

U.S. Department of Justice
Office of Justice Programs
Office of Juvenile Justice and Delinquency Prevention

Approval Expires 12/31/2018



The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Office of Juvenile Justice and Delinquency Prevention](#) (OJJDP) is seeking applications for the fiscal year (FY) 2016 Title II Formula Grants Program. This program furthers the Department's mission by providing funding to the states to develop programs to address delinquency and improve the juvenile justice system.

OJJDP FY 2016 Title II Formula Grants Program

Applications Due: June 1, 2016

Eligibility

Only the agency that the chief executive (e.g., the governor) of each state designates is eligible to apply for these funds. Applicants that do not meet this criterion are ineligible to apply under this solicitation.

NOTE: For the purposes of this solicitation, "youth" means any individual who is under juvenile court jurisdiction or is an age at which she or he could be subject to original juvenile court jurisdiction within the state. The terms "youth justice" and "juvenile justice" are used interchangeably throughout this solicitation to remind us that this work concerns the lives and future of children and youth and is not solely concerned with agencies, systems, and professionals. Additionally, pursuant to the Juvenile Justice and Delinquency Prevention Act, at 42 U.S.C. 5603(7), the term "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the Virgin Islands, and American Samoa.

Deadline

Applicants must register in the [OJP Grants Management System \(GMS\)](#) prior to submitting an application for this funding opportunity. Registration is required for all applicants, even those previously registered in GMS. Select the "Apply Online" button associated with the solicitation title. All registrations are due by 8 p.m. eastern time (ET) on May 27, 2016. Applications are due by 8 p.m. ET on June 1, 2016.

For additional information, see "[How To Apply](#)" in Section D. Application and Submission Information.

Contact Information

For technical assistance with submitting an application, contact the Grants Management System Support Hotline at 888-549-9901, option 3, or via e-mail at GMS.HelpDesk@usdoj.gov. Hotline hours of operation are Monday–Friday, 6 a.m. to midnight ET, except federal holidays.

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline must e-mail the OJJDP contact identified below **within 24 hours after the application deadline** and request approval to submit their application. Additional information on reporting technical issues is found under “Experiencing Unforeseen GMS Technical Issues” in the [How To Apply](#) section.

For assistance with any other requirements of this solicitation, contact your OJJDP State Program Manager as listed [here](#) or Kathy Manning or Carol Neylan, Title II Formula Grants Program leads. Ms. Manning may be reached at (202) 616-1722 or by e-mail at Kathryn.Manning@usdoj.gov and Ms. Neylan at (202) 307-6562 or by e-mail at Carol.Neylan@usdoj.gov.

Release date: March 31, 2016

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OJJDP FY 2016 Title II Formula Grants Program (CFDA#16.540)

A. Program Description

Overview

The OJJDP FY 2016 Title II Formula Grants Program will support state and local efforts to plan, establish, operate, coordinate, and evaluate policies and projects, directly or through grants and contracts with public and private agencies, for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs and reform efforts in the area of delinquency prevention and juvenile justice system improvement. The Formula Grants Program is authorized under the Juvenile Justice and Delinquency Prevention Act (JJDP Act) of 1974, as amended, at 42 U.S.C. §§ 5631–5633. Pursuant to Part B of Title II of the JJDP Act, states, to receive formula grants, must submit a plan for carrying out their purposes applicable to a 3-year period. This announcement contains instructions applicable to the FY 2016 Title II Formula Grants application and update of the comprehensive FY 2015 3-Year Plan.

Program-Specific Information

This announcement provides guidance for the FY 2016 update to the FY 2015 3-Year Plan, which is comprised of a programmatic plan for addressing the state's priority youth justice needs and problems, the plans for compliance with the four core requirements of the JJDP Act, the state's compliance monitoring plan, and the separately submitted compliance data report.

Important notes: States must submit their compliance and compliance monitoring plans, data report, and supporting documentation for **the period January 1, 2015, to September 30, 2015**, electronically to OJJDP's [online compliance reporting tool](#) separately from this application and **no later than June 30, 2016**. Appendix G provides details regarding what states should include in the compliance and compliance monitoring plans and the compliance data submission. (OJJDP will require states to submit compliance and compliance monitoring plans, data report, and supporting documentation for the federal **fiscal year 2016** [October 1, 2015, to September 30, 2016] **by January 31, 2017, as part of their FY 2017 formula grant application/state plan.**) Applicants must comply with **the 28 statutory requirements** of the state plan under 42 U.S.C. §5633(a), including the 4 core requirements. (Refer to Appendix I.) If states fail to provide information or assurances in response to each of the 28 requirements, OJJDP will place special withholding conditions on the award that will deny the states access to formula grant funds.

Solicitation Goals

OJJDP was established to support and guide states and localities as they work to prevent delinquency and involvement of youth with the justice system and to improve their juvenile justice systems and services. OJJDP envisions a nation where our children are healthy, educated, and free from violence. If they come into contact with the juvenile justice system, the contact should be rare, fair, and beneficial to them.

As such, OJJDP is committed to continued evolution of our nation's juvenile justice system to one with which children and youth come in contact only when deemed necessary to maintain community safety and protection, a system that is free of racial and ethnic disparities, a system where all due process protections are fairly and equitably afforded to every child and youth in its care, and a system that ensures accountability and provides developmentally appropriate, trauma-informed, and properly tailored treatment, rehabilitation, education, and well-being supports to the children and youth being served.

The purpose of the FY 2016 Formula Grants Program *solicitation* is two-fold:

1. Support creation of an overarching, developmentally appropriate, and trauma-informed framework for states to use to inform and connect youth justice work to development of individual and multi-agency, comprehensive state plans that support the well-being of all youth; and
2. Give specific instructions for providing updates to the 2015 3-Year Plan to achieve the Formula Grants program goals.

In support of OJJDP's vision and in accord with the purpose of this solicitation, OJJDP's Formula Grants *program* aims to enhance states' capacity to:

1. Prevent juvenile delinquency.
2. Protect, support, and ensure the fair treatment of youth who come in contact with the juvenile justice system and work to eliminate racial and ethnic disparities at all decision and contact points.
3. Support the well-being of youth involved or at risk of being involved in the juvenile justice system.
4. Develop and sustain state level juvenile justice system reform to improve positive youth outcomes.
5. Ensure compliance with the requirements of the JJDP Act.

OJJDP supports states in their efforts to address the causes for the disproportionate number of youth of color in the juvenile justice system and identify new and innovative ways they can achieve racial equity and fairness, increase the availability and types of developmentally-appropriate evidence-based prevention and intervention programs and practices, increase the number of evidence-based programs and practices to reduce the number of youth in custody and the number of youth who come in contact with the juvenile justice system, and improve the juvenile justice system through policy and practice reforms, professional development, and full participation of youth and families in the analyses of problem areas and development of solutions and assessment of results.

OJJDP encourages states to review the recommendations from the National Research Council's [Reforming Juvenile Justice: A Developmental Approach](#), the National Research Council's [Implementing Juvenile Justice Reform](#), the [Attorney General's National Task Force on Children Exposed to Violence](#), the [Attorney General's Advisory Committee on American Indian/Alaska Native Children Exposed to Violence](#), the [Correctional Education Guidance Package](#), and the [School Discipline Consensus Project](#) and consider how to

incorporate them into their 3-year plans. Additionally, OJJDP encourages states to review policy and practice on solitary confinement of youth with mental illness, especially those with disabilities.

Overview of Plan Requirements

This application/state plan is to update the 2015 Comprehensive 3-Year Plan. The applicant must describe progress made in each section since submission of the FY 2015 Title II application.

States' update to their 3-Year Plans must:

1. Demonstrate the applicant is in compliance with **the 28 statutory requirements** of the state plan under 42 U.S.C. §5633(a), including the 4 core requirements. (Refer to Appendices H and J.) If states fail to provide information or assurances in response to each of the 28 requirements, OJJDP will place special withholding conditions on the award that will deny the states access to formula grant funds.
2. Provide an overview of state efforts and plans to promote youth development and well-being and prevent negative consequences, including delinquency and **explain how the youth justice work funded through this award fits into the state's overall efforts.** (See Coordination of State Efforts, page 12.)
3. Describe what the designated state agency is doing to partner with other, nonjustice system agencies and stakeholders who have a vested interest in or influence to enhance, leverage, and expand the work in the juvenile justice arena. (See Coordination of State Efforts, page 12.)
4. Address status of planned reforms and cost-cutting and reinvestment efforts to narrow the "front door" or entry to the justice system, decrease inappropriate out-of-home placements, and put in place reforms to achieve equity in decision-making (as measured by reductions in racial, ethnic, gender, and sexual orientation/identity-related disparities). (See Implementation [Activities and Services], page 12.)
5. Provide status of compliance with the four required, core requirements of the JJDP Act¹ through the compliance and compliance monitoring reports described in Appendix G.
6. Confirm that the state meets the assurances required under the JJDP Act at 42 U.S.C. §5633(a)(15), (16), (18), (20), (24), and (28). Refer to Appendix I of this solicitation for a listing of these assurances.

Evidence-based programs or practices.

OJP strongly emphasizes the use of data and evidence in policy making and program development in criminal justice, juvenile justice, and crime victim services. OJP is committed to:

¹ **Note:** As noted on page 5, in FY 2016, states will separately submit compliance data and supporting documentation no later than January 31, 2017, to OJJDP's compliance monitoring tool.

- Improving the quantity and quality of evidence OJP generates.
- Integrating evidence into program, practice, and policy decisions within OJP and the field.
- Improving the translation of evidence into practice.

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based. The [OJP CrimeSolutions.gov](http://OJP.CrimeSolutions.gov) and OJJDP's [Model Programs Guide](#) websites are two resources that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

B. Federal Award Information

Information about each state's respective FY 2016 allocation will be available online [here](#). OJJDP will notify juvenile justice specialists when the FY 2016 allocations are posted online. For planning purposes, use the FY 2015 allocation. Per the following chart:

Funding Year	Budget Period	Project Period
FY 2015	Oct. 1, 2015, to Sept. 30, 2018	Oct. 1, 2015, to Sept. 30, 2018
FY 2016	Oct. 1, 2016, to Sept. 30, 2019	Oct. 1, 2016, to Sept. 30, 2019
FY 2017	Oct. 1, 2017, to Sept. 30, 2020	Oct. 1, 2017, to Sept. 30, 2020

The FY 2016 award will be a new award with a new grant number and a 3-year budget and project period of October 1, 2016, to September 30, 2019. States are to manage, monitor, and report on grant activities and programs under each grant number.

All awards are subject to the availability of appropriated funds and to any modifications or additional requirements that may be imposed by law.

A description of how OJJDP calculates the formula grant allocations may be found [here](#).

Type of award.² OJJDP expects to make any award from this solicitation in the form of a grant.

² See generally 31 U.S.C. §§ 6301–6305 (defines and describes various forms of federal assistance relationships, including grants and cooperative agreements (a type of grant)).

Financial management and system of internal controls.

Award recipients and subrecipients (including any recipient or subrecipient funded in response to this solicitation that is a pass-through entity³) must, as described in the Part 200 Uniform Requirements set out at 2 C.F.R. 200.303:

- (a) Establish and maintain effective internal control over the Federal award that provides reasonable assurance that the recipient (and any subrecipient) is managing the Federal award in compliance with Federal statutes, regulations, and the terms and conditions of the Federal award. These internal controls should be in compliance with guidance in “Standards for Internal Control in the Federal Government” issued by the Comptroller General of the United States and the “Internal Control Integrated Framework”, issued by the Committee of Sponsoring Organizations of the Treadway Commission (COSO).
- (b) Comply with Federal statutes, regulations, and the terms and conditions of the Federal awards.
- (c) Evaluate and monitor the recipient's (and any subrecipient's) compliance with statutes, regulations, and the terms and conditions of Federal awards.
- (d) Take prompt action when instances of noncompliance are identified including noncompliance identified in audit findings.
- (e) Take reasonable measures to safeguard protected personally identifiable information and other information the Federal awarding agency or pass-through entity designates as sensitive or the recipient (or any subrecipient) considers sensitive consistent with applicable Federal, state, local, and tribal laws regarding privacy and obligations of confidentiality.

In order to better understand administrative requirements and cost principles, applicants are encouraged to enroll, at no charge, in the Department of Justice Grants Financial Management Online Training available [here](#).

Budget Information**Cost sharing or match requirement.**

Pursuant to the JJDP Act at 42 U.S.C. §5632(c), states may use no more than 10 percent of their Formula Grants allocation for planning and administration. States that choose to use funds in this manner must indicate that choice in their state plans and attached budgets. States and units of local government must match on an equal basis any amount of federal funds that they expend or obligate for such purposes. States must identify the source of the match and how they will use match funds in their attached budget. (See Budget Detail Worksheet and Budget Narrative information beginning on page 20.) States must satisfy this match requirement with cash. If a state's proposed match exceeds the required match amount, the additional match amount that is incorporated into the OJP-approved budget is

³ For purposes of this solicitation (or program announcement), “pass-through entity” includes any entity eligible to receive funding as a recipient or subrecipient under this solicitation (or program announcement) that, if funded, may make a subaward(s) to a subrecipient(s) to carry out part of the funded program.

also mandatory and subject to audit.

Preagreement cost approvals.

Pre-agreement costs are costs incurred by the applicant prior to the start date of the period of performance of the grant award.

OJP does not typically approve pre-agreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. If approved, pre-agreement costs could be paid from grant funds consistent with a grantee’s approved budget, and under applicable cost standards. However, all such costs prior to award and prior to approval of the costs are incurred at the sole risk of an applicant. Generally, no applicant should incur project costs *before* submitting an application requesting Federal funding for those costs. Should there be extenuating circumstances that appear to be appropriate for OJP’s consideration as pre-agreement costs, the applicant should contact the point of contact listed on the title page of this announcement for details on the requirements for submitting a written request for approval. See the section on Costs Requiring Prior Approval in the [Financial Guide](#), for more information.

Prior approval, planning, and reporting of conference/meeting/training costs.

OJP strongly encourages applicants that propose to use award funds for any conference-, meeting-, or training-related activity to review carefully—before submitting an application—the OJP policy and guidance on conference approval, planning, and reporting available at www.ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients and of some conference, meeting, and training costs for grant recipients; and (3) set cost limits, including a general prohibition of all food and beverage costs.

Costs associated with language assistance (if applicable). If an applicant proposes a program or activity that would deliver services or benefits to individuals, the costs of taking reasonable steps to provide meaningful access to those services or benefits for individuals with limited English proficiency may be allowable. Reasonable steps to provide meaningful access to services or benefits may include interpretation or translation services where appropriate.

For additional information, see the "Civil Rights Compliance" section under “Solicitation Requirements” in the [OJP Funding Resource Center](#).

C. Eligibility Information

Only the agency that the chief executive (e.g., the governor) of each state designates is eligible to apply for these funds. Applicants that do not meet this criterion are ineligible to apply under this solicitation.

For additional information on cost sharing or match requirement, see [Section B. Federal](#)

[Award Information.](#)

Limit on number of application submissions. If an applicant submits multiple versions of the same application, OJJDP will review only the most recent system-validated version submitted. For more information on system-validated versions, see How To Apply.

D. Application and Submission Information

Important: Applicants must comply with the 28 statutory requirements of the state plan under 42 U.S.C. §5633(a), including the 4 core requirements. Failure to provide information or assurances in response to each of the 28 requirements will result in denial of access to formula grant funds through placement of special withholding conditions on the award.

What an Application Should Include

Applicants should anticipate that if they fail to submit an application that contains all of the specified elements, it may negatively affect the review of their application; and, should a decision be made to make an award, it may result in the inclusion of special conditions that preclude the recipient from accessing or using award funds pending satisfaction of the conditions.

Applicants may combine the Budget Narrative and the Budget Detail Worksheet in one document. However, if an applicant submits only one budget document, it must contain **both** narrative and detail information. Review the “Note on File Names and File Types” under [How To Apply](#) to be sure applications are submitted in permitted formats.

OJP strongly recommends that applicants use appropriately descriptive file names (e.g., “Program Narrative,” “Budget Detail Worksheet and Budget Narrative,” “Timelines,” “Memoranda of Understanding,” “Résumés”) for all attachments. Also, OJP recommends that applicants include résumés in a single file.

1. Information to Complete the Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of pre-applications, applications, and related information. GMS takes information from the applicant’s profile to populate the fields on this form. When selecting “type of applicant,” if the applicant is a for-profit entity, select “For-Profit Organization” or “Small Business” (as applicable).

Intergovernmental review. This funding opportunity **is** subject to [Executive Order 12372](#). Applicants may find the names and addresses of their state’s Single Point of Contact (SPOC) at this [website](#). Applicants whose state appears on the SPOC list must contact their state’s SPOC to find out about, and comply with, the state’s process under Executive Order 12372. In completing the SF-424, applicants whose state appears on the SPOC list are to make the appropriate selection in response to question 19 once the applicant has complied with their state’s E.O. 12372 process. (Applicants whose state does not appear on the SPOC list are to make the appropriate selection in response to question 19 to indicate that the “Program is subject to E.O. 12372 but has not been selected by the State for review.”)

2. Project Abstract

Applications should include a high-quality project abstract that summarizes the proposed project in 400 words or less. Project abstracts should be—

- Written for a general public audience.
- Submitted as a separate attachment with “Project Abstract” as part of its file name.
- Single-spaced, using a standard 12-point font (Times New Roman) with 1-inch margins.

The abstract should include a brief description of the formula grant program’s purpose, the population to be served, and a summary of the activities that the applicant will implement to achieve the program’s goals and objectives. The abstract should describe how the applicant will measure progress toward these goals. The abstract should indicate whether the applicant will use any portion of the project budget to conduct research, as described in “Note on Project Evaluations” on page 19.

3. Program Narrative

This document should include updates to the 2015 Comprehensive 3-Year Plan. The applicant must describe progress made in each section since submission of the FY 2015 Title II application. Enter a heading for each section in ALL CAPS called “FY 2016 UPDATES” and describe what activities have occurred since the state submitted its FY 2015 Title II application. Where applicants modified components of the 3-year plan since they submitted their FY 2015 Title II application, they must provide sufficient information and data to explain the changes.

a. Statement of the problem. The applicant must address the following:

1. **System description: Structure and function of the juvenile justice system.** In no more than two pages, summarize the organization, responsibilities, and functions of the major components of the formal juvenile justice system. (Generally, this would include law enforcement, juvenile detention and other pretrial programs, courts, corrections, and community-based programs for delinquent and status offenders.) Describe how the system processes youth and note if any major state or local programs operate outside the formal juvenile justice system that directly affect delinquency prevention or reduction. If the state’s particular situation warrants additional space, provide the expanded description as an appendix to the 3-year plan submission.
2. **Youth crime analysis and needs and problem statements.** States should base this analysis on the system description in section 1 above and include conditions they consider or determine to be relevant to addressing juvenile justice and delinquency prevention problems.

(a) Analysis of youth crime problems. As part of the 3-year planning process, states are required to analyze current youth crime problems and juvenile justice and delinquency prevention and educational needs in their jurisdiction to include any geographical area in which an Indian tribe performs law enforcement functions. Also, as part of the planning process, states are required to provide plans for: (1) services for gender-specific services for the

prevention and treatment of delinquency, (2) services for the prevention and treatment of delinquency in rural areas, and (3) mental health services to youth in the youth justice system.

As such, the youth crime analysis should summarize the number and characteristics of youth handled at each stage of the process from arrest through disposition, the number and types of offenses and trends in youth delinquency and crime problems. States must provide a minimum of 3 years of recent data for the characteristics listed below and the most recent data available by county, parish, or city. If this information is not available, states must describe the problem in obtaining the data and their plans to rectify the situation, including a discussion of how they will resource efforts to obtain the data.

Following are the minimum requirements for the youth crime analysis:

- i. Juvenile arrests by offense type, gender, age, and race.
- ii. Number and characteristics (by offense type, gender, race, and age) of juveniles referred to juvenile court, a probation agency, or special intake unit for allegedly committing a delinquent or status offense.
- iii. Number of cases handled informally (non-petitioned) and formally (petitioned) by gender, race, and type of disposition (e.g., diversion, probation, commitment, residential treatment).
- iv. Number of delinquent and status offenders admitted, by gender and race, to juvenile detention facilities and adult jails and lockups (if applicable).
- v. Trend data and other social, economic, legal, and organizational conditions considered relevant to delinquency prevention programming.

(b) State priority juvenile justice needs/problem statements. Based on the youth crime analysis, states are to develop a series of needs/problem statements. Assign a priority ranking to each, and list and describe in order of priority. Use qualitative and quantitative information to describe the magnitude, seriousness, rate of change, persons affected, and other relevant aspects of the need or problem. Identify the nature, extent, and effect of system response, make projections based upon historical precedent, and describe the origins of the need or problem referenced. Applicants should explicitly link the needs/problem statements to:

- i. The state's overarching priorities or goals that seek to promote youth well-being and successful transition to adulthood; protect children and youth; eliminate racial, ethnic, and gender-related disparities and ensure equity in treatment; and/or prevent delinquency.
- ii. The crime analysis.
- iii. Requirements of the JJDP Act.

- iv. Where possible, related socioeconomic factors.
- v. Other factors, such as the functions of the juvenile justice system and geographic location.

To summarize, needs/problem statements are clear and succinct summary statements that reflect the results of the analysis undertaken. Each does not necessarily represent all the analysis undertaken or all data collected for any given problem.

More importantly, these data-based needs/problem statements and their priority rankings provide the state with the basis for developing or updating its 3-year plan and budget for funding juvenile justice programs, excepting expenditures for planning and administration and state advisory group (SAG) allocations (see Appendix B, Formula Grant Program Areas, program areas 28 and 32, respectively).

b. Coordination of state efforts.

1. Provide an *overview* of state efforts and plans to promote youth development and well-being and prevent negative consequences, including delinquency, and explain how the youth justice work funded through this award fits into the state's overall efforts.
2. Describe what the designated state agency is doing to partner with nonjustice system agencies, such as the foster care system for dual-system youth, and other stakeholders who have a vested interest in or influence to enhance, leverage, and expand the work in the juvenile justice arena.
3. Discuss challenges and plans to improve coordination and joint decision making.

c. Goals and objectives. Goals are broad statements that identify the proposed plan's intended short-and long term results, are derived from the crime analysis, and respond to the identified needs and problems. Objectives are more specific, actionable, and quantifiable statements that further define each goal and specify the means to measure program performance.

In this section, describe the state's goals and objectives and explain how the state proposes to accomplish them. For each goal and all its subsidiary objectives that the FY 2016 Title II award will fund, identify the relevant program area or areas using the list of OJJDP's program area codes and titles in Appendix B, Formula Grant Program Areas, page 32. (Program areas are groups of projects or activities with common or similar goals and objectives.)

d. Implementation (activities and services). In this section, states must describe the activities, services, and projects proposed over the course of the 3-year plan to attain each goal and its subsidiary objectives. The narrative should be specific and concrete in elaborating how the state will achieve the goals and objectives.

In this section, states are also to address the status of planned reforms to narrow the front door to the juvenile justice system, decrease out-of-home placements, put in

place reforms to achieve equity in decisionmaking (as measured by reductions in racial, ethnic, and gender-related disparities) and support a continuum of developmentally appropriate services. In doing so, states are strongly encouraged to give priority consideration to the following Formula Grants program areas:

- Aftercare/reentry (Program Area #1)
- Alternatives to detention (Program Area #3)
- School programs (Program Area #17)
- Disproportionate minority contact (reduction of racial and ethnic disparities) (Program Area #21)
- Diversion (Program Area #22)
- Gender-specific services (Program Area #23)
- Juvenile justice system improvement (reform) (Program Area #27)

In undertaking juvenile justice reforms, OJJDP strongly encourages states to consider:

1. Establishing policies and evidence-based programs that take into consideration the impact of trauma.
2. Building community trust by strengthening understanding and relationships between youth of color, their families, the communities in which they reside and law enforcement, prosecutors, and other representatives of the criminal and juvenile justice systems and addressing the legal needs of children who enter the system.
3. Ensuring a continuum of culturally-relevant and developmentally-appropriate services for youth who are at risk of entering the juvenile justice system and youth who reside in or are exiting the system.
4. Use of graduated sanctions applied appropriately and fairly to hold youth accountable.
5. Investing in professional development and cross-sector training, especially for law enforcement, school resource officers, prosecutors, probation staff, court officials, and school administrators and staff.
6. Providing incentives for joint problem solving and establishing and strengthening coordination with schools to improve school climate and ensure equitable and reasonable administration of discipline to increase student success.

(Find information on how to keep students engaged in school and out of courts through application of positive school discipline approaches [here](#). Find other information and resources at the [website](#) for the School Discipline Consensus Project.)

Because of the importance of involving youth and families to attain positive outcomes for youth, OJJDP encourages states to explain how they will fully engage youth and families in analyses of problem areas, development of solutions, and assessment of results.

Finally, OJJDP encourages states to consider funding programs that will support state compliance with the final [Prison Rape Elimination Act standards](#), effective August 20, 2012, available [here](#).

Note: The 3-year plan must include provision of (1) gender-specific services for the prevention and treatment of youth delinquency, (2) services for the prevention and treatment of youth delinquency in rural areas, and (3) mental health services to youth in the juvenile justice system, including information on implementation and how the state is targeting those services to juveniles in the system who need them most.

e. Plans for compliance and monitoring (See Appendix G, Compliance and Compliance Monitoring Plans, page 44, for more specific instructions and guidance). As described in Appendix G, states must submit their compliance and compliance monitoring plans, data report, and supporting documentation for the period January 1, 2015, to September 30, 2015, for the four core requirements separately from this application to OJJDP's [compliance monitoring tool](#) no later than June 30, 2016. Appendix G provides details regarding what states should include in their submission.

f. Additional requirements.

1. **SAG membership.** The state advisory group shall consist of not less than 15 and not more than 33 members that the chief executive officer of the state appoints. At least one member shall be a locally elected official representing general purpose local government. At least one-fifth of the members shall be younger than 24 years old at the time of appointment. At least three members shall have been or currently be under the jurisdiction of the juvenile justice system. A majority of the members (including the chairperson) shall not be full-time employees of federal, state, or local government. The membership qualifications are described at 42 U.S.C. §5633a)(3)(A) of the JJDP Act, as amended. (See Appendix D, Instructions to Complete the SAG Membership Table (with Sample Roster.) Pursuant to 28 C.F.R. § 31.102, in the event that a state's SAG serves in a strictly advisory capacity, the state agency must, as an alternative, maintain a supervisory board (i.e., board of directors, commission, committee, council, or other policy board) with responsibility for supervising the preparation and administration of the 3-year plan and its implementation. As per 28 C.F.R. § 31.103, this board must include the chairperson and at least two additional citizen members of the SAG. A citizen member is defined as any person who is not a full-time government employee or elected official.

2. **Formula Grants program staff.** The state must include in its application an organizational chart of the agency designated to implement the Formula Grants program; a list of the other programs that the designated agency or division administers; the staffing and management plan for the state agency/division implementing the Formula Grants program, including names, titles of staff,

funding sources and state match, and percentage of time devoted to the Formula Grants program; descriptions of the duties for the juvenile justice specialist and other juvenile justice and delinquency prevention staff.

- 3. Performance measures.** To demonstrate program progress and success, as well as, to assist the Department with fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103-62, and the GPRA Modernization Act of 2010, Public Law 111-352, applicants that receive funding under this solicitation must provide data that measure the results of their work done under this solicitation. OJP will require any award recipient, post award, to provide the data requested in the “Data Grantee Provides” column so that OJP can calculate values for the “Performance Measures” column. Examples of performance measures for this solicitation are listed in the table below.

Beginning with the October 1, 2016 to September 30, 2017 data collection period, states must collect and report data on the mandatory performance measures for each applicable program area for each year of the award period through the Data Reporting Tool (DCTAT) located at www.ojjdp-dctat.org/. Although not required, states may collect and report on non-mandatory measures, if they choose.

Objective	Performance Measure(s)	Description	Data Grantee Provides
<p><i>Program objectives will depend upon the specific project funded.</i></p> <p><i>Examples of objectives may include decrease of delinquent behaviors and increase of prosocial behaviors.</i></p>	<p><i>These will differ, depending on the specific program goals and objectives.</i></p> <p><i>Examples follow.</i></p>		
	<p>Number of program youth served.</p>	<p>An unduplicated count of the number of youth served by the program during the reporting period. Definition of the number of youth served for a reporting period is the number of program youth carried over from previous reporting period, plus new admissions during the reporting period. In calculating the 3-year summary, the total number of youth served is the number of participants carried over from the year previous to the first fiscal year, plus all new admissions during the 3 reporting fiscal years. Program records are the preferred data source.</p>	<p>Number of program youth carried over from the previous reporting period, plus new admissions during the reporting period.</p>

	Percent of grantees implementing an evidence-based program/practice, as determined by OJJDP.	The number and percent of grantees implementing an evidence-based model or program. Evidence-based models and programs include those that have been shown, through rigorous evaluation and replication, to be effective at preventing or reducing juvenile delinquency or related risk factors, such as substance abuse. Model programs can come from many valid sources (e.g., Blueprints for Violence Prevention, OJJDP's Model Programs Guide, SAMHSA's Model Programs, etc.).	Number of grantees. Number of grantees implementing an evidence-based program/practice, as determined by OJJDP.
	Percent of program youth who completed program requirements.	The number and percent of program youth who have successfully fulfilled all program obligations and requirements. Program obligations will vary by program. The total number of youth includes those who exited successfully or unsuccessfully.	Number of program youth in the program Number of program youth who exited the program having completed program requirements. Total number of youth who exited the program during the reporting period unsuccessfully.
	Percent of program youth who offend (short and long term).	The number and percent of participating program youth who were arrested or seen at a juvenile court for a delinquent offense during the reporting period. Appropriate for any youth-serving program. Official records (police, juvenile court) are the preferred data source. Short term: during the reporting period. Long term: 6-12 months after exiting the program.	Number of program youth who offended short term (were arrested). Number of program youth who offended long term (were arrested). Number of program youth.
	Percent of program youth who reoffend (short and long term).	The number and percent of participating program youth who were arrested or seen at a juvenile court for a new delinquent offense during the reporting period. Appropriate for any youth-serving program. Official records (police, juvenile court) are the preferred data source. Short term: during the reporting period. Long term: 6-12 months after exiting the program.	Number of program youth who reoffended (were arrested) short term. Number of program youth who reoffended (were arrested) long term. Number of program youth.

	Percent of program youth who were adjudicated (short and long term).	The number and percentage of participating program youth who were adjudicated for a new delinquent offense during the reporting period or 6-12 months post program completion. A youth residential facility is a place where young persons who have committed offenses may be housed overnight. A facility has living and sleeping units, such as wings, floors, dorms, barracks, or cottages Short term: during the reporting period. Long term: 6-12 months after exiting the program.	Number of program youth who were committed to a youth residential facility as a result of a new adjudication. Number of youth sentenced to adult prison as a result of a new adjudication. Number of youth given some other sentence as a result of a new adjudication. Number of program youth tracked for adjudications. Number of youth by race and ethnicity adjudicated during the reporting period.
	Percent of program youth who exhibit a desired change in the target behavior (short and long term).	The number and percent of program youth who have exhibited a desired change in the target behavior during the reporting period or 6-12 months post program completion. Targeted behavior will depend on specific program goals and activities and may include academic achievement, school attendance, social competence, etc. (short and long term) as indicated on a pre/post survey tool.	Number of youth in the program. Percent of program youth who exhibit a desired change in the target behavior (short and long term) as measured by pre- and post-testing/assessment.
	Number of youth diverted.	A mechanism designed to hold youth accountable for their actions by sanctioning behavior and in some cases securing services, but at the same time generally avoiding formal court processing in the juvenile justice system. The intent of the performance measure is to keep count of the number of youth diverted during the reporting period.	Total number of youth diverted during the reporting period. Number of youth by race and ethnicity diverted during the reporting period.
	Number of youth on probation.	Number of youth who are placed on informal/voluntary or formal/court-ordered supervision during the reporting period. Probation can be formal and/or informal.	Total number of youth on probation during the reporting period. Number of youth by race and ethnicity on probation during the reporting period.

	Number of youth transferred to adult court.	The number of youth transferred to adult court during the reporting period. Transfer to an adult court may include procedures such as judicial transfer, certification, automatic waiver, or direct file, for example.	Total number of youth transferred to adult court during the reporting period. Number of youth by race and ethnicity transferred to adult court during the reporting period.
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OJJDP does not require applicants to submit performance measures data with their applications. Performance measures are included as an alert that OJJDP will require successful applicants to submit specific data as part of their reporting requirements. For the application, applicants should indicate an understanding of these requirements and discuss how they will gather the required data, should they receive funding.

Note on Project Evaluations. Applicants that propose to use funds awarded through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects’ protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements likely do not constitute “research.” Applicants should provide sufficient information for OJP to determine whether the particular project they propose would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research. Research, for the purposes of human subjects protections for OJP-funded programs, is defined as, “a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge” 28 C.F.R. § 46.102(d). For additional information on determining whether a proposed activity would constitute research, see the decision tree to assist applicants on the “Research and the Protection of Human Subjects” section of the [OJP Funding Resource Center](#) webpage. Applicants whose proposals may involve a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that webpage.

- g. Additional information.** OJJDP encourages applicants to discuss or provide information regarding the following:

Collecting and sharing juvenile justice information⁴. To better understand the

⁴ This information is related to obligations specified in the JJDP Act at 42 U.S.C. 5633(a) (26), (27), and (28): (a) Sharing public child welfare records with juvenile courts. To the extent practical, states are to implement a system to ensure that each juvenile court shall have access to and be aware of the public child welfare records (including child protective services records) generated within its jurisdiction for each youth before the court; (b) states are to establish policies and systems to incorporate child protective services records into juvenile justice records. States should establish systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for youth offenders; and (c) the application must

difficulties state agencies that administer the Formula Grants Program encounter in collecting and sharing juvenile justice information, OJJDP requests but does not require the following information and efforts:

1. Describe the state's process for gathering juvenile justice information and data across state agencies—i.e., state departments of education and welfare, mental health services, local law enforcement—and how the state makes this information available across agencies and incorporates the data into its comprehensive 3-year plan and annual plan updates.
2. Identify specific barriers the state encounters with the sharing of juvenile information on at-risk youth among state agencies, including local law enforcement, i.e., where state statute, regulation, or policy prohibits the sharing of this information.

4. Budget Detail Worksheet and Budget Narrative

Present total federal funds the state plans to use in each program area from its Formula Grants allocation, along with any expected state, local, or private funds:

Fiscal Year	Formula Grant Funds (\$)	State/Local Funds (\$)	Total (\$)
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2016

Applicants should provide a budget that (1) is complete, allowable, and cost-effective in relation to the proposed activities; (2) shows the cost calculations demonstrating how they arrived at the total amount requested; and (3) provides a brief supporting narrative to link costs with project activities. The budget for this new award should account for the 3-year budget period of October 1, 2016, to September 30, 2019. Applicants should demonstrate in their budget narratives how they will maximize cost effectiveness of grant expenditures. Budget narratives should generally describe cost effectiveness in relation to potential alternatives and the goals of the project. For example, a budget narrative should detail why planned in-person meetings are necessary or how the applicant could use technology and collaboration with outside organizations to reduce costs without compromising quality.

Applicants should explain how they calculated fringe benefits, how they estimated travel costs, why they must purchase particular items of equipment or supplies, and how they calculated overhead or indirect costs (if applicable). The budget narrative should justify the specific items listed in the budget detail worksheet (particularly supplies, travel, and equipment) and demonstrate that all costs are reasonable.

Note: The JJDP Act, at 42 U.S.C. §5633(a)(5) provides that unless the Administrator grants a waiver to any state in which the services for delinquent or other youth are organized primarily on a statewide basis, the state plan must provide that at least 66 and 2/3 percent of funds that the state receives under 42 U.S.C. §5632, reduced by the percentage (if any) that the state specifies under 42 U.S.C. §5633(a)(25) and excluding

provide an assurance that youth offenders whose placement is funded through Section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in Section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in Section 475 of such Act (42 U.S.C. 675).

funds made available to the state advisory group under 42 U.S.C. § 5632, shall be expended as the JJDP Act specifies:

- A. Through programs of units of local government or combinations thereof, to the extent such programs are consistent with the State plan;
- B. Through programs of local private agencies, to the extent such programs are consistent with the state plan, except that direct funding of any local private agency by a state shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of local government or combination thereof; and
- C. To provide funds for programs of Indian tribes that perform law enforcement functions (as determined by the Secretary of the Interior) and that agree to attempt to comply with the requirements specified in paragraphs (11), (12), and (13), applicable to the detention and confinement of youth, an amount that bears the same ratio to the aggregate amount to be expended through programs referred to in subparagraphs (A) and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the State population under 18 years of age.

See Appendix C, Pass-Through Waiver Requirements, for additional information. For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants [Financial Guide](#).

- a. **Budget Detail Worksheet.** This attachment should include the amount the state has budgeted for each program area it has identified to receive FY 2016 Formula Grant funds. See [Appendix F](#) for additional information. FY 2016 state allocations will be posted online [here](#) when available.

OJJDP will notify state juvenile justice specialists when the state allocation chart is available. For planning purposes, use the FY 2015 allocations. Funds allocated for planning and administration and match requirement, the SAG, and the American Indian tribal pass-through (where applicable) are required line items (see sample worksheet, Appendix F, Sample Budget Detail Worksheet). The budget worksheet must present a complete and detailed itemization of all proposed costs.

Planning and administration funds and match requirement. Pursuant to the JJDP Act at 42 U.S.C. §5632(c), states may use no more than 10 percent of their Formula Grant allocation for planning and administration. States that choose to use funds in this manner must indicate that choice in their state plans and attached budgets. States and units of local government must match on an equal basis any amount of federal funds that they expend or obligate for such purposes. States must identify the source of the match and how they will use match funds in their attached budget. (See Budget Detail Worksheet and Budget Narrative Section information beginning on page 20.) States must satisfy this match requirement with cash. If a state's proposed additional match exceeds the required match amount, the match amount that is incorporated into the OJP-approved budget is also mandatory and subject to audit.

SAG allocation. For planning and budget purposes, states may make as much as \$20,000 (5 percent of the minimum annual allocation to any state) of their annual

allocations available to assist the SAG.

State allocations and program areas. As required under the JJDP Act at 42 U.S.C. §5633(c), OJJDP will reduce a state's FY 2016 allocation by 20 percent for each of the core requirements with which the state was determined not to be in compliance for FY 2016 funding. States should plan their FY 2016 expenditures using the allocations that reflect any reductions required based on their noncompliance with one or more of the core requirements. You may find the FY 2016 allocations [here](#). The Formula Grants program areas can be found in Appendix B.

Indian tribe pass-through. The required amount of the American Indian tribal pass-through represents the minimum dollars a state must pass through to tribes that perform law enforcement functions and that agree to attempt to comply with the provisions of the JJDP Act at 42 U.S.C. §5633(a)(11), (12), and (13) (the DSO, separation, and jail removal requirements). Although this amount is based on a statutory formula, in many instances, it may be insufficient to support effective juvenile justice and delinquency prevention activities. Therefore, where appropriate, OJJDP encourages the states to pass through greater amounts. In addition, OJJDP advises states to encourage tribes to apply for a discretionary grant under OJP's Coordinated Tribal Assistance Solicitation. FY 2016 state pass-through amounts will be posted online [here](#), when available. OJJDP will notify the state juvenile justice specialists at that time. For reference, the prior year Indian tribal pass-through amount is available on the web page [here](#).

Note: Total costs that the state specifies in its complete budget must match the amount it provides in the "Estimated Funding" section of the "Project Information" screen in GMS. All funds listed in the budget will be subject to audit.

- b. Budget Narrative.** The "Budget Narrative" should thoroughly and clearly describe every category of expense listed in the "Budget Detail Worksheet" in Appendix F. Proposed budgets are expected to be complete, reasonable and allowable, cost-effective, and necessary for project activities. The narrative should be mathematically sound and correspond with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs and how they are relevant to the completion of the proposed project. The narrative may include tables for clarification purposes but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the Budget Narrative should be for the current award year.
- c. Noncompetitive procurement contracts in excess of simplified acquisition threshold.** If an applicant proposes to make one or more noncompetitive procurements of products or services, where the noncompetitive procurement will exceed the simplified acquisition threshold (also known as the small purchase threshold), which is currently set at \$150,000, the application should address the considerations outlined in the DOJ Grants [Financial Guide](#).
- d. Preagreement costs.** For information on preagreement costs, see "Preagreement Cost Approvals" under Section [B. Federal Award Information](#).

Subgrant awards. Pursuant to the JJDP Act at 42 U.S.C. §5633(a)(21)(A), states shall, to the extent practicable, give priority in funding to evidence-based programs

and activities. Further, under the JJDP Act at 42 U.S.C. §5632(a)(21)(C), states shall not continue to fund a program if the subgrant recipient who carried out that program during the preceding 2-year period fails to demonstrate that the program achieved substantial success in meeting the goals specified in the original subgrant application. Applicants should describe the process that the state will use to assure the implementation of the preceding requirements of the subgrant award process. Under the JJDP Act at 42 U.S.C. 5632 (a) (21) (B), states must submit an annual analysis/evaluation of programs and activities carried out under the plan.

To enable local subgrantees to implement evidence-based programs, two websites: OJJDP's [Model Programs Guide](#) and OJP's [CrimeSolutions.gov](#) have been developed. The Model Programs Guide and CrimeSolutions.gov are two resources that applicants may use to find information about evidence-based programs in juvenile justice, criminal justice, and crime victim services and enhance the likelihood of success for their programs.

5. Indirect Cost Rate Agreement (if applicable)

Indirect costs are allowed only under the following circumstances:

- (a) The applicant has a current, Federally approved indirect cost rate; or
- (b) The applicant is eligible to use and elects to use the “de minimis” indirect cost rate described in the Part 200 Uniform Requirements as set out at 2 C.F.R. 200.414(f).

Attach a copy of the Federally approved indirect cost rate agreement to the application. Applicants that do not have an approved rate may request one through their cognizant Federal agency, which will review all documentation and approve a rate for the applicant organization, or, if the applicant’s accounting system permits, costs may be allocated in the direct cost categories. For the definition of Cognizant Federal Agency, see the “Glossary of Terms” in the [Financial Guide](#). For assistance with identifying your cognizant agency, please contact the Customer Service Center at 1-800-458-0786 or at ask.ocfo@usdoj.gov. If DOJ is the cognizant Federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf.

In order to use the “de minimis” indirect rate, attach written documentation to the application that advises OJP of both the applicant’s eligibility (to use the “de minimis” rate) and its election. If the applicant elects the “de minimis” method, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. In addition, if this method is chosen then it must be used consistently for all Federal awards until such time as you choose to negotiate a Federally approved indirect cost rate.⁵

7. Applicant Disclosure of High Risk Status

Applicants are to disclose whether they are currently designated high risk by another Federal grant making agency. This includes any status requiring additional oversight by the Federal agency due to past programmatic or financial concerns. If an applicant is designated high risk by another Federal grant making agency, you must email the

⁵ See 2 C.F.R. § 200.414(f).

following information to OJPComplianceReporting@usdoj.gov at the time of application submission:

- The Federal agency that currently designated the applicant as high risk
- Date the applicant was designated high risk
- The high risk point of contact name, phone number, and email address, from that Federal agency
- Reasons for the high risk status

OJP seeks this information to ensure appropriate Federal oversight of any grant award. Disclosing this high risk information does not disqualify any organization from receiving an OJP award. However, additional grant oversight may be included, if necessary, in award documentation.

6. Additional Attachments

Applicants should submit the following information as attachments to their applications.

a. Applicant disclosure of pending applications.

Applicants are to disclose whether they have pending applications for Federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation. The disclosure should include both direct applications for Federal funding (e.g., applications to Federal agencies) and indirect applications for such funding (e.g., applications to State agencies that will subaward Federal funds).

OJP seeks this information to help avoid any inappropriate duplication of funding. Leveraging multiple funding sources in a complementary manner to implement comprehensive programs or projects is encouraged and is not seen as inappropriate duplication.

Applicants that have pending applications as described above are to provide the following information about pending applications submitted within the last 12 months:

- The Federal or state funding agency
- The solicitation name/project name
- The point of contact information at the applicable funding agency

Federal or State Funding Agency	Solicitation Name/Project Name	Name/Phone/E-mail for Point of Contact at Funding Agency
DOJ/COPS	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov

HHS/ Substance Abuse & Mental Health Services Administration	Drug Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000- 0000; john.doe@hhs.gov
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Applicants should include the table as a separate attachment to their application. The file should be named “Disclosure of Pending Applications.”

Applicants that do not have pending applications as described above are to include a statement to this effect in the separate attachment page (e.g., “[Applicant Name on SF-424] does not have pending applications submitted within the last 12 months for Federally funded grants or subgrants (including cooperative agreements) that include requests for funding to support the same project being proposed under this solicitation and will cover the identical cost items outlined in the budget narrative and worksheet in the application under this solicitation.”).

b. Research and evaluation independence and integrity. If a proposal involves research and/or evaluation, regardless of the proposal’s other merits, in order to receive funds, the applicant must demonstrate research/evaluation independence, including appropriate safeguards to ensure research/evaluation objectivity and integrity, both in this proposal and as it may relate to the applicant’s other current or prior related projects. This documentation may be included as an attachment to the application which addresses BOTH i. and ii. below.

i. For purposes of this solicitation, applicants must document research and evaluation independence and integrity by including, at a minimum, one of the following two items:

a. A specific assurance that the applicant has reviewed its proposal to identify any research integrity issues (including all principal investigators and sub-recipients) and it has concluded that the design, conduct, or reporting of research and evaluation funded by OJJDP grants, cooperative agreements, or contracts will not be biased by any personal or financial conflict of interest on the part of its staff, consultants, and/or sub-recipients responsible for the research and evaluation or on the part of the applicant organization;

OR

b. A specific listing of actual or perceived conflicts of interest that the applicant has identified in relation to this proposal. These conflicts could be either personal (related to specific staff, consultants, and/or sub-recipients) or organizational (related to the applicant or any subgrantee organization). Examples of potential investigator (or other personal) conflict situations may include, but are not limited to, those in which an investigator would be in a position to evaluate a spouse’s work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational

conflicts of interest, as one example, generally an organization could not be given a grant to evaluate a project if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), as the organization in such an instance would appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.

- ii. In addition, for purposes of this solicitation applicants must address the issue of possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
 - a. If an applicant reasonably believes that no potential personal or organizational conflicts of interest exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. Applicants **MUST** also include an explanation of the specific processes and procedures that the applicant will put in place to identify and eliminate (or, at the very least, mitigate) potential personal or financial conflicts of interest on the part of its staff, consultants, and/or sub-recipients for this particular project, should that be necessary during the grant period. Documentation that may be helpful in this regard could include organizational codes of ethics/conduct or policies regarding organizational, personal, and financial conflicts of interest.

OR

- b. If the applicant has identified specific personal or organizational conflicts of interest in its proposal during this review, the applicant must propose a specific and robust mitigation plan to address conflicts noted above. At a minimum, the plan must include specific processes and procedures that the applicant will put in place to eliminate (or, at the very least, mitigate) potential personal or financial conflicts of interest on the part of its staff, consultants, and/or sub-recipients for this particular project, should that be necessary during the grant period. Documentation that may be helpful in this regard could include organizational codes of ethics/conduct or policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that any such plan will be accepted as proposed.

Considerations in assessing research and evaluation independence and integrity will include, but are not be limited to, the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the organization in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

- c. **Assurance and/or demonstration of compliance with additional requirements of the JJDP Act.** Refer to items 1 to 28 listed in Appendix I, pages 54-62.

Important: States must provide reasonable evidence of compliance with each of the 28 requirements in their applications. States must submit Appendix I as an attachment to their applications listing page numbers to indicate where they provided evidence of compliance with each requirement. If states fail to comply with the 28 requirements of the JJDP Act, OJJDP will place special conditions on the award that will withhold the formula grant award.

- d. **Financial management and system of internal controls questionnaire.** In accordance with [2 CFR 200.205](#), federal agencies must have in place a framework for evaluating the risks posed by applicants before they receive a federal award. To facilitate part of this risk evaluation, **all** applicants (other than an individual) are to download, complete, and submit this [form](#).
- e. **Disclosure of lobbying activities.** Any applicant that expends any funds for lobbying activities is to provide the detailed information requested on the form, Disclosure of Lobbying Activities ([SF-LLL](#)).
- f. **Agency contact information.** As a separate attachment, submit the names and contact information for key staff in the designated agency which receives the grant. Refer to Appendix J for staff and contact information to include.

How To Apply

Applicants must submit applications through the [Grants Management System \(GMS\)](#), which provides support for the application, award, and management of awards at OJP. Applicants **must register in GMS for each specific funding opportunity** and should **register immediately** to meet the GMS registration deadline for this funding opportunity, especially if this is their first time using the system. Find complete instructions on how to register and submit an application in GMS [here](#). Applicants that experience technical difficulties during this process should e-mail GMS.HelpDesk@usdoj.gov or call 888-549-9901 (option 3), Monday – Friday from 6:00 a.m. to midnight ET, except federal holidays. OJP recommends that applicants **register immediately** to prevent delays in submitting an application package by the deadline.

Note on File Types: GMS does not accept executable file types as application attachments. These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.”

OJP may not make a federal award to an applicant organization until the applicant has complied with all applicable DUNS and SAM requirements. If an applicant has not fully complied with the requirements by the time the federal awarding agency is ready to make a federal award, the federal awarding agency may determine that the applicant is not qualified to receive a federal award and use that determination as a basis for making a federal award to another applicant.

All applicants should complete the following steps:

1. **Acquire a Data Universal Numbering System (DUNS) number.** In general, the Office of Management and Budget requires that all applicants (other than individuals) for federal funds include a DUNS number in their application for a new award or a

supplement to an existing award. A DUNS number is a unique nine-digit sequence recognized as the universal standard for identifying and differentiating entities receiving federal funds. The identifier is used for tracking purposes and to validate address and point of contact information for federal assistance applicants, recipients, and subrecipients. The DUNS number will be used throughout the grant life cycle. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866-705-5711 to obtain a DUNS number or apply [online](#). A DUNS number is usually received within 1-2 business days.

- 2. Acquire registration with the System for Award Management (SAM).** SAM is the repository for standard information about federal financial assistance applicants, recipients, and subrecipients. OJP requires that all applicants (other than individuals) for federal financial assistance maintain current registrations in the SAM database. Applicants must **update or renew their SAM registration annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete.

Information about SAM registration procedures can be accessed at www.sam.gov.

- 3. Acquire a GMS username and password.** New users must create a GMS profile by selecting the “First Time User” link under the sign-in box of the [GMS](#) home page. For more information on how to register in GMS, go to www.ojp.gov/gmscbt.
- 4. Verify the SAM (formerly CCR) registration in GMS.** OJP requests that all applicants verify their SAM registration in GMS. Once logged into GMS, click the “CCR Claim” link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.
- 5. Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the “Funding Opportunities” link on the left side of the page. Select *OJJDP* and the *FY 16 Title II Formula Grants Program*.
- 6. Register by selecting the “Apply Online” button associated with the funding opportunity title.** The search results from step 5 will display the funding opportunity title along with the registration and application deadlines for this funding opportunity. Select the “Apply Online” button in the “Action” column to register for this funding opportunity and create an application in the system.
- 7. Follow the directions in GMS to submit an application consistent with this solicitation.** Once submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, applicants must wait for GMS approval before submitting an application. OJP urges applicants to submit the application **at least 72 hours prior** to the application due date.

Note: Duplicate applications. If an applicant submits multiple versions of the same application, OJJDP will review only the most recent system-validated version submitted. See Note on “File Names and File Types” under [How To Apply](#).

Experiencing Unforeseen GMS Technical Issues

Applicants that experience unforeseen GMS technical issues beyond their control that prevent them from submitting their application by the deadline must contact the [GMS Help](#)

[Desk](#) or the [SAM Help Desk](#) (Federal Service Desk) to report the technical issue and receive a tracking number. Then the applicant must e-mail the OJJDP contact identified in the Contact Information section on page 2 **within 24 hours after the application deadline** and request approval to submit their application. The e-mail must describe the technical difficulties and include a timeline of the applicant's submission efforts, the complete grant application, the applicant's DUNS number, and any GMS Help Desk or SAM tracking number(s). **Note: OJJDP does not approve requests automatically.** After the program office reviews the submission, and contacts the GMS Help Desk to validate the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the applicant failed to follow all required procedures, which resulted in an untimely application submission, OJP will deny the applicant's request to submit their application.

The following conditions are generally insufficient to justify late submissions:

- Failure to register in SAM or GMS in sufficient time. (SAM registration and renewal can take as long as 10 business days to complete)
- Failure to follow GMS instructions on how to register and apply as posted on the GMS website.
- Failure to follow each instruction in the OJP solicitation.
- Technical issues with the applicant's computer or information technology environment, including firewalls.

Notifications regarding known technical problems with GMS, if any, are posted at the top of the [OJP funding webpage](#).

E. Application Review Information

Review Process

OJP is committed to ensuring a fair and open process for awarding grants. OJJDP reviews the application to make sure that the information presented is reasonable, understandable, measurable, and achievable, as well as consistent with the solicitation. OJJDP will also review applications to ensure statutory requirements have been met.

OJP reviews applications for potential awards to evaluate the risks posed by applicants before they receive an award. This review may include but is not limited to the following:

1. Financial stability and fiscal integrity.
2. Quality of management systems and ability to meet the management standards prescribed in the [Financial Guide](#).
3. History of performance.
4. Reports and findings from audits.

5. The applicant's ability to effectively implement statutory, regulatory, or other requirements imposed on award recipients

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions. OJJDP expects to make any awards under this solicitation by no later than September 30, 2016.

F. Federal Award Administration Information

Federal Award Notices

OJP sends award notification by email through GMS to the individuals listed in the application as the point of contact and the authorizing official. The email notification includes detailed instructions on how to access and view the award documents, and how to accept the award in GMS. GMS automatically issues the notifications at 9:00 p.m. eastern time on the award date (by September 30, 2016). Recipients will be required to login; accept any outstanding assurances and certifications on the award; designate a financial point of contact; and review, sign, and accept the award. The award acceptance process involves physical signature of the award document by the authorized representative and the scanning of the fully-executed award document to OJP.

Administrative, National Policy, and other Legal Requirements

If selected for funding, in addition to implementing the funded project consistent with the agency-approved project proposal and budget, the recipient must comply with award terms and conditions, and other legal requirements, including but not limited to OMB, DOJ or other federal regulations which will be included in the award, incorporated into the award by reference, or are otherwise applicable to the award. OJP strongly encourages prospective applicants to review the information pertaining to these requirements **prior** to submitting an application. To assist applicants and recipients in accessing and reviewing this information, OJP has placed pertinent information on its [Solicitation Requirements](#) page of the [OJP Funding Resource Center](#) webpages.

Please note in particular the following two forms, which applicants must accept in GMS prior to the receipt of any award funds, as each details legal requirements with which applicants must provide specific assurances and certifications of compliance. Applicants may view these forms in the Apply section of the [OJP Funding Resource Center](#) and are strongly encouraged to review and consider them carefully prior to making an application for OJP grant funds.

- [Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements](#)
- [Standard Assurances](#)

Upon grant approval, OJP electronically transmits (via GMS) the award document to the prospective award recipient. In addition to other award information, the award document

contains award terms and conditions that specify national policy requirements⁶ with which recipients of federal funding must comply; uniform administrative requirements, cost principles, and audit requirements; and program-specific terms and conditions required based on applicable program (statutory) authority or requirements set forth in OJP solicitations and program announcements, and other requirements which may be attached to appropriated funding. For example, certain efforts may call for special requirements, terms, or conditions relating to intellectual property, data/information-sharing or -access, or information security; or audit requirements, expenditures and milestones, or publications and/or press releases. OJP also may place additional terms and conditions on an award based on its risk assessment of the applicant, or for other reasons it determines necessary to fulfill the goals and objectives of the program.

Prospective applicants may access and review the text of mandatory conditions OJP includes in all OJP awards, as well as the text of certain other conditions, such as administrative conditions, via OJP's [Mandatory Award Terms and Conditions](#) page of the [OJP Funding Resource Center](#).

General Information about Post-Federal Award Reporting Requirements

Recipients must submit quarterly financial reports, annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements. Future awards and fund drawdowns may be withheld if reports are delinquent.

OJP may require special reporting requirements depending on the statutory, legislative, or administrative requirements of the recipient or the program.

G. Federal Awarding Agency Contact(s)

For Federal Awarding Agency Contact(s), see title page. For contact information for GMS, see the title page.

H. Other Information

Provide Feedback to OJP

To assist OJP in improving its application and award processes, we encourage applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to OJPSolicitationFeedback@usdoj.gov.

IMPORTANT: This e-mail is for feedback and suggestions only. Replies are **not** sent from this mailbox. If you have specific questions on any program or technical aspect of the solicitation, **you must** directly contact the appropriate number or e-mail listed on the front of this solicitation document. These contacts are provided to help ensure that you can directly reach an individual who can address your specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, please e-mail your

⁶ See generally 2 C.F.R. 200.300 (provides a general description of national policy requirements typically applicable to recipients of Federal awards, including the Federal Funding Accountability and Transparency Act of 2006 (FFATA)).

résumé to ojpeerreview@lmsolas.com. The OJP Solicitation Feedback email account will not forward your résumé. **Note:** Neither you nor anyone else from your organization can be a peer reviewer in a competition in which you or your organization have submitted an application.

Appendix A: Application Checklist

OJJDP FY 2016 Title II Formula Grants Program

This application checklist has been created to assist you in developing an application.

What an Applicant Should Do:

Prior to Registering in GMS:

- _____ Acquire a DUNS Number (see page 27)
- _____ Acquire or renew registration with SAM (see page 28)

To Register with GMS:

- _____ For new users, acquire a GMS username and password* (see page 28)
- _____ For existing users, check GMS username and password* to ensure account access
- _____ Verify SAM registration in GMS (see page 25)
- _____ Search for and select correct funding opportunity in GMS (see page 28)
- _____ Register by selecting the “Apply Online” button associated with the funding opportunity title (see page 26)
- _____ Read OJP policy and guidance on conference approval, planning, and reporting available at ojp.gov/financialguide/DOJ/PostawardRequirements/chapter3.10a.htm (see page 9)
- _____ If experiencing technical difficulties in GMS, contact Kathy Manning or Carol Neylan, Title II Formula Grants Program leads. Ms. Manning may be reached at (202) 616-1722 or by e-mail at Kathryn.Manning@usdoj.gov and Ms. Neylan at (202) 307-6562 or by e-mail at Carol.Neylan@usdoj.gov.

*Password Reset Notice – While password reset capabilities exist, this function is only associated with points of contact designated within GMS at the time the user established the account. Neither OJP nor the GMS Help Desk will initiate a password reset unless the authorized official or a designated point of contact associated with an award or application requests it.

General Requirements:

- _____ Review “[Other Requirements](#)” webpage.

Scope Requirement:

- _____ View [this page](#) for state allocation.

Eligibility Requirement:

- _____ Applicant is the agency that the chief executive (i.e., the governor) has designated to administer Title II funds.

What an Application Is Expected to Include:

- _____ Application for Federal Assistance (SF-424) (see page 10)
- _____ Intergovernmental Review (see page 10)
- _____ Program Abstract (see page 10)

- _____ Program Narrative (see page 10)
 - _____ Statement of the Program
 - _____ System Description: Structure and Function of the Juvenile Justice System
 - _____ Youth Crime Analysis and Needs and Problem Statements
 - _____ Coordination of State Efforts
 - _____ Goals and Objectives
 - _____ Implementation (Activities and Services)
- _____ Additional Requirements (see page 15)
 - _____ SAG Membership
 - _____ Formula Grants Program Staff
 - _____ Performance Measures
- _____ Additional Information (see page 19)
 - _____ Collecting and Sharing Juvenile Justice Information
- _____ Budget Detail Worksheet and Budget Narratives (see page 20)
 - _____ Budget Detail Worksheet
 - _____ Budget Narrative
 - _____ Planning and Administration Funds & Match Requirement
 - _____ SAG Allocation
 - _____ State Allocations & Program Areas
 - _____ Indian Tribe Pass Through
- _____ Indirect Cost Rate Agreement (see page 23)
- _____ Applicant Disclosure of High Risk Status (see page 23)
- _____ Additional Attachments (see page 24)
 - _____ Applicant Disclosure of Pending Applications
 - _____ Research and Evaluation Independence and Integrity
 - _____ Subgrant Award information
- _____ Financial Management and System of Internal Controls Questionnaire (see page 27)
- _____ Disclosure of Lobbying Activities (SF-LLL), if applicable (see page 27)
- _____ Appendix C: Pass Through Waiver Requirements, if applicable (see page 36)
- _____ Appendix D: Instructions to Complete the SAG Membership Table with Sample Roster (see page 37)
- _____ Appendix G: Compliance and Compliance Monitoring Plans (see page 44)
 - Due January 31, 2016 via electronic submission to OJJDP's [online compliance reporting tool](#).
- _____ Appendix I: Assurances of Compliance with Requirements of the JJDP Act (see page 54)
- _____ Appendix J: Agency Contact Information (see page 63)

Appendix B: Formula Grant Program Areas—Summary Descriptions

The 3-year plan and annual updates must show that not less than 75 percent of the Formula Grants Program funds, excluding funds made available to the state advisory group under the JJDP Act at 42 U.S.C. § Section 5632(d), shall be used to support the areas listed below. The descriptions that follow are summaries of the full statutory language from 42 U.S.C. §5633(a)(9), which is contained in Appendix J. Each Program Area Summary Description references the specific section within 42 U.S.C. §5633(a)(9), as noted. For example, 42 U.S.C. §5633(a)(9)(Q) is listed as 9(Q).

1. **Aftercare/Reentry.** Community-based programs that prepare targeted youth to successfully return to their homes and communities after confinement in a training school, youth correctional facility, or other secure institution. These programs focus on preparing youth for release and providing a continuum of follow up post-placement services to promote successful reintegration into the community. 9(Q)
2. **After-School Programs.** Programs that provide at-risk youth and youth in the juvenile justice systems with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities. 9(P)
3. **Alternatives to Detention.** These are community- and home-based alternatives to incarceration and institutionalization including for youth who need temporary placement such as crisis intervention, shelter and after-care and for youth who need residential placement such as a continuum of foster care or group home alternatives that provide access to a comprehensive array of services. (9)(A)
4. **Child Abuse and Neglect Programs.** Programs that provide treatment to juvenile offenders who are victims of child abuse or neglect and to their families to reduce the likelihood that such youth offenders will commit subsequent violations of law. (9)(D)
5. **Community-Based Programs and Services.** These programs and services are those that work pre- and post-confinement with:
 - a. Parents and other family members to strengthen families to help keep youth in their homes;
 - b. Youth during confinement and their families to ensure safe return of youth home and to strengthen the families; and
 - c. Parents with limited English-speaking ability. 9(B), (M), and (N)
6. **Delinquency Prevention.** Comprehensive juvenile justice and delinquency prevention programs that meet needs of youth through collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies and private nonprofit agencies offering youth services. 9(C)
7. **Gangs.** Programs, research, or other initiatives primarily to address issues related to youth gang activity. This program area includes prevention and intervention efforts directed at reducing gang-related activities. 9(I)

8. **Graduated and Appropriate Sanctions.**⁷ Programs to encourage courts to develop and implement a continuum of post-adjudication restraints that bridge the gap between traditional probation and confinement in a correctional setting. Services include expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, translation services and similar programs, and secure, community-based treatment facilities linked to other support services such as health, mental health, education (remedial and special), job training and recreation. Programs to assist in design and use of evidenced-based risk assessment instruments to aid in application of appropriate sanctions. 9(L)
9. **Hate Crimes.** Programs to prevent and reduce hate crimes committed by youth. 9(O)
10. **Job Training.** Projects to enhance the employability of youth or prepare them for future employment. Such programs may include job readiness training, apprenticeships, and job referrals. 9(G)
11. **Learning and Other Disabilities.** Programs concerning youth delinquency and disability including on-the-job training to assist community services, law enforcement and juvenile justice personnel to recognize and provide for learning and other disabled juveniles. 9(H)
12. **Mental Health Services.** Programs providing mental health services for youth in custody in need of such services including, but are not limited to assessment, development of individualized treatment plans, and discharge plans. 9(S)
13. **Mentoring, Counseling and Training Programs.** Programs to develop and sustain a one-to-one supportive relationship between a responsible adult age 18 or older (mentor) and an at-risk youth, youth who have offended or youth with a parent or legal guardian who is or was incarcerated (mentee) that takes place on a regular basis. These programs may support academic tutoring, vocational and technical training, and drug and violence prevention counseling. 9(G)
14. **Positive Youth Development.** Programs that assist delinquent and at-risk youth in obtaining a sense of safety and structure, belonging and membership, self-worth and social contribution, independence and control over one's life, and closeness in interpersonal relationships. 9(K)
15. **Probation.** Programs to expand use of probation officers particularly to permit nonviolent youth offenders including status offenders to remain with their families as an alternative to incarceration or institutionalization and to ensure youth meet terms of their probation. 9(F)
16. **Protecting Juvenile Rights.** Projects to develop and implement activities focused on improving services for and protecting the rights of youth affected by the juvenile justice system, including hiring court-appointed defenders, providing training, coordination, and innovative strategies for indigent defense services. 9(R)
17. **School Programs.** Education programs or supportive services in traditional public schools and detention/corrections education settings to encourage youth to remain in school or alternative learning programs, support transition to work and self-sufficiency, and enhance

⁷ A system of sanctions that escalates in intensity with each subsequent, more serious delinquent offense.

coordination between correctional programs and juveniles' local education programs to ensure the instruction they receive outside school is aligned with that provided in their schools and that any identified learning problems are communicated. 9(E)

18. **Substance and Alcohol Abuse.** Programs, research, or other initiatives to address the use and abuse of illegal and other prescription and nonprescription drugs and the use and abuse of alcohol. Programs include control, prevention, and treatment. 9(J)

In addition, in the Budget Detail section, list the amount of Formula Grants funds the state may expend for each of the following program areas. (Refer also to Appendix C):

19. **Compliance Monitoring.** Programs, research, staff support, or other activities primarily to enhance or maintain a state's ability to adequately monitor jails, detention facilities, and other facilities to assure compliance with the DSO, separation, and jail removal requirements at 42 U.S.C. §5633(a)((11), (12), (13), and (22) of the JJDP Act.
20. **Deinstitutionalization of Status Offenders.** Programs, research, or other initiatives to eliminate or prevent the placement of accused or adjudicated status offenders and nonoffenders in secure facilities, pursuant to the requirement at 42 U.S.C. § 5633(a)(11).
21. **Disproportionate Minority Contact.** Programs, research, or other initiatives primarily to address the disproportionate number of youth members of minority groups who come into contact with the juvenile justice system, pursuant to the requirement at 42 U.S.C. § 5633(a)(22).
22. **Diversion.** Programs to divert youth from entering the juvenile justice system including restorative justice programs such as youth or teen courts, victim-offender mediation and restorative circles.
23. **Gender-Specific Services.** Services to address offenders' gender-specific needs, especially that of female offenders in the juvenile justice system.
24. **Indian Tribe Programs.** Programs to address youth justice and delinquency prevention issues for Indian Tribes and Alaska Natives.
25. **Indigent Defense.** Hiring court-appointed defenders, providing training, coordination and innovative strategies for indigent defense.
26. **Jail Removal.** Programs, research, or other initiatives to eliminate or prevent the detention or confinement of youth in adult jails and lockups, as defined in the JJDP Act at 42 U.S.C. § 5603 (a)(13).
27. **Juvenile Justice System Improvement.** Programs, research, and other initiatives to examine issues or improve practices, policies, or procedures on a system-wide basis (e.g., examining problems affecting decisions from arrest to disposition and detention to corrections).
28. **Planning and Administration.** Activities related to state plan development, other pre-award activities, and administration of the Formula Grants Program, including evaluation, monitoring, and staffing pursuant to the JJDP Act at 42 U.S.C. § 5632(c) and the OJJDP Formula Grant Regulation at 28 C.F.R. Part 31, Subpart B, § 31.102.

29. **Reducing Probation Officer Caseloads.** Incentive grants to units of general local government that reduce the caseload of probation officers within such units. Grants may not exceed 5 percent of award excluding SAG allocation.
30. **Rural Area Juvenile Programs.** Prevention, intervention, and treatment services in an area located outside a metropolitan statistical area as designated by the U.S. Bureau of the Census.
31. **Separation of Juveniles From Adult Inmates.** Programs that ensure that youth will not be detained or confined in any institutions where they may come into contact with adult inmates, pursuant to the JJDP Act at 42 U.S.C. 5633(a)(12).
32. **State Advisory Group Allocation.** Activities related to carrying out the state advisory group's responsibilities under the JJDP Act at 42 U.S.C. 5633(a)(3).

Appendix C: Pass-Through Waiver Requirements

1. The JJDP Act at 42 U.S.C. 5633(a)(5) requires states to pass-through 66 2/3 per centum of funds that they receive under the JJDP Act at 42 U.S.C. 5632 unless waived at the discretion of the Administrator.
2. The request for waiver should be attached to the state's Title II application in the form of a letter to Robert L. Listenbee, OJJDP Administrator, who will review requests for exceptions to this waiver; however, the state must meet the following criteria prior to review or approval:
 - a. Demonstration, by comparing state and local expenditures for the preceding fiscal year, of how the state bears the primary financial burden for youth justice services provided in each of the authorized purpose areas.
 - b. Demonstration of consultation with units of local government in the state, either directly or through organizations representing such units, regarding the proposed waiver.
 - c. Demonstration of consultation with other state agencies that bear the primary financial burden for juvenile justice.
 - d. The approval of the state advisory group.
3. For further information or clarification, contact your OJJDP Program Manager.

Appendix D: Instructions to Complete the SAG Membership Table (with Sample Roster)⁸

The state advisory group (SAG) membership table was designed to simplify state reporting requirements. The state should select the designator listed below that best describes each member's qualifications and experience. A sample roster is at the end of this appendix.

Column 1 (Name/E-mail)

List the names of each SAG member beginning with the chair and place an asterisk (*) after any of those members who are also members of the state supervisory board. Include the individual e-mail address of each SAG member under her/his name.

Column 2 (Represents)

Select the item from the following list that most closely identifies each member's qualification:

- A. Locally elected official representing general purpose local government.
- B. Representative of law enforcement and juvenile justice agencies, including:
 - 1. Juvenile and family court judges
 - 2. Prosecutors
 - 3. Counsel for children and youth
 - 4. Probation workers
- C. Representatives of public agencies concerned with delinquency prevention or treatment such as:
 - 1. Welfare
 - 2. Social services
 - 3. Mental health
 - 4. Education
 - 5. Special education
 - 6. Recreation
 - 7. Youth services
- D. Representatives of private nonprofit organizations, including persons concerned with:
 - 1. Family preservation and strengthening
 - 2. Parent groups and parent self-help groups
 - 3. Youth development
 - 4. Delinquency prevention and treatment
 - 5. Neglected or dependent children
 - 6. Quality of youth justice
 - 7. Education
 - 8. Social services for children
- E. Volunteers who work with justice-involved youth or youth at risk.
- F. Youth workers involved with programs that are alternatives to confinement, including organized recreation activities.
- G. Persons with special experience and competence in addressing problems related to school

⁸ See 42 U.S.C. § 5633(a)(3).

violence and vandalism and alternatives to suspension and expulsion.

- H. Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence.

Column 3 (Full-Time Government)

If the person is a full-time government employee, place an “X” in this column.

Column 4 (Youth Member)

If the person was younger than 24 years old at the time of appointment, place an “X” in this column.

Column 5 (Date of Appointment)

Provide the date the member was appointed to the SAG.

Column 6 (Residence)

Provide the member’s residential or preferred mailing address.

Sample State Advisory Group Membership Roster* (Include e-mail for each member.)

Name/E-mail	Represents	Full-Time Government	Youth	Date of Member Appointment	Residence
1 Jane Smith, Chair jsmith1@gmail.com	D, F			June 1997	Harlem
John Smith jsmith1@gmail.com	C	X		June 1997	Helena
3 June Smith jsmith1@gmail.com	E		X	June 2001	Missoula
4 Jim Smith jsmith1@gmail.com	A	X		June 1997	Great Falls
5 Joan Smith jsmith1@gmail.com	B	X		June 1998	Great Falls
6 Judy Smith jsmith1@gmail.com	E		X	June 2001	Missoula
7 Jon Smith jsmith1@gmail.com	E		X	June 2001	Bozeman
8 Janet Smith jsmith1@gmail.com	B	X		June 1998	Helena
9 James Smith jsmith1@gmail.com	C	X		June 1998	Helena
10 Jan Smith jsmith1@gmail.com	D			June 1997	Bozeman
11 Junie Smith jsmith1@gmail.com	B	X		June 1999	Butte
12 Jonny Smith jsmith1@gmail.com	A, C	X		June 1999	Kalispell

13 John Smith jsmith1@gmail.com	A, D			June 2000	Great Falls
14 Julie Smith jsmith1@gmail.com	D			June 1997	Billings
15 Jewel Smith jsmith1@gmail.com	C	X		June 2000	Helena
16 Joanie Smith jsmith1@gmail.com	B		X	June 2000	Billings
17 Justus Smith jsmith1@gmail.com	C	X		June 2001	Helena
18 Judie Smith jsmith1@gmail.com	D, F			June 2001	Missoula
19 Jack Smith jsmith1@gmail.com	C	X		June 2000	East Helena
20 Jill Smith jsmith1@gmail.com	F		X	June 2001	Bozeman

*List the Chair first.

Are there at least 3 members of the SAG who have been or are currently under the jurisdiction of the juvenile justice system? Yes No

If no, include plans for recruitment within the narrative.

The SAG serves as the supervisory or advisory board . (Check one.)

If the above noted SAG has been designated as an advisory board, the following entity fulfills the requirement for an agency supervisory board:

The following SAG members serve as citizen members of the above-noted supervisory board:

Appendix E: Rural Removal Exception Certification Form

RURAL REMOVAL EXCEPTION CERTIFICATION

Attached is a list of all facilities within the State/Territory of _____ that OJJDP has previously approved for use of the Rural Removal Exception. The State/Territory of _____ certifies that all facilities OJJDP has approved continue to meet the statutory conditions of the JJDP Act including:

- _____ The state compliance monitor has determined that the facility(s) meets or exceeds sight and sound separation standards detailed in 28 CFR § 31.303(d)(1)(i);
- _____ The state has a policy in effect that requires individuals who work with both youth and adult inmates in collocated facilities to be trained and certified to work with youth;
- _____ The facility(s) is/are located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has/have no existing acceptable alternative placement available;
- _____ The facility(s) is/are located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed 48 hours) delay is excusable; **or**
- _____ The facility/(s) is/are located where conditions of safety exist (such as severely adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonably safe travel.

Juvenile Justice Specialist

Appendix F: Sample Budget Detail Worksheet

OJJDP FY2016 Title II Formula Grants Program Budget Detail Worksheet

Program Areas	Program Area Title	Proposed FY 2016 Budget (excludes match)	Proposed FY 2016 Match	Combined Total Budget
28	Planning & Administration (P&A) Total:*	\$40,000	\$40,000	\$80,000
	Planning & Administration (P&A) Detail:*			
	--Personnel	\$20,000	\$20,000	\$40,000
	--Fringe Benefits	\$7,000	\$7,000	\$14,000
	--Travel	\$3,000	\$3,000	\$6,000
	--Consultants & Non Program Contracts	\$10,000	\$10,000	\$20,000
	-- Program Contracts & Sub Awards Total ⁹	\$360,000	\$0	\$360,000
	-- Other P&A Costs			
	-- Program Contracts & Sub Awards Detail:			
1	Aftercare/Reentry			\$0
2	After-School Programs			\$0
3	Alternatives to Detention			\$0
4	Child Abuse and Neglect Programs			\$0
5	Community-Based Programs and Services			\$0
6	Delinquency Prevention			\$0
7	Gangs			\$0
8	Graduated and Appropriate Sanctions			\$0
9	Hate Crimes			\$0
10	Job Training			\$0
11	Learning and Other Disabilities			\$0
12	Mental Health Services			\$0

⁹ Note: The JJDP Act provides that unless the Administrator grants a waiver to any state in which the services for delinquent or other youth are organized primarily on a statewide basis, the state plan must provide that at least 66 and 2/3 percent of these award funds as reduced by the percentage (if any) specified by the state under [42 U.S.C. §5633(a)(25)] and excluding funds made available to the state advisory group under 42 U.S.C. § 5632 , shall be expended as specified in Title II of the JJDP Act.

13	Mentoring, Counseling and Training Programs			\$0
14	Positive Youth Development			\$0
15	Probation			\$0
16	Protecting Juvenile Rights			\$0
17	School Programs			\$0
18	Substance and Alcohol Abuse			\$0
19	Compliance Monitoring			\$0
20	Deinstitutionalization of Status Offenders	\$80,000		\$80,000
21	Disproportionate Minority Contact	\$50,000		\$50,000
22	Diversion			\$0
23	Gender-Specific Services			\$0
24	Indian Tribe Programs			\$0
25	Indigent Defense			\$0
26	Jail Removal	\$210,000		\$210,000
27	Juvenile Justice System Improvement			\$0
29	Reducing Probation Officer Caseload (if any) <5%			\$0
30	Rural Area Juvenile Programs			\$0
31	Separation of Youth From Adult Inmates			\$0
32	State Advisory Group Allocation	\$20,000		\$20,000
Award Total		\$400,000	\$40,000	\$440,000

* Beginning this year, applicants are to disaggregate planning and administrative program area costs by the subcategories listed above, which are to primarily cover:

1. The salaries of staff, such as a juvenile justice specialist, compliance monitor, and administrative assistant.
2. Travel costs of staff for the following:
 - To undertake compliance monitoring.
 - To attend national and regional OJJDP-sponsored conferences and workshops, as appropriate.
 - To attend local conferences and workshops, as appropriate.
 - To monitor contracts and subgrants with providers throughout the state.

Important note: If a state is out of compliance with one or more of the core requirements of the JJDP Act,

OJJDP will reduce its award by 20 percent for each requirement with which the state fails to comply. The state must use 50 percent of the amount received after the reduction for noncompliance to achieve compliance.

Planning and administration may be computed on the amount of the award after the reduction for noncompliance. (Note, however, that under the JJDPA, a state is permitted to budget for planning and administration as much as 10 percent of its *total allocation*, i.e., the allocation prior to any reduction for noncompliance). After any amount for planning and administration is deducted, the state may use the remaining funds for other programming.

Sample Calculations of the Pass-Through Requirement, SAG funds, and Planning and Administrative (P&A) Costs

The following is an example only; the dollar amounts and percentages may vary depending on whether the state has a waiver of the 66 2/3 percent pass-through requirement, and whether the state expends the full amounts allowed for SAG and P&A.

To calculate the amount the state may use for P&A:

$\$400,000$ FY16 award amount x 10% P&A = $\$40,000$ P&A federal share (must be matched)

To calculate the amount the state must pass through funds to units of local government or combinations thereof:

$\$400,000$ FY16 award amount - $\$20,000$ SAG allocation = $\$380,000$

$\$380,000$ x .6666 = $\$253,308$ must be passed through

Appendix G: Compliance and Compliance Monitoring Plans

Important notes: States must submit their compliance and compliance monitoring plans, data report, and supporting documentation for **the period January 1, 2015, to September 30, 2015**, electronically to OJJDP's [online compliance reporting tool](#) **separately** from this application and **no later than June 30, 2016**. This Appendix provides details regarding what states should include in the compliance and compliance monitoring plans and the compliance data submission. (OJJDP will require states to submit compliance and compliance monitoring plans, data report, and supporting documentation for the federal fiscal year 2016 [October 1, 2015, to September 30, 2016] **by January 31, 2017.**)

- A. Plan for compliance with the first three core requirements of the JJDP Act and the state's compliance monitoring plan.** Plans should be data-based and program specific, including the necessary "who, what, where, how, and when."

Elements of the comprehensive 3-Year Plan:

- (1) Plan for deinstitutionalization of status offenders (DSO).** Pursuant to the JJDP Act at 42 U.S.C. 5633, the state must develop a plan that provides that status offenders and nonoffenders will not be placed in secure detention or secure correctional facilities except as allowed under the exceptions set forth in the JJDP Act at 42 U.S.C. 5633 (a)(11)(A).

OJJDP recommends that the plan include a trend analysis of the state's DSO rates in preceding years (i.e., are rates increasing or decreasing and why). In addition, OJJDP recommends that the plan discuss the nature of the instances of noncompliance with DSO the state has typically experienced (e.g., status/ nonoffenders in jails or lockups; accused status offenders held in juvenile detention centers for more than 24 hours; incorrect or inappropriate usage of the valid court order exception, etc.). The state's plan to achieve or maintain compliance with DSO should relate directly to this analysis of violations. OJJDP recommends that the plan include:

- An overall timetable for achieving compliance.
- Strategies for achieving and maintaining compliance, including a description of any state or local laws that impact compliance and information on how the designated state agency and SAG will work together to address those circumstances in which DSO violations have occurred. Any recent or pending changes that could impact the state's compliance (e.g., pending or new legislation and staffing changes). Detailed goals, objectives, and action steps to achieve full compliance, including the title of the individual responsible for each step and the date by which it will occur. Goals, objectives, and activities should be directly tied to those circumstances in which DSO violations have occurred.
- Information on the SAG's proposed involvement.

- (2) Plan for separation of juveniles from adult inmates.** Pursuant to the Act at 42 U.S.C. 5633(a)(12), the state must develop a plan that provides youth alleged or found to be delinquent, status offenders, and nonoffenders who are alleged to be dependent, neglected, or abused, shall not be detained or confined in any institution in which they have contact with an adult inmate; that is, an individual who has reached the age of full criminal responsibility under applicable state law, and has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense.

OJJDP recommends that the plan include trend analysis of the state's separation compliance rates in preceding years (i.e., are rates increasing or decreasing and why). In addition, OJJDP recommends that the plan discuss the nature of separation violations the state has typically experienced (e.g., problems with adult trustees, physical plant issues in older facilities, etc.). The state's plan to achieve or maintain compliance with separation should relate directly to this analysis of violations. OJJDP

recommends that the plan include:

- A strategy for achieving and maintaining compliance, including a description of any state or local laws that impact compliance.
- Information on how the designated state agency and the SAG will work together to address circumstances in which separation violations have tended to occur, if relevant.
- Any changes that could impact the state's compliance (e.g., pending or new legislation, staffing changes).
- Detailed goals, objectives, and action steps to achieve full compliance, including the individual responsible for each step and the date by which it will occur. Goals, objectives, and activities must be directly tied to those circumstances in which separation violations have occurred.
- An overall timetable for achieving compliance.
- Information on the SAG's proposed involvement.

Any state in which individuals work with both juveniles and adult inmates must have in effect a policy requiring that such individuals be trained and certified to work with juveniles.

(3) Plan for removal of youth from adult jails and lockups. Pursuant to the JJDP Act at 42 U.S.C. 5633(a)(13) of the JJDP Act, the state must develop a plan that provides that (with limited exceptions) no juvenile shall be detained or confined in any adult jail or lockup.

OJJDP recommends that this plan include a trend analysis of the state's jail removal compliance rates in preceding years (i.e., are rates increasing or decreasing and why). In addition, OJJDP recommends that the plan discuss the nature of jail removal violations the state has typically experienced (e.g., status offenders detained or confined for any length of time in adult facilities, accused juvenile delinquents held in excess of the 6-hour rule, usage of the "rural exception" found at 42 U.S.C. 5633(a)(13)(B), etc.). The state's plan to achieve or maintain compliance with jail removal should relate directly to this analysis of violations. Areas to address include:

- Provide a strategy to achieve and maintain compliance, including a description of any state or local laws that impact compliance;
- Information on how the designated state agency and SAG will work together to address those circumstances in which jail removal violations have tended to occur, if relevant.
- Any changes that could impact the state's compliance (e.g., pending or new legislation, staffing changes).
- Detailed goals, objectives, and action steps for achieving full compliance, including the individual responsible for each step and the date by which it will occur. Goals, objectives, and activities should be directly tied to those circumstances in which jail removal violations have occurred.
- An overall timetable for achieving compliance.
- Information on the SAG's proposed involvement.

The JJDP Act at 42 U.S.C. 5633 (a)(13)(B) and OJJDP regulations provide for a rural removal exception with regard to youth accused of delinquent offenses, held in certain rural areas, and who are awaiting an **initial court appearance**. Under certain circumstances, such youth may be temporarily

detained beyond the 6-hour time limit. It is important to note that **the rural removal exception does not apply to status offenders**. Status offenders may not be detained or confined for any length of time in an adult jail or lockup. States must receive prior approval from OJJDP to use the rural exception, except in life-threatening weather conditions, as described in the JJDP Act at 42 U.S.C. 5633(a)(13)(ii)(III).

All states that have previously received OJJDP approval to use the rural exception for any facility must complete the Rural Removal Exception Certification form (Appendix E) certifying that approved facilities continue to meet the required conditions. The juvenile justice specialist should sign this form, and the state should submit it with its grant application.

States may submit requests for newly-identified facilities at any time to OJJDP's State Program Manager or to OJJDP's Core Protections Division. OJJDP must approve any use of the rural exception for each new facility prior to use, except in life-threatening weather conditions as described in the JJDP Act at 42 U.S.C. 5633(a)(13)(ii)(III).

B. Plan for compliance monitoring for the first three core requirements of the JJDP Act.

Pursuant to the JJDP Act at 42 U.S.C. 5633(a)(14), the state must provide for an adequate system of monitoring jails, lockups, detention facilities, correctional facilities, and non-secure facilities to ensure that the core protections are met.

States must provide a plan describing how their system for compliance monitoring meets each of the following 10 elements of an adequate compliance monitoring system:

- (1) Policy and procedures.** States must provide a copy of their compliance monitoring policy and procedures manual.
- (2) Monitoring authority.** The designated state agency that implements the JJDP Act core requirements should have the legal authority to inspect and collect data from all facilities in which a law enforcement or juvenile court authority might detain or confine juveniles. As an attachment to this application, the state must provide a copy of the legislative statute or executive order that provides the designated state agency with this authority. If this information is included in the above-referenced policies and procedures manual, provide the page or appendix number.
- (3) Monitoring timeline.** States must keep an annual calendar denoting when and where compliance monitoring will occur. As an attachment to this application, states must provide a copy of their monitoring timetable. If this information is included in the above-referenced policies and procedures manual, provide the page or appendix number.
- (4) Violation procedures.** This section of the plan must describe the legislative and administrative procedures and sanctions that the state has established to receive, investigate, and report compliance violations. If an agency other than the designated state agency monitors, describe how that agency maintains accountability for compliance with this requirement. If this information is included in the policies and procedures manual, provide the page number where it can be found.
- (5) Barriers and strategies.** Provide a written description of barriers the state faces in implementing an adequate system of compliance monitoring. This description must include strategies the state employs to overcome the barriers. If an up-to-date description of barriers and strategies is included in the policies and procedures manual, provide the page number where it can be found.
- (6) Definition of terms.** States' definitions for juvenile and criminal justice terms sometimes differ from those provided in the JJDP Act. It is critical that these differences are identified and addressed in the monitoring process. Provide a discussion of how state terms differ from those provided in the JJDP Act. If this information is included in the policies and procedures manual, provide the page number where it can be found. In addition, the state must certify that where state definitions differ from federal definitions

in the monitoring process, federal definitions will be used in the monitoring process.

- (7) Identification of the monitoring universe.** States must identify all facilities in which violations might occur (i.e., facilities that could meet the definition of a secure detention facility [as defined in the JJDP Act at 42 U.S.C. 5603(12)]; a secure correctional facility [as defined in the JJDP Act at 42 U.S.C. 5603(13)]; a jail or lockup for adults [as defined in the JJDP Act at 42 U.S.C. 5603(22)]; and any facility in which a juvenile may be detained or confined such that he has contact with an adult inmate.] Every facility that has this potential, regardless of its current use, comes under the purview of the monitoring requirements. This list may include both public and privately owned or operated facilities. If a detailed description of the state's identification process is included in the policies and procedures manual, provide the page number where it can be found.
- (8) Classification of monitoring universe.** States must classify all facilities in the state to determine which ones should be considered a secure detention or correctional facility, adult correctional institution, jail, lockup, or other type of secure or nonsecure facility. Moreover, classification also includes determining whether a facility is public or private, residential or nonresidential, and whether the population is youth only, adult only, or youth and adult. If a detailed description of the state's classification process is included in the policies and procedures manual, provide the page number where it can be found.
- (9) Inspection of facilities.** Inspection of facilities is necessary to ensure an accurate assessment of each facility's classification and record keeping. States must provide a plan for annually monitoring jails, lockups, and other facilities to determine that they comply with the DSO, separation, and jail removal requirements found in the JJDP Act at 42 U.S.C. 5633(a)(11), (12), and (13). If a detailed description of the state's inspection process is included in the policies and procedures manual, provide the page number where it can be found.
- (10) Data collection and verification.** States must collect data from facilities and report the data to OJJDP. If the facility data are self-reported by the facility or data are collected by an agency other than the state agency receiving federal grant funds, the plan must describe a statistically valid procedure to verify the reported data and describe the implementation of that verification procedure. On-site data verification should involve the review of data that a facility self reports, including a review of the facility's admissions records and/or booking logs. If a detailed description of the state's process for data collection and verification is included in the policies and procedures manual, provide the page number where it can be found.

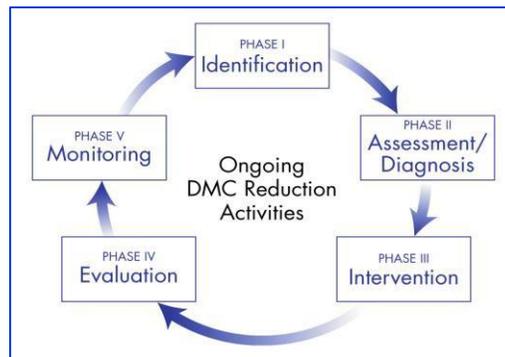
The designated state agency implementing the Formula Grants program is responsible for the state's compliance monitoring effort and the validity of the annual monitoring report; that agency may contract with a public or private agency to perform the monitoring function. If selecting another agency, the state must identify in its monitoring plan which agency it has authorized and/or tasked to assist in the monitoring functions. This plan should identify the funding amount and the name, address, and telephone number of the contractor. In addition, the plan should include the procedures and activities the state uses to monitor the contractual arrangement.

- C. Plan for Compliance with the Disproportionate Minority Contact (DMC) Core Requirement.** Pursuant to the JJDP Act at 42 U.S.C. 5633(a)(22), states and territories must "address youth delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system." DMC exists if the rate of contact with the juvenile justice system of a specific minority group is significantly different than the rate of contact for non-Hispanic whites or other minority groups.

States achieve compliance with this core requirement when they meet the requirements set forth in Formula Grants Consolidated Regulation 28 CFR Part §31.303(j)- (k). These include addressing DMC continually through identification (identifying the extent to which DMC exists), assessment (examining and determining the factors that contribute to DMC, if it

exists, intervention (developing and implementing strategies to reduce DMC), evaluation (evaluating the efficacy of implemented strategies), and monitoring (tracking changes in DMC trends over time).

DMC Reduction Cycle



All states, except for Puerto Rico, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the U.S. Virgin Islands shall submit DMC Identification. Spreadsheets as part of the DMC compliance plan in their 3-year plans. All participating states and U.S. territories, shall submit any data they have collected and analyzed by race and ethnicity. When a state determines that DMC exists, it shall provide in its 3-year plan and the subsequent updates, a plan that complies with the implementation guidelines below. Responses to the 2016 DMC Plan must address the five phases of the DMC Reduction Cycle.

Phase I: Identification. The purpose of the identification phase of a state’s DMC effort is to determine whether disproportionality exists and the extent to which it exists. This requires the state to make comparisons between races within targeted jurisdictions. By collecting and examining data at the major contact/ decision points in the juvenile justice system, states and territories can determine whether overrepresentation exists, in which jurisdictions it may exist, and the degree to which it exists at any contact/decision point within the juvenile justice system (See *Disproportionate Minority Contact Technical Assistance Manual, 4th Edition* [2009] Chapter 1 for detailed descriptions of the juvenile justice system contact points).

Additionally, based on experience with the Relative Rate Index (RRI) process over several years, OJJDP has created a series of steps in the analysis of index values to drive decision- making within a state and community. The objective is for the state and a community to identify a small set (at least five) contact point/racial group combinations that will be the focus of later assessment, intervention, and evaluation work. In other words, select points of focus for the ongoing DMC activity. The five-step process involves:

(1) Updated DMC Identification Spreadsheets. OJJDP requires states to collect, analyze, and enter the data statewide and for at least three local jurisdictions, approved by OJJDP, into the [DMC Web-Based Data Entry System](#) every 3 years; states also may do so annually or biannually. The data should be no older than federal fiscal year 2013. Once the state has entered the data, export the RRI spreadsheets to OJJDP’s Compliance Tool and label as “Attachment #2.” Identify the jurisdiction when exporting to the online tool (example: Attachment #2: Smith County/Township/Parish). **Note:** States may submit data for fewer than three local jurisdictions if the statewide minority population does not meet the 1 percent threshold to be analyzed separately and/or if the state has requested and received a waiver to target fewer than three jurisdictions. If states enter more than 3 jurisdictions into the DMC Web-Based Data Entry and attach them in OJJDP’s Compliance Tool, they must explain why the additional jurisdictions were entered if they are not local targeted reduction sites where interventions will be implemented.

Note: Not applicable for American Samoa, Guam, the Commonwealth of the Northern Mariana Islands

and the U.S. Virgin Islands as the DMC Web-Based Data Entry System does not currently reflect their specific races and ethnicities. However, the U.S. territories must submit any data they have collected and analyzed for youth who have come into contact with the juvenile justice systems.

(2) DMC data discussion. Respond to the following:

Note: States must complete the RRI Analysis Tracking Sheet as a component of their data discussion statewide and for at least three local jurisdictions unless OJJDP has granted a waiver. States must include the corresponding RRI values (See a sample sheet in Appendix H).

- (a)** When quantifiable documentation is unavailable or incomplete to determine whether DMC exists or has changed, the state must provide a time-limited plan, not to exceed 6 months, for developing and implementing a system to routinely collect the data to track progress in DMC reduction and demonstrate consistent improvement in this area. Again, the data should be no older than federal fiscal year 2013 for those states that collect data every 3 years. States that anticipate that the time-limited plan will exceed 6 months must provide additional information as to how they will collect and analyze data prior to their submission of their next 3-Year Plan Update.

The time-limited plan must include, if applicable, descriptions of the following:

- Current and future barriers to data collection and tracking.
- The agencies, organizations, or individual(s) that will collect and analyze the data.
- The anticipated outcomes for data collection and analysis.

- (b)** Discuss the RRIs obtained, compare the updated data with the data in the FY 2015 2017 3-Year Comprehensive Plan, and illustrate how the data inform/guide the state's FY 2016-2017 DMC reduction efforts.

Additionally, the preferred type of data is the duplicated count, one reflecting the total number of youth contacts with the justice system. Indicate whether statewide and local data reflect a duplicated or unduplicated count (i.e., one youth who has juvenile justice system contact regardless of the number of contacts). If the state does not know whether the counts are duplicated or unduplicated it must provide a time-limited plan not to exceed 12 months of how the state will determine whether the counts are duplicated, unduplicated, or a combination. The time-limited plan must include, the following items:

- Current and future barriers to determining whether counts are duplicated or unduplicated.
- The agencies, organizations, or individual(s) that will determine whether the contacts are duplicated, unduplicated, or a combination.
- The anticipated outcomes.

- (c)** Use the RRI Tracking Sheet (see example in Appendix H) to interpret and analyze the values that should drive decision-making:

- (1) Identify the RRI values that are statistically significant. This also includes discussing statistical parity (i.e. how many fewer or more minority youth would it take to show statistical equality with white non-Hispanic and/or majority youth; see "Volume Issues" tab in the RRI Spreadsheet).
- (2) From statistically significant RRI values, identify those with the greatest magnitude (i.e. more than 1.0 for arrests, referrals to court, cases resulting in secure detention, cases petitioned, cases resulting in delinquent findings, cases resulting in secure correctional facilities, and

transfers to adult court and less than 1.0 for diversion and probation) that is, those that reflect the greatest degree of disproportionate contact.

- (3) From among statistically significant RRI values and those with the greatest magnitude, identify those that involve the greatest volume of activity, that is, the largest number of minority youth who potentially may be affected.
- (4) If applicable, compare the RRI values noted in step 2 or 3 with the range of RRI values nationally (**Note:** See the [National Disproportionate Minority Contact Databook](#) and/or the “Compare Counties” and “States” tabs in the RRI Spreadsheet).
- (5) Examine the local context for each of the RRI values identified in steps (1)–(4) to consider which jurisdictions may be the more feasible target populations for activities to reduce DMC. **Note:** See Chapter 1 in the [Disproportionate Minority Contact Technical Assistance Manual, 4th Edition](#) for the discussion and list of contextual considerations.

Phase II: Assessment/Diagnosis. When a state or territory identifies that DMC exists, it must undertake an assessment. States should also undertake targeted assessments when they note significant changes in the RRIs at particular contact/decision points, or after they implement significant changes in laws, procedures, and policies within the juvenile justice system that negatively impact DMC. A DMC assessment is a comprehensive analysis using advanced research methodologies to identify the contributing factors and examine minority over-representation and explain differences at all contact stages of the juvenile justice system. It should also include recommendations for specific delinquency prevention, intervention, and systems improvement strategies.

Respond to the following:

- (1) Provide a brief summary of the findings of the statewide DMC assessment study published from 2005-2014 that includes any identified contributing mechanisms, findings, and recommendations. (See Appendix G for examples of major factors that may contribute to DMC). If your state has not done so, submit a copy of the assessment study and/or a link to access it.
- (2) If a statewide DMC assessment study has not been conducted or completed, provide a time-limited plan not to exceed 12 months for completing this assessment and/or any technical assistance needed. The plan must include the following items:
 - Current and future barriers.
 - The agencies, organizations, or individual(s) that will complete the assessment study.
 - The anticipated outcomes of the assessment.

Note: If a state requested an extension and OJJDP approved it, attach documentation (Attachment #3: OJJDP approved DMC assessment study extension).

Phase III: Intervention. Each state’s DMC Compliance Plan shall, where DMC has been demonstrated and contributing factors determined, provide an intervention plan for reduction. Base the plan on the results of the identification data and assessment study findings (if applicable). The state should also target comprehensive prevention and intervention programming and system improvement efforts to communities where DMC is most prevalent and those contact stages of the system where major disproportionate rates occur. Ultimately, the intervention efforts should address any individual, family, community, systemic (juvenile justice, education, etc.) factors and related laws and policies that may contribute to DMC.

Respond to the following:

(1) Progress made in FY 2015. Discuss the status of each of the planned activities in the FY 2015 DMC Compliance Plan. States that have implemented local delinquency prevention and systems improvement strategies should complete this section for each individual locality. States must also demonstrate that funded activities are directly related to the RRI Index values that are statistically significant, those with the greatest magnitude, and the greatest volume of activity statewide and for at least 3 local targeted reduction sites (unless granted a waiver by OJJDP). These activities also must be directly related to states' DMC assessment study findings (if a study has been completed).

(a) Which activities have been implemented? Discuss progress made and include planned Formula Grant-supported activities with DMC specific goals and objectives.

(b) Which activities, if any, were not implemented? Discuss the reasons that prevented implementation and plans to overcome these obstacles.

(2) States that have identified one or more local jurisdiction(s) as DMC reduction sites but have not implemented delinquency prevention, intervention, and/or systems improvement activities, must provide a time-limited plan not to exceed 12 months of when implementation will occur. The plan must include, the following items:

- Current and future barriers to implementation.
- The agencies, organizations, or individual(s) that will determine which strategies will be implemented and why.
- The anticipated outcomes.

Phase IV: Evaluation. States must evaluate the efficacy of their efforts to address DMC. At a minimum, all intervention strategies to reduce DMC shall include specific goals, objectives, activities, and selected performance measures.

Some states have conducted formal process and/or outcome evaluations of DMC activities. If applicable, include a brief summary of findings of any formal process or outcome evaluation related to DMC activities (i.e. those that contain a specific research methodology to evaluate the program's effectiveness or implementation process).

If no formal process or outcome evaluation has been conducted, please explain why evaluation of any DMC delinquency prevention, intervention and/or systems improvement strategies has not occurred and how the state determines whether strategies are reducing DMC.

Performance measures. States must also provide a list of the required output, outcome and/or other applicable DMC performance measures in this section. The performance measures are available [here](#).

Phase V: Monitoring. States and their selected localities must monitor and track changes in DMC trends over time and/or conduct site monitoring visits to identify emerging critical issues to determine whether there has been a reduction or increase. The ultimate question that jurisdictions must answer is: Has DMC been reduced? Whether such a change is directly attributable to specific DMC efforts is a secondary issue that requires a specific evaluation study.

Respond to the following:

(1) Include a time-limited plan, not to exceed 6 months, of how the state will monitor and track changes in DMC trends over time.

(2) Include a description of how the state will monitor any delinquency prevention, intervention, and/or

systems improvement activities implemented to reduce DMC.

- (3) Indicate who will monitor these activities. If this is a DMC coordinator, indicate if the position is full or part-time.
- (4) Provide a timeline of current and/or future monitoring activities.

DMC Reduction Plan. As stated above in the Intervention section, states must also demonstrate that funded activities are directly related to the RRI Index values that are statistically significant, those with the greatest magnitude, and the greatest volume of activity statewide and for at least 3 local targeted reduction sites (unless granted a waiver by OJJDP). These activities also must be directly related to states' DMC assessment study findings (if a study has been completed).

- (1) States must specify the timeline for FY 2016, to conduct delinquency prevention, intervention, and systems improvement strategies.
- (2) States must specify the funding amount, funding source(s), and specific line items designated to conduct delinquency prevention, intervention, and systems improvement strategies.

Appendix H: Sample Relative Rate Index Analysis and Tracking Sheet

State: Any State, USA County: Smith	Black or African-American	Hispanic or Latino	Asian	Native Hawaiian or other Pacific Islander	American Indian or Alaska Native	Other/ Mixed	All Minorities
1. Juvenile Arrests	S,M,V,C 6.42	S, M,V,CC 3.73	S, M, C,CX 2.00	S,M,CX 2.45	S, M,C,CX 2.75	S,M,V,CX 4.00	S, M,V,C,CX 4.75
2. Referrals to Juvenile Court	S,M,V,CX 5.00	S,M,V,CX 2.50	S,M 1.89	S,M,V,CX 2.23	S,M 2.25	S,V,CX 3.75	S,M,V 4.25
3. Cases Diverted	S,M,V 0.50	S,M,V,CX 0.70	S,M 1.23	S,M,C 0.50	S,M,V,CX 0.50	**	S,V,CX 0.50
4. Cases Involving Secure Detention	S,M,V 3.85	S,M,V 3.00	**	S,V,CX 1.85	**	S,M,V 3.00	S,M,V 2.99
5. Cases Petitioned (Charges Filed)	S,M,V,CX 3.50	S,M,V, CX 2.00	**	S,M,V 1.55	S,M 1.45	S,M 1.50	S,M,V,CX 3.25
6. Cases Resulting in Delinquent Findings	S,M,V 2.90	S,V,CX 1.87	**	S,M,V 2.00	S,M,V,CX 1.80	S,M,V 2.00	S,M,V,C 1.98
7. Cases resulting Probation Placement	S,M,V 1.50	S,M,V,CX 1.23	**	S,M,V 1.11	**	S 1.25	S,V,CX 1.15
8. Cases Resulting in Confinement in Secure Youth Correctional Facilities	S,M,V 2.00	S,M,V 1.99	**	**	**	S,M,V 1.64	S,M,V,C 1.85
9. Cases Transferred to Adult Court	S,M,V 1.90	S,M,V **	S 1.01	S 1.21	S,M 1.15	S,M,V 1.60	S,M,V 1.45

Key: **S** = statistically significant; **M** = magnitude of RRI; **V** = volume of activity; **C** = comparative with other jurisdictions; **CX** = contextual considerations.

** Does not meet 1-percent threshold to be analyzed separately.

Appendix I: Assurances of Compliance with the JJDP Act [42 U.S.C. 5633, Section 223(a)]

The applicant's submission of SF-424 confirms that the state meets the assurances required under the JJDP Act at 42 U.S.C. §5633(a)(15), (16), (18), (20), (24), and (28), and constitutes formal assurance of compliance with all other requirements outlined in this appendix.

The application must provide reasonable evidence that the state complies with each of the following requirements. As noted below, indicate on which application page(s) is found the documentation for each requirement, and submit this Appendix as an attachment to the Plan Update application.

- (a) Requirements. In order to receive formula grants under this part, a State shall submit a plan for carrying out its purposes applicable to a 3-year period. Such plan shall be amended annually to include new programs, projects, and activities. The State shall submit annual performance reports to the Administrator which shall describe progress in implementing programs contained in the original plan, and shall describe the status of compliance with State plan requirements. In accordance with regulations which the Administrator shall prescribe, such plan shall—
- (1) Designate the state agency as the sole agency for supervising the preparation and administration of the plan; [Page(s):]
 - (2) Contain satisfactory evidence that the State agency designated in accordance with paragraph (1) has or will have authority, by legislation if necessary, to implement such plan in conformity with this part; [Page(s):]
 - (3) Provide for an advisory group that—
 - (A) Shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the state—
 - (i) Which members have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency;
 - (ii) Which members include—
 - (I) At least one locally elected official representing general purpose local government;
 - (II) Representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
 - (III) Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services;
 - (IV) Representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;
 - (V) Volunteers who work with delinquents or potential delinquents;
 - (VI) Youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities;

(VII) Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion; and

(VIII) Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence;

(iii) A majority of which members (including the chairperson) shall not be full-time employees of the federal, state, or local government;

(iv) At least one-fifth of which members shall be under the age of 24 at the time of appointment; and

(v) At least 3 members who have been or are currently under the jurisdiction of the juvenile justice system;

(B) Shall participate in the development and review of the state's juvenile justice plan prior to submission to the supervisory board for final action;

(C) Shall be afforded the opportunity to review and comment, not later than 30 days after their submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the state agency designated under paragraph (1);

(D) Shall, consistent with this title—

(i) Advise the state agency designated under paragraph (1) and its supervisory board; and

(ii) Submit to the chief executive officer and the legislature of the State at least annually recommendations regarding State compliance with the requirements of paragraphs (11), (12), and (13); and

(iii) Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system; and

(E) May, consistent with this title—

(i) Advise on state supervisory board and local criminal justice advisory board composition; [and]

(ii) Review progress and accomplishments of projects funded under the state plan. [Page(s):]

(4) Provide for the active consultation with and participation of units of local government or combinations thereof in the development of a state plan which adequately takes into account the needs and requests of units of local government, except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall be construed to prohibit or impede the State from making grants to, or entering into contracts with, local private agencies or the advisory group; [Page(s):]

(5) Unless the provisions of this paragraph are waived at the discretion of the Administrator for any state in which the services for delinquent or other youth are organized primarily on a statewide basis, provide that at least 66 2/3 per centum of funds received by the state under section 222 [42 USC § 5632] reduced by the percentage (if any) specified by the state under the authority of paragraph (25) and excluding funds made available to the State advisory group under section 222(d) [42 USC § 5632(d)], shall be expended—

(A) Through programs of units of local government or combinations thereof, to the extent such programs are consistent with the state plan;

(B) Through programs of local private agencies, to the extent such programs are consistent with the state plan, except that direct funding of any local private agency by a State shall be permitted only if such agency requests such funding after it has applied for and been denied funding by any unit of local government or combination thereof; and

(C) To provide funds for programs of Indian tribes that perform law enforcement functions (as determined by the Secretary of the Interior) and that agree to attempt to comply with the requirements specified in paragraphs (11), (12), and (13), applicable to the detention and confinement of juveniles, an amount that bears the same ratio to the aggregate amount to be expended through programs referred to in subparagraphs (A) and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the State population under 18 years of age, [;] [Page(s):]

(6) Provide for an equitable distribution of the assistance received under section 222 [42 USC § 5632] within the state, including in rural areas; [Page(s):]

(7) (A) Provide for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the state (including any geographical area in which an Indian tribe performs law enforcement functions), a description of the services to be provided, and a description of performance goals and priorities, including a specific statement of the manner in which programs are expected to meet the identified juvenile crime problems (including the joining of gangs that commit crimes) and juvenile justice and delinquency prevention needs (including educational needs) of the state; and

(B) Contain—

(i) An analysis of gender-specific services for the prevention and treatment of juvenile delinquency, including the types of such services available and the need for such services;

(ii) A plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency;

(iii) A plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and

(iv) A plan for providing needed mental health services to juveniles in the juvenile justice system, including information on how such plan is being implemented and how such services will be targeted to those juveniles in such system who are in greatest need of such services.

[Page(s):]

(8) Provide for the coordination and maximum utilization of existing juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the state; [Page(s):]

(9) Provide that not less than 75 percent of the funds available to the state under section 222 [42 USC § 5632], other than funds made available to the state advisory group under section 222(d) [42 USC § 5632(d)], whether expended directly by the state, by the unit of local government, or by a combination thereof, or through grants and contracts with public or private nonprofit agencies, shall be used for—

(A) Community-based alternatives (including home-based alternatives) to incarceration and institutionalization including—

(i) For youth who need temporary placement: crisis intervention, shelter, and after-care; and

(ii) For youth who need residential placement: a continuum of foster care or group home alternatives that provide access to a comprehensive array of services;

- (B) Community-based programs and services to work with—
 - (i) Parents and other family members to strengthen families, including parent self- help groups, so that juveniles may be retained in their homes;
 - (ii) Juveniles during their incarceration, and with their families, to ensure the safe return of such juveniles to their homes and to strengthen the families; and
 - (iii) Parents with limited English-speaking ability, particularly in areas where there is a large population of families with limited-English speaking ability;
- (C) Comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and private nonprofit agencies offering youth services;
- (D) Programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;
- (E) Educational programs or supportive services for delinquent or other juveniles—
 - (i) To encourage juveniles to remain in elementary and secondary schools or in alternative learning situations;
 - (ii) To provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and
 - (iii) Enhance coordination with the local schools that such juveniles would otherwise attend, to ensure that—
 - (I) The instruction that juveniles receive outside school is closely aligned with the instruction provided in school; and
 - (II) Information regarding any learning problems identified in such alternative learning situations are communicated to the schools;
- (F) Expanding the use of probation officers—
 - (i) Particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and
 - (ii) To ensure that juveniles follow the terms of their probation;
- (G) Counseling, training, and mentoring programs, which may be in support of academic tutoring, vocational and technical training, and drug and violence prevention counseling, that are designed to link at-risk juveniles, juvenile offenders, or juveniles who have a parent or legal guardian who is or was incarcerated in a federal, state, or local correctional facility or who is otherwise under the jurisdiction of a federal, state, or local criminal justice system, particularly juveniles residing in low-income and high-crime areas and juveniles experiencing educational failure, with responsible individuals (such as law enforcement officials, Department of Defense personnel, individuals working with local businesses, and individuals working with community- based and faith-based organizations and agencies) who are properly screened and trained;

- (H) Programs designed to develop and implement projects relating to juvenile delinquency and learning disabilities, including on-the-job training programs to assist community services, law enforcement, and juvenile justice personnel to more effectively recognize and provide for learning disabled and other juveniles with disabilities;
- (I) Projects designed both to deter involvement in illegal activities and to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of youth;
- (J) Programs and projects designed to provide for the treatment of youths' dependence on or abuse of alcohol or other addictive or nonaddictive drugs;
- (K) Programs for positive youth development that assist delinquent and other at-risk youth in obtaining—
 - (i) A sense of safety and structure; (ii) a sense of belonging and membership;
 - (iii) A sense of self-worth and social contribution;
 - (iv) A sense of independence and control over one's life; and
 - (v) A sense of closeness in interpersonal relationships;
- (L) Programs that, in recognition of varying degrees of the seriousness of delinquent behavior and the corresponding gradations in the responses of the juvenile justice system in response to that behavior, are designed to—
 - (i) Encourage courts to develop and implement a continuum of post-adjudication restraints that bridge the gap between traditional probation and confinement in a correctional setting (including expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, and similar programs, and secure community-based treatment facilities linked to other support services such as health, mental health, education (remedial and special), job training, and recreation); and
 - (ii) Assist in the provision [by the provision] by the Administrator of information and technical assistance, including technology transfer, to states in the design and utilization of risk assessment mechanisms to aid juvenile justice personnel in determining appropriate sanctions for delinquent behavior;
- (M) Community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that such juveniles may be retained in their homes;
- (N) Programs (including referral to literacy programs and social service programs) to assist families with limited English-speaking ability that include delinquent juveniles to overcome language and other barriers that may prevent the complete treatment of such juveniles and the preservation of their families;
- (O) Programs designed to prevent and to reduce hate crimes committed by juveniles;
- (P) After-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities;
- (Q) Community-based programs that provide follow-up post-placement services to adjudicated juveniles, to promote successful reintegration into the community;

- (R) Projects designed to develop and implement programs to protect the rights of juveniles affected by the juvenile justice system; and
- (S) Programs designed to provide mental health services for incarcerated juveniles suspected to be in need of such services, including assessment, development of individualized treatment plans, and discharge plans. [Page(s):]
- (10) Provide for the development of an adequate research, training, and evaluation capacity within the state.; [Page(s):]
- (11) Shall, in accordance with rules issued by the Administrator, provide that—
- (A) Juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding—
- (i) Juveniles who are charged with or who have committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;
 - (ii) Juveniles who are charged with or who have committed a violation of a valid court order; and
 - (iii) Juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the state; shall not be placed in secure detention facilities or secure correctional facilities; and
- (B) Juveniles—
- (i) Who are not charged with any offense; and
 - (ii) Who are—
 - (I) Aliens; or
 - (II) Alleged to be dependent, neglected, or abused, shall not be placed in secure detention facilities or secure correctional facilities; [Page(s):]
- (12) provide that—
- (A) Juveniles alleged to be or found to be delinquent or juveniles within the purview of paragraph (11) will not be detained or confined in any institution in which they have contact with adult inmates; and
- (B) There is in effect in the State a policy that requires individuals who work with both such juveniles and such adult inmates, including in collocated facilities, have been trained and certified to work with juveniles; [Page(s):]
- (13) Provide that no juvenile will be detained or confined in any jail or lockup for adults except—
- (A) Juveniles who are accused of nonstatus offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—
- (i) For processing or release;
 - (ii) While awaiting transfer to a juvenile facility; or
 - (iii) In which period such juveniles make a court appearance; and only if such juveniles do not have contact with adult inmates and only if there is in effect in the state a policy that requires individuals who work with both such juveniles and adult inmates in collocated facilities have been trained and certified to work with juveniles;

(B) Juveniles who are accused of nonstatus offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays), and who are detained in a jail or lockup—

(i) In which—

(I) Such juveniles do not have contact with adult inmates; and

(II) There is in effect in the state a policy that requires individuals who work with both such juveniles and adults inmates in collocated facilities have been trained and certified to work with juveniles; and

(ii) That—

(I) Is located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and has no existing acceptable alternative placement available;

(II) Is located where conditions of distance to be traveled or the lack of highway, road, or transportation do not allow for court appearances within 48 hours (excluding Saturdays, Sundays, and legal holidays) so that a brief (not to exceed an additional 48 hours) delay is excusable; or

(III) Is located where conditions of safety exist (such as severe adverse, life-threatening weather conditions that do not allow for reasonably safe travel), in which case the time for an appearance may be delayed until 24 hours after the time that such conditions allow for reasonable safe travel; [Page(s):]

(14) Provide for an adequate system of monitoring jails, detention facilities, correctional facilities, and non-secure facilities to insure that the requirements of paragraphs (11), (12), and (13) are met, and for annual reporting of the results of such monitoring to the Administrator, except that such reporting requirements shall not apply in the case of a State which is in compliance with the other requirements of this paragraph, which is in compliance with the requirements in paragraphs (11) and (12), and which has enacted legislation which conforms to such requirements and which contains, in the opinion of the Administrator, sufficient enforcement mechanisms to ensure that such legislation will be administered effectively; [Page(s):]

(15) Provide assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income, and disability; [Page(s):]

(16) Provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency (which approaches should include the involvement of grandparents or other extended family members when possible and appropriate and the provision of family counseling during the incarceration of juvenile family members and coordination of family services when appropriate and feasible); [Page(s):]

(17) Provide for procedures to be established for protecting the rights of recipients of services and for assuring appropriate privacy with regard to records relating to such services provided to any individual under the state plan; [Page(s):]

(18) provide assurances that—

(A) Any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;

- (B) Activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and
- (C) No such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved; [Page(s):]
- (19) Provide for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title; [Page(s):]
- (20) Provide reasonable assurance that federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds that would in the absence of such federal funds be made available for the programs described in this part, and will in no event replace such state, local, and other nonfederal funds; [Page(s):]
- (21) Provide that the state agency designated under paragraph (1) will—
- (A) To the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based;
- (B) From time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of state and local needs, that it considers necessary; and
- (C) Not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency; [Page(s):]
- (22) Address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system; [Page(s):]
- (23) Provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense—
- (A) An appropriate public agency shall be promptly notified that such juvenile is held in custody for violating such order;
- (B) Not later than 24 hours during which such juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and
- (C) Not later than 48 hours during which such juvenile is so held—
- (i) Such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of such juvenile; and
- (ii) Such court shall conduct a hearing to determine—
- (I) Whether there is reasonable cause to believe that such juvenile violated such order; and
- (II) The appropriate placement of such juvenile pending disposition of the violation alleged;
- [Page(s):]

- (24) Provide an assurance that if the state receives under section 222 [42 USC § 5632] for any fiscal year an amount that exceeds 105 percent of the amount the state received under such section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services; [Page(s):]
- (25) Specify a percentage (if any), not to exceed 5 percent, of funds received by the state under section 222 [42 USC § 5632] (other than funds made available to the State advisory group under section 222(d) [42 USC § 5632(d)]) that the state will reserve for expenditure by the state to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units; [Page(s):]
- (26) Provide that the state, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court; [Page(s):]
- (27) Establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for juvenile offenders; [Page(s):] and
- (28) Provide assurances that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675). [Page(s):]

Appendix J: Contact Information for States and Territories

As a separate attachment, submit a document with the following contact information for the designated agency:

Juvenile Justice Specialist Name:

Title:

Mailing Address:

Phone Number:

Email Address:

State Planning Agency Director Name:

Title:

Mailing Address:

Phone Number:

Email Address:

State Advisory Group Chair Name:

Title:

Mailing Address:

Phone Number:

Email Address:

JABG Coordinator Name:

Title:

Mailing Address:

Phone Number:

Email Address:

Compliance Monitor Name:

Title:

Mailing Address:

Phone Number:

Email Address:

DMC Coordinator Name:

Title:

Mailing Address:

Phone Number:

Email Address: