



## Department of Juvenile Justice

<b>Guidance Document VOL.I-1.5-02</b>	<b>Statutory Authority:</b> Title 66 of the <u>Code of Virginia</u>
<b>Subject: Self-Audits of Programs and Facilities Subject to Certification Audits</b>	<b>Regulations:</b> 6VAC35-20-61
	<b>ACA #:</b> 4-JCF-6A-09

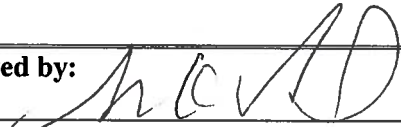
This Guidance Document is intended to provide the field with additional guidance and information on the self-audit process.

1. Juvenile facilities not scheduled for certification audit in 2014 shall conduct an audit prior to December 31, 2014.
2. The self-audit checklists are on the Department of Juvenile Justice's website.
3. Programs and facilities are **not** required to use the self-audit checklist but are strongly encouraged to use the checklist.
4. Program and facility administrators determine the size of the self-audit team and the duration of the self-audit.
5. Self-audits may be conducted over a period of days, weeks, or months.
6. The Certification Team randomly selects approximately 10% of the files or reviewable documents up to 15 and no fewer than five when conducting audits.
7. Program and facility administrators determine the number of files and which files will be audited.
8. A critical regulatory requirement may or may not be a health, welfare, safety violation.
  - a. Critical regulatory requirements are those regulatory requirements for programs or facilities, as defined by the Board that must be maintained at 100% compliance. Critical regulatory requirements were previously termed "mandatory standards"
  - b. Health, welfare, or safety violations are any action or omission that causes an immediate and substantial threat to the health, welfare, or safety of the juveniles or staff in juvenile residential facilities.
  - c. Example: All three residential regulations (6VAC35-41-430, 6VAC35-71-380, and 6VAC35-101-450) identify disposal of garbage and waste as a critical regulatory requirement. The regulations requires provisions be made for the collection and legal disposal of all garbage and waste materials.
    - i. A facility allowing trash service to lapse for a two week period with no provision to transport trash to the local dump is a critical violation but two weeks without trash service does not rise to the level of a health, welfare or safety violation.
    - ii. A facility allowing trash service to lapse for three months causing a rodent

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infestation is critical violation and a health, welfare and safety violation.

- 9. Non-compliance identified in a self-audit may or may not be grounds for the Certification Team to find a facility in non-compliance.
  - a. If the sample used by the Certification Team does not capture the same sample as the self-audit there would be no certification finding of non-compliance.
  - b. Non-compliance identified in a self-audit with documentation of the implementation of a corrective action plan will be noted in the certification audit as appropriate.
  - c. Per 6VAC35-20-100 (E) (1) the director may consider any aggravating and mitigating circumstances affecting the facts resulting in any finding of noncompliance.
- 10. Contact Information:
  - a. Certification Manager: Kenneth Bailey [Kenneth.e.bailey@djj.virginia.gov](mailto:Kenneth.e.bailey@djj.virginia.gov)
  - b. Deputy Director of Operations: Ralph Thomas [Ralph.Thomas@djj.virginia.gov](mailto:Ralph.Thomas@djj.virginia.gov)
  - c. Community Programs Manager: Angela Valentine [Angela.Valentine@djj.virginia.gov](mailto:Angela.Valentine@djj.virginia.gov)
  - d. Director of Policy and Planning Deron Phipps [Deron.Phipps@djj.virginia.gov](mailto:Deron.Phipps@djj.virginia.gov)

<b>Approved by:</b> 	<b>Date:</b> 6/5/14
<b>Effective Date:</b>	<b>Office of Primary Responsibility:</b> Certification Unit
<b>Supersedes:</b> N/A	<b>Forms:</b> N/A