

Mapping the State Plan Requirements for Your Title II Formula Grant Application

JJDP, 34 U.S.C. § 11133(a)

In order to receive formula grants under Title II, a state shall submit a plan for carrying out its purposes applicable to a 3-year period. The plan shall be amended annually to include new programs, projects, and activities.

The Three-Year State Plan must address all 33 statutory requirements of the state plan under 34 U.S.C. § 11133(a). This mapping worksheet is a tool for states to use in preparing their Three-Year State Plan for the Title II Part B Formula Grant program. Each of the 33 statutory requirements are listed below, and each must be addressed in the Three-Year State Plan to be eligible for Title II Formula Grant funds.

Sample language is provided for some of the requirements below merely to help you understand the requirement and to demonstrate how you might respond. Some of the 33 requirements are multi-part, all of which must be addressed. States must describe in detail how it plans to address each of these requirements.

Requirement (1): The plan shall designate the State agency as designated by the chief executive officer of the State as the sole agency for supervising the preparation and administration of the plan.

Example: <State> affirms that the chief executive officer of [state] has designated [name of Designated State Agency (DSA)] as the sole agency for supervising the preparation and administration of the plan.

State's Response:

Requirement (2): The plan shall contain satisfactory evidence that the state agency designated in accordance with paragraph (1) above has or will have authority, by legislation if necessary, to implement such plan in conformity with this [statute].

Include: A citation for the executive order, legislation, or policy as well as the language which provides evidence of the authority of the (DSA) agency to implement the three-year plan.

State's Response:

Requirement (3 A): The plan shall provide for an advisory group that consists of not less than 15 and not more than 33 members appointed by the chief executive officer of the State and which meets specific statutory requirements set forth in 34 USC 11133(a)(3)(A)(I) (v).

Describe the envisioned composition of the State Advisory Group (SAG), what the timeline is for having all the statutorily required SAG members in place, and the milestones [or plan] for such. Describe any challenges in obtaining a full SAG and the plan to overcome those challenges.

State's Response:

Requirement (3 B): The plan shall provide that the advisory group shall participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action.

Example: <State> affirms that the SAG will participate in the development and review of the State's juvenile justice plan prior to submission to the supervisory board for final action.

Describe the process (how, when, where) by which the SAG was involved in the latest three-year plan or update process.

State's Response:

Requirement (3 C): The plan shall provide that the advisory group shall be afforded the opportunity to review and comment, not later than 45 days after their submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the State agency designated under paragraph (1) above.

Example: <State> affirms that that the SAG was afforded an opportunity to review and comment, not later than 45 days after submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the State agency designated under paragraph (1).

State's Response:

Requirement (3 D) (i): The plan shall provide that the advisory group shall, consistent with Title II, advise the State agency designated under paragraph (1) above and its supervisory board.

Example: <State> affirms that the SAG advises the State agency designated under paragraph (1) and its supervisory board.

Briefly describe how/when such advisement occurs.

State's Response:

Requirement (3 D) (ii): The plan shall provide that the advisory group shall, consistent with Title II, submit to the chief executive officer and the legislature of the state at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements.

Example: <State> affirms that the SAG submits to the chief executive officer and the legislature of the state at least every two years a report and necessary recommendations regarding compliance with the core requirements.

Consider including a copy of (or link to) the most recent report and set of recommendations as a separate attachment labeled "<State> SAG recommendations".

State's Response:

Requirement (3 D) (iii): The plan shall provide that the advisory group shall, consistent with Title II, contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system.

Example: <State> affirms the SAG contacts and seeks regular input from juveniles currently under the jurisdiction of the juvenile justice system.

Describe the process (when, where and how) such input is received.

State's Response:

Requirement (3 E) (i): The plan shall provide that the advisory group may, consistent with this Title II, advise on State supervisory board and local criminal justice advisory board composition.

Example: <State> affirms that, the SAG advises on State supervisory and local criminal justice advisory board compositions.

State's Response:

Requirement (3 E) (ii): The plan shall provide that the advisory group may, consistent with Title II, review progress and accomplishments of projects funded under the State plan.

Example: <State> affirms that, the SAG reviews progress and accomplishments of projects funded under the State plan.

