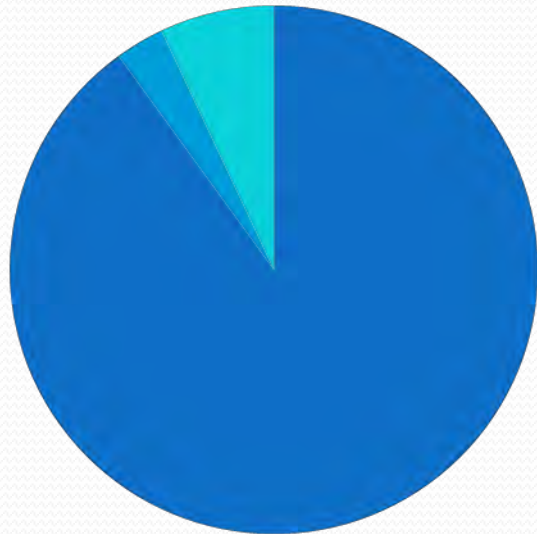
- **Specialty Grants:**

- Grant B - Border Children's Justice Project
- Grant C - Commitment Reduction Program CRP
- Grant D - Harris County Leadership Academy
- Grant E - IVE Federal Foster Care
- Grant M - Special Needs Diversionary Program
- Grant P - JJAEP Program (Reimbursement)
- Grant W - JJAEP Discretionary

$$A\% = 90 \bullet 3 \bullet 7$$

Grant A Formula »

\$113m

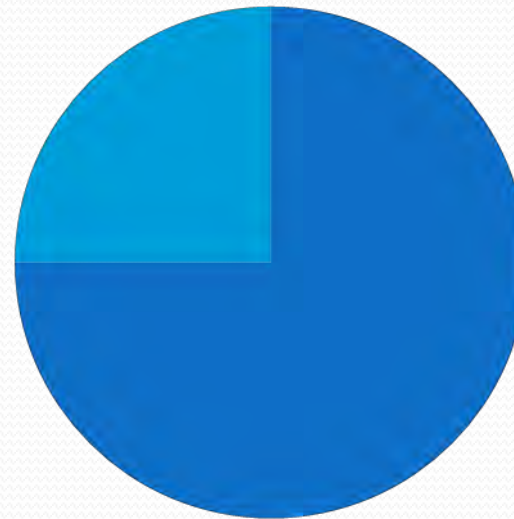


- 90 - History: Actual & Contract
- 3 - Juvenile Population
- 7 - Case Referrals

$$C\% = 75 \bullet 25$$

Grant C Formula »

\$20m



- 75 - History: Actual & Contract
- 25 - Juvenile Population

STATE FINANCIAL ASSISTANCE CONTRACT



Texas Juvenile Probation Commission
**State Financial Assistance Contract
and General Grant Requirements
2012 - 2013 Biennium**

This is an agreement between the State of Texas, represented by and through the Texas Juvenile Probation Commission, hereinafter called the "Commission", and the juvenile board of _____ County, hereinafter called the "Grantee". In consideration of the mutual agreements contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Commission and the Grantee, for the consideration hereinafter detailed, make the following agreements.

I. **PURPOSE AND SCOPE OF CONTRACT.** The purpose of this State Financial Assistance Contract, hereinafter referred to as, the "Contract" between the Commission and the Grantee is to delineate the duties and responsibilities of both the Commission and the Grantee regarding the distribution, receipt and expenditure of state financial assistance funding under the applicable individual grants referenced herein.

II. **INCORPORATED DOCUMENTS.**

2.1. **Incorporated Documents.** The following documents are an integral and necessary part of this Contract and are hereto attached and incorporated herein by reference:

2.1.1. **Exhibits.**

2.1.1.1. Exhibit A. *General Grant Requirements for the Distribution and Expenditure of State Financial Assistance*

2.1.1.2. Exhibit B. *Juvenile Board Resolution*

2.1.1.3. Exhibit C. *Commitment Reduction Program Resolution (Acceptance)*

2.1.2. **Appendices.**

2.1.2.1. Appendix I. *Expenditure Guidelines*

2.2. **Documents Incorporated by Reference.** The following documents are incorporated by reference into this Contract and the provisions are binding on the Grantee.

