



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

---

The [U.S. Department of Justice](#) (DOJ), [Office of Justice Programs](#) (OJP), [Office of Juvenile Justice and Delinquency Prevention](#) (OJJDP) is seeking applications for funding under the fiscal year (FY) 2018 Title II Formula Grants Program. This program furthers the Department's mission by providing funding to the states to develop programs to address delinquency and improve the juvenile justice system.

## OJJDP FY 2018 Title II Formula Grants Program

Compliance Submissions Due: April 2, 2018  
Deadline to Register in GMS: May 11, 2018  
Applications Due: May 18, 2018

### Eligibility

Only the agency that the chief executive (e.g., the governor) of each state designates is eligible to apply for these funds. Applicants that do not meet this criterion are ineligible to apply under this solicitation. **NOTE:** For the purposes of this solicitation, "youth" means any individual who is under juvenile court jurisdiction or is an age at which she or he could be subject to original juvenile court jurisdiction within the state. The terms "youth justice" and "juvenile justice" are used throughout this solicitation to remind us that this work concerns the lives and future of children and youth and is not solely concerned with agencies, systems, and professionals. Additionally, pursuant to the Juvenile Justice and Delinquency Prevention (JJDP) Act, at 34 U.S.C. § 11103(7), the term "state" means any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Commonwealth of the Northern Mariana Islands, the U.S. Virgin Islands, and American Samoa.

All recipients and subrecipients (including any for-profit organizations) must forgo any profit or management fee.

### Deadline

Applicants must register in the OJP Grants Management System (GMS) at <https://grants.ojp.usdoj.gov/> prior to submitting an application under this solicitation. All applicants must register, even those that previously registered in GMS. Select the "Apply Online" button associated with the solicitation title. All registrations are due by 8 p.m. eastern time (ET) on May 11, 2018. Applications are due by 8 p.m. ET on May 18, 2018.

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

## Contact Information

For technical assistance with submitting an application, contact the Grants Management System Support Hotline at 888-549-9901, option 3, or via email at [GMS.HelpDesk@usdoj.gov](mailto:GMS.HelpDesk@usdoj.gov). The GMS Support Hotline operates 24 hours a day, 7 days a week, including on federal holidays.

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must email the OJJDP contact identified below **within 24 hours after the application deadline** to request approval to submit its application after the deadline. For information on reporting technical issues, see “Experiencing Unforeseen GMS Technical Issues” in the How to Apply section.

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

Release date: February 15, 2018  
Updated: March 28, 2018

## Contents

A. Program Description.....	5
Overview.....	5
Program-Specific Information.....	5
Goals, Objectives, and Deliverables.....	6
Evidence-Based Programs or Practices.....	6
B. Federal Award Information .....	7
Type of Award.....	8
Financial Management and System of Internal Controls.....	8
Budget Information .....	9
Preagreement Costs .....	9
Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs .....	9
Costs Associated With Language Assistance (if applicable) .....	9
C. Eligibility Information .....	9
D. Application and Submission Information .....	10
What an Application Should Include .....	10
How to Apply .....	24
E. Application Review Information.....	27
Review Process .....	27
F. Federal Award Administration Information .....	28
Federal Award Notices.....	28
Administrative, National Policy, and Other Legal Requirements .....	28
General Information About Post-Federal Award Reporting Requirements.....	29
G. Federal Awarding Agency Contact(s) .....	29
H. Other Information.....	29
Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a).....	29
Provide Feedback to OJP .....	30
Appendix A: Performance Measures Table .....	31
Appendix B: Formula Grants Program Areas—Budget and Project Identifier Summary Descriptions .....	36
Appendix C: Waiver Requirements for Pass-Through (Subawards).....	39
Appendix D: Instructions To Complete the SAG Membership Table .....	40
Appendix E: Rural Removal Exception Certification Form.....	43
Appendix F: Sample Budget Detail Worksheet .....	44

Appendix G: Compliance and DMC Plans .....47  
Appendix H: Sample Relative Rate Index Analysis and Tracking Sheet .....56  
Appendix I: Compliance With the JJDP Act Formula Grants Program State Plan  
Requirements [34 U.S.C. § 11133(a), Section 223(a)] .....57  
Appendix J: Contact Information for States and Territories .....72  
Appendix K: Training Certification .....73  
Appendix L: Compliance Monitoring Data Certification .....74  
Appendix M: Compliance Plans and Resources Certification .....76  
Appendix N: Juvenile Problem/Needs Analysis Data Elements .....78  
Appendix O: Application Checklist .....79

# OJJDP FY 2018 Title II Formula Grants Program CFDA #16.540

## A. Program Description

### Overview

The OJJDP FY 2018 Title II Formula Grants Program provides funding to support state and local efforts to plan, establish, operate, coordinate, and evaluate policies and projects, directly or through grants and contracts with public and private agencies, for the development of more effective education, training, research, prevention, diversion, treatment, and rehabilitation programs, and justice system improvement efforts.

**Statutory Authority:** The Formula Grants Program is authorized under the JJDP Act of 1974, as amended, at 34 U.S.C. §§ 11131-11133. Pursuant to Part B of Title II of the JJDP Act, to receive formula grants, states must submit a plan for carrying out Formula Grants Program activities applicable to a 3-year period.

### Program-Specific Information

This announcement contains instructions applicable to the FY 2018 Title II Formula Grants Program application and provides guidance for development of the required FY 2018 3-Year Plan, which is composed of (1) a programmatic plan in which each state is to address its priority youth justice needs and problems and submit other information pertaining to all statutory requirements designated under 34 U.S.C. § 11133(a), and (2) information that each state is to submit separately by April 2, 2018 to OJJDP's online compliance reporting tool concerning its compliance with the four core requirements of the JJDP Act.<sup>1</sup>

The application (programmatic plan and supporting information) for the formula grant is to be submitted into the Grants Management System (GMS) by May 18, 2018.

**Important notes:** Applicants must satisfy **all 28 statutory requirements** of the state plan under 34 U.S.C. § 11133(a), which includes the four core requirements, adequacy of monitoring system, and State Advisory Group (SAG) provisions (refer to Appendix I). If a state fails to provide the required information or assurances to satisfy each of the 28 statutory requirements prior to acceptance of the award (which may be no later than 45 days from the date of the award), the state will be ineligible for a Formula Grants Program award.

As indicated, states are to submit their compliance and disproportionate minority contact (DMC) plans, compliance and Relative Rate Index (RRI) data, and supporting documentation for **the period October 1, 2016 to September 30, 2017**, electronically to OJJDP's online compliance reporting tool, **separately from this application and no later than April 2, 2018**. Appendices G and H provide details regarding what states should include in the compliance and DMC plan submissions.

---

<sup>1</sup> Refer to 34 U.S.C. §§ 11133(a)(11), (12), (13), and (22) and Appendix B (page 37) for a description of the four core requirements: deinstitutionalization of status offenders, separation, jail removal, and disproportionate minority contact.

## Goals, Objectives, and Deliverables

The JJDP Act provides that the purpose of the Formula Grants Program is to assist state and local governments in addressing juvenile crime through technical assistance, research, training, evaluation, and effective programs for preventing juvenile delinquency and improving the juvenile justice system. OJJDP strongly encourages states to use a developmentally appropriate and trauma-informed framework to inform and connect youth justice work to the development of individual and multiagency comprehensive state plans that support the well-being of all youth.

The Goals, Objectives, and Deliverables are directly related to the performance measures that demonstrate the results of the work completed, as discussed in Section D. Application and Submission Information, under Program Narrative.

## Overview of Plan Requirements

States' 3-Year Plans must:

1. Demonstrate that the applicant satisfies **the 28 statutory requirements** of the state plan listed in 34 U.S.C. § 11133(a), including the requirement to provide data and documentation to demonstrate compliance with the four core requirements of the Formula Grants Program and the adequacy of the state's compliance monitoring system.

**Note:** If a state fails to provide required information or assurances to satisfy each of the 28 statutory requirements prior to acceptance of the award (which may be no later than 45 days from the date of the award), the state will be ineligible for a Formula Grants Program award.

2. Provide a coherent narrative setting forth a 3-year plan for the proposed uses of the Title II funds based on the state's juvenile delinquency crime analysis and in accordance with the JJDP Act. The 3-year plan is to be amended in the second and third years of the 3-year cycle to include new programs, projects, and activities.
3. Explain how and with what other delinquency prevention and related programs operated by entities within the state the designated agency coordinates, as required by Section 223 (a) (8).
4. **Separate from this application**, states must submit their compliance and DMC plans, compliance and RRI data, and supporting documentation for **the period October 1, 2016 to September 30, 2017** electronically to OJJDP's online compliance reporting tool **no later than April 2, 2018**. Appendices G and H provide details regarding what states should include in these compliance and DMC plan submissions.

## Evidence-Based Programs or Practices

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

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

OJP considers programs and practices to be evidence-based when their effectiveness has been demonstrated by causal evidence, generally obtained through one or more outcome evaluations. Causal evidence documents a relationship between an activity or intervention (including technology) and its intended outcome, including measuring the direction and size of a change, and the extent to which a change may be attributed to the activity or intervention. Causal evidence depends on the use of scientific methods to rule out, to the extent possible, alternative explanations for the documented change. The strength of causal evidence, based on the factors described above, will influence the degree to which OJP considers a program or practice to be evidence-based.

The OJP CrimeSolutions.gov website at <https://www.crimesolutions.gov/> is one resource that applicants may use to find information about evidence-based programs in criminal justice, juvenile justice, and crime victim services.

**Information Regarding Potential Evaluation of Programs and Activities**

The Department of Justice has prioritized the use of evidence-based programming and deems it critical to continue to build and expand the evidence informing criminal and juvenile justice programs to reach the highest level of rigor possible. Therefore, applicants should note that the Office of Justice Programs may conduct or support an evaluation of the programs and activities funded under this solicitation. Recipients and sub-recipients will be expected to cooperate with program-related assessments or evaluation efforts, including through the collection and provision of information or data requested by OJP (or its designee) for the assessment or evaluation of any activities and/or outcomes of those activities funded under this solicitation. The information or data requested may be in addition to any other financial or performance data already required under this program.

**B. Federal Award Information**

Information about each state’s respective FY 2018 allocation will be available online [here](#). OJJDP will notify juvenile justice specialists when the FY 2018 allocations are posted online. For planning purposes, use the FY 2017 award amount, also available online [here](#). For the award performance period, refer to the following chart:

<b>Funding Year</b>	<b>Budget Period</b>	<b>Period of Performance</b>
FY 2018	Oct. 1, 2018 to Sept. 30, 2022	Oct. 1, 2018 to Sept. 30, 2022
FY 2019	Oct. 1, 2019 to Sept. 30, 2023	Oct. 1, 2019 to Sept. 30, 2023
FY 2020	Oct. 1, 2020 to Sept. 30, 2024	Oct. 1, 2020 to Sept. 30, 2024

The FY 2018 award will be a new award with a new grant number and a 4-year budget and period of performance from October 1, 2018, to September 30, 2022. Each of the following awards for the two update years will also be given new grant numbers. States are to manage, monitor, and report on grant activities and programs under each grant number.

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

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

## Type of Award

OJJDP will make any awards under this solicitation in the form of grants. See [Administrative, National Policy, and Other Legal Requirements](#), under [Section F. Federal Award Administration Information](#), for a brief discussion of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants.

## Financial Management and System of Internal Controls

Award recipients and subrecipients (including recipients or subrecipients that are pass-through entities<sup>2</sup>) must, as described in the Part 200 Uniform Requirements<sup>3</sup> as set out at 2 C.F.R. 200.303:

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

To help ensure that applicants understand administrative requirements and cost principles, OJP encourages prospective applicants to enroll, at no charge, in the DOJ Grants Financial Management Online Training, available at <https://ojpfgm.webfirst.com/>. (This training is required for all OJP award recipients.)

Also, applicants should be aware that OJP collects information from applicants on their financial management and systems of internal controls (among other information), which is used to make award decisions. Under [Section D. Application and Submission Information](#), applicants may

---

<sup>2</sup> For purposes of this solicitation, the phrase “pass-through entity” includes any recipient or subrecipient that provides a subaward (subgrant) to a subrecipient (subgrantee) to carry out part of the funded award or program. Additional information on proposed subawards is listed under [What an Application Should Include](#), Section D of this solicitation.

<sup>3</sup> The “Part 200 Uniform Requirements” means the DOJ regulation at 2 C.F.R. Part 2800, which adopts (with certain modifications) the provisions of 2 C.F.R. Part 200.



access and review the OJP Financial Management and System of Internal Controls Questionnaire (<https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf>) that OJP requires **all** applicants (other than an individual applying in his/her personal capacity) to download, complete, and submit as part of the application.

**Budget Information** (See also Budget and Associated Documentation, page 15)

#### **Preagreement Costs** (also known as Preaward Costs)

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

OJP does **not** typically approve preagreement costs; an applicant must request and obtain the prior written approval of OJP for all such costs. All such costs incurred prior to award and prior to approval of the costs are incurred at the sole risk of the applicant. (Generally, no applicant should incur project costs *before* submitting an application requesting federal funding for those costs.) Should there be extenuating circumstances that make it appropriate for OJP to consider approving preagreement costs, the applicant may contact the point of contact listed on the title page of this solicitation for the requirements concerning written requests for approval. If approved in advance by OJP, award funds may be used for preagreement costs, consistent with the recipient's approved budget and applicable cost principles. See the section on Costs Requiring Prior Approval in the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm> for more information.

#### **Prior Approval, Planning, and Reporting of Conference/Meeting/Training Costs**

OJP strongly encourages every applicant that proposes to use award funds for any conference-, meeting-, or training-related activity (or similar event) to review carefully—before submitting an application—the OJP and DOJ policy and guidance on approval, planning, and reporting of such events, available at

<https://ojp.gov/financialguide/doj/PostawardRequirements/chapter3.10a.htm>. OJP policy and guidance (1) encourage minimization of conference, meeting, and training costs; (2) require prior written approval (which may affect project timelines) of most conference, meeting, and training costs for cooperative agreement recipients, as well as some conference, meeting, and training costs for grant recipients; and (3) set cost limits, which include a general prohibition of all food and beverage costs.

#### **Costs Associated With Language Assistance (if applicable)**

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

For additional information, see the "Civil Rights Compliance" section under "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)" in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

## **C. Eligibility Information**

For eligibility information, see the title page.

For information on cost sharing or match requirement see Budget and Associated Documentation, page 15.

## D. Application and Submission Information

**Important:** Applicants must comply with **all 28 statutory requirements** of the state plan under 34 U.S.C. § 11133(a), which includes the four core requirements, adequacy of monitoring system, and SAG provisions. If a state fails to provide the required information or assurances to satisfy each of the 28 statutory requirements prior to acceptance of the award (which may be no later than 45 days from the date of the award), the state will be ineligible for a Formula Grants Program award.

### What an Application Should Include

This section describes in detail what an application should include. An applicant should anticipate that if it fails to submit an application that contains all of the specified elements, it may negatively affect the review of its application; and, should a decision be made to make an award, it may result in the inclusion of award conditions that preclude the recipient from accessing or using award funds until the recipient satisfies the conditions and OJP makes the funds available.

**NOTE:** OJP has combined the Budget Detail Worksheet and Budget Narrative in a single document collectively referred to as the Budget Detail Worksheet. See “Budget Information and Associated Documentation” below for more information about the Budget Detail Worksheet and where it can be accessed.

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

Please review the “Note on File Names and File Types” under [How to Apply](#) to be sure applications are submitted in permitted formats.

### 1. Application for Federal Assistance (SF-424)

The SF-424 is a required standard form used as a cover sheet for submission of preapplications, applications, and related information. GMS takes information from the applicant’s profile to populate the fields on this form.

To avoid processing delays, an applicant must include an accurate legal name on its SF-424. On the SF-424, current OJP award recipients, when completing the field for “Legal Name” (box 5), should use the same legal name that appears on the prior year award document (which is also the legal name stored in OJP’s financial system.) Also, current recipients should enter the Employer Identification Number (EIN) in box 6 exactly as it appears on the prior year award document. An applicant with a current, active award(s) must ensure that its GMS profile is current. If the profile is not current, the applicant should submit a Grant Adjustment Notice (GAN) updating the information on its GMS profile prior to applying under this solicitation.

A new applicant entity should enter its official legal name, its address, its EIN, and its Data Universal Numbering System (DUNS). A new applicant entity should attach official legal documents to its application (e.g., articles of incorporation, 501(c)(3) status documentation, organizational letterhead, etc.) to confirm the legal name, address, and EIN entered into the SF-424. OJP will use the System for Award Management (SAM) to confirm the legal name and DUNS number entered in the SF-424; therefore, an applicant should ensure that the information entered in the SF-424 matches its current registration in SAM. See the [How to Apply](#) section for more information on SAM and DUNS numbers.

**Intergovernmental Review:** This solicitation ("funding opportunity") is subject to Executive Order 12372. An applicant may find the names and addresses of state Single Points of Contact (SPOCs) at the following website: [https://www.whitehouse.gov/wp-content/uploads/2017/11/Intergovernmental\\_-Review- SPOC 01 2018 OFFM.pdf](https://www.whitehouse.gov/wp-content/uploads/2017/11/Intergovernmental_-Review- SPOC 01 2018 OFFM.pdf). If the state appears on the SPOC list, the applicant must contact the state SPOC to find out about, and comply with, the state's process under E.O. 12372. In completing the SF-424, an applicant whose state appears on the SPOC list is to make the appropriate selection in response to question 16 once the applicant has complied with its state E.O. 12372 process. (An applicant whose state does not appear on the SPOC list should answer question 16 by selecting the response that the "Program is subject to E.O. 12372 but has not been selected by the state for review.")

## 2. Project Abstract

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

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

The abstract should briefly describe the purpose of the program, the population to be served, and the activities that the applicant will implement to achieve the program's goals and objectives, including selected purpose/program areas. The abstract should describe how the applicant will measure progress toward these goals. The abstract should indicate whether the applicant will use any portion of the project budget to conduct research, as described in Note on Project Evaluations on page 15.

As a separate attachment, the project abstract will **not** count against the 40-page limit for the program narrative.