Describe the process of this review.

State's Response:

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

Example: <State> affirms that it provided for the active consultation with and participation of units of local government or combinations thereof in the development of the state plan which adequately takes into account the needs and requests of units of local government, except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall be construed to prohibit or impede the state from making grants to, or entering into contracts with, local private agencies or the advisory group.

Describe how consultation with local entities (government and non-government) occurred.

State's Response:

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

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

Either:

<State> affirms that it will meet the requirements for passthrough funds under 34 U.S.C. § 11133(a), Section 223(a)(5) which is documented (***attach policy and procedures for SAG and and/or DSA outlining how this will be done.***) **(or)** <State> has requested a waiver of this.

State's Response:

Requirement (6): The plan shall provide for an equitable distribution of the assistance received under section 222 within the State, including in rural areas.

Example: <State> affirms that, will provide for an equitable distribution of the assistance received under section 222 [34 U.S.C. § 11132] within the State, including in rural areas.

Describe how, when and where this will be achieved.

State's Response:

Requirement (7 A): The plan shall provide for an analysis of juvenile delinquency problems in, and the juvenile delinquency control and delinquency prevention needs (including educational needs) of, the State (including any geographical area in which an Indian tribe has jurisdiction), a description of the services to be provided, and a description of performance goals and priorities, including a specific statement of the manner in which programs are expected to meet the identified juvenile crime problems (including the joining of gangs that commit crimes) and juvenile justice and delinquency prevention needs (including educational needs) of the State.

Provide a brief narrative describing the findings of your crime analysis noting the juvenile delinquency problems and delinquency prevention needs of your state or cite which pages of the most recent three-year plan where the crime analysis and findings will be found. For states where it applies, include any geographic area in which an Indian tribe has jurisdiction.

Include: A narrative that links your state's crime analysis and its finding with the services to be provided under the Title II program.

Include: A narrative that describes how funded programs will address the identified juvenile crime programs (including joining of gangs that commit crimes) and juvenile justice and delinquency prevention needs identified (including educational needs) by your state.

Include: A narrative that indicates your understanding of the performance measures for this solicitation and how you intend to provide the required data to OJJDP.

State's Response:

Requirement (7 B) (i): The plan shall contain an analysis of gender specific services for the prevention and treatment of juvenile delinquency, including the types of such services available and the need for such services.

Include: A narrative that describes your analysis of gender-specific services, including types of services and need for services, for the prevention and treatment juvenile delinquency.

State's Response:

Requirement (7 B) (ii): The plan shall contain the inclusion of needed gender specific services for the prevention and treatment of juvenile delinquency.

Include: A narrative that describes your plan for providing needed gender-specific services, for the prevention and treatment juvenile delinquency.

State's Response:

Requirement (7 B) (iii): The plan shall contain the inclusion of needed services for the prevention and treatment of juvenile delinquency in rural areas.

Include: A narrative that describes your plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas.

State's Response:

Requirement (7 B) (iv): The plan shall contain the inclusion of alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate, such as specialized or problem solving courts or diversion to home based or community based services or treatment for those youth in need of mental health, substance abuse, or co occurring disorder services at the time such juveniles first come into contact with the juvenile justice system.

Include: A narrative that describes your plan to provide alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system.

State's Response:

Requirement (7 B) (v): The plan shall contain strategies to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs.

Include: A narrative that describes your plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs.

State's Response:

Requirement (7 B) (vi): The plan shall contain strategies to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post placement.

Include: A narrative that describes your plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement.

State's Response:

Requirement (7 B) (vii): The plan shall contain strategies to use community based services to respond to the needs of at risk youth or youth who have come into contact with the juvenile justice system.

Include: A narrative that describes your plan to use community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system.

State's Response:

Requirement (7 B) (viii): The plan shall contain strategies to promote evidence based and trauma informed programs and practices.

Include: A narrative that describes your plan to promote evidence-based and trauma- informed programs and practices.

State's Response:

Requirement (7 B) (ix) (I): The plan shall eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and post partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others.

Include: A narrative that describes your plan to eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others.