Texas Juvenile Probation Commission Compliance Resource Manual (CRM). The Texas Juvenile Probation Commission *Compliance Resource Manual*, hereinafter referred to as the "*Compliance Resource Manual*" is a multi-chapter, two-volume resource document available online at the Commission website that details the expected outcomes, mandatory requirements and interpretations of all agency grant requirements and agency administrative law found in Title 37 Texas Administrative Code, Chapters 341 - 359 or successor provisions which may be amended or adopted during the term of this Contract. Volume 1 of the

STATE FINANCIAL ASSISTANCE CONTRACT

- 2.1.1. Compliance Resource Manual sets forth the standards, interpretations and compliance verification procedures of the Commission's administrative law. Volume 2 sets forth the general requirements applicable to the distribution and expenditure of state financial assistance funding and the specific grant requirements applicable to each individual grant. The Compliance Resource Manual also contains objective criteria and standard procedures for verifying compliance, programmatic requirements, time frames for administrative law or grant non-compliances as well as overall performance measures for juvenile probation services and juvenile justice programs.
 - 2.1.2. **Requests for Proposals.** All Commission Requests for Proposals (RFPs) and/or Requests for Application (RFAs) that solicit applications in connection with any individual grant hereunder shall be incorporated by reference.
 - 2.1.3. **Contract Structure.** The State Financial Assistance Contract is a unified contract that sets forth the basic requirements, duties and responsibilities of the Commission and the Grantee. This Contract contains the general requirements applicable to the distribution, expenditure, and administration of state financial assistance funding and grants. It is supplemented by the Compliance Resource Manual, described in Subsection 2.2.1, that has been incorporated by reference into this Contract. The Compliance Resource Manual, which includes the general grant requirements hereinafter referred to as "General Grant Requirements" incorporated as Exhibit "A", as well as the provisions relating to the particular type of grant(s) received by Grantee under this Contract, referred to as the "Individual Grant Requirements". The General Grant Requirements specified in the State Financial Assistance Contract contains provisions that are applicable to state financial assistance funding and each individual grant awarded or distributed under this Contract. Additionally, each individual grant, identified by name and by letter, outlines the provisions relating to requirements for the administration of the particular grant. The State Financial Assistance Contract, which includes the General Grant Requirements and the applicable individual grant provisions made part of the Compliance Resource Manual, should to the extent there is no conflict, be read and interpreted as a single document. The Grantee shall be bound by the duties, responsibilities and requirements of each part of this Contract. If any specific provision contained in the General Grant Requirements conflicts with any provisions in the individual grant, the specific individual grant provision controls.
 - 2.1.4. **Expenditure Guidelines.** A set of guidelines that establish the general principles for determining the allowable costs incurred by the Grantee under grants, contracts and other agreements with the Commission utilizing state funding. The Expenditure Guidelines are incorporated by reference as an appendix to the General Grant Requirements. To the extent there is no conflict with the specific individual grant provisions, the Expenditure Guidelines shall control.
 - 2.1.5. **Grant Manager Web Application.** Grant Manager is a web-based system developed to facilitate the online administration and management of the State Financial Assistance Contract and Individual Grants. The Grantee shall utilize the Grant Manager system as directed by the Commission to complete fiscal processes associated with this Contract such as the online submission of the budget application, individual grant plans and program expenditure reports. The Grantee shall submit a *Grant Manager User Authorization Form* [TJPC-FIS-12-10] in the format specified by the Commission in order to gain secure access to the Grant Manager system. The Commission shall establish the minimum system requirements necessary for the Grantee to access the online application.
- I. **DEFINITIONS.** The following words and terms, when used in this Contract shall have the following meanings, unless the context clearly indicates otherwise.