## 3. Program Narrative

The program narrative should be double-spaced with 1-inch margins, not exceeding 40 pages of 8½ by 11 inches, and use a standard 12-point font, preferably Times New Roman. Pages should be numbered "1 of 40," etc. Tables, charts, pictures, etc., including all captions, legends, keys, subtext, etc., may be single-spaced and will not count in the 40-page limit. Material provided under the "Project Abstract," "Budget and Budget Narrative," Appendices, and "Other Attachments" sections will also not count toward the program

narrative page count. In addition, applicants may provide bibliographical references as a separate attachment that will not count toward the 40-page program narrative limit.

The following sections are to be included as part of the program narrative<sup>4</sup>:

**a. Description of the Issue**

1. **System description: Structure and function of the juvenile justice system.** To inform OJJDP's determination of compliance, provide needed context for OJJDP's review of proposed plan activities and budget and decisions regarding technical assistance, and limit future requests for additional information, applicants are requested to explain—in no more than two pages—how the state's juvenile justice system is structured and operated. These descriptions will summarize the organization, responsibilities, and functions of the major components of the formal juvenile justice system, including law enforcement, juvenile detention and other pretrial programs, courts, corrections, and community-based programs for delinquent youth and youth who commit status offenses and describe how the system processes youth. Applicants are requested to state whether there are any major state or local programs that operate outside of the formal juvenile justice system that directly affect delinquency prevention or reduction. If the applicant determines its particular situation warrants additional space, provide the expanded description as an appendix to the 3-year plan submission.
2. **Analysis of juvenile delinquency problems (youth crime) and needs.** Based on the structure and operation of the state's juvenile justice system and as part of the 3-year planning process, states are required to provide an analysis of juvenile delinquency problems and control and prevention needs, including educational needs in their jurisdiction, to include any geographical area in which an American Indian tribe performs law enforcement functions.

The analysis is developed to inform the state's proposed plan. The plan is to include a description of the manner in which proposed activities and funded programs are expected to resolve the identified juvenile crime problems and juvenile justice and delinquency prevention needs and to link identified problems and needs with the state's proposed budget, goals, and priorities.

The analysis is to be based on the most recent data available by county, parish, or city. Refer to Appendix N for data elements informing the development of such an analysis.

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

In this section, (1) describe the state's goals and objectives, (2) indicate the priority ranking for each goal, and (3) briefly explain how the state proposes to accomplish them.

---

<sup>4</sup> For information on subawards (including the details on proposed subawards that should be included in the application), see "Budget and Associated Documentation" under [Section D. Application and Submission Information](#)

For each goal and all of its subsidiary objectives that the FY 2018 Title II award will fund, identify the relevant program area or areas using the list of OJJDP's program area codes and titles in Appendix B, Formula Grants Program Areas. (Program areas are groups of projects or activities with common or similar goals and objectives.)

Link each goal and/or objective with the delinquency problem/need analysis.

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

The state's plan must include the following required information:

**Population-specific plans.** States are to detail plans for the provision of (1) gender-specific services for the prevention and treatment of youth delinquency, (2) services for the prevention and treatment of youth delinquency in rural areas, and (3) mental health services to youth in the juvenile justice system, including information on implementation and how the state is targeting those services to youth in the system who need them most.

**Consultation and participation of units of local government.** Describe how the state has addressed and incorporated the needs and requests of units of local governments in its proposed 3-Year Plan.

**Collecting and sharing juvenile justice information.** To inform the development of information technology and better convey to OJJDP an understanding of the difficulties state agencies that administer the Formula Grants Program encounter in collecting and sharing juvenile justice information inherent to and/or as specified in the JJDP Act at 34 U.S.C. §§ 11133(a) (4), (5), (7), (8), (9), (26), (27), and (28), states are encouraged to include in their proposed 3-year plan the following information:

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

- d. Formula Grants Program staff.** The state must include in its application an organizational chart of the agency designated to implement the Formula Grants Program; the staffing and management plan for implementation of the Formula Grants Program, including names, titles of staff, funding sources and state match, and percentage of time devoted to the Formula Grants Program; and descriptions of

the duties for the juvenile justice specialist and other juvenile justice and delinquency prevention staff.

4. **Plans for Compliance (see Appendices G and H, Compliance and DMC Plans, for more specific instructions and guidance).** States must submit their compliance and DMC plans, compliance and RRI data, and supporting documentation for **the period October 1, 2016, to September 30, 2017**, electronically to OJJDP's online compliance reporting tool **separately** from this application and **no later than April 2, 2018**.<sup>5</sup> Appendices G and H provide details regarding what the states should include in these compliance and DMC plan submissions.
5. **Additional Requirements.** Refer to Appendix I for specific information on how to meet Title II requirements.
6. **Plan for Collecting the Data Required for This Solicitation's Performance Measures**

OJP will require each successful applicant to submit regular performance data that demonstrate the results of the work carried out under the award (see "[General Information About Post-Federal Award Reporting Requirements](#)" in [Section F. Federal Award Administration Information](#)). The performance data directly relate to the goals, objectives, and deliverables identified under "[Goals, Objectives, and Deliverables](#)" in [Section A. Program Description](#).

Performance measures for this solicitation are listed in [Appendix A: Performance Measures Table](#).

Applicants should visit OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) to view the specific reporting requirements for this grant program.

In this section, the application should demonstrate the applicant's understanding of the performance data reporting requirements for this grant program and detail how the applicant will gather the required data should it receive funding.

Beginning with the October 1, 2016, to September 30, 2017, data collection period, states must collect and report data on the mandatory performance measures for each applicable program area for each year of the award period through the performance measurement tool. Although not required, states may collect and report on nonmandatory measures, if they choose.

Please note that applicants are **not** required to submit performance data with the application. Performance measures information is included as an alert that successful applicants will be required to submit performance data as part of the reporting requirements under an award.

### **Note on Project Evaluations**

---

<sup>5</sup> States may request an extension for one additional month—to May 2, 2018—only if they can show extenuating circumstances that justify the extension.

An applicant that proposes to use award funds through this solicitation to conduct project evaluations should be aware that certain project evaluations (such as systematic investigations designed to develop or contribute to generalizable knowledge) may constitute “research” for purposes of applicable DOJ human subjects protection regulations. However, project evaluations that are intended only to generate internal improvements to a program or service, or are conducted only to meet OJP’s performance measure data reporting requirements, likely do not constitute “research.” Each applicant should provide sufficient information for OJP to determine whether the particular project it proposes would either intentionally or unintentionally collect and/or use information in such a way that it meets the DOJ regulatory definition of research that appears at 28 C.F.R. Part 46 (“Protection of Human Subjects”).

“Research,” for purposes of human subjects protection for OJP-funded programs, is defined as “a systematic investigation, including research development, testing and evaluation, designed to develop or contribute to generalizable knowledge.” 28 C.F.R. 46.102(d).

For additional information on determining whether a proposed activity would constitute research for purposes of human subjects protection, applicants should consult the decision tree in the “Research and the protection of human subjects” section of the “Requirements related to Research” webpage of the ["Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards,"](https://ojp.gov/funding/index.htm) available through the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. Every prospective applicant whose application may propose a research or statistical component also should review the “Data Privacy and Confidentiality Requirements” section on that webpage.

## 7. Budget and Associated Documentation

The Budget Detail Worksheet and the Budget Narrative are now combined in a single document collectively referred to as the Budget Detail Worksheet. The Budget Detail Worksheet is a user-friendly, fillable, Microsoft Excel-based document designed to calculate totals. Additionally, the Excel workbook contains worksheets for multiple budget years that can be completed as necessary. **All applicants should use the Excel version when completing the proposed budget in an application, except in cases where the applicant does not have access to Microsoft Excel or experiences technical difficulties.** If an applicant does not have access to Microsoft Excel or experiences technical difficulties with the Excel version, then the applicant should use the 508-compliant accessible Adobe Portable Document Format (PDF) version.

Both versions of the Budget Detail Worksheet can be accessed at <https://ojp.gov/funding/Apply/Forms/BudgetDetailWorksheet.htm>.

Applicants are to present total federal funds the state plans to use in each program area from its Formula Grants allocation, along with any expected state, local, or private funds used to support the match:

### **Fiscal Year 2018    Formula Grant Funds (\$)    State/Local Funds (\$)    Total (\$)**

Applicants are to provide a budget that (1) is complete, allowable, and cost effective in relation to the proposed activities; (2) shows the cost calculations demonstrating how they arrived at the total amount requested; and (3) provides a brief supporting narrative to link costs with project activities. The budget for this new award should account for the 4-year budget period of October 1, 2018, to September 30, 2022.

## Important Notes

**Subawards.** The JJDP Act, at 34 U.S.C. § 11133(a)(5), provides that unless the OJJDP Administrator grants a waiver to any state in which the services for delinquent or other youth are organized primarily on a statewide basis, the state plan must provide that at least 66 and 2/3 percent of funds that the state receives under 34 U.S.C. § 11132, reduced by the percentage (if any) that the state specifies under 34 U.S.C. § 11133(a)(25) and excluding funds made available to the SAG under 34 U.S.C. § 11132, shall be expended through subawards as required in section 223(a)(5). Refer to Appendix C for details.

**Planning and administration funds and match requirement.** Pursuant to the JJDP Act at 34 U.S.C. § 11132(c), states may use no more than 10 percent of their formula grant allocation for planning and administration. States that choose to use funds in this manner must indicate that choice in their state plans and attached budgets and provide a detailed breakdown of those costs. States must match, on an equal basis, any amount of federal funds that they expend or obligate for such purposes. States must identify the source of the match and how they will use match funds in their attached budget. States must satisfy this match requirement with cash. If a state's proposed additional match exceeds the required match amount, the match amount that is incorporated into the OJP-approved budget is also mandatory and subject to audit.

**SAG allocation.** For planning and budget purposes, states may make as much as \$20,000 (5 percent of the minimum annual allocation to any state) of their annual allocations available to assist the SAG. Territories may allocate up to \$3,750 to assist the SAG.

**State allocations and program areas.** As required under the JJDP Act at 34 U.S.C. § 11133(c), OJJDP will reduce a state's FY 2018 allocation by 20 percent for each of the core requirements with which the state was determined not to be in compliance based on its FY 2017 compliance data. States should plan their FY 2018 expenditures using the FY 2017 allocations, reflecting any reductions that may be required based on the applicant's known or anticipated noncompliance with one or more of the core requirements. FY 2017 and, when available, FY 2018 allocations are located [here](#). The Formula Grants Program areas can be found in Appendix B.

**American Indian tribal pass-through.** The required amount of the American Indian tribal pass-through represents the minimum amount a state must pass through to tribes that perform law enforcement functions as determined by the Secretary of the Interior, and that agree to attempt to comply with the provisions of the JJDP Act at 34 U.S.C. §§ 11133(a)(11), (12), and (13) (the DSO, separation, and jail removal requirements). Although this amount is based on a statutory formula, in many instances it may be insufficient to support effective juvenile justice and delinquency prevention activities. Therefore, where appropriate, OJJDP encourages the states to pass through greater amounts. In addition, OJJDP advises states to encourage tribes to apply for a discretionary grant under OJP's Coordinated Tribal Assistance Solicitation. FY 2018 state pass-through amounts will be posted online [here](#) when available. OJJDP will notify the state juvenile justice specialists at that time. For reference, the prior year American Indian tribal pass-through amount is available [here](#).

**Align application budget and GMS Project Information screen.** Total costs that the state specifies in its complete budget must match the amount it provides in the "Estimated



Funding” section of the “Project Information” screen in GMS. All funds listed in the budget will be subject to audit.

Refer to the Budget Detail Worksheet and Budget Narrative sections for details.

For questions pertaining to budget and examples of allowable and unallowable costs, see the Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm>.

#### **a. Budget Detail Worksheet**

This attachment should include the amount the state has budgeted for each program area it has identified to receive FY 2018 Formula Grant funds. See Appendix F for additional information. FY 2018 state allocations will be posted online [here](#) when available.

OJJDP will notify state juvenile justice specialists when the state allocation chart is available. For planning and budget submission purposes, use the FY 2017 allocations, located [here](#). Funds allocated for planning and administration and the match requirement, the SAG, and the American Indian tribal pass-through (where applicable) are required line items (see Appendix F, Sample Budget Detail Worksheet). The budget detail worksheet must present a complete and detailed itemization of all proposed costs.

The Budget Detail Worksheet should follow the format in Appendix F. The Budget Detail Worksheet should provide the detailed computation for each budget line item, listing the total cost of each and showing how it was calculated by the applicant. For example, costs for personnel should show the annual salary rate and the percentage of time devoted to the project for each employee paid with grant funds. The Budget Detail Worksheet should present a complete itemization of all proposed costs.

For questions pertaining to budget and examples of allowable and unallowable costs, see the DOJ Grants Financial Guide at <https://ojp.gov/financialguide/DOJ/index.htm>.

#### **b. Budget Narrative**

The budget narrative should thoroughly and clearly describe every category of expense listed in the Budget Detail Worksheet. OJP expects proposed budgets to be complete, cost effective, and allowable (e.g., reasonable, allocable, and necessary for project activities).

The budget narrative should be mathematically sound and correspond clearly with the information and figures provided in the Budget Detail Worksheet. The narrative should explain how the applicant estimated and calculated all costs, and how those costs are necessary to the completion of the proposed project. The narrative may include tables for clarification purposes, but need not be in a spreadsheet format. As with the Budget Detail Worksheet, the budget narrative should describe costs by year.

#### **c. Information on Proposed Subawards (if any), as well as on Proposed Procurement Contracts (if any)**

Applicants for OJP awards typically may propose to make *subawards*. Applicants also may propose to enter into procurement *contracts* under the award.

Whether an action—for federal grants administrative purposes—is a subaward or procurement contract is a critical distinction as significantly different rules apply to subawards and procurement contracts. If a recipient enters into an agreement that is a subaward of an OJP award, specific rules apply—many of which are set by federal statutes and DOJ regulations; others by award conditions. These rules place particular responsibilities on an OJP recipient for any subawards the OJP recipient may make. The rules determine much of what the written subaward agreement itself must require or provide. The rules also determine much of what an OJP recipient must do both before and after it makes a subaward. If a recipient enters into an agreement that is a procurement contract under an OJP award, a substantially different set of federal rules applies.

OJP has developed the following guidance documents to help clarify the differences between subawards and procurement contracts under an OJP award and outline the compliance and reporting requirements for each. This information can be accessed online at <https://ojp.gov/training/training.htm>.

- [Subawards under OJP Awards and Procurement Contracts under Awards: A Toolkit for OJP Recipients.](#)
- [Checklist to Determine Subrecipient or Contractor Classification.](#)
- [Sole Source Justification Fact Sheet and Sole Source Review Checklist.](#)

In general, the central question is the relationship between what the third party will do under its agreement with the recipient and what the recipient has committed (to OJP) to do under its award to further a public purpose (e.g., services the recipient will provide, products it will develop or modify, research or evaluation it will conduct). If a third party will provide some of the services the recipient has committed (to OJP) to provide, will develop or modify all or part of a product the recipient has committed (to OJP) to develop or modify, or will conduct part of the research or evaluation the recipient has committed (to OJP) to conduct, OJP will consider the agreement with the third party a *subaward* for purposes of federal grants administrative requirements.

This will be true **even if** the recipient, for internal or other nonfederal purposes, labels or treats its agreement as a procurement, a contract, or a procurement contract. Neither the title nor the structure of an agreement determines whether the agreement—for purposes of federal grants administrative requirements—is a *subaward* or is instead a procurement *contract* under an award. The substance of the relationship should be given greater consideration than the form of agreement between the recipient and the outside entity.

### **1. Information on proposed subawards**

A recipient of an OJP award may not make subawards ("subgrants") unless the recipient has specific federal authorization to do so. Unless an applicable statute or DOJ regulation specifically authorizes (or requires) subawards, a recipient must have authorization from OJP before it may make a subaward. In the case of Title II Formula Grant funds, the JJDP Act requires subawards; therefore, additional approval will generally not be needed.

A particular subaward may be authorized by OJP because the recipient included a sufficiently detailed description and justification of the proposed subaward in the Program Narrative, Budget Detail Worksheet, and Budget Narrative as approved by OJP. If, however, a particular subaward is not authorized by federal statute or regulation,

and is not approved by OJP, the recipient will be required, post-award, to request and obtain written authorization from OJP before it may make the subaward.

If an applicant proposes to make one or more subawards to carry out the federal award and program, and those subawards are not specifically authorized (or required) by statute or regulation, the applicant should (1) identify (if known) the proposed subrecipient(s), (2) describe in detail what each subrecipient will do to carry out the federal award and federal program, and (3) provide a justification for the subaward(s), with details on pertinent matters such as special qualifications and areas of expertise. Pertinent information on subawards should appear not only in the Program Narrative, but also in the Budget Detail Worksheet and Budget Narrative.

## **2. Information on proposed procurement contracts (with specific justification for proposed noncompetitive contracts over \$150,000)**

Unlike a recipient contemplating a subaward, a recipient of an OJP award generally does not need specific prior federal authorization to enter into an agreement that—for purposes of federal grants administrative requirements—is considered a procurement contract, **provided that** (1) the recipient uses its own documented procurement procedures and (2) those procedures conform to applicable federal law, including the Procurement Standards of the (DOJ) Part 200 Uniform Requirements (as set out at 2 C.F.R. 200.317–200.326). The Budget Detail Worksheet and Budget Narrative should identify proposed procurement contracts. (As discussed above, subawards must be identified and described separately from procurement contracts.)

The Procurement Standards in the Part 200 Uniform Requirements, however, reflect a general expectation that agreements that (for purposes of federal grants administrative requirements) constitute procurement “contracts” under awards will be entered into on the basis of full and open competition. All noncompetitive (sole source) procurement contracts must meet the OJP requirements outlined at <https://ojp.gov/training/subawards-procurement.htm>. If a proposed procurement contract would exceed the simplified acquisition threshold—currently, \$150,000—a recipient of an OJP award may not proceed without competition unless and until the recipient receives specific advance authorization from OJP to use a noncompetitive approach for the procurement. An applicant that (at the time of its application) intends—without competition—to enter into a procurement contract that would exceed \$150,000 should include a detailed justification that explains to OJP why, in the particular circumstances, it is appropriate to proceed without competition.