State's Response:

Requirement (7 B) (ix) (II): The plan shall eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four point restraints on known pregnant juveniles, unless

- 1. credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or**
- 2. reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.**

Include: A narrative that describes your plan to eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless— (1) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or (2) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method.

State's Response:

Requirement (8): The plan shall provide for the coordination and maximum utilization of evidence based and promising juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs (such as education, special education, recreation, health, and welfare programs) in the State.

Include: A narrative that describes your plan for the coordination and maximum utilization of juvenile delinquency programs, programs operated by public and provide agencies and organizations, and other related programs in the State.

State's Response:

Requirement (9): The plan shall provide that not less than 75 percent of the funds available to the State under section 222, other than funds made available to the State advisory group under section 222(d), whether expended directly by the State, by the unit of local government, or by a combination thereof, or through grants and contracts with public or private nonprofit agencies, shall be used for, with priority in funding given to entities meeting the criteria for evidence based or promising programs detailed through (A) (W) ("Program Areas").

Example: <State> assures that not less than 75% of the total Title II funds provided to the stateless the amount set aside for the SAG, shall be used for, through grants or contracts with priority in funding given to entities meeting the criteria for evidence-based or promising programs detailed through (A)-(W) ("Program Areas").

State's Response:

Requirement (10): The plan shall provide for the development of an adequate research, training, and evaluation capacity within the State.

Example: <State> has the capacity or a plan to develop the capacity for an adequate research, training, and evaluation capacity within the state.

State's Response:

Requirement (11) (A): The plan shall, in accordance with rules issued by the Administrator, provide that a juvenile shall not be placed in a secure detention facility or a secure correctional facility, if

- (i) the juvenile is charged with or has committed an offense that would not be criminal if committed by an adult, excluding**
 - (I) a juvenile who is charged with or has committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;**
 - (II) a juvenile who is charged with or has committed a violation of a valid court order issued and reviewed in accordance with paragraph (23); and**
 - (III) a juvenile who is held in accordance with the Interstate Compact on Juveniles as enacted by the State; or**
- (ii) the juvenile**
 - (I) is not charged with any offense; and**
 - (II) (aa) is an alien; or**
 - (bb) is alleged to be dependent, neglected, or abused.**

In addition to the statement above, make sure to note where this is addressed within the compliance monitoring documents submitted with the compliance plan.

State's Response:

Requirement (11) (B): The plan shall require that

- (i) unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal**

court and housed in a secure facility

(I) shall not have sight or sound contact with adult inmates; and

(II) except as provided in paragraph (13), may not be held in any jail or lockup for adults;

(ii) in determining under clause (i) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have sight or sound contact with adult inmates, a court shall consider

(I) the age of the juvenile;

(II) the physical and mental maturity of the juvenile;

(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

(IV) the nature and circumstances of the alleged offense;

(V) the juvenile's history of prior delinquent acts;

(VI) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

(VII) any other relevant factor; and

(iii) if a court determines under clause (i) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults

(I) the court shall hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and

(II) the juvenile shall not be held in any jail or lockup for adults, or permitted to have sight or sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the juvenile expressly waives this limitation.

In addition to the statement above, make sure to note where this is addressed withing the compliance monitoring documents submitted in the compliance plan.

State's Response:

Requirement (12): The plan shall provide that

(A) juveniles alleged to be or found to be delinquent or juveniles within the purview of paragraph (11) will not be detained or confined in any institution in which they have sight or sound contact with adult inmates; and

(B) there is in effect in the State a policy that requires individuals who work with both such juveniles and such adult inmates, including in collocated facilities, have been trained and certified to work with juveniles.

In addition to the statement above, note where this is addressed within the compliance monitoring documents submitted in the compliance plan.

State's Response:

Requirement (13): The plan shall provide that no juvenile will be detained or confined in any jail or lockup for adults except

(A) juveniles who are accused of nonstatus offenses and who are detained in such jail or lockup for a period not to exceed 6 hours

(i) for processing or release;

(ii) while awaiting transfer to a juvenile facility; or

(iii) in which period such juveniles make a court appearance; and only if such juveniles do not have sight or sound contact with adult inmates and only if there is in effect in the State a policy that requires individuals who work with both such juveniles and adult inmates in collocated facilities have been trained and certified to work with juveniles;

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

(i) in which

(I) such juveniles do not have sight or sound contact with adult inmates; and

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

(ii) that

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

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

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

In addition to the statement above, note where this is addressed within the compliance monitoring documents submitted in the compliance plan.

