

VIRGINIA JUVENILE COMMUNITY CRIME
CONTROL ACT
AUDIT GUIDANCE DOCUMENT

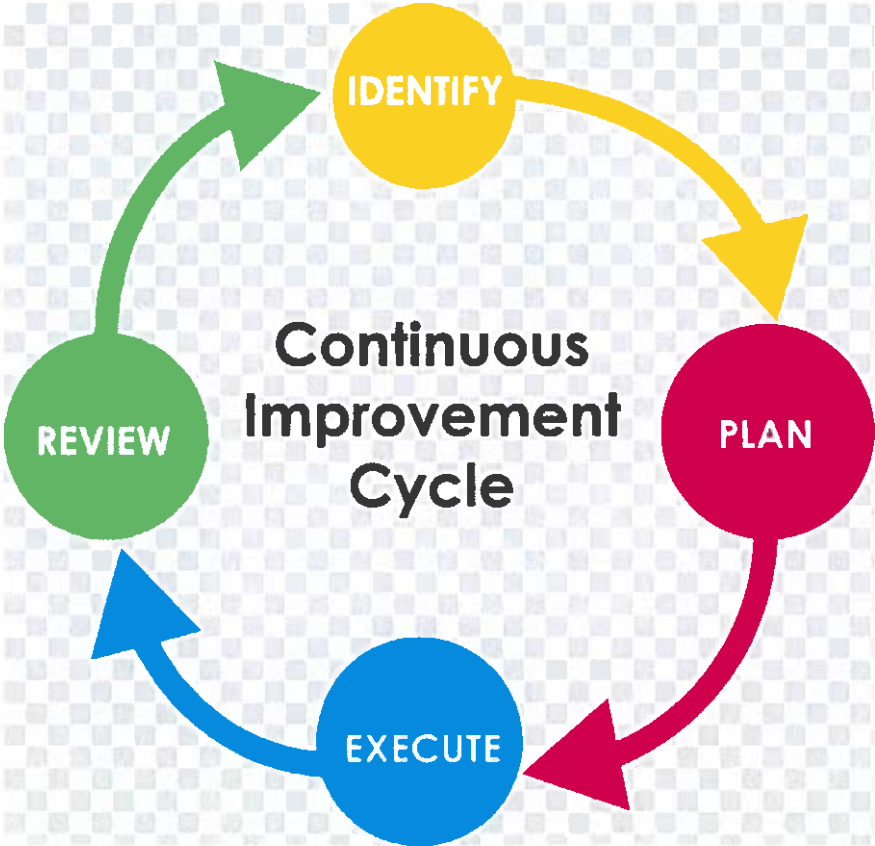


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Chapter 20. Regulation Governing the Monitoring, Approval, and Certification of Juvenile
Justice Programs and Facilities

Effective Date: September 25, 2013

Part I

Definitions and Provisions

6VAC35-20-10. Definitions.

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

"Appeal of a finding of noncompliance" means the action taken by a facility or program administrator after a certification audit when there is disagreement with a finding of noncompliance with an individual regulatory requirement.

"Audit team leader" means the person designated by the director or designee to organize and facilitate the certification audit or the audit of a VJCCCA program or office on youth.

"Board" means the Virginia Board of Juvenile Justice.

"Certification" or "certified" means the formal finding that a program or facility is approved to operate for a specific period of time as provided for in 6VAC35-20-100.

"Certification action" means the department's decision to issue or deny certification or to decertify a program or facility as provided for in 6VAC35-20-100 or the board's decision to take action pursuant to 6VAC35-20-115.

"Certification audit" means the process by which designated personnel assess a program's or facility's compliance with applicable regulatory requirements, which includes an on-site visit, the results of which are reported in a certification audit report for certification action as provided for in 6VAC35-20-100. All facilities and court service units regulated by the board shall be subject to certification audits.

"Certification audit report" means the official report of certification audit findings prepared by the audit team leader as provided for in 6VAC35-20-90.

"Certification status" means the type of certification issued to a program or facility, which includes the period of time specified in the certificate, during which the program or facility is approved to operate and must maintain compliance with its regulatory requirements and any corrective action plan.

"Compliance" means meeting the requirements of a standard or an applicable board policy.

"Compliance documentation" means specific documents or information including records, reports, observations, and verbal responses to establish or confirm compliance with a regulatory requirement by a program or facility.

"Conditional certification" means a temporary certification status issued to a new or newly opened facility as provided for in 6VAC35-20-100.

"Corrective action plan" means a written document that, in accordance with 6VAC35-20-91, states what has been or will be done to bring all deficiencies into compliance with regulatory requirements.

"Critical regulatory requirements" means those regulatory requirements for programs or facilities, as defined by the board, that must be maintained at 100% compliance. Critical regulatory requirements were previously termed "mandatory standards."

"Decertified" means a status imposed in accordance with 6VAC35-20-120 when it is determined that a program or facility has not met an acceptable percentage of compliance with its regulatory requirements as provided for in 6VAC35-20-85.

"Deficiency" and "noncompliance" means that the program or facility (i) does not meet or has not demonstrated that it meets regulatory requirements or (ii) does not comply with the Virginia Juvenile Community Crime Control Act local plan approved by the board.

"Department" means the Virginia Department of Juvenile Justice.

"Director" means the Director of the Department of Juvenile Justice.

"Health, welfare, or safety violation" means any action or omission that causes an immediate and substantial threat to the health, welfare, or safety of the juveniles or staff in juvenile residential facilities.

"Juvenile residential facility" or "facility" means a publicly or privately operated facility or placement where 24 hour-per-day care is provided to residents who are separated from their legal guardians and that is certified pursuant to this chapter. As used in this regulation, the term includes juvenile group homes and halfway houses, juvenile secure detention centers, and juvenile correctional centers.

"Monitoring review" means a review by designated department personnel assessing the program's or facility's compliance with regulatory requirements. A monitoring review may be conducted via electronic means and does not require on-site examination of the program or facility. A monitoring review may be done in conjunction with a program's or facility's self-audit, which is provided for in 6VAC35-20-61.

"Monitoring visit" means an on-site evaluation and inspection by designated personnel to assess a program's or facility's compliance with regulatory requirements.

"Newly opened facility" means (i) a facility that is newly constructed or (ii) an existing facility that is being placed in service as a juvenile residential facility.

"Office on Youth" means nonresidential programs funded via the Virginia Delinquency Prevention and Youth Development Act (Chapter 3 (§ 66-26 et seq.) of Title 66 of the Code of Virginia).

"Preliminary summary suspension order" means an order issued by the director as provided in 6VAC35-20-37 taking immediate action against a program or facility when there is a known substantial health, welfare, or safety threat. This order is issued summarily prior to review by the board and is subject to due process protections after issuance.

"Probationary certification" means the temporary status granted to a program or facility to provide a period of time in which to demonstrate compliance with regulatory requirements.

"Program" means a court service unit or a nonresidential service subject to applicable regulatory requirements. For the purpose of this regulation, VJCCA programs and offices on youth are not included in this definition.

"Program or facility administrator" means the individual responsible for the operations of a program or facility subject to regulatory requirements.

"Regulatory requirement" means a provision of a regulation promulgated by the board to which a program or facility must adhere. A section, subsection, or subdivision of a regulation may include multiple regulatory requirements as provided for in 6VAC35-20-85.

"Status report" means a report that summarizes a review of the areas on which there was a finding of noncompliance and states the program's or facility's compliance standing indicated through the review. For a status report, the regulatory requirements are monitored at the same level of compliance as assessed in the certification audit.

"Summary suspension order" means an order issued by the director in accordance with § 66-24 of the Code of Virginia and 6VAC35-20-37 temporarily suspending a program's or facility's certification.

"Variance" means a board action that relieves a program or facility from having to meet a specific regulatory requirement or develop a corrective action plan for that regulatory requirement for a determined period of time.

"VJCCCA program" means a nonresidential program established under the Virginia Juvenile Community Crime Control Act (Article 12.1 (§ 16.1-309.2 et seq.) of Chapter 11 of Title 16.1 of the Code of Virginia).

"VJCCCA program or office on youth audit" means the on-site visit by designated department personnel to assess a program funded through the Virginia Juvenile Community Crime Control Act (Article 12.1 (§ 16.1-309.2 et seq.) of Chapter 11 of Title 16.1 of the Code of Virginia) or the Virginia Delinquency Prevention and Youth Development Act (Chapter 3 (§ 66-26 et seq.) of Title 66 of the Code of Virginia) for compliance with the regulatory requirements as provided for in 6VAC35-150 (Regulation for Nonresidential Services) and 6VAC35-60 (Minimum Standards for Virginia Delinquency Prevention and Youth Development Act Grant Programs), as applicable.

"VJCCCA program or office on youth audit report" means an official report of a VJCCCA program or office on youth audit.

"Waiver" means a formal statement from the department temporarily excusing a program or facility from meeting a noncritical regulatory requirement pending board action on a formal variance request.

"Written" means the required information is communicated in writing. Such writing may be available in either hard copy or electronic form.

6VAC35-20-30. Purpose.

This regulation prescribes how, in accordance with §§ 16.1-234, 16.1-249, 16.1-309.9, 16.1-309.10, 16.1-349, 66-10, 66-24, and 66-25.1:3 of the Code of Virginia, (i) the department will monitor and audit juvenile residential facilities, programs, VJCCCA programs, and offices on youth; (ii) the department will certify residential facilities and state-operated and local court service units that are part of the Commonwealth's juvenile justice system; and (iii) the board will review certification audit reports of programs and facilities found in noncompliance with applicable regulatory requirements.

6VAC35-20-35. Guidance documents.

To help programs and facilities meet all regulatory requirements, the department shall prepare guidance documents compiling all regulatory requirements applicable to each type of program or facility subject to this chapter and stating how compliance will be assessed. The guidance documents shall serve as the basis for monitoring visits, monitoring reviews, certification audits, and VJCCCA program or offices on youth audits. The guidance documents shall be posted on the department's website at <http://www.djj.virginia.gov>.

6VAC35-20-36. Program or facility relationship to regulatory authority.

A. The program or facility shall submit or make available to the audit team leader such reports and information required to establish compliance with applicable regulatory requirements. Documentation supporting compliance with regulatory requirements shall be retained by the program or facility from the date of the previous certification audit or VJCCCA program or office on youth audit.

B. The program or facility administrator shall notify the director or designee within five business days of any significant change in administrative structure or newly hired chief administrative officer or program or facility administrator or director.

C. The program or facility administrator shall, in accordance with the process established by the department, notify the director or designee of the following:

1. Any serious incidents affecting the health, welfare, or safety of citizens, individuals under the supervision of the department, or staff;
2. Lawsuits against or settlements relating to the health, welfare, safety, or human rights of residents; and
3. Any criminal charges or reports of suspected child abuse or neglect against staff relating to the health, welfare, safety, or human rights of residents.

6VAC35-20-36. Department response to reports of health, welfare, or safety violations.

Whenever the department becomes aware of a health, welfare, or safety violation, the department shall take immediate action to correct the situation if not already done by the program or facility. The department's actions may include, but are not limited to, the following:

1. Reporting the situation to child protective services, the Virginia State Police or the law-enforcement agency with jurisdiction, or other enforcement authorities, as applicable and appropriate; or
2. Taking any action authorized in 6VAC35-20-37 for violations in a juvenile residential facility.
3. Reporting to the board no later than its next regularly scheduled meeting (i) the nature and scope of the health, welfare, or safety violation and (ii) the action taken by the department or the program or facility to correct the violation.

6VAC35-20-37. Director's authority to take immediate administrative action.

- A. Nothing in this regulation shall be construed to limit the director's authority to take immediate administrative action in accordance with law whenever (i) evidence is found of any health, welfare, or safety violation or (ii) a program or facility is not in compliance with regulatory requirements or the Virginia Juvenile Community Crime Control Act requirements. Such administrative action may include, but is not limited to (a) withholding funds; (b) removing juveniles from the program or facility; (c) placing the program or facility on probationary certification status for up to six months pending review by the board pursuant to 6VAC35-20-115; or (d) summarily suspending the certificate pursuant to subsection B of this section. In taking such action, the department shall notify the program or facility administrator, the administrative entity to which the program or facility reports, and the board, in writing, of the reason for the administrative action and the action the program or facility must take to correct the violation.
- B. See 6VAC35-20-37.

Part III
VJCCCA Programs and Offices on Youth Program Audit

6VAC35-20-200. Monitoring of VJCCCA programs or offices on youth.

The department shall develop a schedule for monitoring all VJCCCA programs or offices on youth that shall provide for at least one scheduled on-site VJCCCA program or office on youth audit every two years. Whenever deemed necessary or appropriate, additional monitoring visits or reviews may be scheduled.

6VAC35-20-210. VJCCCA programs and offices on youth self-evaluations.

A. All VJCCCA programs and offices on youth shall, in accordance with department procedures or manuals, do the following:

1. Conduct an annual self-evaluation; and
2. Provide the department with a written summary of (i) the self-evaluation process and (ii) the findings of the self-evaluation.

B. The department shall schedule each VJCCCA program or office on youth to conduct the self-evaluation and complete the report.

C. The department shall review each VJCCCA program's or office on youth's self-evaluation report and provide feedback to the VJCCCA program or office on youth.

6VAC35-20-220. VJCCCA program and office on youth audits.

A. During the program audit, the VJCCCA program or office on youth shall demonstrate an acceptable level of compliance, as provided in this chapter, with all (i) statutory requirements; (ii) the approved local plan; (iii) applicable regulatory requirements; and (iv) applicable department procedures or manuals.

B. The burden of proving compliance with the applicable requirements rests with the program staff.

C. Any finding of noncompliance shall be documented.

6VAC35-20-230. VJCCCA program and office on youth audit findings.

A. Upon completion of the VJCCCA program or office on youth audit, the VJCCCA program or office on youth audit findings shall be reported to the VJCCCA program plan contact or office on youth program director along with a copy to the individual with supervisory authority over that individual.

B. The VJCCCA program plan contact or office on youth program director may appeal the VJCCCA program or office on youth audit findings to the director or designee.

C. The department will monitor the progress of the VJCCCA program or office on youth in correcting the identified noncompliance through subsequent documentation and monitoring visits.

6VAC35-20-240. Effect of VJCCCA program or office on youth noncompliance.

A. If the department determines that a VJCCCA program or office on youth is not in compliance, it may suspend all or any portion of the VJCCCA program's or office on youth's funding until there is compliance as provided in subsection C of § 16.1-309.9 of the Code of Virginia.

B. The department shall notify the person responsible for the daily administration of the VJCCCA program or office on youth of the intent to withhold funding prior to such withholding. The notification

shall include the justification for the intended withholding and any corrective actions the VJCCCA program or office on youth must complete.

C. The VJCCCA program or office on youth may appeal to the director or designee the withholding of funding, in writing, within 10 business days of receiving notice of the department's intent to withhold the funding.

Chapter 150. Regulation for Nonresidential Services

Effective Date: July 1, 2011

Part I

General Provisions

6VAC35-150-10. Definitions.

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

"Adult" means a person 18 years of age or older who is not a delinquent child as defined in § 16.1-228 of the Code of Virginia.

"Agency" means any governmental entity of the Commonwealth or any unit of local government including counties, cities, towns, and regional governments and the departments thereof, and including any entity, whether public or private, with which any of the foregoing has entered into a contractual relationship for the provision of services as described in this chapter.

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

"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.

"Behavior management" means those principles and methods employed to help a juvenile achieve positive behavior and to address and correct a juvenile's inappropriate behavior in a constructive and safe manner, in accordance with written procedures governing program expectations, treatment goals, juvenile and staff safety and security, and the juvenile's individual service plan.

"Board" means the Board of Juvenile Justice.

"Case record" or "record" means written or electronic information regarding an individual and the individual's family, if applicable, that is maintained in accordance with approved procedures.

"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.

"Department" means the Department of Juvenile Justice.

"Direct care" means the time during which a resident, who is committed to the department pursuant to §§ 16.1-272, 16.1-285.1, or subdivision A 14 or A 17 of § 16.1-278.8 of the Code of Virginia, is under the supervision of staff in a juvenile correctional center or other juvenile residential facility operated by or under contract with the department.

"Diversion" means the provision of counseling, informal supervision, programs, or services, or a combination thereof, which is consistent with the protection of the public safety and the welfare of the juvenile as provided for in §§ 16.1-227 and 16.1-260 of the Code of Virginia.

"Electronic monitoring" means the use of electronic devices, including, but not limited to, voice recognition and global positioning systems, to verify a juvenile's or adult's compliance with certain judicial orders or conditions of release from incarceration, as an alternative to detention, or as a short-term sanction for noncompliance with rules of probation or parole.

"Human research" means any systematic investigation using human subjects as defined by § 32.1-162.16 of the Code of Virginia and 6VAC35-170. Human research shall not include research prohibited by state and federal statutes or regulations or research exempt from federal regulations or mandated by any applicable statutes or regulations.

"Individual service plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or an adult. It specifies measurable short-term and long-term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan.

"Individual supervision plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or adult. It specifies measurable short-term and long-term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan. Individual supervision plans are applicable during probation and parole and for treatment of a juvenile or an adult and the services for the juvenile's family for the time during which a juvenile is committed to the department.

"Intake" means the process for screening complaints and requests alleged to be within the jurisdiction of the juvenile and domestic relations district court pursuant to § 16.1-260 of the Code of Virginia.

"Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the Code of Virginia.

"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the department.

"Mechanical restraint" means the use of a mechanical device that involuntarily restricts the freedom of movement or voluntary functioning of a limb or portion of a person's body as a means to control physical activity when the individual being restricted does not have the ability to remove the device.

"Outreach detention" means intensive supervision, which includes frequent contacts, strict monitoring of behavior, and case management, if applicable, of a juvenile as an alternative to placement in secure detention or shelter care.

"Parole" means supervision of a juvenile released from commitment to the department as provided for by §§ 16.1-285, 16.1-285.1, and 16.1-285.2 of the Code of Virginia.

"Physical restraint" means the application of behavior intervention techniques by trained program staff that involves a physical intervention to prevent the individual from moving that individual's body.

"Probation" means a court-ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 B 2, 16.1-278.8 A 5, 16.1-278.8 A 7, and 16.1-278.8 A 7 a.

"Provider" means a person, corporation, partnership, association, organization, or public agency that is legally responsible for compliance with regulatory and statutory requirements relating to the provision of services or the functioning of a program.

"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for

probation or parole purposes.

"Tamper" means any purposeful alteration to electronic monitoring equipment that interferes with or weakens the monitoring system.

"Time-out" means a systematic behavior management technique program component designed to reduce or eliminate inappropriate or problematic behavior by having staff require a juvenile to move to a specific location that is away from the source of reinforcement for a specific period of time or until the problem behavior has subsided.

"Variance" means a board action that relieves a program from having to meet or develop a plan of action for the requirements of a section or subsection of this chapter.

"Volunteer" or "intern" means any individual or group who of their own free will and without any financial gain provides services without competitive compensation.

"Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.

6VAC35-150-30. Applicability.

A. Parts I (6VAC35-150-10 et seq.) and II (6VAC35-150-55 et seq.) of this chapter apply to all CSUs for juvenile and domestic relations district courts.

B. Parts I (6VAC35-150-10 et seq.) and III (6VAC35-150-425 et seq.) of this chapter apply to nonresidential programs and services (i) for which the CSU contracts or (ii) are included in a local "Virginia Juvenile Community Crime Control Act" plan.

C. Part III of this chapter also applies to applicable programs and services operated by or contracted with a CSU.

6VAC35-150-40. Variances.

A variance may be requested by a program administrator or service provider when conditions exist where the program or service provider is not able to comply with a section or subsection of this chapter. Any such request must meet the criteria and comply with the procedural requirements provided in the Regulations Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs, 6VAC35-20, and in accordance with approved procedures.

6VAC35-150-50. Licensure by other agencies.

A current license or certificate issued by the Commonwealth shall be accepted as evidence of a program's compliance with one or more specific standards of this chapter when the requirements for licensure or certification are substantially the same as, or exceed, the requirements set out in this chapter.

6VAC35-150-80. Background checks.

A. Except as provided in subsection C of this section, all persons who (i) accept a position of employment, (ii) volunteer on a regular basis or are interns and will be alone with a juvenile in the performance of their duties, or (iii) provide contractual services directly to a juvenile on a regular basis and will be alone with a juvenile in the performance of their duties in a CSU, or as required by 6VAC35-150-430 C, shall undergo the following background checks to ascertain whether there are criminal acts or other circumstances that would be detrimental to the safety of juveniles:

1. A reference check;
2. A criminal history record check;
3. A fingerprint check with (i) the Virginia State Police (VSP) and (ii) the Federal Bureau of Investigation (FBI);
4. A central registry check with Child Protective Services (CPS); and
5. A driving record check, if applicable to the individual's job duties.

B. To minimize vacancy time when the fingerprint checks required by subdivision 3 of this subsection have been requested, unit staff may be hired pending the results of the fingerprint checks, provided:

1. All of the other applicable components of subsection A of this section have been completed;
2. The applicant is given written notice that continued employment is contingent on the fingerprint check results, as required by subdivision A 3 of this section; and
3. Staff hired under this exception shall not be allowed to be alone with juveniles and may work with juveniles only when under the direct supervision of staff whose background checks have been completed until such time as all background checks are completed.

C. The unit, program, or service provider shall have procedures for supervising nonstaff persons, who are not subject to the provisions of subsection A of this section, who have contact with juveniles.

D. Subsection A of this section shall apply to programs to which the CSU refers juveniles who are before the court or before an intake officer, including, but not limited to, programs included in a local Virginia Juvenile Community Crime Control Act plan. When an agency or program refers juveniles to other service providers, excluding community service programs and licensed professionals or programs licensed or regulated by other state agencies, the referring agency shall require the service provider to document that all persons who provide services or supervision through substantial one-on-one contact with juveniles have undergone a background check as required in subsection A of this section.

6VAC35-150-130. Research.

A. Juveniles shall not be used as subjects of human research, except as provided in 6VAC35-170 and in accord with Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1 of the Code of Virginia.

B. The testing of medicines or drugs for experimentation or research is prohibited.

6VAC35-150-140. Records management.

A. Case records shall be indexed and kept up to date and uniformly in content and arrangement in accordance with approved procedures.

B. Case records shall be kept in a secure location accessible only to authorized staff.

C. All case records shall be maintained and disposed of in accordance with The Library of Virginia regulations and record retention schedules, and with approved procedures.

D. Any disclosure or release of information shall be in accordance with the Code of Virginia and applicable federal statutes and regulations and approved procedures.

Part III
Programs and Services
Article 1
General Requirements

6VAC35-150-425. Applicability of Part III.

A. This part applies to programs and services for which the department or CSU contracts or which provides programs and services through a local Virginia Juvenile Community Crime Control Act plan pursuant to § 16.1-309.3 of the Code of Virginia.

B. Alternative day treatment and structured day programs are subject to the provisions in Article 1 and Article 2 of this part. The provisions for alternative day treatment and structured day programs in Article 2 (6VAC35-150-615 et seq.) of this part also apply to those programs and services that are operated by a CSU.

C. Each program or service provider shall be responsible for adopting written procedures necessary to implement and for compliance with all applicable requirements of 6VAC35-150-430 through 6VAC35-150-740.

6VAC35-150-430. Program and service provider requirements.

A. Each program and service provider shall have a written statement of its:

1. Purpose;
2. Population served;
3. Criteria for admission;
4. Criteria for measuring a juvenile's progress;
5. Supervision or treatment objectives;
6. Intake and acceptance procedures, including whether a social history or diagnostic testing is required;
7. General rules of juvenile conduct and the behavior management system with specific expectations for behavior and appropriate incentives and sanctions, which shall be made available to juveniles and parents upon acceptance into the program;
8. Criteria and procedures for terminating services, including terminations prior to the juvenile's successful completion of the program;
9. Methods and criteria for evaluating program or service effectiveness;
10. Drug-free workplace policy; and
11. Procedures regarding contacts with the news media.

B. The department administration shall be notified in writing of any plan to change any of the elements listed in subsection A of this section.

C. Each program or service provider shall conduct background checks in accordance with 6VAC35-150-80, or ensure that such background checks are conducted, on all individuals who provide services to juveniles under the contract as required by subsection A of 6VAC35-150-80;

D. Those programs and service providers providing crisis intervention services, including, but not limited to, outreach detention, mental health counseling or treatment, and home-based counseling services, shall provide for responding 24 hours a day to a juvenile's crisis and shall provide notification to all juveniles in writing on how to access these services at any time.

6VAC35-150-435. Contracted services.

The standard of services provided by contractual and sub contractual vendors shall not be less than those required by this chapter.

6VAC35-150-450. Limitation of contact with juveniles.

When there are indications that an individual who is providing programs or services poses a direct threat to the health and safety of a juvenile, others at the program, or the public, the program administrator, or department personnel shall immediately require that the individual be removed from contact with juveniles until the situation is abated or resolved.

6VAC35-150-460. Personnel qualifications for program and service providers.

A. Program staff and service providers shall have a job description stating qualifications and duties for the position to which they are assigned.

B. Staff and volunteers who provide professional services shall be appropriately licensed or certified or be supervised by an appropriately licensed or certified person as required by applicable statutes and regulations.

6VAC35-150-470. Medical emergencies.

The program or service provider shall have written procedures to deal with medical emergencies that may occur while a juvenile is in attendance at the program.

6VAC35-150-480. Financial record requirements for program and service providers.

All programs and service providers shall:

1. Manage their finances in accordance with generally accepted accounting principles;
2. Certify that all funds were handled in accord with the applicable Virginia Juvenile Community Crime Control Act plan, contract, or other agreement; and
3. Be subject to independent audit or examination by department personnel at the department's discretion.

6VAC35-150-490. Juveniles' rights.

A. Juveniles shall not be excluded from a program nor be denied access to services on the basis of race, ethnicity, national origin, color, religion, sex, physical disability, or sexual orientation.

B. Juveniles shall not be subjected to:

1. Deprivation of drinking water or food necessary to meet daily nutritional needs except as ordered by a licensed physician for a legitimate medical purpose and documented in the juvenile's record;
2. Any action that is humiliating, degrading, or abusive;
3. Corporal punishment;
4. Unsanitary conditions;
5. Deprivation of access to toilet facilities; or
6. Confinement in a room with the door so secured that the juvenile cannot open it.

6VAC35-150-500. Juvenile participation in research.

The program or service provider shall have written procedures complying with the applicable research provisions in 6VAC35-150-130.

6VAC35-150-510. Case management requirements for program and service providers.

A. For each juvenile, a separate case record shall be kept up to date and in a uniform manner.

B. The juvenile case record shall always contain:

1. Current identifying and demographic information on the juvenile;
2. Court order, placement agreement, or service agreement;
3. Rules imposed by the judge or the probation or parole officer, if applicable; and
4. Dates of acceptance and release.

C. Programs and services that provide counseling, treatment, or supervision shall:

1. Develop an individual service plan for each juvenile that shall specify the number and nature of contacts between the juvenile and staff;
2. Provide the individual service plan information to the supervising probation or parole officer, when applicable;
3. Document all contacts with the juvenile, the juvenile's family, and others involved with the case; and
4. Provide written progress reports to the referring agency at agreed upon intervals.

6VAC35-150-520. Confidentiality of records.

Juveniles' records shall be kept confidential in accordance with applicable laws and regulations.

6VAC35-150-530. Incident documentation and reporting for program and service providers.

When an event or incident occurs that is required by department procedures to be reported, the program or service shall document and report the event or incident as required by and in accordance with department procedures.

6VAC35-150-540. Child abuse and neglect.

When there is a reason to suspect that a child is an abused or neglected child, the program or service provider shall report the matter immediately to the local department of social services as required by Article 2 (§ 63.2-1508 et seq.) of Title 63.2 of the Code of Virginia and shall be documented in the juvenile's record.

6VAC35-150-550. Physical setting.

A. Each program that provides services to juveniles or their families within or at the program's office or place of operation shall comply with all applicable building, fire, sanitation, zoning and other federal, state, and local standards and shall have premises liability insurance.

B. The inside and outside of all buildings shall be kept clean, in good repair, and free of rubbish.

6VAC35-150-575. Physical and mechanical restraints and chemical agents in programs and services.

A. Only staff who have received department-approved training may apply physical restraint

and only as a last resort, after less restrictive behavior intervention techniques have failed, to control residents whose behavior poses a risk to the safety of the resident, others, or the public, or to avoid extreme destruction of property.

1. Staff shall use the least force necessary to eliminate the risk and shall never use physical restraint as punishment or with intent to inflict injury.
2. The application of physical restraint shall be fully documented in the juvenile's record, including the (i) date and time of the incident, (ii) staff involved, (iii) justification for the restraint, (iv) less restrictive interventions that were unsuccessfully attempted prior to or harm that would have resulted without using physical restraint, (v) duration, (vi) method and extent of any physical restraint techniques used, (vii) signature of the person completing the report, and (viii) reviewer's signature and date.
3. Staff whose job responsibilities include applying physical restraint techniques, when necessary, shall receive training sufficient to maintain a current certification for the administration of the physical restraints.

B. Mechanical restraints, except in electronic monitoring and outreach detention programs, shall not be used for behavior management purposes.

C. Chemical agents, such as pepper spray, shall not be used by staff for behavior management purposes.

6VAC35-150-580. Emergencies and safety in juveniles' homes.

Programs that provide services in juveniles' homes shall:

1. Prescribe safety measures for staff making field visits; and
2. Provide for actions for staff to take in the event of:
 - a. Domestic violence;
 - b. Severe injury;
 - c. Threats and violence against staff; and
 - d. Absence of life sustaining resources such as food or fuel.

Article 2

Alternative Day Treatment and Structured Day Programs

6VAC35-150-615. Applicability of Part III, Article 2.

The following provisions apply to alternative day treatment and structured day treatment programs, including those operated by CSUs. All applicable provisions for the general requirements for programs set forth in Article 1 (6VAC35-150-425 et seq.) of this part also apply to alternative day treatment and structured day treatment programs.

6VAC35-150-620. Supervision of juveniles in alternative day treatment and structured day programs.

At all times that juveniles are on any premises where alternative day treatment or structured day programs are provided, there shall be at least one qualified person actively supervising who has a current first aid and CPR certification.

6VAC35-150-630. Meals.

If the program spans traditional mealtimes, juveniles shall be provided nutritionally balanced meals.

6VAC35-150-640. Emergency and fire safety in alternative day treatment and structured day programs.

- A. Each site to which juveniles report shall have written emergency and fire safety plans.
 - 1. In accordance with the emergency plan, the program shall implement safety and security procedures, including, but not limited to, procedures for responding in cases of a fire, bomb threat, hostage and medical emergency situations, and natural disaster.
 - 2. The fire safety plan shall be developed with the consultation and approval of the appropriate local fire authority and reviewed with the local fire authority at least annually and updated if necessary.
- B. At each site to which juveniles report, there shall be at least one documented fire drill each month.
- C. Each new staff member shall be trained in fire safety and emergency procedures before assuming supervision of juveniles.

6VAC35-150-670. Juveniles' medical needs in alternative day treatment and structured day programs.

- A. At the time of referral, the program shall request from the referring agency or party any information regarding individual juveniles' medical needs or restrictions and, if necessary, instructions for meeting these needs.
- B. Written procedure governing the delivery of medication shall:
 - 1. Either prohibit staff from delivering medication or designate staff persons authorized to deliver prescribed medication by written agreement with a juvenile's parents; and
 - 2. Either permit or prohibit self-medication by juveniles.
- C. An up-to-date, well-stocked first-aid kit shall be available at each site to which juveniles report and shall be readily accessible for minor injuries and medical emergencies.

6VAC35-150-690. Procedural requirements for time-out in alternative day treatment and structured day programs.

- A. A program that uses time-out shall have written procedures to provide that juveniles in time-out shall:
 - 1. Be able to communicate with staff;
 - 2. Have bathroom privileges according to need; and
 - 3. Be served any meal scheduled during the time-out period.
- B. A time-out room shall not be locked nor the door secured in any way that will prohibit the juvenile from opening it, except if such confinement has been approved by the program's regulatory authority.
- C. Time-out shall not be used for periods longer than 30 consecutive minutes.

Date

Contact's Name
Service Provider's Address
Service Provider's Address

RE: Name of Locality's VJCCCA PLAN

Dear Contact's Name:

Thank you for being a valued provider of programs and services to the youth and families in our community. At times, your services are funded by the Virginia Juvenile Community Crime Control Act (VJCCCA) Grant pursuant to 16.1-309.3 of the Code of Virginia. According to DJJ Board Regulation (6VAC-150-435), the standard of services provided by contractual and sub contractual vendors shall not be less than those required by Chapter 150. Regulation for Nonresidential Services.

We are reaching out to you to establish a record of compliance with the applicable DJJ Board Regulations for auditing purposes. Enclosed you will find a summary of the Board Regulations applicable to VJCCCA funding. Please review each regulation on the *VJCCCA Service Provider's Acknowledgement of DJJ Board Regulations* form and initial confirming that you have adopted written procedures to implement and comply. Please follow the directions in bold and attach supporting documentation when necessary. Also enclosed is the *Certification of Compliance with Background Checks* and *DJJ's Serious Incident Report Form and Instructions*.

We thank you for cooperation and all that you do for the youth and families before the Court Service Unit. Please contact me with questions.

Sincerely,

Name
VJCCCA Plan Contact
Phone Number

Attachments Include:
VJCCCA Service Provider's Acknowledgement of DJJ Board Regulations
Certification of Compliance with Background Checks
DJJ's Serious Incident Report Form and Instructions

VJCCCA Service Provider's Acknowledgment of DJJ Board Regulations

The VJCCCA Service Provider's initials below confirm that the _____ (Program) submitted on the FY25/26 _____ (Locality) VJCCCA Plan has adopted written procedures to implement and comply with the DJJ Board regulations listed below.

1. Each program and service provider shall have a written statement of its:
 - a. Purpose;
 - b. Population served;
 - c. Criteria for admission;
 - d. Criteria for measuring a juvenile's progress;
 - e. Supervision or treatment objectives;
 - f. Intake and acceptance procedures, including whether a social history or diagnostic testing is required;
 - g. General rules of juvenile conduct and the behavior management system with specific expectations for behavior and appropriate incentives and sanctions, which shall be made available to juveniles and parents upon acceptance into the program;
 - h. Criteria and procedures for terminating services, including termination prior to the juvenile's successful completion of the program;
 - i. Methods and criteria for evaluating program or service effectiveness; Drug-free workplace policy;
 - j. And Procedures regarding contacts with the news media.

The department administration shall be notified in writing of any plan to change any of the elements listed above. **These elements are attached.**

6VAC35-150-430 Initial: _____

2. Each program or service provider shall conduct background checks in accordance with 6VAC35-150-80, or ensure that such background checks are conducted, on all individuals who provider services to juveniles under the contract as required by subsection A of 6VAC35-150-80. **Signed Certification of Compliance with Background Checks is attached.**
6VAC35-150-430 Initial: _____
3. Those programs and services providers providing crisis interventions services, including, but not limited to outreach detention, mental health counseling or treatment, and home-based counseling services, shall provide for responding 24 hours a day to a juvenile's crisis and shall provide notification to all juveniles in writing on how to access these services at any time.
6VAC35-140-430 Initial: _____
4. The standard of services provided by contractual and sub contractual vendors shall not be less than those required by this chapter.
6VAC35-150-435 Initial: _____
5. When there are indications that an individual who is providing programs or services poses a direct threat to the health and safety of a juvenile, others at the program, or the public, the program administrator, or department personnel shall immediately require that the individual be removed from contact with juveniles until the situation is abated or resolved.
6VAC35-150-450 Initial: _____

6. Program staff and service providers shall have a job description stating qualifications and duties for the position to which they are assigned. Staff and volunteers who provide professional services shall be appropriately licensed or certified or be supervised by an appropriately licensed or certified person as required by applicable statutes and regulations. **Job descriptions are attached.**

[6VAC35-150-460 Initial:](#)

7. All program or service providers have written procedures to deal with medical emergencies that may occur while a juvenile is in attendance at the program. **Written procedures are attached.**

[6VAC35-150-470 Initial:](#)

8. All programs and service providers shall:

1. Manage their finances in accordance with generally accepted accounting principles;
2. Certify that all funds were handled in accord with the VJCCCA plan, contract, or other agreement; and
3. Be subject to independent audit or examination by department personnel at the department's discretion.

[6VAC35-150-480 Initial:](#)

9. Juveniles shall not be excluded from a program nor be denied access to services on the basis of race, ethnicity, national origin, color, religion, sex, physical disability, or sexual orientation.

Juveniles shall not be subjected to:

1. Deprivation of drinking water or food necessary to meet daily nutritional needs except as ordered by a licensed physician for a legitimate medical purpose and documented in the juvenile's record;
2. Any action that is humiliating, degrading, or abusive;
3. Corporal punishment;
4. Unsanitary conditions;
5. Deprivation of access to toilet facilities; or
6. Confinement in a room with the door so secured that the juvenile cannot open it.

[6VAC35-150-490 Initial:](#)

10. Juveniles shall not be used as subjects of human research, except as provided in 6VAC35-170 and in accord with Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1 of the Code of Virginia. The testing of medicines or drugs for experimentation or research is prohibited. **If -170 applies, the written procedure is attached.**

[6VAC35-150-500](#) and [6VAC35-150-130 Initial:](#) [Check here if this does not apply:](#) _____

11. For each juvenile, a separate case record shall be kept up to date and in a uniform manner. The juvenile case record shall always contain:

1. Current identifying and demographic information on the juvenile;
2. Court order, placement agreement, or service agreement;
3. Rules imposed by the judge or the probation or parole officer if applicable; and
4. Dates of acceptance and release

Programs and services that provide counseling, treatment, or supervision shall:

1. Develop an individual service plan for each juvenile that shall specify the number and nature of contacts between the juvenile and staff;
2. Provide the individual service plan information to the supervising probation or parole officer, when applicable;
3. Document all contacts with the juvenile, the juvenile's family, and others involved with the case; and
4. Provide written progress reports to the referring agency at agreed upon intervals.

[6VAC35-150-510 Initial:](#)

12. Juveniles' records shall be kept confidential in accordance with applicable laws and regulations.

[6VAC35-150-520 Initial: _____](#)

13. When an incident occurs that is required by DJJ procedures to be reported, the program shall document and report the incident as required. **I've been provided DJJ's Serious Incident Report form and instructions.**

[6VAC35-150-530 Initial: _____](#)

14. When there is a reason to suspect that a child is an abused or neglected child, the program or service provider shall report the matter immediately to the local department of social services as required by Article 2 (§ 63.2-1508 et seq.) of Title 63.2 of the Code of Virginia and shall be documented in the juvenile's record.

[6VAC35-150-540 Initial: _____](#)

15. Each program that provides services to juveniles or their families within or at the program's office or place of operation shall comply with all applicable building, fire, sanitation, zoning and other federal, state, and local standards and shall have premises liability insurance. The inside and outside of all buildings shall be kept clean, in good repair, and free of rubbish.

[6VAC35-150-550 Initial: _____](#)

16. Only staff who have received department-approved training may apply physical restraint and only as a last resort, after less restrictive behavior intervention techniques have failed, to control residents whose behavior poses a risk to the safety of the resident, others, or the public, or to avoid extreme destruction of property.

1. Staff shall use the least force necessary to eliminate the risk and shall never use physical restraint as punishment or with intent to inflict injury.
2. The application of physical restraint shall be fully documented in the juvenile's record, including the (i) date and time of the incident, (ii) staff involved, (iii) justification for the restraint, (iv) less restrictive interventions that were unsuccessfully attempted prior to or harm that would have resulted without using physical restraint, (v) duration, (vi) method and extent of any physical restraint techniques used, (vii) signature of the person completing the report, and (viii) reviewer's signature and date.
3. Staff whose job responsibilities include applying physical restraint techniques, when necessary, shall receive training sufficient to maintain a current certification for the administration of the physical restraints.

Mechanical restraints, except in electronic monitoring and outreach detention programs, shall not be used for behavior management purposes. Chemical agents, such as pepper spray, shall not be used by staff for behavior management purposes. **Providers must have prior approval from the VJCCCA Coordinator to implement department approved training for applying physical restraint and the behavior management protocol must be documented in the VJCCCA Program Manual. If applicable, the behavior management protocol is attached.**

[6VAC35-150-575 Initial: _____](#) [Check here if this does not apply: _____](#)

17. Programs that provide services in juveniles' homes shall:

1. Prescribe safety measures for staff making field visits; and
2. Provide for actions for staff to take in the event of:
 - a. Domestic violence;
 - b. Severe injury;
 - c. Threats and violence against staff; and
 - d. Absence of life sustaining resources such as food or fuel.

If applicable, the written procedure is attached.

[6VAC35-150-580 Initial: _____](#) [Check here if this does not apply: _____](#)

Alternative Day Treatment and Structured Day Programs are also subject to the DJJ Board Regulations listed below.

1. At all times that juveniles are on any premises where alternative day treatment or structured day programs are provided, there shall be at least one qualified person actively supervising who has current first aid and CPR certification. **Name of qualified person:** _____
6VAC35-150-620 Initial: _____

2. If the program spans traditional meal times, juveniles shall be provided nutritionally balanced meals.
6VAC35-150-630 Initial: _____

3. Each site to which juveniles report shall have written emergency and fire safety plans.
 1. In accordance with the emergency plan, the program shall implement safety and security procedures, including, but not limited to, procedures for responding in cases of a fire, bomb threat, hostage and medical emergency situations, and natural disaster.
 2. The fire safety plan shall be developed with the consultation and approval of the appropriate local fire authority and reviewed with the local fire authority at least annually and updated if necessary.At each site to which juveniles report, there shall be at least one documented fire drill each month. Each new staff member shall be trained in fire safety and emergency procedures before assuming supervision of juveniles. **Written plans are attached.**
6VAC35-150-640 Initial: _____

4. At the time of the referral, the program shall request from the referring agency or party any information regarding individual juvenile medical needs or restrictions and, if necessary, instructions for meeting these needs. Written procedure governing the delivery of medication shall:
 1. Either prohibit staff from delivering medication to designate staff persons authorized to deliver prescribed medication by written agreement with a juvenile's parents; and
 2. Either permit or prohibit self-medication by juveniles.An up to date, well stocked first aid kit shall be available at each site to which juveniles report and shall be readily accessible for minor injuries and medical emergencies. **Written procedures are attached.**
6VAC35-150-670 Initial: _____

5. A program that uses time-out shall have written procedures to provide that juveniles in time out shall:
 1. Be able to communicate with staff;
 2. Have bathroom privileges according to need; and
 3. Be served any meal scheduled during the time-out period.A time-out room shall not be locked nor the door secured in any way that will prohibit the juvenile from opening it, except if such confinement has been approved by the program's regulatory authority. Time-out shall not be used for periods longer than 30 consecutive minutes. **Written procedures are attached.**
6VAC35-150-690 Initial: _____

Service Provider's Name _____ Service Provider's Signature _____
Service Provider's Title _____ Date: _____
Locality: _____

Certification of Background Checks

In accordance with [6VAC35-150-80](#), this is to certify that all employees of the below named program and service provider who deal directly with youth have undergone a reference check; a criminal history record check; a fingerprint check with the Virginia State Police (VSP) and the Federal Bureau of Investigation (FBI); a central registry check with Child Protective Services (CPS); and a driving record check, if applicable to the individual's job duties, and these record checks have yielded no information which would disqualify any employee from providing contractual services directly to the youth or from being alone with the youth in the performance of the employee's duties.

Locality:

Name of Program:

Name of Provider:

Name of Provider's Representative:

Representative's Title:

Representative's Signature:

Date:

Commonwealth of Virginia
Department of Juvenile Justice

Service Provider Incident Report
for Youth not in Direct Care Status

To be completed by designated service provider staff.

1. Program Name (no abbreviations):	
2. Program Type/Funding: <input type="checkbox"/> RSC Direct Service Provider <input type="checkbox"/> VJCCCA <input type="checkbox"/> DJJ Regulated Program	
3. Program Address:	
4. Incident Location:	
5. Incident Location Address (if different from program):	
6. Incident Date:	7. Incident Time:
8. Activity When Incident Occurred:	
9. Report Date:	10. Report Time:
11. Reporting Person:	12. Work Title:
13. Contact Email:	14. Contact Number:

15. **Incident Type:** Note: Reporting incidents to DJJ does not preclude service providers from mandatory reporting to licensing agencies and child protective services (CPS), as applicable.

Check all categories that apply: All serious incidents, <i>actual or alleged</i>, relating to a youth must be reported by the provider.	
<input type="checkbox"/> Absent without Leave (AWOL) <input type="checkbox"/> Allegation of Sexual Assault on Youth <input type="checkbox"/> Allegation of Sexual Child Abuse or Neglect <input type="checkbox"/> Allegation of Staff Sexual Misconduct <input type="checkbox"/> Allegation of Suspected Child Abuse or Neglect <input type="checkbox"/> Allegation of Youth Consensual Sexual Activity <input type="checkbox"/> Assault on Staff (by Anyone) <input type="checkbox"/> Assault on Youth (by Anyone) <input type="checkbox"/> Death	<input type="checkbox"/> Fire <input type="checkbox"/> Major Arrest of Youth <input type="checkbox"/> Other <input type="checkbox"/> Physical Restraint <input type="checkbox"/> Serious Youth Injury or Illness <input type="checkbox"/> Serious Staff Injury <input type="checkbox"/> Staff Arrest <input type="checkbox"/> Suicide Attempt

16. Youth's Identification Information:

Youth Name (First & Last)	DJJ Juvenile Number	Date of Birth	Service Start Date

17. (A) Describe the incident (who, what, when, where, how):

(B) Describe response or action taken as a result of the incident:

18. Communication of Incident: *The following parties have been notified of this incident:*

Notified Party	Name/Contact	Date	Time	Notification Type	Reported by
<input type="checkbox"/> Referring CSU Staff					
<input type="checkbox"/> CSU Supervisor					
<input type="checkbox"/> Parent / Legal Guardian					
<input type="checkbox"/> Parent / Legal Guardian					
<input type="checkbox"/> VJCCA Coordinator					
<input type="checkbox"/> RSC – AMIKids					
<input type="checkbox"/> RSC – EBA					
<input type="checkbox"/> DJJ Certification Unit					
<input type="checkbox"/> Non-DJJ Licensing Agency					
<input type="checkbox"/> Human Rights					
<input type="checkbox"/> CPS					
<input type="checkbox"/> Law Enforcement					
Other:					
Other:					
Other:					
Other:					

19. Follow-up questions should be directed to:

Name:		Title:	
Phone:		Email:	

Commonwealth of Virginia
Department of Juvenile Justice

Service Provider Incident Report
for Youth not in Direct Care Status
INSTRUCTIONS FOR VJCCCA PROGRAMS

A typed incident report shall be securely emailed to the referring court service unit (CSU) staff or CSU supervisor and the Regional VJCCCA Coordinator. The following incidents must be reported as soon as the situation is under control and without undue delay: Allegation of sexual assault on youth, Allegation of sexual child abuse or neglect, Allegation of suspected child abuse or neglect, Death, Fire, and Serious youth injury or illness. All other incident types must be reported as soon as practicable following the incident but no later than 24 hours from the incident.

Supplemental documentation should be attached to provide additional detail of the incident when necessary. In addition to the above entities, when the incident is being reported by a residential program regulated by DJJ, the incident should also be reported to the DJJ Certification Unit. Note: Reporting incidents to DJJ does not preclude service providers from mandatory reporting to licensing agencies and child protective services (CPS), as applicable.

1. Program Name: Enter the full name (no abbreviations) of the program reporting the incident.
2. Program Type/Funding: Check VJCCCA and, if applicable, DJJ Regulated Program.
3. Program Address: Enter the full physical address of the program.
4. Incident Location: Enter the location where the incident occurred (e.g., youth's home, school, dayroom)
5. Incident Location Address: Enter the full physical address where the incident occurred if the incident occurred off-site from the program.
6. Incident Date: Enter the date the incident occurred.
7. Incident Time: Enter the time the incident occurred.
8. Activity when Incident Occurred: Describe the activity (e.g., therapy session, school, meal) the youth was involved in when the incident occurred.
9. Report Date: Enter the date that the report was completed.
10. Report Time: Enter the time the report was completed.
11. Reporting Person: Enter the name of the person completing the form.
12. Title: Enter the work title of the person completing the form.
13. Contact Email: Enter the e-mail address for the person completing the form.
14. Contact Number: Enter the telephone number for the person completing the form.
15. Incident Type: Indicate the type of incident(s) with a checkmark. Review the incident definitions and check all incident types that apply.
16. Youth Identification Information
 - Youth Name: Enter the full name of the youth involved in the incident.
 - DJJ Juvenile Number: Enter the youth's assigned DJJ number.

- Date of Birth: Enter the youth's date of birth as MM/DD/YY.
- Service Start Date: Enter the date the youth began receiving services by the program as MM/DD/YY.

** If multiple DJJ youth were involved in the incident, insert additional rows to include identifying information for each youth. Provide identifying information only on youth under supervision with DJJ.

17. (A) Describe the incident (who, what, when, where, how): Enter a thorough description of what occurred. Attach supporting program documentation and/or additional sheets, as needed. The description, at a minimum, should include the following:

- Names, titles, and locations of staff involved, including who responded;
- Clear statement of what happened, including any physical evidence;
- Nature of the immediate response, including any use of physical force, medical treatment, external assistance, and who was notified; and
- Any program sanctions and/or criminal charges.

(B) Describe response or action taken as a result of the incident: The description, at a minimum, should include the follow-up action(s) and step(s) moving forward (e.g., how will program participation be impacted?).

Alternatively, the provider may submit their internal incident report in lieu of completing 17 (A) and (B), noting "See Attached" under each subsection. The provider's internal incident report must include all of the requirements above.

18. Communication of Incident: Identify additional parties who have been notified of the incident, the date and time of notification, type of notification (e.g., phone, voicemail, e-mail), and who made the notification. This should include licensing agencies.

- All incidents must be communicated to the placing agency. If the placing agency is the CSU, notify the referring CSU staff and CSU supervisor. The CSU will subsequently notify DJJ's PREA Coordinator, as appropriate, and the community chain of command.
 - The service provider should always ensure that that their agency/company has contact information for the referring CSU staff and their immediate supervisor.
 - In the event that the service provider cannot reach the referring CSU staff or CSU supervisor, the service provider should contact DJJ's 24-hour after-hours intake call center at (757) 887-5163 to request assistance in connecting with the CSU Director or another on-call staff member from the CSU.
- The parent/legal guardian must be notified of serious incidents involving youth under age 18. This includes notification of the Department of Social Services, when applicable.
- The Regional VJCCCA Coordinator must be notified of all incidents. The Regional VJCCCA Coordinator will subsequently notify the VJCCCA Supervisor.
- Once received at the DJJ Central Office, a DJJ Community Division administrative staff will input the information into the incident reporting module of DJJ's electronic data system.

19. Follow-up questions should be directed to: Note the designated staff name, title, phone number, and email address of the staff that DJJ should contact with any questions regarding the incident and/or youth.

Commonwealth of Virginia
Department of Juvenile Justice

Service Provider Incident Report
for Youth not in Direct Care Status

INSTRUCTIONS FOR DJJ REGULATED PROGRAMS

A typed incident report shall be securely emailed to the DJJ Certification Unit. The following incidents must be reported as soon as the situation is under control and without undue delay: Allegation of sexual assault on youth, Allegation of sexual child abuse or neglect, Allegation of suspected child abuse or neglect, Death, Fire, and Serious youth injury or illness. All other incident types must be reported as soon as practicable following the incident but no later than 24 hours from the incident.

Supplemental documentation should be attached to provide additional detail of the incident when necessary. In addition to the above entities, when the incident is being reported by a residential program regulated by DJJ, the incident should also be reported to the DJJ Certification Unit. Note: Reporting incidents to DJJ does not preclude service providers from mandatory reporting to licensing agencies and child protective services (CPS), as applicable.

1. Program Name: Enter the full name (no abbreviations) of the program reporting the incident.
2. Program Type/Funding: Check DJJ Regulated Program.
3. Program Address: Enter the full physical address of the program.
4. Incident Location: Enter the location where the incident occurred (e.g., youth's home, school, dayroom)
5. Incident Location Address: Enter the full physical address where the incident occurred if the incident occurred off-site from the program.
6. Incident Date: Enter the date the incident occurred.
7. Incident Time: Enter the time the incident occurred.
8. Activity when Incident Occurred: Describe the activity (e.g., therapy session, school, meal) the youth was involved in when the incident occurred.
9. Report Date: Enter the date that the report was completed.
10. Report Time: Enter the time the report was completed.
11. Reporting Person: Enter the name of the person completing the form.
12. Title: Enter the work title of the person completing the form.
13. Contact Email: Enter the e-mail address for the person completing the form.
14. Contact Number: Enter the telephone number for the person completing the form.
15. Incident Type: Indicate the type of incident(s) with a checkmark. Review the incident definitions and check all incident types that apply.
16. Youth Identification Information
 - Youth Name: Enter the full name of the youth involved in the incident.
 - DJJ Juvenile Number: Enter the youth's assigned DJJ number.

- Date of Birth: Enter the youth's date of birth as MM/DD/YY.
- Service Start Date: Enter the date the youth began receiving services by the program as MM/DD/YY.

** If multiple DJJ youth were involved in the incident, insert additional rows to include identifying information for each youth. Provide identifying information only on youth under supervision with DJJ.

17. (A) Describe the incident (who, what, when, where, how): Enter a thorough description of what occurred. Attach supporting program documentation and/or additional sheets, as needed. The description, at a minimum, should include the following:

- Names, titles, and locations of staff involved, including who responded;
- Clear statement of what happened, including any physical evidence;
- Nature of the immediate response, including any use of physical force, medical treatment, external assistance, and who was notified; and
 - Any program sanctions and/or criminal charges.

(B) Describe response or action taken as a result of the incident: The description, at a minimum, should include the follow-up action(s) and step(s) moving forward (e.g., how will program participation be impacted?).

Alternatively, the provider may submit their internal incident report in lieu of completing 17 (A) and (B), notating "See Attached" under each subsection. The provider's internal incident report must include all of the requirements above.

18. Communication of Incident: Identify additional parties who have been notified of the incident, the date and time of notification, type of notification (e.g., phone, voicemail, e-mail), and who made the notification. This should include licensing agencies.

- All incidents must be communicated to the placing agency. If the placing agency is the CSU, notify the referring CSU staff and CSU supervisor. The CSU will subsequently notify DJJ's PREA Coordinator, as appropriate, and the community chain of command.
 - The service provider should always ensure that that their agency/company has contact information for the referring CSU staff and their immediate supervisor.
 - In the event that the service provider cannot reach the referring CSU staff or CSU supervisor, the service provider should contact DJJ's 24-hour after-hours intake call center at (757) 887-5163 to request assistance in connecting with the CSU Director or another on-call staff member from the CSU.
- The parent/legal guardian must be notified of serious incidents involving youth under age 18. This includes notification of the Department of Social Services, when applicable.
- Once the incident is communicated to the DJJ Certification Unit, a staff will input the information into the incident reporting module of DJJ's electronic data system.
- Ensure the contact name and number are included for the law enforcement agency for subsequent follow-up by the DJJ Certification Unit.

19. Follow-up questions should be directed to: Note the designated staff name, title, phone number, and email address of the staff that DJJ should contact with any questions regarding the incident and/or youth.

Incident Definitions	
<p>Absent without Leave (AWOL): A DJJ youth's unauthorized absence from the facility, failure to return to the facility, or failure to report back to the supervising person as directed. <i>For residential providers only.</i></p>	<p>Major Arrest of Youth: Any arrest of a DJJ youth while at the provider's location and/or during provider-related events on such serious charges or under such unusual circumstances that the incident is likely to attract the attention of the media or general public.</p>
<p>Allegation of Sexual Assault on Youth: Any alleged non-consensual sexual assault of a youth by any non-staff person occurring at the provider's location and/or during provider-related activities. <i>Staff sexual assaults are categorized as "Allegation of Sexual Child Abuse or Neglect." Do not report the juvenile injury as a separate "Serious Juvenile Injury or Illness" (that injury is captured here).</i></p>	<p>Other: Any serious occurrence out of the ordinary course of operations that (i) is likely to attract attention of the media or the general public or (ii) could result in litigation.</p>
<p>Allegation of Sexual Child Abuse or Neglect: Any sexual allegation of child abuse and neglect at the provider's location or during any provider-related activities on the part of staff, volunteers, or other individual over whom the provider has supervisory authority which is reported to the local Child Protective Services (CPS) and/or law enforcement. <i>Accusations of a non-sexual nature are categorized separately. Child abuse or neglect involves (i) a victim under the age of 18; (ii) an abuser who is a custodian or caretaker; and (iii) suspected child abuse or neglect.</i></p>	<p>Physical Restraint: The application by staff of a physical intervention to prevent a youth from moving all or part of his or her body.</p>
<p>Allegation of Staff Sexual Misconduct: Any allegation of staff sexual misconduct that does not rise to the level of suspected sexual child abuse (e.g., staff engaging in sexual acts in the presence of youth, flirting with youth, showing videos to youth, sexual acts with a youth over the age of 18). <i>Accusations of sexual child abuse and neglect are captured separately.</i></p>	<p>Serious Staff Injury: Any staff injury at the provider's location and/or during provider-related activities for which the treatment provided or the condition diagnosed prevents the immediate return of the staff to duty after the treatment. <i>Provide an overview of the incident without providing personal medical information. If the injury is the result of an assault, do not report it here (that injury is captured in the Juvenile Assault on Staff incident).</i></p>
<p>Allegation of Suspected Child Non-Sexual Child Abuse or Neglect: Any allegation of child abuse or neglect involving a DJJ youth against provider staff, volunteers, or other individual over whom the provider has supervisory authority which is reportable to the local Child Protective Services (CPS) and/or law enforcement. <i>Child abuse or neglect involves (i) a victim under the age of 18; (ii) an abuser who is a custodian or caretaker; and (iii) suspected child abuse or neglect.</i></p>	<p>Serious Youth Injury or Illness: Impairment or sickness of a DJJ youth that requires immediate medical treatment (excluding basic first aid) from medical staff on-site or off-site. The treatment provided or condition diagnosed causes significant disruption to continue services due to required follow-up medical care. <i>If the injury is the result of an assault, do not report it here (that injury is captured in the assault reporting).</i></p>
<p>Allegation of Youth Consensual Sexual Activity: Any alleged consensual sexual activity involving a DJJ youth and another youth occurring at the provider's location and/or during provider-related activities. <i>For residential providers only. Nonconsensual sexual acts are categorized as "Allegation of Sexual Assault on Youth." Do not report the juvenile injury as a separate "Serious</i></p>	<p>Staff Arrest: Any known arrest of an employee, volunteer, or other individual over whom the facility has supervisory authority for a felony or a Class 1 or 2 misdemeanor at the provider's location and/or during provider-related activities.</p>

<p><i>Youth Injury or Illness" (that injury is captured here).</i></p>	
<p>Assault on Youth (by Anyone): An unprovoked physical attack, by any person on a DJJ youth occurring at the provider's location and/or during provider-related activities resulting in an injury that requires immediate medical treatment (excluding basic first aid). The treatment provided or condition diagnosed causes significant disruption to continue services due to required follow-up medical care.</p>	<p>Suicide Attempt: When a youth makes a deliberate act to take his or her life, involving a definite risk. The intent must be determined by a mental health professional. <i>List in the narrative the evaluating mental health professional.</i></p>
<p>Death: The death of (i) a DJJ youth or (ii) any person that occurs at the provider's location and/or during provider-related activities. For residential programs, this includes any youth being served by the facility, regardless of whether the death took place at the facility or during program activities.</p>	<p>Youth Assault on Staff: An unprovoked physical attack by a DJJ youth on a staff member, volunteer, or other individual over whom the provider has supervisory authority that results in an injury that requires immediate medical treatment (excluding basic first aid) from medical staff on- or off-site. The treatment provided or condition diagnosed causes significant disruption to the ability to continue providing services due to required follow-up medical care.</p>
<p>Fire: A fire or suspected fire at the provider location and/or during provider-related activities that requires the fire department to respond and provide assistance.</p>	

VJCCCA Plan Contact's Acknowledgment of DJJ Board Regulations

The VJCCCA Plan Contact's initials below confirms that all programs submitted on the FY25/26 VJCCCA Plan have adopted written procedures to implement/comply with the DJJ Board regulations listed below.

1. Each program and service provider shall have a written statement of its:
 - a. Purpose;
 - b. Population served;
 - c. Criteria for admission;
 - d. Criteria for measuring a juvenile's progress;
 - e. Supervision or treatment objectives;
 - f. Intake and acceptance procedures, including whether a social history or diagnostic testing is required;
 - g. General rules of juvenile conduct and the behavior management system with specific expectations for behavior and appropriate incentives and sanctions, which shall be made available to juveniles and parents upon acceptance into the program;
 - h. Criteria and procedures for terminating services, including termination prior to the juvenile's successful completion of the program;
 - i. Methods and criteria for evaluating program or service effectiveness;
 - j. Drug-free workplace policy;
 - k. And Procedures regarding contacts with the news media.

The department administration shall be notified in writing of any plan to change any of the elements listed above. **These elements are included in the VJCCCA Program Manuals.**

6VAC35-150-430 Initial: _____

2. Each program or service provider shall conduct background checks in accordance with 6VAC35-150-80, or ensure that such background checks are conducted, on all individuals who provider services to juveniles under the contract as required by subsection A of 6VAC35-150-80. **Service Provider's Certification of Compliance with Background Checks is on file with the Plan Contact.**

6VAC35-150-430 Initial: _____

3. Those programs and services providers providing crisis interventions services, including, but not limited to outreach detention, mental health counseling or treatment, and home-based counseling services, shall provide for responding 24 hours a day to a juvenile's crisis and shall provide notification to all juveniles in writing on how to access these services at any time. **These elements are included in the VJCCCA Program Manuals.**

6VAC35-140-430 Initial: _____

4. The standard of services provided by contractual and sub contractual vendors shall not be less than those required by this chapter.

6VAC35-150-435 Initial: _____

5. When there are indications that an individual who is providing programs or services poses a direct threat to the health and safety of a juvenile, others at the program, or the public, the program administrator, or department personnel shall immediately require that the individual be removed from contact with juveniles until the situation is abated or resolved.

6VAC35-150-450 Initial: _____

6. Program staff and service providers shall have a job description stating qualifications and duties for the position to which they are assigned. Staff and volunteers who provide professional services shall be appropriately licensed or certified or be supervised by an appropriately licensed or certified person as required by applicable statutes and regulations. **Job descriptions are on file with the Plan Contact.**

[6VAC35-150-460 Initial:](#)

7. All program or service providers shall have written procedures to deal with medical emergencies that may occur while a juvenile is in attendance at the program. **Written procedures are on file with the Plan Contact.**

[6VAC35-150-470 Initial:](#)

8. All programs and service providers shall:

1. Manage their finances in accordance with generally accepted accounting principles;
2. Certify that all funds were handled in accord with the VJCCCA plan, contract, or other agreement; and
3. Be subject to independent audit or examination by department personnel at the department's discretion.

[6VAC35-150-480 Initial:](#)

9. Juveniles shall not be excluded from a program nor be denied access to services on the basis of race, ethnicity, national origin, color, religion, sex, physical disability, or sexual orientation.

Juveniles shall not be subjected to:

1. Deprivation of drinking water or food necessary to meet daily nutritional needs except as ordered by a licensed physician for a legitimate medical purpose and documented in the juvenile's record;
2. Any action that is humiliating, degrading, or abusive;
3. Corporal punishment;
4. Unsanitary conditions;
5. Deprivation of access to toilet facilities; or
6. Confinement in a room with the door so secured that the juvenile cannot open it.

[6VAC35-150-490 Initial:](#)

10. Juveniles shall not be used as subjects of human research, except as provided in 6VAC35-170 and in accord with Chapter 5.1 (§ 32.1-162.16 et seq.) of Title 32.1 of the Code of Virginia. The testing of medicines or drugs for experimentation or research is prohibited. **If -170 applies, the written procedure is on file with the Plan Contact.**

[6VAC35-150-500 and 6VAC35-150-130 Initial:](#)

11. For each juvenile, a separate case record shall be kept up to date and in a uniform manner. The juvenile case record shall always contain:

1. Current identifying and demographic information on the juvenile;
2. Court order, placement agreement, or service agreement;
3. Rules imposed by the judge or the probation or parole officer if applicable; and
4. Dates of acceptance and release

Programs and services that provide counseling, treatment, or supervision shall:

1. Develop an individual service plan for each juvenile that shall specify the number and nature of contacts between the juvenile and staff;
2. Provide the individual service plan information to the supervising probation or parole officer, when applicable;
3. Document all contacts with the juvenile, the juvenile's family, and others involved with the case; and
4. Provide written progress reports to the referring agency at agreed upon intervals.

[6VAC35-150-510 Initial:](#)

12. Juveniles' records shall be kept confidential in accordance with applicable laws and regulations.

[6VAC35-150-520 Initial:](#)

13. When an incident occurs that is required by DJJ procedures to be reported, the program shall document and report the incident as required. **I've been provided DJJ's Serious Incident Report form and instructions.**

[6VAC35-150-530 Initial:](#)

14. When there is a reason to suspect that a child is an abused or neglected child, the program or service provider shall report the matter immediately to the local department of social services as required by Article 2 (§ 63.2-1508 et seq.) of Title 63.2 of the Code of Virginia and shall be documented in the juvenile's record.

[6VAC35-150-540 Initial:](#)

15. Each program that provides services to juveniles or their families within or at the program's office or place of operation shall comply with all applicable building, fire, sanitation, zoning and other federal, state, and local standards and shall have premises liability insurance. The inside and outside of all buildings shall be kept clean, in good repair, and free of rubbish.

[6VAC35-150-550 Initial:](#)

16. Only staff who have received department-approved training may apply physical restraint and only as a last resort, after less restrictive behavior intervention techniques have failed, to control residents whose behavior poses a risk to the safety of the resident, others, or the public, or to avoid extreme destruction of property.
1. Staff shall use the least force necessary to eliminate the risk and shall never use physical restraint as punishment or with intent to inflict injury.
 2. The application of physical restraint shall be fully documented in the juvenile's record, including the (i) date and time of the incident, (ii) staff involved, (iii) justification for the restraint, (iv) less restrictive interventions that were unsuccessfully attempted prior to or harm that would have resulted without using physical restraint, (v) duration, (vi) method and extent of any physical restraint techniques used, (vii) signature of the person completing the report, and (viii) reviewer's signature and date.
 3. Staff whose job responsibilities include applying physical restraint techniques, when necessary, shall receive training sufficient to maintain a current certification for the administration of the physical restraints.

Mechanical restraints, except in electronic monitoring and outreach detention programs, shall not be used for behavior management purposes. Chemical agents, such as pepper spray, shall not be used by staff for behavior management purposes.

Programs/Service providers must have prior approval from the VJCCA Coordinator to implement department approved training for applying physical restraint and the behavior management protocol must be documented in the VJCCA Program Manual.

[6VAC35-150-575 Initial:](#)

17. Programs that provide services in juveniles' homes shall:
1. Prescribe safety measures for staff making field visits; and
 2. Provide for actions for staff to take in the event of:
 - a. Domestic violence;
 - b. Severe injury;
 - c. Threats and violence against staff; and
 - d. Absence of life sustaining resources such as food or fuel.

If applicable, the written procedure is on file with the Plan Contact.

6VAC35-150-580 Initial: _____

Alternative Day Treatment and Structured Day Programs are also subject to the DJJ Board Regulations listed below.

1. At all times that juveniles are on any premises where alternative day treatment or structured day programs are provided, there shall be at least one qualified person actively supervising who has current first aid and CPR certification.

6VAC35-150-620 Initial: _____

2. If the program spans traditional mealtimes, juveniles shall be provided nutritionally balanced meals.

6VAC35-150-630 Initial: _____

3. Each site to which juveniles report shall have written emergency and fire safety plans.

1. In accordance with the emergency plan, the program shall implement safety and security procedures, including, but not limited to, procedures for responding in cases of a fire, bomb threat, hostage and medical emergency situations, and natural disaster.
2. The fire safety plan shall be developed with the consultation and approval of the appropriate local fire authority and reviewed with the local fire authority at least annually and updated if necessary.

At each site to which juveniles report, there shall be at least one documented fire drill each month. Each new staff member shall be trained in fire safety and emergency procedures before assuming supervision of juveniles.

6VAC35-150-640 Initial: _____ **Written Procedures are on file with the Plan Contact.**

4. At the time of the referral, the program shall request from the referring agency or party any information regarding individual juvenile medical needs or restrictions and, if necessary, instructions for meeting these needs. Written procedure governing the delivery of medication shall:

1. Either prohibit staff from delivering medication to designate staff persons authorized to deliver prescribed medication by written agreement with a juvenile's parents; and
2. Either permit or prohibit self-medication by juveniles.

An up to date, well stocked first aid kit shall be available at each site to which juveniles report and shall be readily accessible for minor injuries and medical emergencies.

6VAC35-150-670 Initial: _____ **Written Procedures are on file with the Plan Contact.**

5. A program that uses time-out shall have written procedures to provide that juveniles in time out shall:

1. Be able to communicate with staff;
2. Have bathroom privileges according to need; and
3. Be served any meal scheduled during the time-out period.

A time-out room shall not be locked, nor the door secured in any way that will prohibit the juvenile from opening it, except if such confinement has been approved by the program's regulatory authority. Time-out shall not be used for periods longer than 30 consecutive minutes.

6VAC35-150-690 Initial: _____ **Written Procedures are on file with the Plan Contact.**

Plan Contact's Name: _____ Plan Contact's Signature: _____
Locality: _____ Date: _____

Program:	Date of Audit:
Program Type:	Program Coordinator:
Locality:	Plan Contact:

Board Regulation	Requirement at Audit	Yes	No	NA
6VAC35-150-430	Each VICCCA Program/Service provider shall have a written statement of:			
A1	Purpose			
A2	Population served			
A3	Criteria for admission			
A4	Criteria for measuring a juvenile's progress			
A5	Supervision or treatment objectives			
A6	Intake and acceptance procedures (including whether a social history or diagnostic testing is required)			
A7	General rules of conduct and behavior management system with specific expectations for behavior and appropriate incentives and sanctions, which shall be made available to juveniles and parents upon acceptance into the program			
A8	Criteria and procedures for terminating services, including terminations prior to the juvenile's successful completion of the program			
A9	Methods and criteria for evaluating program or service effectiveness			
A10	Drug-free workplace policy			
A11	Procedures regarding contracts with the news media			
D	Those programs and service providers providing crisis intervention services, including, but not limited to, outreach detention, mental health counseling or treatment, and home-based counseling services, shall provide for responding 24 hours a day to a juvenile's crisis and shall provide notification to all juveniles in writing on how to access these services at any time.			



VJCCCA Program Manual Template

Each unique program on a VJCCCA plan should have a program manual. The following is a list of the sections/elements that must be included (in accordance with 6VAC35-150-430). Any changes require written notification and approval.

- **Program Name**
- **VJCCCA Program Type** (*from allowable programs and services list*)
- **Program Provider/Operated By**
- **Program Coordinator/Contact Information**
- **Program Physical Location**
- **Projected Start Date**
- **Program Days and Hours of Operation** (*Programs providing crisis intervention services, including but not limited to outreach detention, mental health counseling/treatment, home-based counseling, shall provide for responding 24 hours a day to a juvenile's crisis and shall provide notification to all juveniles in writing on how to access these services at any time.*)
- **Purpose**
 - Overall Program Description (can use logic model/theory of change)
 - Is Program Evidence Based or Evidence Informed (Please provide reference)
 - Objective Assessment of the Need for the Program/Service
- **Population Served**
 - Target population
 - DJJ Case Status (e.g. prevention, diversion, pre-dispositional, post-dispositional, probation, parole)
 - Program Demographics (age, gender)
 - Program Service Area
- **Criteria for Admission**
 - Risk Level (Low, Moderate, High)
 - DAI Score (for detention alternatives if applicable)
 - Other Special Admission Criteria
 - Exclusionary Criteria, including offense(s)
- **Criteria for Measuring a Juvenile's Progress**
- **Supervision or Treatment Objectives**
- **Intake and acceptance procedures**
 - Overview of referral process
 - Referral Form (Attached)

Required documents (e.g. Release of Information, YASI, Detention Assessment Instrument (DAI), Social History, Diagnostic testing, if applicable)

- **Rules of Conduct and Behavior Management System**

- Attach a copy of Program Rules/Conditions (must be made available to youth/parents)
 - Describe the behavior management system with specific expectations for behavior
 - Describe the use of graduated sanctions and incentives/rewards

- **Criteria for and procedures for Terminating Services**

- Describe the reasons for releasing a youth from the program
 - Include program releases prior to the juvenile's successful completion of the program

- **Methods and criteria for evaluating program or service effectiveness**

- Annual Program Evaluation Report
 - 75% Satisfactory Completion Rate
 - Recidivism Rate Comparisons
 - Locally Defined Objectives and Outcomes

- **Drug-Free Workplace Policy**

- **Procedures Regarding Contacts With the News Media**

- **Background Checks** *(Each program or service provider shall conduct background checks including 1. A reference check; 2. A criminal history record check; 3. A fingerprint check with (i) the Virginia State Police (VSP) and (ii) the Federal Bureau of Investigation (FBI); 4. A central registry check with Child Protective Services (CPS); and 5. A driving record check, if applicable to the individual's job duties, for all individuals who provide services to juveniles under the contract.)*

- Staff Title and Position
 - Provide job description and certifications/licensure (if applicable) of staff providing service

- **Programmatic Overview**

- Program length/duration
 - Number of service delivery hours per day/week (Number of contacts with youth)
 - Daily schedule
 - Specific individual and/or group interventions delivered
 - Staff to youth ratio
 - Program maximum of participants
 - Models of Intervention (Approaches, Strategies)