If the applicant receives an award, sole source procurements that do not exceed the Simplified Acquisition Threshold (currently \$150,000) must have written justification for the noncompetitive procurement action maintained in the procurement file. If a procurement file does not have the documentation that meets the criteria outlined in 2 C.F.R. 200, the procurement expenditures may not be allowable. Sole source procurement over the \$150,000 Simplified Acquisition Threshold must have prior approval from OJP using a Sole Source GAN. Written documentation justifying the noncompetitive procurement must be submitted with the GAN and maintained in the procurement file.

### **d. Preagreement Costs**

For information on preagreement costs, see [Section B. Federal Award Information](#).

## **8. Indirect Cost Rate Agreement (if applicable)**

Indirect costs may be charged to an award only if:

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

An applicant with a current (unexpired) federally approved indirect cost rate is to attach a copy of the indirect cost rate agreement to the application. An applicant that does not have a current federally approved rate may request one through its cognizant federal agency, which will review all documentation and approve a rate for the applicant entity, or, if the applicant's accounting system permits, applicants may propose to allocate costs in the direct cost categories.

For assistance with identifying the appropriate cognizant federal agency for indirect costs, contact the Office of the Chief Financial Officer (OCFO) Customer Service Center at 800-458-0786 or at [ask.ocfo@usdoj.gov](mailto:ask.ocfo@usdoj.gov). If DOJ is the cognizant federal agency, applicants may obtain information needed to submit an indirect cost rate proposal at [www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf](http://www.ojp.gov/funding/Apply/Resources/IndirectCosts.pdf).

Certain OJP recipients have the option of electing to use the *de minimis* indirect cost rate. An applicant that is eligible to use the *de minimis* rate that wishes to use the *de minimis* rate should attach written documentation to the application that advises OJP of both (1) the applicant's eligibility to use the *de minimis* rate and (2) its election to do so. If an eligible applicant elects the *de minimis* rate, costs must be consistently charged as either indirect or direct costs, but may not be double charged or inconsistently charged as both. The *de minimis* rate may no longer be used once an approved federally negotiated indirect cost rate is in place. (No entity that ever has had a federally approved negotiated indirect cost rate is eligible to use the *de minimis* rate.) For additional eligibility requirements, see the Part 200 Uniform Requirements, as set out at [2 C.F.R. 200.414\(f\)](#).

## **9. Financial Management and System of Internal Controls Questionnaire (including applicant disclosure of high-risk status)**

Every OJP applicant (other than an individual applying in his or her personal capacity) is required to download, complete, and submit the OJP Financial Management and System of Internal Controls Questionnaire (questionnaire) located at <https://ojp.gov/funding/Apply/Resources/FinancialCapability.pdf> as part of its application. The questionnaire helps OJP assess the financial management and internal control systems, and the associated potential risks of an applicant as part of the preaward risk assessment process.

The questionnaire should only be completed by financial staff most familiar with the applicant's systems, policies, and procedures in order to ensure that the correct responses are recorded and submitted to OJP. The responses on the questionnaire directly impact the preaward risk assessment and should accurately reflect the applicant's financial management and internal controls system at the time of the application. The preaward risk

assessment is only one of multiple factors and criteria used in determining funding. However, a preaward risk assessment that indicates that an applicant poses a higher risk to OJP may affect the funding decision and/or result in additional reporting requirements, monitoring, special conditions, withholding of award funds, or other additional award requirements.

Among other things, the form requires each applicant to disclose whether it currently is designated “high risk” by a federal grant-making agency outside of DOJ. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the applicant’s past performance, or other programmatic or financial concerns with the applicant. If an applicant is designated high risk by another federal awarding agency, the applicant must provide the following information:

- The federal awarding agency that currently designates the applicant high risk.
- The date the applicant was designated high risk.
- The high-risk point of contact at that federal awarding agency (name, phone number, and email address).
- The reasons for the high-risk status, as set out by the federal awarding agency.

OJP seeks this information to help ensure appropriate federal oversight of OJP awards. An applicant that is considered “high risk” by another federal awarding agency is not automatically disqualified from receiving an OJP award. OJP may, however, consider the information in award decisions, and may impose additional OJP oversight of any award under this solicitation (including through the conditions that accompany the award document).

## 10. Disclosure of Lobbying Activities

Each applicant must complete and submit this information. An applicant that expends any funds for lobbying activities is to provide all of the information requested on the form Disclosure of Lobbying Activities (SF-LLL) at <https://ojp.gov/funding/Apply/Resources/Disclosure.pdf>. An applicant that does not expend any funds for lobbying activities is to enter “N/A” in the text boxes for item 10 (“a. Name and Address of Lobbying Registrant” and “b. Individuals Performing Services”).

**Important note:** Funds allocated to the SAG under section 222(d) may support recommendations to the chief executive officer and state legislature regarding compliance with DSO, separation, and jail removal.

## 11. Additional Attachments

### a. Applicant Disclosure of Pending Applications

Each applicant is to disclose whether it has (or is proposed as a subrecipient under) any pending applications for federally funded grants or cooperative agreements that (1) include requests for funding to support the same project being proposed in the application under this solicitation and (2) would cover all identical cost items outlined in the budget submitted to OJP as part of the application under this solicitation. The applicant is to disclose applications made directly to federal awarding agencies, and also

applications for subawards of federal funds (e.g., applications to state agencies that will subaward (“subgrant”) federal funds).

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

Each applicant that has one or more pending applications as described above is to provide the following information about pending applications submitted within the last 12 months:

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

<b>Federal or State Funding Agency</b>	<b>Solicitation Name/Project Name</b>	<b>Name/Phone/Email for Point of Contact at Federal or State Funding Agency</b>
DOJ/Office of Community Oriented Policing Services (COPS)	COPS Hiring Program	Jane Doe, 202/000-0000; jane.doe@usdoj.gov
Health and Human Services/ Substance Abuse and Mental Health Services Administration	Drug-Free Communities Mentoring Program/ North County Youth Mentoring Program	John Doe, 202/000-0000; john.doe@hhs.gov

Each applicant should include the table as a separate attachment to its application. The file should be named “Disclosure of Pending Applications.” The applicant’s legal name on the application must match the entity named on the disclosure of pending applications statement.

Any applicant that does not have any pending applications as described above is to submit, as a separate attachment, a statement to this effect: “[Applicant Name on SF-424] does not have (and is not proposed as a subrecipient under) any pending applications submitted within the last 12 months for federally funded grants or cooperative agreements (or for subawards under federal grants or cooperative agreements) that request funding to support the same project being proposed in this application to OJP and that would cover all identical cost items outlined in the budget submitted as part of this application.”

**b. Research and Evaluation Independence and Integrity**

If an application involves research (including research and development) and/or evaluation, the applicant must demonstrate research/evaluation independence and integrity, including appropriate safeguards, before it may receive award funds. The applicant must demonstrate independence and integrity regarding both this proposed research and/or evaluation, and any current or prior related projects.

Each application should include an attachment that addresses **both** i. and ii. below.

- i. For purposes of this solicitation, each applicant is to document research and evaluation independence and integrity by including one of the following two items:
  - a. A specific assurance that the applicant has reviewed its application to identify any actual or potential apparent conflicts of interest (including through review of pertinent information on the principal investigator, any coprincipal investigators, and any subrecipients), and that the applicant has identified no such conflicts of interest—whether personal or financial or organizational (including on the part of the applicant entity or on the part of staff, investigators, or subrecipients)—that could affect the independence or integrity of the research, including the design, conduct, and reporting of the research.

OR

- b. A specific description of actual or potential apparent conflicts of interest that the applicant has identified—including through review of pertinent information on the principal investigator, any coprincipal investigators, and any subrecipients—that could affect the independence or integrity of the research, including the design, conduct, or reporting of the research. These conflicts may be personal (e.g., on the part of investigators or other staff), financial, or organizational (related to the applicant or any subrecipient entity). Some examples of potential investigator (or other personal) conflict situations are those in which an investigator would be in a position to evaluate a spouse's work product (actual conflict), or an investigator would be in a position to evaluate the work of a former or current colleague (potential apparent conflict). With regard to potential organizational conflicts of interest, as one example, generally an organization would not be given an award to evaluate a project if that organization had itself provided substantial prior technical assistance to that specific project or a location implementing the project (whether funded by OJP or other sources), because the organization in such an instance might appear to be evaluating the effectiveness of its own prior work. The key is whether a reasonable person understanding all of the facts would be able to have confidence that the results of any research or evaluation project are objective and reliable. Any outside personal or financial interest that casts doubt on that objectivity and reliability of an evaluation or research product is a problem and must be disclosed.
- ii. In addition, for purposes of this solicitation, each applicant is to address possible mitigation of research integrity concerns by including, at a minimum, one of the following two items:
  - a. If an applicant reasonably believes that no actual or potential apparent conflicts of interest (personal, financial, or organizational) exist, then the applicant should provide a brief narrative explanation of how and why it reached that conclusion. The applicant also is to include an explanation of the specific processes and procedures that the applicant has in place, or

will put in place, to identify and prevent (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OR

- b. If the applicant has identified actual or potential apparent conflicts of interest (personal, financial, or organizational) that could affect the independence and integrity of the research, including the design, conduct, or reporting of the research, the applicant is to provide a specific and robust mitigation plan to address each of those conflicts. At a minimum, the applicant is expected to explain the specific processes and procedures that the applicant has in place, or will put in place, to identify and eliminate (or, at the very least, mitigate) any such conflicts of interest pertinent to the funded project during the period of performance. Documentation that may be helpful in this regard may include organizational codes of ethics/conduct and policies regarding organizational, personal, and financial conflicts of interest. There is no guarantee that the plan, if any, will be accepted as proposed.

OJP will assess research and evaluation independence and integrity based on considerations such as the adequacy of the applicant's efforts to identify factors that could affect the objectivity or integrity of the proposed staff and/or the applicant entity (and any subrecipients) in carrying out the research, development, or evaluation activity; and the adequacy of the applicant's existing or proposed remedies to control any such factors.

- c. **Demonstration of compliance with additional requirements of the JJDP Act.** Refer to items 1 to 28 listed in Appendix I. **Important note:** States must provide evidence of compliance with each of the 28 requirements in their applications. States must submit Appendix I as an attachment to their applications with sufficient information to provide evidence of compliance with each requirement. If states fail to satisfy all of the 28 requirements of the JJDP Act, OJJDP may deem the state ineligible for the award or place special conditions on the award that would withhold the formula grant funds.
- d. **Agency contact information.** As a separate attachment, submit the names and contact information for key staff in the designated agency that receives the grant. Refer to Appendix J for the staff and contact information to include.

## How to Apply

An applicant must submit its application through the Grants Management System, which provides support for the application, award, and management of awards at OJP. Each applicant entity **must register in GMS for each specific funding opportunity** and should **register immediately** to meet the GMS registration deadline for this funding opportunity, especially if this is the first time the applicant is using the system. Find complete instructions on how to register and submit an application in GMS at <https://ojp.gov/gmscbt/>. An applicant that experiences



technical difficulties during this process should email [GMS.HelpDesk@usdoj.gov](mailto:GMS.HelpDesk@usdoj.gov) or call 888–549–9901 (option 3), which is available 24 hours a day, 7 days a week, including on federal holidays. OJP recommends that each applicant **register immediately** to prevent delays in submitting an application package by the deadline.

**Note on File Types: GMS does not accept executable file types as application attachments.** These disallowed file types include, but are not limited to, the following extensions: “.com,” “.bat,” “.exe,” “.vbs,” “.cfg,” “.dat,” “.db,” “.dbf,” “.dll,” “.ini,” “.log,” “.ora,” “.sys,” and “.zip.” GMS may reject applications with files that use these extensions. It is important to allow time to change the type of file(s) if the application is rejected.

### **Unique Entity Identifier (DUNS Number) and System for Award Management**

Every applicant entity must comply with all applicable SAM and unique entity identifier (currently, a DUNS number) requirements. SAM is the repository for certain standard information about federal financial assistance applicants, recipients, and subrecipients. A DUNS number is a unique nine-digit identification number provided by the commercial company Dun and Bradstreet. More detailed information about SAM and the DUNS number is in the numbered sections below.

If an applicant entity has not fully complied with the applicable SAM and unique identifier requirements by the time OJP makes award decisions, OJP may determine that the applicant is not qualified to receive an award and may use that determination as a basis for making the award to a different applicant.

If the applicant entity already has an EIN, the SAM registration will take **up to 2 weeks to process**. If the applicant entity does not have an EIN, **the applicant should allow 2 to 5 weeks for obtaining the information from the Internal Revenue Service when requesting the EIN via phone, fax, mail, or Internet**. For more information about the EIN, visit <https://www.irs.gov/individuals/international-taxpayers/taxpayer-identification-numbers-tin>.

### **Registration and Submission Steps**

All applicants should complete the following steps:

- 1. Acquire a unique entity identifier (currently, a DUNS number).** In general, the Office of Management and Budget requires every applicant for a federal award (other than an individual) to include a "unique entity identifier" in each application, including an application for a supplemental award. Currently, a DUNS number is the required unique entity identifier.

This unique entity identifier is used for tracking purposes, and to validate address and point of contact information for applicants, recipients, and subrecipients. It will be used throughout the life cycle of an OJP award. Obtaining a DUNS number is a free, one-time activity. Call Dun and Bradstreet at 866–705–5711 to obtain a DUNS number or apply online at <https://www.dnb.com/>. A DUNS number is usually received within 1–2 business days.

- 2. Acquire or maintain registration with SAM.** All applicants for OJP awards (other than individuals) must maintain current registrations in the SAM database. Applicants will need the authorizing official of the organization and an EIN. An applicant must be registered in SAM to successfully register in GMS. Each applicant must **update or renew its SAM registration at least annually** to maintain an active status. SAM registration and renewal can take as long as 10 business days to complete (2 more weeks to acquire an EIN).

Information about SAM registration procedures can be accessed at [www.sam.gov](http://www.sam.gov).

3. **Acquire a GMS username and password.** New users must create a GMS profile by selecting the “First Time User” link under the sign-in box of the GMS home page. For more information on how to register in GMS, go to [www.ojp.gov/gmscbt](http://www.ojp.gov/gmscbt). Previously registered applicants should ensure, prior to applying, that the user profile information is up to date in GMS (including, but not limited to, address, legal name of agency, and authorized representative) as this information is populated in any new application.
4. **Verify the SAM (formerly Central Contractor Registration (CCR)) registration in GMS.** OJP requires each applicant to verify its SAM registration in GMS. Once logged into GMS, click the “CCR Claim” link on the left side of the default screen. Click the submit button to verify the SAM (formerly CCR) registration.
5. **Search for the funding opportunity on GMS.** After logging into GMS or completing the GMS profile for username and password, go to the “Funding Opportunities” link on the left side of the page. Select OJJDP and FY 2018 Title II.
6. **Register by selecting the “Apply Online” button associated with the funding opportunity title.** The search results from step 5 will display the “funding opportunity” (solicitation) title along with the registration and application deadlines for this solicitation. Select the “Apply Online” button in the “Action” column to register for this solicitation and create an application in the system.
7. **Follow the directions in GMS to submit an application consistent with this solicitation.** Once the application is submitted, GMS will display a confirmation screen stating the submission was successful. **Important:** In some instances, an applicant must wait for GMS approval before submitting an application. OJP urges each applicant to submit its application **at least 72 hours prior** to the application due date.

#### **Note: Application Versions**

If an applicant submits multiple versions of the same application, OJP will review only the most recent system-validated version submitted.

#### **Experiencing Unforeseen GMS Technical Issues**

An applicant that experiences unforeseen GMS technical issues beyond its control that prevent it from submitting its application by the deadline must contact the GMS Help Desk or the SAM Help Desk (Federal Service Desk) at <https://www.fsd.gov/fsd-gov/home.do> to report the technical issue and receive a tracking number. The applicant must email the OJJDP contact identified in the Contact Information section on the title page **within 24 hours after the application deadline** to request approval to submit its application after the deadline. The applicant’s email must describe the technical difficulties and must include a timeline of the applicant’s submission efforts, the complete grant application, the applicant’s DUNS number, and any GMS Help Desk or SAM tracking number(s).

**Note: OJP does not automatically approve requests to submit a late application.** After OJP reviews the applicant’s request, and contacts the GMS or SAM Help Desk to verify the reported technical issues, OJP will inform the applicant whether the request to submit a late application has been approved or denied. If OJP determines that the untimely application

submission was due to the applicant's failure to follow all required procedures, OJP will deny the applicant's request to submit its application.

The following conditions generally are insufficient to justify late submissions:

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

## E. Application Review Information

### Review Process

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

Pursuant to the Part 200 Uniform Requirements, before award decisions are made, OJP also reviews information related to the degree of risk posed by applicants. Among other things, to help assess whether an applicant that has one or more prior federal awards has a satisfactory record with respect to performance, integrity, and business ethics, OJP checks whether the applicant is listed in SAM as excluded from receiving a federal award.

In addition, if OJP anticipates that an award will exceed \$150,000 in federal funds, OJP also must review and consider any information about the applicant that appears in the nonpublic segment of the integrity and performance system accessible through SAM (currently, the Federal Awardee Performance and Integrity Information System; "FAPIS").

**Important note on FAPIS:** An applicant, at its option, may review and comment on any information about itself that currently appears in FAPIS and was entered by a federal awarding agency. OJP will consider any such comments by the applicant, in addition to the other information in FAPIS, in its assessment of the risk posed by the applicant.

The evaluation of risks goes beyond information in SAM, however. OJP itself has in place a framework for evaluating risks posed by applicants. OJP takes into account information pertinent to matters such as—

1. Applicant financial stability and fiscal integrity.
2. Quality of the applicant's management systems, and the applicant's ability to meet prescribed management standards, including those outlined in the DOJ Grants Financial Guide.
3. Applicant's history of performance under OJP and other DOJ awards (including compliance with reporting requirements and award conditions), as well as awards from other federal agencies.

4. Reports and findings from audits of the applicant, including audits under the Part 200 Uniform Requirements.
5. Applicant's ability to comply with statutory and regulatory requirements, and to effectively implement other award requirements.

Absent explicit statutory authorization or written delegation of authority to the contrary, the Assistant Attorney General will make all final award decisions.

## **F. Federal Award Administration Information**

### **Federal Award Notices**

Award notifications are expected to be made by September 30, 2018. OJP sends award notifications by email through GMS to the individuals listed in the application as the point of contact and the authorizing official. The email notification includes detailed instructions on how to access and view the award documents, and steps to take in GMS to start the award acceptance process. GMS automatically issues the notifications at 9 p.m. ET on the award date.

For each successful applicant, an individual with the necessary authority to bind the applicant will be required to log in; execute a set of legal certifications and a set of legal assurances; designate a financial point of contact; thoroughly review the award, including all award conditions; and sign and accept the award. The award acceptance process requires physical signature of the award document by the authorized representative and the scanning and submission of the fully executed award document to OJP.

### **Administrative, National Policy, and Other Legal Requirements**

If selected for funding, in addition to implementing the funded project consistent with the OJP-approved application, the recipient must comply with all award conditions, as well as all applicable requirements of federal statutes and regulations (including applicable requirements referred to in the assurances and certifications executed at the time of award acceptance). OJP strongly encourages prospective applicants to review information on post-award legal requirements and common OJP award conditions **prior** to submitting an application.

Applicants should consult the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)," available in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>. In addition, applicants should examine the following two legal documents, as each successful applicant must execute both documents before it may receive any award funds. (An applicant is not required to submit these documents as part of an application.)

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

The web pages accessible through the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](#)" are intended to give applicants for OJP awards a general overview of important statutes, regulations, and award conditions that apply to many (or in some cases, all) OJP grants and cooperative agreements awarded in FY

2018. Individual OJP awards typically also will include additional award conditions. Those additional conditions may relate to the particular statute, program, or solicitation under which the award is made; to the substance of the funded application; to the recipient's performance under other federal awards; to the recipient's legal status (e.g., as a for-profit entity); or to other pertinent considerations.

## **General Information About Post-Federal Award Reporting Requirements**

In addition to the deliverables described in [Section A. Program Description](#), any recipient of an award under this solicitation will be required to submit the following reports and data.

Required reports. Recipients typically must submit quarterly financial reports, semi-annual progress reports, final financial and progress reports, and, if applicable, an annual audit report in accordance with the Part 200 Uniform Requirements or specific award conditions. Future awards and fund drawdowns may be withheld if reports are delinquent. (In appropriate cases, OJP may require additional reports.)

Awards that exceed \$500,000 will include an additional condition that, under specific circumstances, will require the recipient to report (to FAPIIS) information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either the OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Additional information on this reporting requirement appears in the text of the award condition posted on the OJP website at <https://ojp.gov/funding/FAPIIS.htm>

Data on performance measures. In addition to required reports, each award recipient also must provide data that measure the results of the work done under the award. To demonstrate program progress and success, as well as to assist DOJ with fulfilling its responsibilities under the Government Performance and Results Act of 1993 (GPRA), Public Law 103–62, and the GPRA Modernization Act of 2010, Public Law 111–352, OJP will require any award recipient, post award, to provide performance data as part of regular progress reporting. Successful applicants will be required to access OJP's performance measurement page at [www.ojp.gov/performance](http://www.ojp.gov/performance) to view the specific reporting requirements for this grant program. Performance measures are also found in [Appendix A](#).

## **G. Federal Awarding Agency Contact(s)**

For OJP contact(s), see the title page.

For contact information for GMS, see the title page.

## **H. Other Information**

### **Freedom of Information Act and Privacy Act (5 U.S.C. 552 and 5 U.S.C. 552a)**

All applications submitted to OJP (including all attachments to applications) are subject to the federal Freedom of Information Act (FOIA) and to the Privacy Act. By law, DOJ may withhold information that is responsive to a request pursuant to FOIA if DOJ determines that the responsive information either is protected under the Privacy Act or falls within the scope of one of nine statutory exemptions under FOIA. DOJ cannot agree in advance of a request pursuant to FOIA not to release some or all portions of an application.

In its review of records that are responsive to a FOIA request, OJP will withhold information in those records that plainly falls within the scope of the Privacy Act or one of the statutory exemptions under FOIA. (Some examples include certain types of information in budgets, and names and contact information for project staff other than certain key personnel.) In appropriate circumstances, OJP will request the views of the applicant/recipient that submitted a responsive document.

For example, if OJP receives a request pursuant to FOIA for an application submitted by a nonprofit or for-profit organization or an institution of higher education, or for an application that involves research, OJP typically will contact the applicant/recipient that submitted the application and ask it to identify—quite precisely—any particular information in the application that the applicant/recipient believes falls under a FOIA exemption, the specific exemption it believes applies, and why. After considering the submission by the applicant/recipient, OJP makes an independent assessment regarding withholding information. OJP generally follows a similar process for requests pursuant to FOIA for applications that may contain law-enforcement-sensitive information.

### **Provide Feedback to OJP**

To assist OJP in improving its application and award processes, OJP encourages applicants to provide feedback on this solicitation, the application submission process, and/or the application review process. Provide feedback to [OJPSolicitationFeedback@usdoj.gov](mailto:OJPSolicitationFeedback@usdoj.gov).

**IMPORTANT:** This email is for feedback and suggestions only. OJP does **not** reply from this mailbox to messages it receives in this mailbox. A prospective applicant that has specific questions on any program or technical aspect of the solicitation **must** use the appropriate telephone number or email listed on the front of this solicitation document to obtain information. These contacts are provided to help ensure that prospective applicants can directly reach an individual who can address specific questions in a timely manner.

If you are interested in being a reviewer for other OJP grant applications, email your résumé to [ojppeerreview@l-secb.com](mailto:ojppeerreview@l-secb.com). (Do not send your résumé to the OJP Solicitation Feedback email account.) **Note:** Neither you nor anyone else from your organization or entity can be a peer reviewer in a competition in which you or your organization/entity has submitted an application.

## Appendix A: Performance Measures Table

Objective	Performance Measure(s)	Description	Data Recipient Provides
To support delinquency prevention and intervention efforts and system improvements by developing effective education, training, research, prevention, diversion, treatment, and rehabilitation programs.	Number of program youth served.	An unduplicated count of the number of youth served by the program during the reporting period. The definition of the number of youth served for a reporting period is the number of program youth carried over from the previous reporting period, plus new admissions during the reporting period. In calculating the 3-year summary, the total number of youth served is the number of participants carried over from the previous year to the first fiscal year, plus all new admissions during the 3 reporting fiscal years. Program records are the preferred data source.	<p>Number of program youth carried over from the previous reporting period.</p> <p>New admissions during the reporting period.</p>
	Number of enrolled parents or guardians served during the reporting period.	An unduplicated count of the number of enrolled parents or guardians served by the program during the reporting period. Program records are the preferred data source.	<p>Number of enrolled parents or guardians carried over from the previous reporting period.</p> <p>New admissions during the reporting period.</p> <p>Total of enrolled parents and guardians served during the reporting period.</p>
	Number of additional family members served during the reporting period.	An unduplicated count of the number of additional family members (youth and adults) served by the program during the reporting period. Program records are the preferred data source.	<p>Number of additional family members carried over from the previous reporting period.</p> <p>New admissions during the reporting period.</p>
	Percent of programs/initiatives employing evidence-based.	Number and percent of programs/initiatives employing evidence-based programs or practices. These include programs and practices that have been shown, through rigorous evaluation	Number of programs/initiatives employing evidence-based programs or practices.

	programs or practices.	and replication, to be effective at preventing or reducing juvenile delinquency or related risk factors, such as substance abuse. Model programs can come from many valid sources (e.g., Blueprints for Violence Prevention, CrimeSolutions.gov, OJJDP's Model Programs Guide, and the Substance Abuse and Mental Health Services Administration's (SAMHSA's) Model Programs).	Total number of programs/initiatives.
	Percent of youth with whom an evidence-based program or practice was used.	Number and percent of youth served with an evidence-based program or practice. These include programs and practices that have been shown, through rigorous evaluation and replication, to be effective at preventing or reducing juvenile delinquency or related risk factors, such as substance abuse. Model programs can come from many valid sources (e.g., Blueprints for Violence Prevention, CrimeSolutions.gov, OJJDP's Model Programs Guide, SAMHSA's Model Programs).	Number of youth served using an evidence-based program or practice.  Total number of youth served during the reporting period.
	Percent of program youth completing program requirements.	Number and percent of program youth who have successfully fulfilled all program obligations and requirements. This does not include youth who are still participating in ongoing programs. Program obligations will vary by program but should be a predefined list of requirements or obligations that youth must meet before program completion.  The total number of youth includes those who exited successfully or unsuccessfully.  Program records are the preferred data source.	Number of program youth who exited the program having completed program requirements.  Total number of youth who exited the program during the reporting period (either successfully or unsuccessfully).
	Percent of program youth who offend (short and long term).	Number and percent of participating program youth who were arrested or seen at a juvenile court for a delinquent offense during the reporting period. Appropriate for any youth-	Total number of program youth served during the reporting period.



		<p>serving program. Official records (police, juvenile court) are the preferred data source.</p> <p>The number of youth tracked should reflect the number of program youth who are followed or monitored for arrests or offenses. Ideally, this number should be all youth served by the program during the reporting period.</p> <p>A youth may be “committed” to a juvenile facility any time that he/she is held overnight. Certain jurisdictions refer to adjudications as “sentences.”</p> <p>Other sentences may be community-based sanctions, such as community service, probation, etc.</p> <p>Short term: The number of youth tracked should reflect the number of program youth who are followed or monitored during the reporting period.</p> <p>Long term: The number of youth tracked should reflect the number of program youth who are followed or monitored 6–12 months after completing program requirements.</p>	<p>Number of program youth tracked during the reporting period.</p> <p>Number of program youth who had an arrest or delinquent offense during the reporting period.</p> <p>Number of program youth who were committed to a juvenile facility during the reporting period.</p> <p>Number of program youth who were sentenced to adult prison during the reporting period.</p> <p>Number of youth who received another sentence during the reporting period.</p>
	<p>Percent of program youth who reoffend (short and long term).</p>	<p>Number and percent of participating program youth who were arrested or seen at a juvenile court for a new delinquent offense during the reporting period. Appropriate for any youth-serving program. Official records (police, juvenile court) are the preferred data source.</p> <p>The number of youth tracked should reflect the number of program youth who are followed or monitored for new arrests or offenses. Ideally, this number should be all youth served by the program during the reporting period.</p>	<p>Total number of program youth served during the reporting period.</p> <p>Number of program youth tracked during the reporting period.</p> <p>Number of program youth who had a new arrest or new delinquent offense during the reporting period.</p> <p>Number of program youth who were recommitted to a</p>

		<p>Certain jurisdictions refer to adjudications as “sentences.”</p> <p>Other sentences may be community-based sanctions, such as community service, probation, etc.</p> <p>Short term: The number of youth tracked should reflect the number of program youth who are followed or monitored during the reporting period.</p> <p>Long term: The number of youth tracked should reflect the number of program youth who are followed or monitored 6–12 months after completing program requirements.</p>	<p>juvenile facility during the reporting period.</p> <p>Number of program youth who were sentenced to adult prison during the reporting period</p> <p>Number of youth who received another sentence during the reporting period.</p>
	Percent of program youth who are victimized (short and long term).	<p>Number of program youth who are harmed or adversely affected by someone else’s criminal actions. Victimization can be physical or psychological; it also includes harm or adverse effects to youth’s property.</p> <p>Short term: during the reporting period.</p> <p>Long term: 6–12 months after exiting the program.</p> <p>The number of youth tracked should reflect the number of program youth who are followed or monitored for victimization. Ideally, this number should be all youth served by the program during the reporting period.</p>	<p>Total number of program youth served during the reporting period.</p> <p>Number of program youth tracked during the reporting period for victimization.</p> <p>Number of program youth victimized during the reporting period.</p>
	Percent of program youth who are revictimized (short and long term).	<p>The revictimization measure counts the number of youth who experienced subsequent victimization. Victimization can be physical or psychological; it also includes harm or adverse effects to youth’s property.</p> <p>Short term: during the reporting period.</p>	<p>Total number of program youth served during the reporting period.</p> <p>Number of program youth tracked during the reporting period for revictimization.</p> <p>Number of program youth who were revictimized.</p>

		<p>Long term: 6–12 months after exiting the program.</p> <p>The number of youth tracked should reflect the number of program youth who are followed or monitored for revictimization. Ideally, this number should be all youth served by the program during the reporting period.</p>	
	<p>Percent of program youth who exhibit a desired change in the targeted behavior (short and long term).</p>	<p>Number and percent of program youth who have exhibited a desired change in the targeted behavior during the reporting period or 6–12 months after exiting the program. Targeted behavior will depend on specific program goals and activities and may include academic achievement, school attendance, social skills, etc. (short and long term). Data sources depend on the program activities.</p> <p>Short term: during the reporting period.</p> <p>Long term: 6–12 months after exiting the program tracked for the targeted behavior during the reporting period.</p>	<p>Number of program youth served during the reporting period with the noted behavioral change.</p> <p>Number of youth in the program who received services for this behavior.</p> <p>Percent of program youth with the noted behavioral change during the reporting period (short and long term).</p>

## Appendix B: Formula Grants Program Areas—Budget and Project Identifier Summary Descriptions

The 3-year plan and annual updates must show that not less than 75 percent of the Formula Grants Program funds, excluding funds made available to the State Advisory Group under the JJDP Act at 34 U.S.C. § 11132(d), shall be used to support the areas listed below. The descriptions for the first 18 identifiers that follow are summaries of the full statutory language from 34 U.S.C. § 11133(a)(9), which is found in Appendix I. These 18 identifiers reference the specific section within 34 U.S.C. § 11133(a)(9), as noted. For example, 34 U.S.C. § 11133 (a)(9)(Q) is listed as 9(Q).

1. **Aftercare/Reentry.** Community-based programs that prepare targeted youth to successfully return to their homes and communities after confinement in a training school, youth correctional facility, or other secure institution. These programs focus on preparing youth for release and providing a continuum of followup post-placement services to promote successful reintegration into the community. 9(Q)
2. **After-School Programs.** Programs that provide at-risk youth and youth in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities. 9(P)
3. **Alternatives to Detention and Placement.** These are community- and home-based alternatives to incarceration and institutionalization, including for youth who need temporary placement such as crisis intervention, shelter, and aftercare, and for youth who need residential placement such as a continuum of foster care or group home alternatives that provide access to a comprehensive array of services. 9(A)
4. **Child Abuse and Neglect Programs.** Programs that provide treatment to youth who have committed offenses who are victims of child abuse or neglect and to their families to reduce the likelihood that such youth will commit subsequent violations of law. 9(D)
5. **Community-Based Programs and Services.** These programs and services are those that work with—
  - f) Parents and other family members to strengthen families and to help keep youth in the home;
  - g) Youth and their families during and after confinement to ensure the youth's safe return to the home and to strengthen the families; and
  - h) Parents with limited English-speaking ability. 9(B), (M), and (N).
6. **Delinquency Prevention.** Comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and private nonprofit agencies offering youth services. 9(C)
7. **Gangs.** Programs, research, or other initiatives primarily to address issues related to youth gang activity. This program area includes prevention and intervention efforts directed at reducing gang-related activities. 9(I)
8. **Graduated and Appropriate Sanctions.** Programs to encourage courts to develop and implement a continuum of postadjudication restraints that bridge the gap between traditional probation and confinement in a correctional setting. Services include expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, translation services, and similar programs; and secure, community-based treatment facilities linked to other support services, such as health, mental health, education (remedial and

special), job training, and recreation. Programs to assist in the design and use of evidence-based risk assessment instruments to aid in application of appropriate sanctions. 9(L)

9. **Hate Crimes.** Programs to prevent and reduce hate crimes committed by youth. 9(O)
10. **Job Training.** Projects to enhance the employability of youth or prepare them for future employment. Such programs may include job readiness training, apprenticeships, and job referrals. 9(G)
11. **Learning and Other Disabilities.** Programs concerning youth delinquency and disability, including on-the-job training to help community services, law enforcement, and juvenile justice personnel recognize and provide for juveniles with learning and other disabilities. 9(H)
12. **Mental Health Services.** Programs providing mental health services for youth in custody in need of such services, including but not limited to assessment, development of individualized treatment plans, and discharge plans. 9(S)
13. **Mentoring, Counseling, and Training Programs.** Programs to develop and sustain a one-to-one supportive relationship between a responsible adult age 18 or older (a mentor) and an at-risk youth, a youth who has offended, or a youth who has contact with a parent or legal guardian who is or was incarcerated and contact is on a regular basis (a mentee). These programs may support academic tutoring, vocational and technical training, and drug and violence prevention counseling. 9(G)
14. **Positive Youth Development.** Programs that assist delinquent and at-risk youth in obtaining a sense of safety and structure, belonging and membership, self-worth and social contribution, independence and control over one's life, and closeness in interpersonal relationships. 9(K)
15. **Probation.** Programs to expand the use of probation officers particularly to permit youth with nonviolent offenses, including status offenses, to remain with their families as an alternative to incarceration or institutionalization, and to ensure that youth meet the terms of their probation. 9(F)
16. **Protecting Juvenile Rights.** Projects to develop and implement activities focused on improving services for and protecting the rights of youth affected by the juvenile justice system, such as hiring court-appointed defenders and providing training, coordination, and innovative strategies for indigent defense services. 9(R)
17. **School Programs.** Education programs or supportive services in traditional public schools and detention/corrections education settings to encourage youth to remain in school; or alternative learning programs to support transition to work and self-sufficiency, and to enhance coordination between correctional programs and youth's local education programs to ensure the instruction they receive outside school is aligned with that provided in their schools, and that any identified learning problems are communicated. 9(E)
18. **Substance and Alcohol Abuse.** Programs, research, or other initiatives to address the use and abuse of illegal and other prescription and nonprescription drugs and the use and abuse of alcohol. Programs include control, prevention, and treatment. 9(J)

**Per directions for the Budget Detail Worksheet section, applicants are also to list the amount of Formula Grants funds the state will expend for each of the following:**

19. **Compliance Monitoring.** Programs, research, staff support, or other activities primarily to enhance or maintain a state's ability to adequately monitor jails, detention facilities, and other facilities to ensure compliance with the deinstitutionalization of status offenders, separation, and jail removal requirements at 34 U.S.C. §§ 11133(a)((11), (12), (13), and (22) of the JJDP Act.

