

Local Post-Adjudication Fund

V-2008-09 Biennium

Effective date 09/01/2007

Latest Revision 09/01/2007

I. GRANT DESCRIPTION.

- A. The Local Post-Adjudication Fund is a grant designed to provide funds to select local juvenile probation departments to help defray the cost of operating secure post-adjudication correctional facilities constructed beginning in 1996 using funds from the State of Texas general obligation bond proceeds. The grant also allows regionally-operated facilities to provide reduced rates to counties that place juveniles in these facilities.

II. GRANT SPECIFIC DEFINITIONS.

- A. **Eligible Placement Day.** A placement day that is eligible for payment under the Local Post-Adjudication Fund grant is defined as:
1. The day that a juvenile is admitted into the facility regardless of the time of day;
 2. Each day or partial day a juvenile is present in a qualified placement facility at least during all or part of the non-program hours (e.g., sleeping hours); and
 3. The day a juvenile is discharged as long as the juvenile is discharged after 12:00 p.m. and was present at least during all or part of the non-program hours (e.g., sleeping hours).
- B. **Qualified Local Secure Post-Adjudication Correctional Facilities (Qualified Facility).** A secure post-adjudication correctional facility that was built in whole or in part with grant funds from the State of Texas. These facilities are listed on the Commission's website.

III. PERFORMANCE MEASURES.

- A. **Goal.** The goal of this grant is to reduce delinquency, increase offender accountability and rehabilitate juvenile offenders through a comprehensive, coordinated, community-based juvenile probation system.
- B. **Program Objective.** The objective of this grant is to increase the number of community placement alternatives for juvenile probation offenders.
- C. **Program Performance.** Grantee performance under the grant shall be determined using the following measure:
1. Total number of placement days in a qualified facility.

IV. PROGRAMMATIC COMPONENTS.

- A. **Operation of Qualified Facilities.** The Grantee shall operate the qualified facility in accordance with the main construction bond funding agreement entitled *Agreement for Construction and Operation of Secure Post-Adjudication Juvenile Facility* executed between the Grantee, the County Commissioner's Court and the Commission prior to the awarding of the original grant funds used for the construction of the qualified facility.
- B. **Payment Amount.** The Grantee shall be eligible to receive payment funds from this grant for all eligible placement days in an amount not to exceed the total as authorized in the State Financial Assistance Contract in Paragraph 4.1.5.3. The Grantee shall be paid the amount of \$21.25 per eligible placement day for each juvenile offender placed in the qualified facility as long as funds are available. Any funds unexpended at the end of each fiscal year of the grant period shall be reallocated to those counties in which funds were exhausted before the end of each fiscal year of the grant period. The reallocation shall be calculated in the same manner as the original allocation. If the Grantee contracts with other juvenile probation departments that place offenders in the qualified facility, the Grantee shall reduce the daily rate by \$21.25.
- C. **Target Population.** Subject to Section IV (B), a juvenile's placement is eligible for payment under this grant if the juvenile has been adjudicated and court ordered by a Texas juvenile court into a qualified facility.

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V. PROGRAMMATIC REPORTING.

- A. **Annual Reports.** See General Grant Requirements.
- B. **Quarterly Reports.** None.
- C. **Monthly Reports.** None.
- D. **Other Periodic Reports.** See General Grant Requirements.

VI. PROGRAMMATIC MONITORING.

- A. **On-Site Monitoring Visits.** See General Grant Requirements.
- B. **Unannounced On-Site Monitoring Visits.** See General Grant Requirements.
- C. **Desk Audits.** See General Grant Requirements.

VII. Other. None.

VIII. **APPLICABLE LAW, POLICY AND PROCEDURE.** The Grantee shall comply with the following applicable state laws, federal laws, standards, policies and procedures as they currently exist or as amended, revised or enacted during the term of this Contract:

A. **Applicable Standards.**

- 1. **Texas Administrative Code (TAC) Title 37 Public Safety and Corrections.**
 - a. Chapter 341 – Texas Juvenile Probation Commission.
 - b. Chapter 342 – Standards for Housing Non-Texas Juveniles in Texas Detention and Correctional Facilities.
 - c. Chapter 343 – Standards For Secure Juvenile Pre-Adjudication Detention And Post-Adjudication Correctional Facilities.
 - d. Chapter 349 – General Administrative Standards.

B. **General Statutes.**

- 1. **Federal Law.** See General Grant Requirements.
- 2. **State Law.** See Also General Grant Requirements.
 - a. **Texas Family Code, Title III, Juvenile Justice Code.**
 - i. Chapter 60 – Uniform Interstate Compact on Juveniles.
 - b. **Texas General Appropriations Act.**
 - c. **Texas Government Code, Title 7, Uniform Grant and Contract Management.**
 - i. Chapter 783 - Uniform Grant and Contract Management Act.

C. **Policy and Procedure.**

- 1. **Texas Juvenile Probation Compliance Resource Manual, Volumes 1 – 2.**

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IX. FINANCIAL COMPONENTS.

- A. **Allowable Expenditure of Funds.** Grant funds shall only be expended for the reasonable and necessary expenses of the operation of the qualified facility.
- B. **Unallowable Expenditure of Funds.** All expenditures other than those listed in Section VIII (A) are unallowable.
- C. **Financial Match Requirements.** None.
- D. **Funding Adjustments.**
 - 1. **Reduction of Grant Payments.** None.
 - 2. **Unexpended Balances.** None.
 - 3. **Overpayments.** See General Grant Requirements.
 - 4. **Refunds Due.** See General Grant Requirements.
- E. **Timely Expenditure of Grant Funds.** None.
- F. **Audits.** None.
- G. **Financial Assurances.** See General Grant Requirements.
- H. **Service Provider.** See General Grant Requirements.

X. FINANCIAL REPORTING.

- A. **Annual Reports.** None.
- B. **Quarterly Reports.** The Grantee shall report the expenditure of all funds received through this grant on the *Quarterly ISP and Residential Cost Report* [TJPC-FIS-49-04]. The report shall be received by the Commission no later than January 15, April 15, July 15 and October 15 of the current fiscal year of the biennium, respectively. Funds may be temporarily suspended if a *Quarterly ISP and Residential Cost Report* is not received by the due date.
- C. **Monthly Reports.** The Grantee shall submit a completed *Local Post-Adjudication Fund Payment Request Form* [TJPC-FIS-30-04] monthly to the Commission for payment under this grant. The Grantee shall certify both the number of eligible juvenile offenders served and the number of eligible placement days each juvenile offender was served for the month for which payment is claimed.
- D. **Other Periodic Reports.** See General Grant Requirements.

XI. FINANCIAL MONITORING.

- A. **Annual Monitoring.** See General Grant Requirements.
- B. **Periodic Monitoring.** See General Grant Requirements.

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