STATE FINANCIAL ASSISTANCE CONTRACT

- 3.1. **Authorized Designee.** An authorized designee is any person, entity, state agency or federal agency to whom authority has been contractually or statutorily delegated to act in cooperation or consultation with the Commission regarding any program or service provided under any individual grant, (e.g., Texas State Auditor's Office, Texas Comptroller's Office, private auditors, Department of Family and Protective Services, Department of State Health Services, Department of Aging and Disability Services, etc.).
- 3.2. **Chief Administrative Officer.** Regardless of the title, the person hired by a juvenile board who is responsible for oversight of the day-to-day operations of a juvenile probation department including the juvenile probation department of a multi-county judicial district.
- 3.3. **Complaint Management and Tracking System.** The Complaint Management and Tracking System (CMTS) is a secure online database designed to centralize the filing of general complaints involving juvenile justice facilities, programs and services in the state of Texas.
- 3.4. **Fiscal Officer.** A county or district auditor or treasurer or their designee provided the designee is a qualified accountant or bookkeeper.
- 3.5. **Inter-County Transfer Officer.** The person designated by the chief administrative officer to act as the contact person for all matters involving the transfer of juvenile probation supervision between counties.
- 3.6. **Juvenile Supervision Officer.** An individual who holds an active juvenile supervision officer certification and whose primary responsibility and essential function is the supervision of juveniles in a juvenile justice program or juvenile justice facility.
- 3.7. **Juvenile Justice Program.** A juvenile justice program, as defined in Texas Family Code Section 261.405, is a non-residential program operated for the benefit of juveniles referred to a juvenile probation department that is either directly administered by the juvenile probation department or is operated under contract with a juvenile board. A juvenile justice program does not include any program operated in a facility that is licensed or operated by a state agency other than a facility registered with the Texas Juvenile Probation Commission.
- 3.8. **Juvenile Probation Services.** Juvenile probation services means services provided to juvenile offenders under the jurisdiction of the juvenile court by or under the authority of the Grantee and provided by the juvenile probation department or other entity, including services contracted with third-party service providers, in response to a policy or directive instituted by the governing juvenile board or an order issued by a juvenile court and under the court's direction, including:
 - 3.8.1. Protective services;
 - 3.8.2. Prevention of delinquent conduct and conduct indicating a need for supervision;
 - 3.8.3. Diversion;
 - 3.8.4. Deferred prosecution;
 - 3.8.5. Foster care;
 - 3.8.6. Counseling;
 - 3.8.7. Supervision;

STATE FINANCIAL ASSISTANCE CONTRACT

3.8.8. Diagnostic, correctional and educational services; and

3.8.9. Services provided by a juvenile probation department that are related to the provision of services, operation of a secure pre-adjudication detention facility, a short-term detention facility (holdover), a secure post-adjudication correctional facility, a non-secure residential treatment facility, a juvenile justice alternative education program or a juvenile justice program as defined in Texas Family Code Section 261.405.

3.1. **Project Director.** The individual designated by the juvenile board, usually the Chief Administrative Officer, who is responsible for the administration and coordination of grant funds in accordance with the terms of this Contract, the Compliance Resource Manual and any general or specific requirements.

I. OBLIGATIONS AND RESPONSIBILITIES OF THE COMMISSION.

4.1. **Payments to the Grantee.** In consideration for the mutual agreements contained in this Contract, the Commission shall pay the Grantee the following grant amounts:

4.1.1. **Monthly Payments.** Grant payments for the following grants shall be made during the term of this Contract in eleven (11) monthly installments during each state fiscal year in the 2012-2013 biennium. The first payment to the Grantee will be 16.7 percent of the total grant amount and each of the remaining 10 payments shall be 8.33 percent of the total. The funding during the second fiscal year of the grant period shall not be less than the first fiscal year of the grant period which is detailed below: Prior to the commencement of fiscal year 2013, the Commission shall provide written notice of any subsequent allocation amounts that may be available to the Grantee.

4.1.1.1. State Financial Assistance Fund (Grant "A") in the amount of ().

4.1.1.2. Border Children's Justice Project (Grant "B") in the amount of ().

4.1.1.3. Commitment Reduction Program (Grant "C") in the amount of ().

4.1.1.4. Delta Boot Camp Program (Grant "D") in the amount of ().

4.1.1.5. Special Needs Diversionary Program (Grant "M") in the amount of () to fund officers.

4.1.2. **Special Provision.** Grantees who have received funding derived from the acceptance of Amendment 14 to the State Financial Assistance Contract for the 2010-2011 biennium shall adhere to the provisions of this Contract and the JJAEP Program (Grant W).

4.1.3. **Reimbursement Payments.** The Commission shall, to the extent funds are available, reimburse the Grantee for eligible claims presented for payment provided that the requirements for reimbursement have been met to the satisfaction of the Commission. All claims under this Contract can only be made for the period this Contract is in effect. Reimbursement programs include the following:

STATE FINANCIAL ASSISTANCE CONTRACT

- 4.1.3.1. Title IV-E Federal Foster Care Program (Reimbursement) (Grant "E"). In accordance with the requirements found in Office of Management and Budget Circular A-87 and Code of Federal Regulations 1356.60 as further detailed in the specific grant requirements, the Commission shall reimburse the Grantee the maximum federal dollar share for the following: foster care maintenance claims for eligible juvenile probation children, direct administrative claims, and enhanced administrative claims. Upon review and approval of supporting documentation, the Commission shall reimburse the Grantee as requests for reimbursement are presented for payment provided there is sufficient Title IV-E grant award authority against which to process presented claims and providing said funds are being reimbursed to the Commission by Texas Department of Family and Protective Services (TDFPS) via the interagency agreement. To be eligible for reimbursement, all costs must be reasonable, allowable and properly allocated for support of the foster care program. A direct or enhanced administrative claim is not eligible for reimbursement if the basis of the claim has funding from any other federal source. All claims under this contract can only be made for the period this contract is in effect. The Commission shall reimburse the Grantee only for allowable costs.
- 4.1.3.2. JJAEP Program (Reimbursement) (Grant "P"). Grantees eligible for reimbursements under Grant "P" shall receive a share of the initial \$1,500,000 distribution based on each Grantee's share of the total juvenile population for each school year for the current contract period. Additional funds will be distributed at the rate of \$79 per eligible student attendance day for students that are required to be expelled pursuant to Chapter 37 of the Texas Education Code and meet the individual grant requirements. The Grantee will not be able to receive the second tier of funding until the initial amount allocated is earned at the rate of \$79 per eligible student attendance days. Payments to the Grantee by the Commission shall be limited to no more than 180 days of operation during each regular school year for the current contract period.

VII. GENERAL PROVISIONS, SANCTIONS AND PENALTIES.

- 7.4 **Successor Agency.** A reference to the Texas Juvenile Probation Commission (Commission) or the Texas Youth Commission is a reference to any successor agency or entity that may come into existence during the term of this Contract. All rights, duties and obligations set forth herein shall be unaffected as to the parties to this Contract and shall transfer to the successor of the Texas Juvenile Probation Commission in all respects.

GENERAL GRANT REQUIREMENTS

2012-2013 Changes

- Prevention and Early Intervention Services – Programs and services intended to prevent or intervene in at-risk behaviors that lead to delinquency, truancy dropping out of school, or referral to the juvenile justice system.
- Firearms Proficiency Documentation – Verify the eligibility of each juvenile probation officer authorized to carry a firearm under Section 142.006 of the Human Resources Code.
 - Verification of Eligibility for Juvenile probation Officer to Carry Firearm [TJPC-AGE-01-11]
 - Firearms proficiency training is allowable if using state funds
- TYC commitment goal of limiting the number of juvenile offenders recommended for commitment to TYC. (Per appropriation rider - not to exceed statewide total of 1,111)

Unallowable Expenditure of Funds

- Grant funds shall not be expended for salary increases of existing personnel that exceed 5% of the previous year unless approved by the Commission.
- The purchase of a weapon, firearm, ammunition or related supplies is unallowable.

Financial Match Requirements

- Maintenance of Local Financial Support – The maintenance of local financial support requires juvenile probation departments to maintain the amount of salary expenditures as in previous years to be eligible to continue to receive state funds.
 - Waivers may be granted per Texas Human Resource code Section 223.002

GENERAL GRANT REQUIREMENTS

Allowable Travel Rates

In-State Travel

- Lodging - \$110/Day
 - www.gsa.gov/portal/category/21287
 - \$77/day – Lodging rates not listed
- Meals - \$36/Day
- Mileage - \$0.555/Mile (Effective July 1 – December 31, 2011)

Out-of State Travel

- Unallowable to use state funds unless receive prior approval from TJPC.
- Complete “Request to Use TJPC Funds to Attend Out of State Training” form [TJPC-CER-01-11]. Submit completed form to Training Division.

Financial Reporting

- Quarterly Expenditure Report
 - Program Expenditure Report