20. **Deinstitutionalization of Status Offenders.** Programs, research, or other initiatives to eliminate or prevent the placement of youth who are accused or adjudicated for status offenses and youth with no offenses in secure facilities, pursuant to the requirement at 34 U.S.C. § 11133(a)(11).
21. **Disproportionate Minority Contact.** Programs, research, or other initiatives primarily to address the disproportionate number of youth members of minority groups who come into contact with the juvenile justice system, pursuant to the requirement at 34 U.S.C. § 11133(a)(22).
22. **Diversion.** Programs to divert youth from entering the juvenile justice system, including restorative justice programs such as youth or teen courts, victim-inmate mediation, and restorative circles.
23. **Gender-Specific Services.** Services to address gender-specific needs, especially for female youth who commit offenses and become involved in the juvenile justice system.
24. **Indian Tribe Programs.** Programs to address youth justice and delinquency prevention issues for American Indian tribes and Alaska Natives.
25. **Indigent Defense.** Hiring court-appointed defenders and providing training, coordination, and innovative strategies to ensure youth have legal representation at every stage of the court process.
26. **Jail Removal.** Programs, research, or other initiatives to eliminate or prevent the detention or confinement of youth in adult jails and lockups, as defined in the JJDP Act at 34 U.S.C. § 11103(a)(13).
27. **Juvenile Justice System Improvement.** Programs, research, and other initiatives to examine issues or improve practices, policies, or procedures on a systemwide basis (e.g., examining problems affecting decisions from arrest to disposition and detention to corrections).
28. **Planning and Administration.** Activities related to state plan development, other pre-award activities, and administration of the Formula Grants Program, including evaluation, monitoring, and staffing, pursuant to 34 U.S.C. § 11132(c).
29. **Reducing Probation Officer Caseloads.** Incentive grants to units of general local government that reduce the caseload of probation officers within such units. Grants may not exceed 5 percent of award, excluding SAG allocation.
30. **Rural Area Juvenile Programs.** Prevention, intervention, and treatment services in an area located outside a metropolitan statistical area, as designated by the U.S. Census Bureau.
31. **Separation of Juveniles From Adult Inmates.** Programs that ensure that youth will not be detained or confined in any institutions where they may come into contact with adult inmates, pursuant to the JJDP Act at 34 U.S.C. § 11133(a)(12).
32. **State Advisory Group Allocation.** Activities related to carrying out the state advisory group's responsibilities under the JJDP Act at 34 U.S.C. § 11133(a)(3).

### Appendix C: Waiver Requirements for Pass-Through (Subawards)

1. The JJDP Act at 34 U.S.C. § 11133(a)(5) requires states to expend at least 66 and 2/3 percent of funds that they receive under the JJDP Act at 34 U.S.C. § 11132—unless waived at the discretion of the OJJDP Administrator—through units of local government, local private agencies, and to provide funds for programs of eligible Indian tribes.
2. The request for waiver should be **attached** to the state’s Title II application in the form of a letter addressed to the OJJDP Administrator, who will review requests for exceptions to this requirement. The requesting state must meet the following criteria prior to review or approval:
  - a. Demonstrate, by comparing state and local expenditures for the preceding fiscal year, that the services for delinquent or other youth are organized primarily on a statewide basis.
  - b. Demonstrate consultation with units of local government in the state, either directly or through organizations representing such units, regarding the proposed waiver.
  - c. Demonstrate consultation with other state agencies that bear the primary financial burden for juvenile justice.
  - d. Receive approval of the state advisory group.
3. If a state is requesting to renew a waiver that was previously approved, the state must certify that no changes have occurred since the original information was provided in support of the waiver.
4. For further information or clarification, contact your OJJDP Program Manager.

**Appendix D: Instructions To Complete the SAG Membership Table**  
(With Sample Roster)<sup>6</sup>

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

**Column 1 (Name/Email)**

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

**Column 2 (Represents Agency/Organization)**

Select the item from the following list that most closely identifies each member's qualification as listed in Appendix I (a) (3).

**Column 3 (Full-Time Government)**

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

**Column 4 (Youth Member)**

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

**Column 5 (Date of Appointment)**

Provide the date the member was appointed to the SAG.

**Column 6 (Residence)**

Provide the member's preferred mailing address.

---

<sup>6</sup> See 34 U.S.C. § 11133(a)(3).



**Sample State Advisory Group Membership Roster**  
(Include Email for Each Member)

\*List the Chair first.

<b>Name/Email</b>	<b>Represents</b>	<b>Full-Time Government</b>	<b>Youth</b>	<b>Date of Member Appointment</b>
1 Jane Smith, <b>Chair</b> <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	D, F			June 1997
2 John Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	C	X		June 1997
3 June Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	E		X	June 2001
4 Jim Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	A	X		June 1997
5 Joan Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	B	X		June 1998
6 Judy Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	E		X	June 2001
7 Jon Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	G		X	June 2001
8 Janet Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	B	X		June 1998
9 James Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	C	X		June 1998
10 Jan Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	D			June 1997
11 Junie Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	B	X		June 1999
12 Jonny Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	A, C	X		June 1999
13 John Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	A, D			June 2000
14 Julie Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	D			June 1997
15 Jewel Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	C	X		June 2000
16 Joanie Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	B		X	June 2000
17 Justus Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	C	X		June 2001

18 Judie Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	D, H			June 2001
19 Jack Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	C	X		June 2000
20 Jill Smith <a href="mailto:jsmith1@gmail.com">jsmith1@gmail.com</a>	F		X	June 2001

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

**Does the SAG also serve as the supervisory board? Yes  No**

If the above-noted SAG has not been designated as a supervisory board, the following entity fulfills the requirement for an agency supervisory board, under section 223(e):

---

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

---

**Note that failure to meet all requirements for composition of the SAG prior to acceptance of the award (which may be no later than 45 days from the date of the award) will result in the state being ineligible for a Formula Grants Program award.**

## Appendix E: Rural Removal Exception Certification Form

### RURAL REMOVAL EXCEPTION CERTIFICATION

Attached is a list of all facilities within the state/territory of \_\_\_\_\_ that OJJDP has previously approved for use of the Rural Removal Exception.

The state/territory of \_\_\_\_\_ certifies that all facilities OJJDP has approved continue to meet the statutory conditions of the JJDP Act, including:

- \_\_\_\_\_ The state compliance monitor has determined that juvenile detainees who are in the facilities do not have contact with adult inmates, as described at 28 C.F.R. 31.303(d)(1)(i);
- \_\_\_\_\_ The state has a policy in effect that requires individuals who work with both youth and adult inmates in collocated facilities to be trained and certified to work with youth; and
- \_\_\_\_\_ The facilities are located outside a metropolitan statistical area (as defined by the Office of Management and Budget) and have no existing acceptable alternative placement available.

\_\_\_\_\_

Juvenile Justice Specialist

## Appendix F: Sample Budget Detail Worksheet

### OJJDP FY 2018 Title II Formula Grants Program Budget Detail Worksheet

Program Areas	Program Area Title	Proposed FY 2018 Budget (excludes match)	Proposed FY 2018 Match	Combined Total Budget
28	<b>Planning &amp; Administration (P&amp;A) Total:*</b>	\$40,000	\$40,000	\$80,000
	Planning & Administration (P&A) Detail:*			
	--Personnel	\$20,000	\$20,000	\$40,000
	--Fringe Benefits	\$7,000	\$7,000	\$14,000
	--Travel	\$3,000	\$3,000	\$6,000
	--Consultants & Non-Program Contracts	\$10,000	\$10,000	\$20,000
	--Other P&A Costs			
	<b>Program Contracts &amp; Sub Awards Total<sup>7</sup></b>	\$360,000	\$0	\$360,000
	Program Contracts & Sub Awards			
1	Aftercare/Reentry	\$100,000 P		\$100,000
2	After-School Programs			\$0
3	Alternatives to Detention	\$110,000 P		\$110,000
4	Child Abuse and Neglect Programs			\$0
5	Community-Based Programs and Services			\$0
6	Delinquency Prevention			\$0
7	Gangs			\$0
8	Graduated and Appropriate Sanctions			\$0
9	Hate Crimes			\$0
10	Job Training			\$0
11	Learning and Other Disabilities			\$0
12	Mental Health Services			\$0
13	Mentoring, Counseling and Training Programs			\$0

<sup>7</sup> Note: The JJDP Act provides that unless the OJJDP Administrator grants a waiver to any state in which the services for delinquent or other youth are organized primarily on a statewide basis, the state plan must provide that at least 66 and 2/3 percent of these award funds as reduced by the percentage (if any) specified by the state under [34 U.S.C. § 11133(a)(25)] and excluding funds made available to the state advisory group under 34 U.S.C. § 11132, shall be expended as specified in Title II of the JJDP Act.

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

\* Applicants are to disaggregate Planning and Administrative (P&A) program area costs by the subcategories listed above, which are to primarily cover:

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

**Important note:** If a state is out of compliance with one or more of the core requirements of the Formula Grants Program, OJJDP will reduce its award by 20 percent for each requirement with which the state fails to comply. To receive any allocation, the state must

use 50 percent of the amount received after the reduction for noncompliance to achieve compliance.<sup>8</sup>

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

### **Sample Calculations of the Pass-Through (Subaward) Requirement, SAG Funds, and Planning and Administrative (P&A) Costs**

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

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

\$400,000 FY 2018 award amount x 10% P&A = \$40,000 P&A federal share (must be matched)

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

\$400,000 FY 2018 award amount - \$20,000 SAG allocation = \$380,000

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

**NOTE:** To demonstrate that the state meets the pass-through requirement, put a “P” next to each line item that is being passed through, as in the sample budget above. If a line item includes both funds that are being passed through and funds that are not being passed through, clearly identify the amount for each. For example, if the Disproportionate Minority Contact (DMC) line item includes funds for staff salary as well as program funds, list one DMC line item with the staff salary amount and a second DMC line item with the amount of funds being passed through for programming, with a “P” next to the amount.

---

<sup>8</sup> Alternatively, per 34 U.S.C. § 11133(c)(2)(B), the state need not expend 50 percent of the remaining funds to come into compliance with any of the four requirements if the OJJDP Administrator determines that the state (i) has achieved substantial compliance with such applicable requirements with respect to which the state was not in compliance and (ii) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

## Appendix G: Compliance and DMC Plans

**Important notes:** States must submit their compliance and DMC plans, compliance data and Relative Rate Index data, and supporting documentation for the federal **fiscal year 2017** (October 1, 2016, to September 30, 2017) electronically to OJJDP's online compliance reporting tool, **separately** from this application and **no later than April 2, 2018**. This appendix and Appendix H provide details regarding what states should include in the compliance and DMC plan submissions.

- A Plan for compliance with the deinstitutionalization of status offenders, separation, and jail removal requirements of the Formula Grants Program under the JJDP Act and the state's compliance monitoring plan.** Plans should be data-based and program-specific, including the necessary "who, what, where, how, and when."

Elements of the comprehensive 3-Year Plan:

- (1) Plan for deinstitutionalization of status offenders (DSO).** Pursuant to the JJDP Act at 34 U.S.C. § 11133(a)(11), in its state plan, the state must provide that juveniles who commit status offenses and juveniles who are not charged with any offense and are aliens or alleged to be dependent, neglected, or abused, will not be placed in secure detention or secure correctional facilities except as allowed under the exceptions set forth in the JJDP Act at 34 U.S.C. § 11133 (a)(11)(A).

Pursuant to 28 C.F.R. 31.303(c), the state must:

- a. Describe its plan, procedure, and timetable covering the 3-year planning cycle for assuring that the DSO requirement will be met; and
- b. Describe the barriers the state faces in achieving compliance with the DSO requirement.

This plan may include strategies for achieving and maintaining compliance, such as: (1) a description of any state or local laws or pending legislation that impact or may impact compliance; (2) information on how the designated state agency and state advisory group (SAG) will work together to address circumstances that have caused DSO violations to occur; (3) any recent or pending changes that could impact the state's compliance (e.g., staffing changes); and (4) detailed goals, objectives, and activities to achieve full compliance, including the title of the individual responsible for each activity and the date by which it will occur. Goals, objectives, and activities should be designed to address the circumstances in which DSO violations have occurred.

***NOTE: Any state whose most recent compliance determination by OJJDP (for FY 2017 funding) indicates it was found to be in compliance with the DSO requirement at 34 U.S.C. § 11133(a)(11) (based on the monitoring report covering October 1, 2015, to September 30, 2016) may, in lieu of submitting a plan addressing paragraphs (a) and (b) above, provide an assurance that adequate plans and resources are available to maintain full compliance by submitting the certification in Appendix M.***

- (2) Plan for separation of juveniles from adult inmates.** Pursuant to the JJDP Act at 34 U.S.C. § 11133(a)(12), in its state plan, the state must provide that: (1) juveniles alleged or found to be delinquent, charged with or found to have committed a status offense, or who have not committed an offense and are aliens or are alleged to be

dependent, neglected, or abused, shall not be detained or confined in any institution in which they have contact with adult inmates;<sup>9</sup> and (2) the state has a policy in effect that requires individuals who work with both the juveniles described in (1) and adult inmates, including in collocated facilities, have been trained and certified to work with juveniles. **Appendix K provides the certification form that must be completed by the state in order to meet the requirement in (2).**

Pursuant to 28 C.F.R. 31.303(d), a state must

- a. Describe its plan and procedure, covering the three-year planning cycle, for assuring that the separation requirement is met; and
- b. Describe the barriers that may hinder the separation of the juveniles described above from adult inmates.

This plan may include strategies for achieving and maintaining compliance, such as: (1) a description of any state or local laws or pending legislation that impact or may impact compliance; (2) information on how the designated state agency and state advisory group (SAG) will work together to address circumstances that have caused separation violations to occur; (3) any changes that could impact the state's compliance (e.g., staffing changes); (4) detailed goals, objectives, and activities to achieve full compliance, including the title of the individual responsible for each activity and the date by which it will occur; and (5) an overall timetable for achieving compliance. Goals, objectives, and activities should be designed to address the circumstances in which separation violations have occurred.

***Note: Any state determined by OJJDP in FY 2017 to be in compliance with the separation requirement at 34 U.S.C. § 11133(a)(12) (based on the monitoring report covering October 1, 2015, to September 30, 2016) may, in lieu of submitting a plan addressing paragraphs (a) and (b), above, provide an assurance that adequate plans and resources are available to maintain full compliance by submitting the certification in Appendix M.***

- (3) Plan for removal of youth from adult jails and lockups.** Pursuant to the JJDP Act at 34 U.S.C. § 11133(a)(13), in its state plan, the state must provide that (with limited exceptions) no juvenile shall be detained or confined in any adult jail or lockup.

Pursuant to 28 C.F.R. 31.303(e), the state must:

- a. Describe its plan, procedure, and timetable for assuring that the jail and lockup removal requirement will be met; and
- b. Describe the barriers that the state faces in meeting this requirement.

This plan may include strategies for achieving and maintaining compliance, such as: (1) a description of any state or local laws or pending legislation that impact or may impact compliance; (2) information on how the designated state agency and state advisory group (SAG) will work together to address circumstances that have caused

---

<sup>9</sup> "Adult inmate" is defined at 34 U.S.C. § 11103(26) as an individual who has reached the age of full criminal responsibility under applicable state law and has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense.



jail removal violations to occur; (3) any recent or pending changes that could impact the state's compliance (e.g., staffing changes); and (4) detailed goals, objectives, and activities to achieve full compliance, including the title of the individual responsible for each activity and the date by which it will occur. Goals, objectives, and activities should be designed to address the circumstances in which jail removal violations have occurred.

***NOTE: Any state determined by OJJDP in FY 2017 to be in compliance with the jail removal requirement at 34 U.S.C. § 11133(a)(13) (based on the monitoring report covering October 1, 2015, to September 30, 2016) may, in lieu of submitting a plan addressing paragraphs (a) and (b) above, provide an assurance that adequate plans and resources are available to maintain full compliance by submitting the certification in Appendix M.***

The JJDP Act at 34 U.S.C. § 11133 (a)(13)(A) provides exceptions to the jail removal requirement allowing states to detain juveniles who are accused of delinquent offenses for up to six hours for processing or release, while awaiting transfer to a juvenile facility, or in which period the juveniles make a court appearance.

In addition, 34 U.S.C. § 11133 (a)(13)(B) provides that states may detain juveniles accused of delinquent offenses in facilities that are located: (1) in certain rural areas; (2) where travel conditions do not allow for a court appearance within 48 hours; or (3) where conditions of safety exist such as severe, adverse, life-threatening weather conditions that do not allow for safe travel, so long as they do not have contact with adult inmates, and there is in effect in the state a policy that requires individuals who work with both juveniles and adult inmates to have been trained and certified to work with juveniles. (See required certification at Appendix K.)

It is important to note that **juveniles who commit status offenses may not be detained or confined in an adult jail or lockup for any length of time.** Please also note that juveniles who are being held solely for return to a parent or guardian or pending transfer to a social services or child welfare agency are not being “detained” and the jail removal requirement does not apply.

States must receive prior approval from OJJDP to use the rural exception under 34 U.S.C. § 11133(a)(13)(B)(ii)(II), **but do not have to obtain prior approval for the exceptions related to travel conditions or where conditions of safety exist, as described in the JJDP Act at 34 U.S.C. § 11133(a)(13)(B)(ii)(II) and (III).**

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

States may submit requests for newly identified facilities to OJJDP’s State Program Manager or to OJJDP’s Core Protections Division at any time. OJJDP must approve any use of the rural exception for each new facility prior to use.

**B. Plan for monitoring for compliance with the DSO, separation, and jail removal requirements of the Formula Grants Program.** Pursuant to the JJDP Act at 34 U.S.C. §

11133(a)(14), in its state plan, the state must provide for an adequate system of monitoring jails, lockups, detention facilities, correctional facilities, and nonsecure facilities to ensure that the DSO, separation, and jail removal requirements are met.

The state must provide a plan describing how its system for compliance monitoring meets each of the following elements of an adequate compliance monitoring system. If the state's compliance monitoring policies and procedures manual fully details each of these elements, the state may provide a copy of this manual in lieu of separately describing each of the elements below. Please indicate the specific page where each element is addressed within the manual.

- (1) Policy and procedures.** Pursuant to 28 C.F.R. § 31.303(f)(1)(i), the state must provide a written plan and procedure for annually monitoring jails, lockups, detention facilities, correctional facilities, and nonsecure facilities. This plan must detail the state's implementation of key monitoring system elements.
- (2) Monitoring authority.** Pursuant to 34 U.S.C. § 1133(a)(2), the designated state agency must document that it maintains requisite authority to carry out responsibilities imposed by the Formula Grants Program. This includes authority to inspect and collect data from facilities in the monitoring universe.
- (3) Monitoring timeline.** Pursuant to 28 C.F.R. § 31.303(f)(1)(i), the state must provide a timetable for annually monitoring jails, lockups, detention facilities, correctional facilities, and nonsecure facilities.
- (4) Violation procedures.** Pursuant to 28 C.F.R. § 31.303(f)(1)(iii), the state's monitoring system must describe any procedures established for receiving, investigating, and reporting alleged violations of the DSO, separation, and jail removal requirements. This description should include any legislative and administrative procedures and sanctions that exist.
- (5) Barriers and strategies.** Pursuant to 28 C.F.R. § 31.303(f)(1)(ii), the state must provide a written description of barriers the state faces in implementing an adequate system of compliance monitoring. This description must include strategies the state employs to overcome the barriers.
- (6) Definition of terms.** States may have different definitions for juvenile and criminal justice terms than those in the JJDP Act and provided at 28 C.F.R. § 31.304. It is critical that any such differences are identified and fully documented. The state must indicate that where its definitions differ from federal definitions in the monitoring process, the latter will be used.
- (7) Identification of the monitoring universe.** Facilities in the state that might detain juveniles pursuant to law enforcement or juvenile court authority must be fully identified and included in the monitoring universe, pursuant to 28 C.F.R. § 31.303(f)(1)(i)(A). Every facility that has this potential, whether it is publicly operated or privately owned, regardless of its purpose for detaining juveniles, falls within the purview of monitoring requirements.
- (8) Classification of monitoring universe.** Pursuant to 28 C.F.R. § 31.303(f)(1)(i)(B), the state must classify facilities in the monitoring universe to determine facility type (e.g.,

juvenile detention or correctional facility, adult detention or correctional facility, adult jail, adult lockup, other secure facility in which juveniles may have contact with adult inmates, or nonsecure facility). This information is critical to determining the applicability of the DSO, separation, and jail removal requirements in each facility. In addition, classification determines whether each facility is secure or nonsecure, residential or nonresidential, and whether the population is juveniles only, adults only, or juveniles and adults.

**(9) Inspection of facilities.** Pursuant to 28 C.F.R. § 31.303(f)(1)(i)(C), the state must inspect facilities to confirm classification and to verify that they are maintaining adequate sight and sound separation between detained juvenile and adult inmates. Such inspections must also verify that facilities maintain adequate data to demonstrate compliance with the DSO, separation, and jail removal requirements.

**(10) Data collection and verification.** Pursuant to 28 C.F.R. § 31.303(f)(1)(i)(D), the state must collect data and verify it onsite to determine whether facilities are in compliance with the applicable requirements of DSO, separation, and jail removal. Onsite data verification must involve the review of data that a facility self-reports, including a review of the facility's admissions records and booking logs.

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

**C. Plan for compliance with the disproportionate minority contact (DMC) core requirement.** Pursuant to the JJDP Act at 34 U.S.C. § 11133(a)(22), states and territories must "address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups, who come into contact with the juvenile justice system." DMC exists if a specific minority group's rate of contact at a particular point in the juvenile justice system is significantly different than the rate of contact for non-Hispanic whites or other minority groups.

States achieve compliance with this core requirement when they address DMC continually through identification (identifying the extent to which DMC exists), assessment (examining and determining the factors that contribute to DMC, if it exists), and intervention (developing and implementing strategies to reduce DMC). **For purposes of the FY 2018 determinations of compliance with the DMC requirement, submission of the evaluation and monitoring phases is not mandatory.**

### **DMC Reduction Cycle**

All participating states and U.S. territories shall submit any data they have collected and analyzed by race and ethnicity. When a state determines that DMC exists, it shall provide in its State Plan and the subsequent updates a DMC plan that complies with the implementation guidelines below. The 2018 DMC Plan must address the Identification, Assessment, and Intervention phases of the DMC Reduction Cycle.

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

**(1) Updated DMC identification spreadsheets.** OJJDP requires states to collect, analyze, and enter the data statewide and for at least three local jurisdictions into the [DMC Web-Based Data Entry System](#) every 3 years; the data should be no more than 3 years old. Once the state has entered the data, export the RRI spreadsheets to OJJDP’s Compliance Tool and label as “Attachment #2.” Identify the jurisdiction when exporting to the online tool (example: Attachment #2: Smith County/Township/Parish).<sup>10</sup>

When quantifiable documentation is unavailable or incomplete to determine whether DMC exists or has changed, the state must provide a time-limited plan, not to exceed 6 months, for developing and implementing a system to routinely collect the data to track progress in DMC reduction. The data should be no more than 3 years old for those states that collect data every 3 years. States that anticipate that the time-limited plan will exceed 6 months must provide additional information as to how they will collect and analyze data prior to the submission of their next 3-Year Plan.

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

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

---

<sup>10</sup> States may submit data for fewer than three local jurisdictions if the statewide minority population does not meet the 1-percent threshold to be analyzed separately and/or if the state has requested and received a waiver to target fewer than three jurisdictions.

## (2) DMC data discussion

- (a) Analyze and discuss the RRIs obtained for statewide and the three local jurisdictions, compare the updated data with the data in the FY 2015–2017 3-Year Comprehensive Plan, and illustrate how the data inform/guide the state’s FY 2018–2020 3-Year Comprehensive Plan DMC reduction efforts.
- (b) The DMC Compliance Plan should include **all** five steps of interpreting and analyzing statewide and local RRI values. This includes: (1) identifying statistically significant values, (2) determining the magnitude of the values (i.e., the effect size), (3) the association with the volume of activity, (4) comparing the values with other jurisdictions (if applicable), and (5) discussing contextual considerations per guidance in the *Disproportionate Minority Contact Technical Assistance Manual, 4th Edition* (see Chapter 1 for a detailed discussion). Respond to the following:

**Note:** States must complete the **RRI Analysis Tracking Sheet** as a component of their data discussion statewide and for at least three local jurisdictions unless OJJDP has granted a waiver. States must use the RRI Tracking Sheet (see example in Appendix H) to interpret and analyze the values that should drive decisionmaking:

- (1) Identify the RRI values that are **statistically significant**. This also includes discussing statistical parity (i.e., how many fewer or more minority youth would it take to show statistical equality with white non-Hispanic and/or majority youth; see “Volume Issues” tab in the RRI spreadsheet).
- (2) From statistically significant RRI values, identify those with the greatest **magnitude** (i.e., more than 1.0 for arrests, referrals to court, cases resulting in secure detention, cases petitioned, cases resulting in delinquent findings, cases resulting in detention in secure correctional facilities, and transfers to adult court, and less than 1.0 for diversion and probation); that is, those that reflect the greatest degree of disproportionate contact.
- (3) From among statistically significant RRI values and those with the greatest magnitude, identify those that involve the greatest **volume of activity**; that is, the largest number of minority youth who potentially may be affected.
- (4) If applicable, compare the RRI values noted in step 2 or 3 above with the range of RRI values nationally. (**Note:** See the [National Disproportionate Minority Contact Databook](#) and/or the “Compare Counties” and “States” tabs in the RRI spreadsheet.)
- (5) Examine the local context for each of the RRI values identified in steps 1 to 4 above to consider which jurisdictions may be the more feasible target populations for activities to reduce DMC. **Note:** See Chapter 1 in the [Disproportionate Minority Contact Technical Assistance Manual, 4th edition](#), for the discussion and list of contextual considerations.

**Phase II: Assessment/Diagnosis.** A DMC assessment is a comprehensive analysis using advanced research methodologies to identify the contributing factors, examine minority overrepresentation, and explain disproportionate minority contact at all contact stages of the

juvenile justice system. It should also include recommendations for specific delinquency prevention, intervention, and systems improvement strategies.

Respond to the following:

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

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

**Phase III: Intervention.** Each state's DMC Compliance Plan shall, where DMC has been demonstrated and contributing factors determined, provide an intervention plan for reduction. The plan must be based on the results of the identification data and assessment study and must include at least one of the five activities below:

- ***Diversion:*** Increasing the availability and improving the quality of diversion programs for minorities who come in contact with the juvenile justice system, such as police diversion programs.
- ***Prevention:*** Providing developmental, operational, and assessment assistance (financial and/or technical) for prevention programs in communities with a high percentage of minority residents, with emphasis on support for community-based organizations (including nontraditional organizations) that serve minority youth.
- ***Reintegration:*** Providing developmental, operational, and assessment assistance (financial and/or technical) for programs designed to reduce recidivism by facilitating the reintegration of minority youth in the community following release from dispositional commitments.
- ***Policies and Procedures:*** Providing financial and/or technical assistance that addresses necessary changes in statewide and local, executive, judicial, and legal representation policies and procedures.
- ***Staffing and Training:*** Providing financial and/or technical assistance that addresses staffing and training needs that will positively impact the disproportionate contact of minority youth in the juvenile justice system.

Respond to the following:

**(1) Progress made in FY 2017.** Discuss the status of each of the planned activities in the FY 2017 DMC Compliance Plan. States must demonstrate that funded activities are directly related to the states' DMC assessment study findings. Include a timeline for the implementation of DMC reduction activities over the next 3-year period.

**(a)** Which activities have been implemented? Discuss progress made and include the goals, objectives, performance measures, and outcomes for each activity.

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

**(2)** States that have identified one or more local jurisdiction(s) as DMC targeted sites but have not implemented delinquency prevention, intervention, and/or systems improvement activities must provide a time-limited plan, not to exceed 6 months, of when implementation will occur. The plan must include the following items:

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

**[OPTIONAL] Phase IV: Evaluation.** States should evaluate the efficacy of their efforts to address DMC. Provide a brief summary of findings if an evaluation was conducted on an intervention.

**[OPTIONAL] Phase V: Monitoring.** States and their selected localities should monitor and track changes in DMC trends over time and/or conduct site monitoring visits to identify emerging critical issues to determine whether there has been a reduction or an increase. The ultimate questions that jurisdictions are encouraged to answer are: (1) Has DMC been reduced? and (2) Is the change directly attributable to specific DMC efforts?

## Appendix H: Sample Relative Rate Index Analysis and Tracking Sheet

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

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

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



**Appendix I: Compliance With the JJDP Act Formula Grants Program State Plan Requirements [34 U.S.C. § 11133(a), Section 223(a)]**

The application must provide evidence that the state complies with each of the following requirements. This appendix is to be submitted as a separate attachment, with the required information contained within the attachment. Use the fillable version, available [here](#), to enter your information directly into this appendix. Pay close attention to the instructions provided in italics after each item for additional guidance. Failure to satisfy each requirement will result in the state or territory being deemed ineligible for award and the award, if made, may be terminated.

- (a) **Requirements.** In order to receive formula grants under this part, a state shall submit a plan for carrying out its purposes applicable to a 3-year period. Such plan shall be amended annually to include new programs, projects, and activities. The state shall submit annual performance reports to the Administrator which shall describe progress in implementing programs contained in the original plan, and shall describe the status of compliance with state plan requirements. In accordance with regulations which the Administrator shall prescribe, such plan shall—
- (1) Designate the state agency as the sole agency for supervising the preparation and administration of the plan; *[Include here a statement indicating the designated state agency. For example, “The Division of Juvenile Services is the designated state agency responsible for preparation and administration of the 3-year plan.”]*
  - (2) Contain satisfactory evidence that the state agency designated in accordance with paragraph (1) has or will have authority, by legislation if necessary, to implement such plan in conformity with this part; *[Include here a citation for the executive order, legislation, or policy pointing to the authority of the agency or attach a copy of the full order, legislation or policy. For example, “The designation of the Division of Juvenile Services as the agency responsible for the 3-year plan was established per Executive Order <number> signed by Governor <Name> on <date>.”]*
  - (3) Provide for an advisory group that—*[Attach the SAG list using the format of the sample roster. Ensure that the individual(s) satisfying each requirement are clearly identified by the category letter specified in the roster instructions. Submit the roster as a separate attachment, labeled “Appendix D: SAG roster”.]*
    - (A) Shall consist of not less than 15 and not more than 33 members appointed by the chief executive officer of the state—
      - (i) Which members have training, experience, or special knowledge concerning the prevention and treatment of juvenile delinquency, the administration of juvenile justice, or the reduction of juvenile delinquency;
      - (ii) Which members include—
        - (I) At least one locally elected official representing general purpose local government;

- (II) Representatives of law enforcement and juvenile justice agencies, including juvenile and family court judges, prosecutors, counsel for children and youth, and probation workers;
  - (III) Representatives of public agencies concerned with delinquency prevention or treatment, such as welfare, social services, mental health, education, special education, recreation, and youth services;
  - (IV) Representatives of private nonprofit organizations, including persons with a special focus on preserving and strengthening families, parent groups and parent self-help groups, youth development, delinquency prevention and treatment, neglected or dependent children, the quality of juvenile justice, education, and social services for children;
  - (V) Volunteers who work with delinquents or potential delinquents;
  - (VI) Youth workers involved with programs that are alternatives to incarceration, including programs providing organized recreation activities;
  - (VII) Persons with special experience and competence in addressing problems related to school violence and vandalism and alternatives to suspension and expulsion; and
  - (VIII) Persons with special experience and competence in addressing problems related to learning disabilities, emotional difficulties, child abuse and neglect, and youth violence;
- (iii) A majority of which members (including the chairperson) shall not be full-time employees of the federal, state, or local government;
  - (iv) At least one-fifth of which members shall be under the age of 24 at the time of appointment; and
  - (v) At least three members who have been or are currently under the jurisdiction of the juvenile justice system;
- (B) Shall participate in the development and review of the state's juvenile justice plan prior to submission to the supervisory board for final action; *[Include here a statement affirming that this requirement will be met, and describe the process used. For example, "The State Advisory Group (SAG) participates in the development and review of the state's juvenile justice plan prior to submission to the supervisory board for final action. This is done through a SAG retreat in which members discuss and vote on priorities for the plan, and then by subsequent review and approval of the draft plan prior to submission to OJJDP."]*
- (C) Shall be afforded the opportunity to review and comment, not later than 30 days after their submission to the advisory group, on all juvenile justice and delinquency prevention grant applications submitted to the state agency designated under paragraph (1); *[Include here a statement affirming this requirement is met and describe the process used. For example, "The SAG is afforded the opportunity to review and comment, within 30 days after their submission to the advisory group, on*

*all juvenile justice and delinquency prevention grant applications submitted to the designated state agency. The grants subcommittee of the SAG reviews and scores the grant applications and provides funding recommendations that are made to the full SAG within 30 days of receiving the applications. The full SAG provides the final vote on the awards to be made by the designated state agency.”]*

(D) Shall, consistent with this title—

- (i) Advise the state agency designated under paragraph (1) and its supervisory board; and *[Include here a statement affirming this requirement is met and describe the process used. For example, “The SAG advises the state agency and its supervisory board. The SAG holds an annual strategy session at the designated state agency to address the need for effective statewide planning and coordination of activities that are written into the 3-year plan. The state agency, under the guidance of the SAG, is responsible for implementing that plan. Throughout the year, the state agency updates the SAG on the priorities and activities. The SAG makes recommendations for the annual updates required by OJJDP.”]*
- (ii) Submit to the chief executive officer and the legislature of the state at least annually recommendations regarding state compliance with the requirements of paragraphs (11), (12), and (13); and *[Include here a statement affirming that this has been done or will be done. For example, “<State> affirms that recommendations regarding compliance with the requirements of paragraphs (11), (12), and (13) are submitted to the chief executive officer and the legislature of the state annually.” Include a copy of the most recent set of recommendations as a separate attachment labelled “<State> SAG recommendations.”]*
- (iii) Contact and seek regular input from juveniles currently under the jurisdiction of the juvenile justice system; and *[Include here a statement affirming this has been done, and a description of the process. For example, “<State> affirms that contact and regular input is sought from juveniles currently under the jurisdiction of the JJ system. The <State> Juvenile Justice Department maintains statutory authority over all juvenile detention and juvenile correctional facilities. The Executive Director of the JJ Department serves on the SAG and provides regular opportunities for SAG members to meet with juveniles who are currently under their jurisdiction to gather input. The SAG met with these youth on the following dates:\_\_\_\_\_.”]*

(E) May, consistent with this title—

- (i) Advise on state supervisory board and local criminal justice advisory board composition; *[This is optional. If applicable, include relevant information here: ]*
  - (ii) Review progress and accomplishments of projects funded under the state plan. *[This is optional. If applicable, include relevant information here: ]*
- (4) Provide for the active consultation with and participation of units of local government or combinations thereof in the development of a state plan which adequately takes into account the needs and requests of units of local government, except that nothing in the plan requirements, or any regulations promulgated to carry out such requirements, shall

be construed to prohibit or impede the state from making grants to, or entering into contracts with, local private agencies or the advisory group; *[Include here a statement affirming this requirement is met and a description of the process. For example, “<State> provides for the active consultation with and participation of units of local government or combinations thereof in the development of the state plan which takes into account the needs and requests of units of local government. <State> has regional youth justice teams that met quarterly throughout the past year, providing opportunities for communication between the state agency, units of local government, and other local justice stakeholders. This structure gives localities an opportunity to give input into the state plan and juvenile justice priorities.”]*

(5) Unless the provisions of this paragraph are waived at the discretion of the Administrator for any state in which the services for delinquent or other youth are organized primarily on a statewide basis, provide that at least 66 and 2/3 percent of funds received by the state under section 222 [34 U.S.C. § 11132] 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) [34 U.S.C. § 11132(d)], shall be expended—

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

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

(C) To provide funds for programs of Indian tribes that perform law enforcement functions (as determined by the Secretary of the Interior) and that agree to attempt to comply with the requirements specified in paragraphs (11), (12), and (13), applicable to the detention and confinement of juveniles, an amount that bears the same ratio to the aggregate amount to be expended through programs referred to in subparagraphs (A) and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the state population under 18 years of age; *[Attach budget and provide a statement of assurance for all 3 parts (A, B, and C), or cite approved waiver of the subaward requirement. For example, “<State> assures that at least 66 and 2/3 percent of funds, excluding funds made available to the SAG, shall be expended through programs of units of local government or combinations thereof, to the extent that such programs are consistent with the state plan; through programs of local private agencies, to the extent the programs are consistent with the state plan, only if such agency requests such funding after it has applied for and been denied funding by any unit of local government or combination thereof; and for programs of Indian tribes that perform law enforcement functions and that agree to attempt to comply with the requirements specified in paragraphs (11), (12), and (13), applicable to the detention and confinement of juveniles, an amount that bears the same ratio to the aggregate amount to be expended through programs referred to in subparagraphs (A) and (B) as the population under 18 years of age in the geographical areas in which such tribes perform such functions bears to the state population under 18 years of age.”]*

(6) Provide for an equitable distribution of the assistance received under section 222 [34 U.S.C. § 11132] within the state, including in rural areas; *[Include here a statement affirming that this requirement is met, as well as an explanation of the process and logic the state uses as to how it is equitable. For example, "<State> provides for an equitable distribution of the assistance received within the state, including in rural areas. This occurs through the creation of the state regional youth justice teams that help inform local entities as well as the state about challenges and needs throughout the state. This information, in conjunction with youth crime analysis data, helps inform the funding decisions made."]*

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

and that

(B) Contains—

(i) An analysis of gender-specific services for the prevention and treatment of juvenile delinquency, including the types of such services available and the need for such services; *[Provide description in application and list the pertinent page number(s): \_\_\_\_\_]*

(ii) A plan for providing needed gender-specific services for the prevention and treatment of juvenile delinquency; *[Provide description in application and list the pertinent page number(s): \_\_\_\_\_]*

(iii) A plan for providing needed services for the prevention and treatment of juvenile delinquency in rural areas; and *[Provide description in application and list the pertinent page number(s): \_\_\_\_\_]*

(iv) A plan for providing needed mental health services to juveniles in the juvenile justice system, including information on how such plan is being implemented and how such services will be targeted to those juveniles in such system who are in greatest need of such services. *[Provide description in application and list the pertinent page number(s): \_\_\_\_\_]*

*[Include here a statement affirming that the information for (7) (A) and (7) (B) (i), (ii), (iii) and (iv) has been included in the narrative, and indicate the page number(s). For example, "<State> has provided an analysis on pages 5 through 10 of juvenile delinquency problems and needs in the state, including a description of services, goals and priorities, and how the state will meet these needs."]*

(8) Provide for the coordination and maximum utilization of existing juvenile delinquency programs, programs operated by public and private agencies and organizations, and

other related programs (such as education, special education, recreation, health, and welfare programs) in the state; *[Include here a statement affirming this requirement is met and a description of the process. For example, “<State> provides for the coordination and maximum utilization of juvenile delinquency programs, programs operated by public and private agencies and organizations, and other related programs in the state. This occurs through quarterly meetings with stakeholders, as well as the involvement of SAG members who have connections to various programs throughout the state. SAG subcommittees involve representation spanning multiple departments and sectors across the state. There are cross-system collaborations in place that allow for planning and coordination through committee meetings and regional collaboration groups. Information gathered from regional and subcommittee groups is shared at the SAG meeting to consider how to incorporate it into the state plan.]*

(9) Provide that not less than 75 percent of the funds available to the state under section 222 [34 U.S.C. § 11132], other than funds made available to the state advisory group under section 222(d) [34 U.S.C. § 11132(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—*[Attach budget in which relevant program categories as described in Appendix B are designated. Note: It is not a requirement that every category (A through S below) be funded.]*

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

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

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

(B) Community-based programs and services to work with—

(i) Parents and other family members to strengthen families, including parent self-help groups, so that juveniles may be retained in their homes;

(ii) Juveniles during their incarceration, and with their families, to ensure the safe return of such juveniles to their homes and to strengthen the families; and

(iii) Parents with limited English-speaking ability, particularly in areas where there is a large population of families with limited English-speaking ability;

(C) Comprehensive juvenile justice and delinquency prevention programs that meet the needs of youth through the collaboration of the many local systems before which a youth may appear, including schools, courts, law enforcement agencies, child protection agencies, mental health agencies, welfare services, health care agencies, and private nonprofit agencies offering youth services;

(D) Programs that provide treatment to juvenile offenders who are victims of child abuse or neglect, and to their families, in order to reduce the likelihood that such juvenile offenders will commit subsequent violations of law;

- (E) Educational programs or supportive services for delinquent or other juveniles—
  - (i) To encourage juveniles to remain in elementary and secondary schools or in alternative learning situations;
  - (ii) To provide services to assist juveniles in making the transition to the world of work and self-sufficiency; and
  - (iii) Enhance coordination with the local schools that such juveniles would otherwise attend, to ensure that—
    - (I) The instruction that juveniles receive outside school is closely aligned with the instruction provided in school; and
    - (II) Information regarding any learning problems identified in such alternative learning situations is communicated to the schools;
- (F) Expanding the use of probation officers—
  - (i) Particularly for the purpose of permitting nonviolent juvenile offenders (including status offenders) to remain at home with their families as an alternative to incarceration or institutionalization; and
  - (ii) To ensure that juveniles follow the terms of their probation;
- (G) Counseling, training, and mentoring programs, which may be in support of academic tutoring, vocational and technical training, and drug and violence prevention counseling, that are designed to link at-risk juveniles, juvenile offenders, or juveniles who have a parent or legal guardian who is or was incarcerated in a federal, state, or local correctional facility or who is otherwise under the jurisdiction of a federal, state, or local criminal justice system, particularly juveniles residing in low-income and high-crime areas and juveniles experiencing educational failure, with responsible individuals (such as law enforcement officials, Department of Defense personnel, individuals working with local businesses, and individuals working with community-based and faith-based organizations and agencies) who are properly screened and trained;
- (H) Programs designed to develop and implement projects relating to juvenile delinquency and learning disabilities, including on-the-job training programs to assist community services, law enforcement, and juvenile justice personnel to more effectively recognize and provide for learning disabled and other juveniles with disabilities;
- (I) Projects designed both to deter involvement in illegal activities and to promote involvement in lawful activities on the part of gangs whose membership is substantially composed of youth;
- (J) Programs and projects designed to provide for the treatment of youth's dependence on or abuse of alcohol or other addictive or nonaddictive drugs;
- (K) Programs for positive youth development that assist delinquent and other at-risk youth in obtaining—

- (i) A sense of safety and structure;
  - (ii) A sense of belonging and membership;
  - (iii) A sense of self-worth and social contribution;
  - (iv) A sense of independence and control over one's life; and
  - (v) A sense of closeness in interpersonal relationships;
- (L) Programs that, in recognition of varying degrees of the seriousness of delinquent behavior and the corresponding gradations in the responses of the juvenile justice system in response to that behavior, are designed to—
- (i) Encourage courts to develop and implement a continuum of post-adjudication restraints that bridge the gap between traditional probation and confinement in a correctional setting (including expanded use of probation, mediation, restitution, community service, treatment, home detention, intensive supervision, electronic monitoring, and similar programs, and secure community-based treatment facilities linked to other support services such as health, mental health, education (remedial and special), job training, and recreation); and
  - (ii) Assist in the provision by the Administrator of information and technical assistance, including technology transfer, to states in the design and utilization of risk assessment mechanisms to aid juvenile justice personnel in determining appropriate sanctions for delinquent behavior;
- (M) Community-based programs and services to work with juveniles, their parents, and other family members during and after incarceration in order to strengthen families so that such juveniles may be retained in their homes;
- (N) Programs (including referral to literacy programs and social service programs) to assist families with limited English-speaking ability that include delinquent juveniles to overcome language and other barriers that may prevent the complete treatment of such juveniles and the preservation of their families;
- (O) Programs designed to prevent and to reduce hate crimes committed by juveniles;
- (P) After-school programs that provide at-risk juveniles and juveniles in the juvenile justice system with a range of age-appropriate activities, including tutoring, mentoring, and other educational and enrichment activities;
- (Q) Community-based programs that provide followup post-placement services to adjudicated juveniles, to promote successful reintegration into the community;
- (R) Projects designed to develop and implement programs to protect the rights of juveniles affected by the juvenile justice system; and



- (S) Programs designed to provide mental health services for incarcerated juveniles suspected to be in need of such services, including assessment, development of individualized treatment plans, and discharge plans.
- (10) Provide for the development of an adequate research, training, and evaluation capacity within the state; *[Include here a statement and description of the capacity the state has, or plans to develop to meet this requirement. For example, “<State> has developed an adequate research, training, and evaluation capacity within the state through the <Name Research Center> which is dedicated to providing high quality data, research and evaluation services to an array of entities, including federal, state and local governments. In addition, the SAG has supported an evaluation of a state-funded juvenile diversion program; this evaluation has yielded useful information leading to improvements in the operations of diversion programs, including training for staff involved in those programs.”]*
- (11) Shall, in accordance with rules issued by the Administrator, provide that—*[Include here a statement affirming that the state/territory has submitted data and supporting documentation about its compliance with this requirement in the online compliance reporting tool. For example, “<State> has submitted data and documentation about compliance with this core requirement, which can be found on pages 5-7 of the information submitted in the compliance tool.”]*
- (A) Juveniles who are charged with or who have committed an offense that would not be criminal if committed by an adult, excluding—
- (i) Juveniles who are charged with or who have committed a violation of section 922(x)(2) of Title 18, United States Code, or of a similar state law;
  - (ii) Juveniles who are charged with or who have committed a violation of a valid court order; and
  - (iii) Juveniles who are held in accordance with the Interstate Compact on Juveniles as enacted by the state shall not be placed in secure detention facilities or secure correctional facilities; and
- (B) Juveniles—
- (i) Who are not charged with any offense; and
  - (ii) Who are—
    - (I) Aliens; or
    - (II) Alleged to be dependent, neglected, or abused, shall not be placed in secure detention facilities or secure correctional facilities;
- (12) Provide that—*[Include here a statement affirming that the state/territory has submitted data and supporting documentation about its compliance with this requirement in the online compliance reporting tool. For example, “<State> has submitted data and documentation about compliance with this core requirement, which can be found on pages 9-11 of the information submitted in the compliance tool.” Also, fully complete and sign Certification form, Appendix K.]*

- (A) Juveniles alleged to be or found to be delinquent or juveniles within the purview of paragraph (11) will not be detained or confined in any institution in which they have contact with adult inmates; and
  - (B) There is in effect in the state a policy that requires individuals who work with both such juveniles and such adult inmates, including in colocated facilities, have been trained and certified to work with juveniles; *[Refer to Certification form, Appendix K.]*
- (13) Provide that no juvenile will be detained or confined in any jail or lockup for adults except—
- (A) Juveniles who are accused of nonstatus offenses and who are detained in such jail or lockup for a period not to exceed 6 hours—
    - (i) For processing or release;
    - (ii) While awaiting transfer to a juvenile facility; or
    - (iii) In which period such juveniles make a court appearance; and only if such juveniles do not have contact with adult inmates, and only if there is in effect in the state a policy that requires individuals who work with both such juveniles and adult inmates in colocated facilities have been trained and certified to work with juveniles; *[Refer to Certification form, Appendix K]*
  - (B) Juveniles who are accused of nonstatus offenses, who are awaiting an initial court appearance that will occur within 48 hours after being taken into custody (excluding Saturdays, Sundays, and legal holidays) and who are detained in a jail or lockup—
    - (i) In which—
      - (I) Such juveniles do not have contact with adult inmates; and
      - (II) There is in effect in the state a policy that requires individuals who work with both such juveniles and adult inmates in colocated 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;

*[Include here a statement affirming that the state/territory has submitted data and supporting documentation about its compliance with this requirement in the online compliance reporting tool. For example, “<State> has submitted data and documentation about compliance with this core requirement, which can be found on pages 9-11 of the information submitted in the compliance tool.”] Also, fully complete and sign Certification form, Appendix K.]*

- (14) Provide for an adequate system of monitoring jails, detention facilities, correctional facilities, and nonsecure facilities to ensure that the requirements of paragraphs (11), (12), and (13) are met, and for annual reporting of the results of such monitoring to the Administrator, except that such reporting requirements shall not apply in the case of a state which is in compliance with the other requirements of this paragraph, which is in compliance with the requirements in paragraphs (11) and (12), and which has enacted legislation which conforms to such requirements and which ~~com~~ in the opinion of the Administrator, sufficient enforcement mechanisms to ensure that such legislation will be administered effectively; *[Include here a statement affirming that the state/territory has submitted data and supporting documentation about its compliance with this requirement in the online compliance reporting tool. For example, “<State> has submitted data and documentation about compliance with this core requirement, which can be found on pages 11-15 of the information submitted in the compliance tool.”]*
- (15) Provide assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income, and disability; *[Include here a statement affirming that this requirement is met. For example, “<State> provides assurance that youth in the juvenile justice system are treated equitably on the basis of gender, race, family income, and disability.”]*
- (16) Provide assurance that consideration will be given to and that assistance will be available for approaches designed to strengthen the families of delinquent and other youth to prevent juvenile delinquency (which approaches should include the involvement of grandparents or other extended family members when possible and appropriate, and the provision of family counseling during the incarceration of juvenile family members and coordination of family services when appropriate and feasible); *[Include here a statement affirming that this requirement is met. For example, “<State> provides 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.”]*
- (17) 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; *[Include here a statement affirming that this requirement is met and a description of the process. For example, “<State> has established procedures to protect 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. All agencies that contract with <designated state agency> are compliant with HIPAA and other relevant laws related to information sharing and privacy concerns.”]*
- (18) Provide assurances that—

- (A) Any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee;
- (B) Activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and
- (C) No such activity that would be inconsistent with the terms of a collective bargaining agreement shall be undertaken without the written concurrence of the labor organization involved; *[Include here a statement of affirmation for all three parts: 18(A), 18(B), and 18(C). For example, “<State> affirms that any assistance provided under this Act will not cause the displacement (including a partial displacement, such as a reduction in the hours of nonovertime work, wages, or employment benefits) of any currently employed employee; activities assisted under this Act will not impair an existing collective bargaining relationship, contract for services, or collective bargaining agreement; and 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.”]*
- (19) Provide for such fiscal control and fund accounting procedures necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this title; *[Include here a statement of concurrence, and submit the financial management and internal controls questionnaire. (All applicants—other than an individual—are to download, complete, sign and submit this [form](#).) For example, “<State> has strong internal fiscal controls and fund accounting procedures necessary to ensure prudent use, proper disbursement, and accurate accounting of funds received under this title. The Financial Management and Internal Controls questionnaire has been completed and signed by the Financial Point of Contact and is attached.”]*
- (20) Provide reasonable assurance that federal funds made available under this part for any period will be so used as to supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds that would in the absence of such federal funds be made available for the programs described in this part, and will in no event replace such state, local, and other nonfederal funds; *[Include here a statement affirming that this requirement is met. For example, “<State> assures that federal funds made available under this part will be used to supplement and increase (but not supplant) the level of the state, local, and other nonfederal funds that would be used in the absence of such federal funds made available for these programs, and will in no event replace such state, local, and other nonfederal funds.”]*
- (21) Provide that the state agency designated under paragraph (1) will—
- (A) To the extent practicable give priority in funding to programs and activities that are based on rigorous, systematic, and objective research that is scientifically based; *[Include here a statement affirming that this requirement is met and a description. For example, “<State> will give priority to the extent practicable in funding programs and activities that are based on rigorous, systematic, and objective research that is scientifically based. <State agency> is prioritizing dissemination of evidence-based practices by supporting training and technical assistance for agency staff and service providers. Some projects include evaluation components; others include programmatic fidelity requirements.”]*

- (B) From time to time, but not less than annually, review its plan and submit to the Administrator an analysis and evaluation of the effectiveness of the programs and activities carried out under the plan, and any modifications in the plan, including the survey of state and local needs, that it considers necessary; and *[Include here a statement that this has been addressed in the application as described on the referenced pages, and will be addressed in the plan updates, annual progress reports and DCTAT. For example, “<State’s> crime data section provides an analysis of juvenile crime for the years 2014-2016, showing declines in indicators of delinquent activity among juveniles at state and local levels. Effectiveness of funded programs is reviewed annually by the SAG and used to inform continuation funding decisions. This will also be addressed in the annual progress report and Performance Measurement Tool (PMT). Refer to page(s): 5-8 and 13.”]*
- (C) Not expend funds to carry out a program if the recipient of funds who carried out such program during the preceding 2-year period fails to demonstrate, before the expiration of such 2-year period, that such program achieved substantial success in achieving the goals specified in the application submitted by such recipient to the state agency; *[Include here a statement affirming that this requirement is met, with an explanation of the process for subgranting and assessing performance. For example, “<State> affirms that funds will not be provided to carry out a program if the recipient of funds has failed during the preceding 2-year period to demonstrate, before the expiration of the 2-year period, that the program achieved substantial success in achieving the specified goals. Programs submit quarterly progress reports. When subaward applications are reviewed, prior program performance is considered as one of the factors for funding.”]*

(22) Address juvenile delinquency prevention efforts and system improvement efforts designed to reduce, without establishing or requiring numerical standards or quotas, the disproportionate number of juvenile members of minority groups who come into contact with the juvenile justice system; *[Include here a statement affirming that the state/territory has submitted data and supporting documentation about its compliance with this requirement in the online compliance reporting tool. For example, “<State> has submitted data and documentation about compliance with this core requirement, which can be found on pages 2-4 of the information submitted in the compliance tool.”]*

(23) Provide that if a juvenile is taken into custody for violating a valid court order related to his/her status as a juvenile issued for committing a status offense

- (A) An appropriate public agency shall be promptly notified that such juvenile is held in custody for violating such order;
- (B) Not later than 24 hours during which such juvenile is so held, an authorized representative of such agency shall interview, in person, such juvenile; and
- (C) Not later than 48 hours during which such juvenile is so held—
- (i) Such representative shall submit an assessment to the court that issued such order, regarding the immediate needs of such juvenile; and
  - (ii) Such court shall conduct a hearing to determine—

- (I) Whether there is reasonable cause to believe that such juvenile violated such order; and
- (II) The appropriate placement of such juvenile pending disposition of the violation alleged;—

*[Include here a statement indicating whether the state uses the VCO exception and if so, affirming that the applicant complies with this requirement, and confirmation that documentation is found in the information submitted in the compliance tool. For example, “<State> complies with this requirement, and the documentation can be found on pages 11-12 of the information submitted in the compliance tool.”]*

- (24) Provide an assurance that if the state receives under section 222 [34 U.S.C. § 11132] 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; *[Refer [here](#) for a chart of FY 2000 Formula Grant distribution amounts. Include here a statement affirming that this requirement is met. For 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> has compared the amount received in FY 2000 (list amount - \$XXXX) with the amount to be received in FY 2018 (list amount - \$XXXX), and the FY 2018 amount does not exceed 105 percent of the FY 2000 amount.”]*
- (25) Specify a percentage (if any), not to exceed 5 percent, of funds received by the state under section 222 [34 U.S.C. § 11132] (other than funds made available to the state advisory group under section 222(d) [34 U.S.C. § 11132(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; *[Specify a percentage, from 0 to 5%. Fill in percentage here: \_\_\_\_ %. (Note: States are not required to spend funds for this purpose.)]*
- (26) Provide that the state, to the maximum extent practicable, will implement a system to ensure that if a juvenile is before a court in the juvenile justice system, public child welfare records (including child protective services records) relating to such juvenile that are on file in the geographical area under the jurisdiction of such court will be made known to such court; *[Include here a statement affirming that this requirement is met, with a description of the process. For 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. <Name of system> is a statewide system automating services in Child Welfare and the Division of Youth Corrections; this project streamlined record keeping and service delivery through new hardware and software in all of <State’s> counties, regions, and facilities. Local detention screeners are able to query the database and determine whether the juvenile or the family is involved in a child welfare case and provide relevant information to the court for establishing a pre-trial release and treatment plan. A second database which*

*contains all court records is housed in the Judicial Department and is accessible to all judges, magistrates and probation offices.]*

- (27) Establish policies and systems to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for juvenile offenders; *[Include here a statement affirming that this requirement is met, with a description of the process of how the state/territory has or will work to establish these policies and systems. For example, “<State> affirms that policies and systems have been established to incorporate relevant child protective services records into juvenile justice records for purposes of establishing and implementing treatment plans for juvenile offenders. <State> law requires that the child protective services team is to report all “services required” findings to the <State> Juvenile Court. <State> law makes abuse and neglect records available to the court. Child welfare data is entered into the juvenile court’s database and is included as part of the child’s record. Thus, juvenile court records, whether related to juvenile justice or child welfare systems, are in a combined file, and child welfare record information is made known to the court. <State> law requires that all evidence be presented at disposition, allowing child protection services records to be part of a delinquency proceeding. This information is also included as part of the court history information that is provided to custodial agencies for a youth’s treatment plan.”]*
- (28) Provide assurances that juvenile offenders whose placement is funded through section 472 of the Social Security Act (42 U.S.C. 672) receive the protections specified in section 471 of such Act (42 U.S.C. 671), including a case plan and case plan review as defined in section 475 of such Act (42 U.S.C. 675). *[Include here a statement affirming that this requirement is met. For example, “<State> assures 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).”]*

## **Appendix J: Contact Information for States and Territories**

As a separate attachment labelled "<State> Contact Information," submit a document with the following information for the designated agency:

### **Juvenile Justice Specialist Name:**

Title:

Mailing Address:

Phone Number:

Email Address:

### **State Planning Agency Director Name:**

Title:

Mailing Address:

Phone Number:

Email Address:

### **State Advisory Group Chair Name:**

Title:

Mailing Address:

Phone Number:

Email Address:

### **JABG Coordinator Name:**

Title:

Mailing Address:

Phone Number:

Email Address:

### **Compliance Monitor Name:**

Title:

Mailing Address:

Phone Number:

Email Address:

### **DMC Coordinator Name:**

Title:

Mailing Address:

Phone Number:

Email Address:

### **Fiscal Point of Contact:**

Title:

Mailing Address:

Phone Number:

Email Address:



**Appendix K: Training Certification**

*NOTE: Applicant is to complete all fillable fields with relevant information, certify below and submit the certified form to OJJDP’s online compliance reporting tool no later than April 2, 2018.*

**CERTIFICATION REGARDING STATE POLICY REQUIRING TRAINING AND CERTIFICATION TO WORK WITH JUVENILES**

On behalf of the applicant, the [redacted], and in support of [redacted]'s application for a Title II, Part B formula grant under the Juvenile Justice and Delinquency Prevention Act, I certify under penalty of perjury to the U.S. Department of Justice (“Department”), Office of Justice Programs (“OJP”), Office of Juvenile Justice and Delinquency Prevention, that all of the following are true and correct:

- (1) I have the authority to make the following representations on behalf of myself and the applicant. I understand that these representations will be relied upon as material in any OJP decision to make an award to the applicant based on its application.
- (2) The State of [redacted] has in effect a policy that requires individuals who work with juveniles<sup>11</sup> and adult inmates<sup>12</sup> to have training and certification to work with juveniles.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. § 10272), and also may subject me and the applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by the Department, including by OJP and by the Department’s Office of the Inspector General.

\_\_\_\_\_  
Signature of Certifying Official (Head of Designated State Agency or Management Official Designee)

\_\_\_\_\_  
Printed Name of Certifying Official

\_\_\_\_\_  
Title of Certifying Official

\_\_\_\_\_  
Name of State or Jurisdiction and Name of Designated State Agency

\_\_\_\_\_  
Date

<sup>11</sup> “Juveniles” refers to those individuals accused of or adjudicated for a delinquent offense, charged with or adjudicated for a status offense, or “nonoffenders” who meet the requirements of 34 U.S.C. § 11133(a)(11)(B).

<sup>12</sup> “Adult inmate” is defined at 34 U.S.C. § 11103(26).

## Appendix L: Compliance Monitoring Data Certification

*NOTE: Applicant is to complete all fillable fields with relevant information, certify on page 2, and submit the certified form to OJJDP's online compliance reporting tool no later than April 2, 2018.*

### CERTIFICATION OF COMPLIANCE MONITORING DATA

On behalf of the applicant, the \_\_\_\_\_, and in support of its application for a Title II, Part B formula grant under the Juvenile Justice and Delinquency Prevention Act, I certify under penalty of perjury to the U.S. Department of Justice ("Department"), Office of Justice Programs ("OJP"), Office of Juvenile Justice and Delinquency Prevention ("OJJDP") that all of the following are true and correct:

- (1) I have the authority to make the following representations on behalf of myself and the applicant. I understand that these representations will be relied upon as material in any OJP decision to make an award to the Applicant based on its application.
- (2) To the best of my knowledge and belief:
  - a. The data and information in the compliance monitoring report that \_\_\_\_\_ submitted to the OJJDP online compliance tool on \_\_\_\_\_ covers the 12-month reporting period from October 1, 20\_\_ to September 30, 20\_\_; and
  - b. The data and information in the report are true, accurate, and complete.

I acknowledge that failure to submit this completed form with all required compliance information to the OJJDP online compliance tool, signed by the appropriate certifying official, by April 2, 2018 (or by May 2, 2018 if the state is granted an extension by the OJJDP Administrator), will result in the state's ineligibility for FY 18 formula grant funding.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. § 10272), and also may subject me and the applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that OJP awards, including certifications provided in connection with such awards, are subject to review by the Department, including by OJP and by the Department's Office of the Inspector General.

See page 2 for Certification:

-- Continued --

\_\_\_\_\_  
Signature of Certifying Official (Designated State Agency Head  
or Management Official Designee)

\_\_\_\_\_  
Printed Name of Certifying Official

\_\_\_\_\_  
Title of Certifying Official

\_\_\_\_\_  
Name of State/Jurisdiction

\_\_\_\_\_  
Name of Designated State Agency

\_\_\_\_\_  
Date

## Appendix M: Compliance Plans and Resources Certification

*NOTE: Applicant is to complete all fillable fields with relevant information, certify on page 2, and submit the certified form to OJJDP's online compliance reporting tool no later than April 2, 2018.*

### U.S. DEPARTMENT OF JUSTICE OFFICE OF JUSTICE PROGRAMS

#### CERTIFICATION OF ADEQUATE PLANS AND RESOURCES TO MAINTAIN COMPLIANCE WITH CORE REQUIREMENTS OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT FORMULA GRANT PROGRAM PURSUANT TO 28 C.F.R. § 31.303

On behalf of the applicant, the \_\_\_\_\_, and in support of this application for a Title II, Part B formula grant under the Juvenile Justice and Delinquency Prevention Act, I certify under penalty of perjury to the U.S. Department of Justice ("Department"), Office of Justice Programs ("OJP"), Office of Juvenile Justice and Delinquency Prevention ("OJJDP") that all of the following are true and correct:

- (1) I have the authority to make the following representations on behalf of myself and the applicant. I understand that these representations will be relied upon as material in any OJP decision to make an award to the Applicant based on its application.
- (2) In a compliance determination dated \_\_\_\_\_, OJJDP found that for purposes of federal fiscal year (FY) 17 funding, \_\_\_\_\_ was in compliance with the following core requirement(s)<sup>13</sup> of the Title II, Part B Formula Grants Program, based on the state's compliance data covering the period October 1, 2015, to September 30, 2016:
  - \_\_\_\_\_ Deinstitutionalization of status offenders (34 U.S.C. § 11133(a) (11))
  - \_\_\_\_\_ Separation of juveniles from adult inmates (34 U.S.C. § 11133(a) (12))
  - \_\_\_\_\_ Removal of juveniles from adult jails and lockups (34 U.S.C. § 11133(a) (13))
- (3) Based on the above-referenced compliance determination, the State submits this certification in lieu of providing a full plan describing how the core requirement(s) identified above in paragraph (2) will be met, as permitted under 28 C.F.R. § 31.303.<sup>14</sup>
- (4) The \_\_\_\_\_ has in place an adequate plan and has adequate resources available for maintaining compliance with the core requirement(s) identified above in paragraph (2), in FY 2018.

-- Continued --

<sup>13</sup> States must satisfy 28 state plan requirements prescribed by the JJDP Act at 34 U.S.C. § 11133(a) to receive a Title II, Part B formula grant award. Within the 28 state plan requirements, there are four requirements that are deemed to be "core" because the state's annual formula grant allocation will be reduced by 20 percent for each core requirement with which the state is determined not to be in compliance. These core requirements are: deinstitutionalization of status offenders, separation of juveniles from adult inmates, removal of juveniles from adult jails and lockups, and addressing disproportionate minority contact. See 34 U.S.C. §§ 11133(a)(11), (12), (13), and (22).

<sup>14</sup> Although addressing disproportionate minority contact also is a core requirement of the Formula Grants Program (see footnote 1), 28 C.F.R. § 31.303 does not permit states in compliance with this requirement to provide an assurance in lieu of a full compliance plan that the state has the resources in place to maintain compliance.

Page 2/Appendix M: Compliance Plans and Resources Certification

I acknowledge that failure to submit either a full compliance plan or this completed form in lieu of such a plan, signed by the appropriate certifying official and describing how the state will meet the requirement(s), by April 2, 2018 (or by May 2, 2018, if the state is granted an extension by the OJJDP Administrator), will result in the state's ineligibility for FY 20 formula grant funding.

I acknowledge that a materially false, fictitious, or fraudulent statement (or concealment or omission of a material fact) in this certification, or in the application that it supports, may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. § 10272), and also may subject me and the applicant to civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. §§ 3729-3730 and 3801-3812). I also acknowledge that OJP grant awards, including certifications provided in connection with such awards, are subject to review by the Department, including by OJP and by the Department's Office of the Inspector General.

\_\_\_\_\_  
Signature of Certifying Official (Head of Designated State Agency  
or Management Official Designee)

\_\_\_\_\_  
Printed Name of Certifying Official

\_\_\_\_\_  
Title of Certifying Official

\_\_\_\_\_  
Name of State/Jurisdiction

\_\_\_\_\_  
Name of Designated State Agency

\_\_\_\_\_  
Date

## **Appendix N: Juvenile Problem/Needs Analysis Data Elements**

Examples of data elements to inform the development of an analysis of juvenile problems and needs include:

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

## Appendix O: Application Checklist

### OJJDP FY 2018 Title II Formula Grants Program

This application checklist has been created as an aid in developing an application.

#### What an Applicant Should Do:

##### *Prior to Registering in GMS:*

- \_\_\_\_\_ Acquire a DUNS Number (see page 25)
- \_\_\_\_\_ Acquire or renew registration with SAM (see page 25)

##### *To Register with GMS:*

- \_\_\_\_\_ For new users, acquire a GMS username and password\* (see page 26)
- \_\_\_\_\_ For existing users, check GMS username and password\* to ensure account access (see page 26)
- \_\_\_\_\_ Verify SAM registration in GMS (see page 26)
- \_\_\_\_\_ Search for and select correct funding opportunity in GMS (see page 26)

\_\_\_\_\_ Register by selecting the “Apply Online” button associated with the funding opportunity title (see page 26)

\_\_\_\_\_ Read OJP policy and guidance on conference approval, planning, and reporting available at [ojp.gov/financialguide/doj/PostawardRequirements/chapter3.10a.htm](http://ojp.gov/financialguide/doj/PostawardRequirements/chapter3.10a.htm)

(see page 9)

\_\_\_\_\_ If experiencing technical difficulties in GMS, contact Kathy Manning or Carol Neylan, Title II Formula Grants Program leads. Ms. Manning may be reached at 202–616–1722 or by email at [Kathryn.Manning@usdoj.gov](mailto:Kathryn.Manning@usdoj.gov) and Ms. Neylan may be reached at 202–307–6562 or by email at [Carol.Neylan@usdoj.gov](mailto:Carol.Neylan@usdoj.gov). (see page 26)

\*Password Reset Notice – GMS users are reminded that while password reset capabilities exist, this function is only associated with points of contact designated within GMS at the time the account was established. Neither OJP nor the GMS Help Desk will initiate a password reset unless requested by the authorized official or a designated point of contact associated with an award or application.

#### Overview of Post-Award Legal Requirements:

\_\_\_\_\_ Review the "[Overview of Legal Requirements Generally Applicable to OJP Grants and Cooperative Agreements - FY 2017 Awards](https://ojp.gov/funding/index.htm)" in the OJP Funding Resource Center at <https://ojp.gov/funding/index.htm>.

#### Scope Requirement:

\_\_\_\_\_ The federal amount requested is within the allowable limit(s). View [this web page](#) for state allocations.

#### Eligibility Requirement:

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

## What an Application Should Include:

- \_\_\_\_\_ Application for Federal Assistance (SF-424) (see page 10)
  - \_\_\_\_\_ Intergovernmental Review (see page 11)
  - \_\_\_\_\_ Project Abstract (see page 11)
  - \_\_\_\_\_ Program Narrative (see page 11)
    - \_\_\_\_\_ Description of the issue
      - \_\_\_\_\_ System description: Structure and function of the justice system
      - \_\_\_\_\_ Juvenile delinquency (youth crime) analysis
      - \_\_\_\_\_ Goals and objectives
      - \_\_\_\_\_ Implementation (activities and services)
        - \_\_\_\_\_ Formula Grants Program staff
  - \_\_\_\_\_ Additional Requirements
    - \_\_\_\_\_ Performance measures (see page 14)
  - \_\_\_\_\_ Budget and Associated Documentation:
    - \_\_\_\_\_ Budget Detail Worksheet (see page 17)
      - \_\_\_\_\_ Planning and administration funds and match requirement
      - \_\_\_\_\_ SAG allocation
      - \_\_\_\_\_ State allocations for program areas
      - \_\_\_\_\_ American Indian tribal subawards
      - \_\_\_\_\_ Information on proposed subawards
  - \_\_\_\_\_ Budget Narrative (see page 17)
  - \_\_\_\_\_ Information on Proposed Subawards and Proposed Procurement Contracts (see page 17)
  - \_\_\_\_\_ Preagreement Costs (see page 20)
  - \_\_\_\_\_ Indirect Cost Rate Agreement (if applicable) (see page 20)
  - \_\_\_\_\_ Financial Management and System of Internal Controls Questionnaire (see page 20)
  - \_\_\_\_\_ Disclosure of Lobbying Activities (SF-LLL) (see page 21)
- Additional Attachments (see page 21)
- \_\_\_\_\_ Applicant Disclosure of Pending Applications
  - \_\_\_\_\_ Research and Evaluation Independence and Integrity
- \_\_\_\_\_ Appendix A: Performance Measures Table
  - \_\_\_\_\_ Appendix B: Formula Grants Program Areas—Budget and Project Identifier Summary Descriptions
  - \_\_\_\_\_ Appendix C: Waiver Requirements for Pass-Through (Subawards)
  - \_\_\_\_\_ Appendix D: Instructions To Complete the SAG Membership Table (With Sample Roster)
  - \_\_\_\_\_ Appendix E: Rural Removal Exception Certification Form
  - \_\_\_\_\_ Appendix F: Appendix F: Sample Budget Detail Worksheet
  - \_\_\_\_\_ Appendix G: Compliance and DMC Plans
  - \_\_\_\_\_ Appendix H: Sample Relative Rate Index Analysis and Tracking Sheet
  - \_\_\_\_\_ Appendix I: Compliance With the JJDP Act Formula Grants Program State Plan Requirements
  - \_\_\_\_\_ Appendix J: Contact Information for States and Territories
  - \_\_\_\_\_ Appendix K: Training Certification
  - \_\_\_\_\_ Appendix L: Compliance Monitoring Data Certification
  - \_\_\_\_\_ Appendix M: Compliance Plans and Resources Certification
  - \_\_\_\_\_ Appendix N: Juvenile Problem/Needs Analysis Data Elements