State's Response:

Requirement (14): The plan shall provide for an effective system of monitoring jails, lock ups, detention facilities, and correctional facilities to ensure that the core requirements are met, and for annual reporting of the results of such monitoring to the Administrator, except that such reporting requirements shall not apply in the case of a State which is in compliance with the other requirements of this paragraph, which is in compliance with the requirements in paragraphs (11) and (12), and which has enacted legislation which conforms to such requirements and which contains sufficient enforcement mechanisms to ensure that such legislation will be administered effectively.

In addition to the statement above, note where this is addressed within the compliance monitoring documents submitted in the compliance plan.

State's Response:

Requirement (15): The plan shall implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by

- A. establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders, (including representatives of the educational system) at the State, local, or tribal levels, to advise efforts by States, units of local government, and Indian Tribes to reduce racial and ethnic disparities;
- B. identifying and analyzing data on race and ethnicity at decision points in State, local, or tribal juvenile justice systems to determine which such points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and
- C. developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraph (B).

In addition to the statement above, note where this is addressed within the compliance monitoring documents submitted in the compliance plan.

State's Response:

Requirement (16): The plan shall provide an assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, ethnicity, family income, and disability.

Example: <State> assures that youth in the juvenile justice system are treated equitably on the basis of gender, race, ethnicity, family income, and disability.

Consider providing legislative declaration, Governor’s Order, or other method by which this is made a standard expectation.

State’s Response:

Requirement (17): The plan shall provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency (which approaches should include the involvement of grandparents or other extended family members when possible and appropriate, and the provision of family counseling during the incarceration of juvenile family members and coordination of family services when appropriate and feasible.

Example: <State> assures that consideration will be given to, and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency.”

State’s Response:

Requirement (18): The plan shall provide for procedures to be established for protecting the rights of recipients of services and for ensuring appropriate privacy with regard to records relating to such services provided to any individual under the state plan.

Example: <State affirms that this requirement is met and provides a description of the process.

State’s Response:

Requirement (19): The plan shall provide assurances that:

- A. any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of non overtime work, wages, or employment benefits) of any currently employed employee;
- B. activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and
- C. no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved.

Example: <State> affirms that, (A) any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits) of any currently employed employee; (B) activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and (C) no such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved.

State's Response:

Requirement (20): The plan shall provide for such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under this title.

Example: <State> affirms that it meets the requirement to provide such fiscal control and fund accounting procedures necessary to assure prudent use, proper disbursement, and accurate accounting of funds received under [the Formula Grants Program].

State's Response:

Requirement (21): The plan shall provide reasonable assurances that federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, tribal, and other non Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such state, local, tribal, and other non Federal funds.

Example: <State> affirms that it complies with the requirement to provide reasonable assurance that federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the State, local, tribal, and other non-Federal funds that would in the absence of such Federal funds be made available for the programs described in this part, and will in no event replace such state, local, tribal, and other non-Federal funds.

State's Response:

Requirement (22 A): The plan shall provide that the State Agency designated under paragraph (1) will to the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based.

Example: <State> affirms that it, to the extent practicable, will give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based.

State's Response:

Requirement (22 B): The plan shall provide from time to time, but not less than annually, a review of its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, that it considers necessary.

Example: <State> affirms that, from time to time, but not less than annually, the state will review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of State and local needs, that it considers necessary.

State's Response:

Requirement (22 C): The plan shall not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2 year period fails to demonstrate, before the expiration of such 2 year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency.

Example: <State> assures that it will not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency.

State's Response:

Requirement (23): The plan shall provide that if a juvenile is taken into custody for violating a valid court order issued for committing a status offense:

- A. an appropriate public agency shall be promptly notified that such status offender is held in custody for violating such order;**
- B. not later than 24 hours during which such status offender is so held, an authorized representative of such agency shall interview, in person, such status offender;**
- C. not later than 48 hours during which such status offender is so held such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of the status offender;**
- D. there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter.**

In addition to the statement above, note where this is addressed within the compliance monitoring documents submitted in the compliance plan.