- **Program Budget**

- Total Budget for program/service
 - Portion of above budget from state VJCCCA funds
 - Other funding streams if applicable
 - Rate(s) established for service units (e.g., per sessions/day/contact/course)

Prevention Programs Only

- **Approved DJJ Assessment Tool**

- Plans for administration

- **Data Collection**

- Plans for tracking and reporting

Updated 4/19/2023

Residential Programs Only

- **School**
School arrangement for residents (e.g., in-house school or local school)
Daily plan for residents currently expelled, on homebound status, or home schooled
- **Licensing/Regulatory Authority:**
List agency that licenses program and contact person with that agency
Date of last audit and current licensing/regulatory/audit status
- **Other**
Please provide any other information you wish to consider

VICCCA AUDIT FORM 2 - CASE MANAGEMENT AND EXPENDITURES

Program:	Date of Audit:
Program Type:	Program Coordinator:
Locality:	Plan Contact:
Case File #1:	Case File #3:
Case File #2:	Case File #4:

Board Regulation	Requirement at Audit	#1 Y/N/NA	#2 Y/N/NA	#3 Y/N/NA	#4 Y/N/NA
6VAC35-150-510	For each juvenile, a separate case record shall be kept up to date and in a uniform manner.				
B1	Current identifying and demographic information on the juvenile				
B2	Court order, placement/service agreement, VICCCA Referral Form, and/or diversion plan				
B3	Rules imposed by the judge or probation or parole officer, if applicable; and				
B4	Dates of acceptance and release				
C	Programs and services that provide counseling, treatment or supervision shall				
C1	Develop an individual service plan for each juvenile that shall specify the number and nature of contacts between juvenile and staff				
C2	Provide the individual service plan information to the supervising probation or parole officer, when applicable				
C3	Document all contacts with the juvenile, the juvenile's family, and others involved with the case; and				
C4	Provide written progress reports to the referring agency at agreed upon intervals				

CPR Documentation – Placement Data	#1	#2	#3	#4
CPR dates of acceptance and release match case file documentation				
Release Code is supported by discharge summary or other case file documentation				
Monthly Service units are supported by invoices or other case file documentation				

CPR Documentation – Expenditure Data	Yes/No/NA
Expenditures for this program are in compliance with Statutory Requirements	
<ul style="list-style-type: none"> Expenditure Compliance Certification Form and General Conditions Certification Form are Signed Funding is not used for Secure Detention Expenditures are used for youth in the Target Population (traffic infractions are excluded) 	
Expenditures for this program are supported by invoices or other financial documentation	
Expenditures are according to Approved Local Plan and in compliance with VICCCA Manual	
Expenditures are in accordance with Signed MOAs (local positions and community service programs)	

VICCCA AUDIT FORM 3 – ALL PROGRAMS AND SERVICES

In accordance with [6VAC35-150-425](#), each VICCCA program or service provider shall adopt written procedures to implement and for compliance with all applicable requirements of 6VAC35-150-430 through 6VAC35-150-740.

Program:	Date of Audit:
Program Type:	Program Coordinator:
Locality:	Plan Contact:

Board Regulation	Requirement at Audit	Yes	No	NA
6VAC35-150-430	Program and service provider requirements. Regulation Signed Attachment: Written Statement			
6VAC35-150-80	Background checks. Service Provider's Certification of Compliance Signed			
6VAC35-150-435	Contracted services. Regulation Signed			
6VAC35-150-450	Limitation of contact with juveniles. Regulation Signed			
6VAC35-150-460	Personnel qualifications for program and service providers. Regulation Signed Attachment: Job Description(s) for position(s) serving youth			
6VAC35-150-470	Medical emergencies. Regulation Signed Attachment: Written Procedure for Medical Emergencies			
6VAC35-150-480	Financial record requirement for program and service providers. Regulation Signed			
6VAC35-150-490	Juveniles' rights. Regulation Signed			
6VAC35-150-500	Juvenile participation in research. Regulation Signed Attachment: If Applicable, Written Procedure for Juvenile Participation in Research			
6VAC35-150-130	Case Management requirements for program and service providers. Regulation Signed			
6VAC35-150-510	Confidentiality of records. Regulation Signed			
6VAC35-150-520	Incident documentation and reporting for program and service providers. Regulation Signed			
6VAC35-150-530	Child abuse and neglect. Regulation Signed			
6VAC35-150-540	Physical setting. Regulation Signed			
6VAC35-150-550	Physical and mechanical restraints and chemical agents in programs and services. Regulation Signed Attachment: If Applicable, Written Procedure for Using Physical Restraint			
6VAC35-150-575	Emergencies and safety in juvenile's homes. Regulation Signed Attachment: If Applicable, Written Safety Procedures for Providing Services in Juvenile's Homes			
6VAC35-150-580	This program is an Alternative Day Treatment and Structured Day Program			
Article 2	If Yes, See Alt. Day Treatment and Structured Day Program Audit Form			

VJCCCA AUDIT FORM 4 – ALTERNATIVE DAY TREATMENT AND STRUCTURED DAY PROGRAM

In accordance with [6VAC35-150-425](#), each VJCCCA program or service provider shall adopt written procedures to implement and for compliance with all applicable requirements of [6VAC35-150-430](#) through [6VAC35-150-740](#).

Program:	Date of Audit:
Program Type:	Program Coordinator:
Locality:	Plan Contact:

Board Regulation Article 2	Requirement at Audit	Yes	No	NA
6VAC35-150-620	Supervision of juveniles in alternative day treatment and structured day programs. Regulation Signed Is there at least one qualified person with current first aid and CPR certification actively supervising at all times when juveniles are on the premises?			
6VAC35-150-630	Meals. Regulation Signed Are nutritionally balanced meals provided? (if the program spans traditional meal times)			
6VAC35-140-640	Emergency and fire safety in alternative day treatment and structured day programs. Regulation Signed Are written emergency and fire safety plans in place at each site? Are safety and security procedures implemented, including procedures for responding to fire, bomb threat, hostage, medical emergency situations, and natural disasters? Is there documentation of monthly fire drills? Are new staff members trained in fire safety and emergency procedures before assuming supervision of juveniles?			
6VAC35-150-670	Juveniles' medical needs in alternative day treatment and structured day programs. Regulation Signed Are individual juveniles' medical needs or restrictions requested from the referring agency or party at the time of referral? Are written procedures in place for the delivery of medication, including authorization for staff to deliver prescribed medication and guidelines for self medication by juveniles? Is there an up-to-date, well stocked first-aid kits readily accessible at each site?			
6VAC35-150-690	Procedural requirements for time out in alternative day treatment and structured day programs. Regulation Signed Are written procedures in place for time-out, ensuring that juveniles have communication with staff, bathroom privileges, and access to scheduled meals? Is the time-out room not locked or secured in a way the prohibits the juvenile from opening it, except if approved by the program's regulatory authority? Is time-out not used for periods longer than 30 consecutive minutes?			

VJCCCA Program Audit Report

Date of the Audit:	Click or tap to enter a date.	Click or tap to enter a date.
Locality/Plan Audited:		
Plan Contact:		
Plan Contact's Supervisor:		
Audit Team:	Romilda P. Smith, VJCCCA Program Coordinator Melisa Furtado, VJCCCA Program Coordinator Katherine Farmer, VJCCCA Program Supervisor Andrea McMahon, Deputy Director of Placement & Program Implementation	

Audit Summary

- The Department has developed a schedule for monitoring all VJCCCA programs that provides for at least one scheduled on site VJCCCA program audit every two years. Whenever deemed necessary or appropriate, additional monitoring visits or reviews may be scheduled. (6VAC35-20-200)
- During the program audit the VJCCCA program shall demonstrate an acceptable level of compliance with all (i) statutory requirements, (ii) the approved local plan, (iii) applicable regulatory requirements, and (iv) applicable department procedures or manuals. (6VAC35-20-220)
- If the department determines that a VJCCCA program is not in compliance, it may suspend all or any portion of the VJCCCA program's funding until there is compliance as provided in subsection C of 16.1-309.9 of the Code of Virginia. (6VAC35-20-240)

Scope of the Audit

The (Locality) VJCCCA Plan consists of (Number) of distinct Programs/Services. Describe the programs and timeframes covered by the audit.

Methodology

- In accordance with 6VAC35-150-425, each VJCCCA service provider shall adopt written procedures to implement and for compliance with all applicable requirements of 6VAC35-150-430 through 6VAC35-150-740.
- Each VJCCCA Service Provider was required to sign the *VJCCCA Service Provider's Acknowledgement of DJJ Board Regulations* and to provide supporting documentation.
- The audit team has reviewed this documentation and completed the *VJCCCA Audit Form(s)*.
- VJCCCA program manuals, VJCCCA Excel Workbook/Plan, CPR Reports, Locality Records, Department Records, and any other pertinent documents were also reviewed during this audit period.

Findings: Compliance with Statutory Requirements

The locality has demonstrated an acceptable level of compliance with Statutory Requirements. The locality has provided the *General Conditions Certification* form and the *Expenditure Compliance Certification* form signed by the Chief Administrative Officer. VJCCCA funds are used for the target population. Funds are not used for secure detention.

Findings: Compliance with the Approved Local Plan

The locality has provided required Resolution(s) and MOA(s). VJCCCA Funds are used in accordance with the approved local plan.

Findings: Program Manuals (Audit Form 1)

Report the number of programs that were in compliance/not in compliance, summarize results from VJCCCA Audit Form 1.

Findings: Documentation and Record Keeping (Audit Form 2)

Report the number of programs that were in compliance/not in compliance, summarize results from VJCCCA Audit Form 2.

Findings: Compliance with DJJ Board Regulations (Audit Form 3)

Report the number of programs that were in compliance/not in compliance, summarize results from VJCCCA Audit Form 3.

Non-Compliance Issues

- Highlight any areas where the VJCCCA program(s) was found to be non-compliant

Recommendations

- Provide actionable recommendations for addressing the identified non-compliance issues
- Suggest best practices to enhance compliance

Conclusion

Sum up the overall compliance status of the VJCCCA Program (Narrative)

Next Steps:

- The VJCCCA Audit Forms and Audit Report will be reviewed with the locality. Discussion may result in amendments to the initial report. The finalized report will be provided to the Plan Contact, Plan Contact's Supervisor, CSU Director, and Regional Program Manager.
- The locality will create an implementation plan in response to the findings of non-compliance. There is no intent to withhold funding at this time.

Appendices:

- VJCCCA Audit Forms

Note: The VJCCCA Program Plan Contact may appeal the VJCCCA program audit findings to the Department. If the Department determines that a VJCCCA program is not in compliance, it may suspend funding until there is compliance. The VJCCCA program may appeal to the Department the withholding of funding, in writing, within 10 business days of receiving notice of the Department's intent to withhold the funding.