State's Response:

Requirement (24): The plan shall provide an assurance that if the State receives under section 222 for any fiscal year an amount that exceeds 105 percent of the amount the State received under such section for fiscal year 2000, all of such excess shall be expended through or for programs that are part of a comprehensive and coordinated community system of services.

Example: <State> affirms that if the state receives an amount that exceeds 105 percent of the amount received under this section in FY 2000, all such excess would be expended through or for programs as part of a comprehensive and coordinated community system of services.

State's Response:

Requirement (25): The plan shall specify a percentage (if any), not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the State advisory group under section 222(d)) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduce the caseload of probation officers within such units.

Example: Not applicable, no funds are being set aside for this purpose. **(or)** <State> affirms that (X) percentage, not to exceed 5 percent, of funds received by the State under section 222 (other than funds made available to the State advisory group under section 222(d)) that the State will reserve for expenditure by the State to provide incentive grants to units of general local government that reduces the caseload of probation officers within such units.

State's Response:

Requirement (26): Then plan shall provide that the state, to the maximum extent practicable, and in accordance with confidentiality concerns, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court so as to provide for:

A. data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections; and

B. a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of such victims of child abuse or neglect.

Example: <State> affirms that, to the maximum extent practicable, a system has been implemented to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to that juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court. Further, describe by whom, how and when the information is shared with the courts as well as the planned use of such data.

Does your state have a data sharing agreement in place between child welfare and the courts that covers sharing of this information? If so, consider attaching that agreement as evidence of meeting this requirement.

State's Response:

Requirement (27): The plan shall provide assurances that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675).

Example: <State> affirms that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675).

State's Response:

Requirement (28): The plan shall provide for the coordinated use of funds provided under Title II with other Federal and State funds directed at juvenile delinquency prevention and intervention programs.

Example: <State> affirms that it provides for the coordinated use of funds provided under Title II with other Federal and State funds directed at juvenile delinquency prevention and intervention programs.

State's Response:

Requirement (29): The plan shall describe the policies, procedures, and training in effect for the staff of juvenile State correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques.

Describe the policies, procedures, and training in effect for the staff of juvenile State correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques.

Consider providing a copy of or link to such policies and procedures.

State's Response:

Requirement (30): The plan shall describe:

- A. the evidence based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who:
 - i. request a screening;
 - ii. show signs of needing a screening; or
 - iii. are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and
- B. how the State will seek, to the extent practicable, to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment.

Example: <State> affirms that

- A. evidence-based methods will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who:
 - i. request a screening;
 - ii. show signs of needing a screening; or
 - iii. are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and
- B. the State will seek, to the extent practicable, to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment.

Describe how this is done and documented in the youth's record and attach or link to the policies/procedure and/or plan for meeting this requirement.

State's Response:

Requirement (31): The plan shall describe how reentry planning by the State for juveniles will include:

- A. a written case plan based on an assessment of needs that includes:
 - i. the pre release and post release plans for the juveniles;
 - ii. the living arrangement to which the juveniles are to be discharged; and
 - iii. any other plans developed for the juveniles based on an individualized assessment; and
- B. review processes.

Describe how re-entry planning for juveniles is conducted, including a written case plan based on an assessment of needs and what the review processes are.

State's Response:

Requirement (32): The plan shall provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress:

- A. the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;
- B. the credits of adjudicated juveniles are transferred; and
- C. adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned.

Provide a brief description of how the DSA collaborates with the State educational agency to ensure records are available, credits are given and transferred.

Consider including a copy of or link to the plan or policies and procedures for plan implementation.

State's Response:

Requirement (33): The plan shall describe policies and procedures to:

- A. screen for, identify, and document in records of the State identification of victims of domestic human trafficking or those at risk of such trafficking, upon intake; and
- B. divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.

Provide a description of the policies and procedures in place to screen for, identify, and document identification of victims of or those at risk of trafficking, and divert them when practicable.

In addition, provide a copy of or link to such policies and procedures.

State's Response:

