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COMMONWEALTH of VIRGINIA
Board of Juvenile Justice

BOARD AGENDA

August 18, 2025

Virginia Public Safety Training Center – Smyth Hall – Room 401

9:30 a.m. Board Meeting

- 1. Call To Order and Introductions**
- 2. Board Elections and Review of By-Laws (Pages 3-11)**
James Towey, Legislative & Regulatory Affairs Manager
- 3. Public Comment**
- 4. Consideration of the March 31, 2025, Board Minutes (Pages 12-43)**
- 5. New Business**
 - I. Consideration of the Virginia Juvenile Community Crime Control Act Plans (Pages 44-57)**
Katherine Farmer, VJCCCA Supervisor, Department of Juvenile Justice
 - II. Consideration of proposed amendments to the Regulation Governing Juvenile Correctional Centers (Pages 58-78)**
Kristen Peterson, Regulatory Affairs Coordinator, Department of Juvenile Justice
 - III. Consideration of proposed changes to the Regulation for Nonresidential Services (Pages 79-82)**
Kristen Peterson, Regulatory Affairs Coordinator, Department of Juvenile Justice
 - IV. Consideration of proposed amendments to the Court Service Unit Compliance Manual (Pages 83-197)**
Kristen Peterson, Regulatory Affairs Coordinator, Department of Juvenile Justice
 - V. Consideration of proposed amendments to the Virginia Juvenile Justice Information System (VJJIS) Regulation in the NOIRA stage (Pages 198-203)**
Kristen Peterson, Regulatory Affairs Coordinator, Department of Juvenile Justice

VI. Consideration of Board Policies (Pages 204-212)

Ken Davis, Regulatory Affairs Coordinator, Department of Juvenile Justice

**6. Director's Certification Actions: March 21, 2025, April 30, 2025, and July 8, 2025
(Pages 213-271)**

Ken Bailey, Certification Manager, Department of Juvenile Justice

7. Director Remarks and Board Comments

8. Next Meeting: October 27, Virginia Public Safety Training Center, Knox Hall at 9:30 a.m.

9. Adjournment



COMMONWEALTH of VIRGINIA

Board of Juvenile Justice

§ 5.01. Officers Elected from the Board.

The Officers of the Board elected from its membership shall be the Chairperson, Vice-chairperson and Secretary, who shall each be elected by the Board at its first regular meeting of the fiscal year. Officers shall serve for a term of one year and shall be eligible for re-election. Should an Officer vacancy occur, the vacancy may be filled at the next meeting of the Board, unless such vacancy occurs within 10 days of the next meeting, in which case it may be filled at the subsequent meeting.

§ 5.02. Chairperson.

The Chairperson shall be the presiding officer of the Board at its meetings. Upon request of the Board, the Chairperson shall act as its spokesperson or representative and shall perform such additional duties as may be imposed on that position by an Act of the General Assembly or by direction of the Board. The Chairperson shall be an ex-officio member of all Committees of the Board.

§ 5.03. Vice-chairperson.

In the absence of the Chairperson at any meeting or in the event of disability or of a vacancy in the office, all the powers and duties of the Chairperson shall be vested in the Vice-chairperson. The Vice-chairperson shall also perform such other duties as may be imposed by the Board or the Chairperson.

§ 5.04. Secretary.

The Secretary shall (1) review and recommend improvements to Board meeting procedures and other relevant Board business so as to facilitate the administrative efficiency of the Board; (2) ensure the development of appropriate resolutions, etc., which are needed by the Board from time to time; (3) serve as the Board's parliamentarian; (4) work closely with the Department staff who are assigned to provide administrative assistance to the Board to review and sign minutes and policy documents, etc.; and (5) to ensure that unique or non-routine materials and equipment are available for the Board to carry out its functions. In the event that both the Chairperson and Vice-chairperson are absent at any meeting, the Secretary shall preside over the meeting.

STATE BOARD OF JUVENILE JUSTICE

BY-LAWS

Revised July 31, 2024

Article 1.

§ 1.01. Establishment and Composition.

The State Board of Juvenile Justice (the “Board”) is established by § 66-4 of the Code of Virginia. The Board consists of nine members appointed by the Governor and confirmed by the General Assembly if in session and, if not, at its next succeeding session. Two of the nine members shall be experienced educators.

Article 2.

§ 2.01. Term of Office.

In accordance with § 66-5 of the Code of Virginia, the term of office of Board members shall be for four years, except that appointments to fill vacancies shall be for the remainder of the unexpired terms. No person shall be eligible to serve more than two successive four-year terms, except that a person appointed to fill a vacancy may be eligible for two additional, successive four-year terms after the term of the vacancy for which the person was appointed has expired.

§ 2.02. Orientation.

In accordance with § 2.2-3702 of the Code of Virginia, within two weeks of their appointment or re-appointment, members of the Board shall (i) be furnished by the Board's administrator or legal counsel with a copy of the Virginia Freedom of Information Act (§ 2.2-3700 et seq.), and (ii) read and become familiar with the provisions of that Act.

§ 2.03. Meetings.

Section 66-8 of the Code of Virginia requires that the Board meet at least four times each calendar year. The Board shall meet as follows:

- (a) Regular Meetings - Meet once during each calendar quarter at such times and places as it deems appropriate.
- (b) Special Meetings - Special meetings of the Board may be called by the Chairperson or, if the Chairperson is absent or disabled, by the Vice chairperson or by any four members of the Board at such dates, times and places as may be specified in the call for the meeting.

§ 2.04. Notice.

At least five days' notice in writing shall be given to a Board member of the date, time, and place of all meetings. In accordance with § 2.2-3707 of the Code of Virginia, notice including the time, date and place of each meeting shall be furnished to any citizen of the Commonwealth who requests such information. Notices for meetings shall state whether or not public comment will be received at the meeting, and, if so, the approximate points during the meeting public comment will be received. Any requests to be notified of Board meetings on a continual basis shall be made at least once a year, in writing and shall include the requester's name, address, zip code, daytime telephone number, email address (if available) and organization, if applicable. Notice to any citizen of the Commonwealth who requests such information, reasonable under the circumstance, of special or emergency meetings shall be given contemporaneously with the notice provided Board members.

§ 2.05. Board Materials.

With the exception of any materials that are exempt from public disclosure pursuant to § 2.2-3705 of the Code of Virginia, at least one copy of all agenda packets and materials furnished to Board members for a meeting shall be made available for inspection by the public at the same time such documents are furnished to the members of the Board.

§ 2.06. Cancellation or Rescheduling of Meetings.

The Chairperson may, with the concurrence of a majority of the Board, cancel or postpone a meeting. The Director of the Department of Juvenile Justice (the "Director") shall ensure that proper and immediate public notice is given. In an emergency, the Chairperson is authorized to cancel, significantly alter, or postpone the meeting time.

§ 2.07. Quorum.

In accordance with § 66-9 of the Code of Virginia, a majority of the current membership of the Board shall constitute a quorum for all purposes.

§ 2.08. Attendance.

Participation is essential to the fulfillment of the function of membership. The absence of any member impedes the business of the Board and deprives the Department of Juvenile Justice (the "Department") of the overall policy direction this Board is responsible for providing. Should any member miss three consecutive regular meetings, or a total of five or more regular meetings during a calendar year, the Chairperson, following consultation with the member, is authorized to advise the appropriate Executive Branch official(s). In accordance with § 66-5 of the Code of Virginia, members of the Board may be suspended or removed by the Governor at his pleasure.

§ 2.09. Conduct of Business

The Board actively encourages and welcomes public participation in all its public deliberations. All meetings of the Board, including meetings and work sessions during which no votes are cast or any decisions made, shall be public meetings, and shall be conducted in accordance with § 2.2-3707 of the Code of Virginia. Votes shall not be

taken by written or secret ballot in an open meeting, and minutes shall be recorded at all public meetings. All meetings shall be conducted in accordance with the principles of procedures prescribed in Roberts' Rules of Order.

Article 3. Powers and Duties.

§ 3.01. General Powers and Duties.

Section 66-10 of the Code of Virginia gives the Board the following general powers and duties:

- a) To establish and monitor policies for programs and facilities for which the Department is responsible by law;
- b) To ensure the development of a long-range youth services policy;
- c) To monitor the activities of the Department and its effectiveness in implementing the policies of the Board;
- d) To advise the Governor and Director on matters relating to youth services;
- e) To promulgate such regulations as may be necessary to carry out the provisions of Title 66 of the Code of Virginia and other laws of the Commonwealth;
- f) To ensure the development of programs to educate citizens and elicit public support for the activities of the Department;
- g) To establish length-of-stay guidelines for juveniles indeterminately committed to the Department and to make such guidelines available for public comment;
- h) To adopt all necessary regulations for the management and operation of the schools in the Department, provided that any such regulations do not conflict with regulations relating to security of the institutions in which the juveniles are committed; and
- i) To establish compulsory minimum entry-level, in-service, and advanced training standards, as well as the time required for completion of such training, for persons employed as juvenile correctional officers employed at a juvenile correctional facility as defined in § 66-25.3. For juvenile correctional officers who may have contact with pregnant residents, such standards shall include training on the general care of pregnant women, the impact of restraints on pregnant residents and fetuses, the impact of being placed in restrictive housing or solitary confinement on pregnant residents, and the impact of body cavity searches on pregnant residents.

§ 3.02. Additional Specific Powers and Duties.

Various sections of the Code of Virginia give the Board additional specific powers and duties, both mandatory and discretionary. Such sections of the Code of Virginia include, but are not limited to, the following:

- a) Section 2.2-4007.02 of the Code of Virginia requires the Board to promulgate regulations for public participation in the formation and development of regulations.

- b) Section 16.1-223 of the Code of Virginia requires the Board to promulgate regulations governing the security and confidentiality of data in the Virginia Juvenile Justice Information System.
- c) Section 16.1-233 of the Code of Virginia requires the Board to establish minimum standards for court service unit staff and related supportive personnel and to promulgate regulations pertaining to their appointment and functions to the end that uniform services, insofar as is practical, will be available to juvenile and domestic relations district courts throughout the Commonwealth.
- d) Section 16.1-284.1 of the Code of Virginia requires the standards established by the Board for secure juvenile detention centers to require separate services for the rehabilitation of juveniles placed in post-dispositional detention programs for greater than 30 calendar days.
- e) Section 16.1-293.1 of the Code of Virginia requires the Board to promulgate regulations for the planning and provision of mental health, substance abuse, or other therapeutic treatment services for persons returning to the community following commitment to a juvenile correctional center or post-dispositional detention program.
- f) Section 16.1-309.3 of the Code of Virginia authorizes the Board to approve local plans for the development, implementation, and operation of a community-based system of services under the Virginia Juvenile Community Crime Control Act (Article 12.1 of Title 16.1 of the Code of Virginia). This section also requires the Board to solicit written comments on the plan from the judge or judges of the juvenile and domestic relations court, the director of the court service unit, and if applicable, the director of programs established under the Delinquency Preventions and Youth Development Act (Chapter 3 of Title 66 of the Code of Virginia).
- g) Section 16.1-309.5 of the Code of Virginia requires the Board to promulgate regulations to serve as guidelines in evaluating requests for reimbursement of one-half the cost of construction, enlargement, renovation, purchase, or rental of a secure juvenile detention center or other home and to ensure the geographically equitable distribution of state funds provided for such purpose.
- h) Section 16.1-309.9 of the Code of Virginia requires the following:
 - a. The Board to develop, promulgate, and approve standards for the development, implementation, operation, and evaluation of a range of community-based programs, services, and facilities authorized by the Virginia Juvenile Community Crime Control Act (Article 12.1 of Title 16.1 of the Code of Virginia)
 - b. The Board to approve minimum standards for the construction and equipment of secure juvenile detention centers or other facilities and for the provision of food, clothing, medical attention, and supervision of juveniles to be housed in these facilities and programs.
- i) Section 16.1-309.10 of the Code of Virginia authorizes the Board to visit, inspect, and regulate any secure juvenile detention center, group home, or the residential care facility for children in need of services, delinquent, or alleged delinquent that is established by a city, county, or any combination thereof.

- j) Section 16.1-322.5 of the Code of Virginia requires the Board to approve those localities creating a Commission for the purpose of financing and constructing a regional detention or group home. This section also requires the Board to approve contracts for construction of such facilities.
- k) Section 16.1-322.7 of the Code of Virginia requires the Board to make, adopt, and promulgate regulations governing specific aspects of the private management and operation of local or regional secure juvenile detention centers or other secure facilities.
- l) Section 66-10.1 of the Code of Virginia requires the Board to promulgate regulations to effectuate the purposes of Chapter 5.1 (§32.1-162.16 et seq.) of Title 32.1 of the Code of Virginia governing any human research conducted or authorized by the Department.
- m) Section 66-10.2 of the Code of Virginia requires the Board to promulgate regulations governing the housing of youth who are detained in a juvenile correctional facility pursuant to a contract with the federal government and not committed to such juvenile correctional facility by a court of the Commonwealth.
- n) Section 66-23 authorizes the Board to promulgate regulations to govern the process by which superintendents of juvenile correctional centers consent to residents applying for driver's licenses and issue employment certificates;
- o) Section 66-24 of the Code of Virginia requires the Board to promulgate regulations for the certification of community group homes or other residential care facilities that contract with or are rented for the care of juveniles in direct state care.
- p) Section 66-25.1 of the Code of Virginia requires the Board to promulgate regulations governing the form and review process for any agreement with a public or private entity for the operation of a work program for juveniles committed to the Department.
- q) Section 66-25.6 of the Code of Virginia requires the Board to promulgate regulations governing the private management and operation of juvenile correctional facilities.
- r) Section 66-28 of the Code of Virginia requires the Board to prescribe policies governing applications for grants pursuant to the Delinquency Prevention and Youth Development Act (Chapter 3 of Title 66 of the Code of Virginia) and standards for the operation of programs developed and implemented under the grants.

Article 4. Committees.

§ 4.01. Special or Ad Hoc Committees

Special or Ad Hoc Committees may be constituted at any time by action of the Board or the Chairperson. At the time a Special Committee is created, its mission shall be specifically established by action of the Board or by the Chairperson. In creating such Special Committees, the Chairperson shall specify the time within which the Committee is to make its report to the Board

§ 4.04. Other Appointments.

The Chairperson may designate members of the Board from time to time to serve on various task forces, advisory councils, and other committees and to serve as liaison with Department functions and state organizations or associations.

Article 5.
Officers.

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§ 5.03. Vice-chairperson.

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§ 5.04. Secretary.

The Secretary shall (1) review and recommend improvements to Board meeting procedures and other relevant Board business so as to facilitate the administrative efficiency of the Board; (2) ensure the development of appropriate resolutions, etc., which are needed by the Board from time to time; (3) serve as the Board's parliamentarian; (4) work closely with the Department staff who are assigned to provide administrative assistance to the Board to review and sign minutes and policy documents, etc.; and (5) to ensure that unique or non-routine materials and equipment are available for the Board to carry out its functions. In the event that both the Chairperson and Vice-chairperson are absent at any meeting, the Secretary shall preside over the meeting.

§5.05. Order of Succession in Absence of Officers

In the event that the Chairperson, Vice-chairperson, and Secretary all are absent from a meeting, the Board member in attendance with the longest tenure on the Board shall be authorized to preside over the meeting. In the event that two or more such members in

attendance have served identical terms, the Director shall be authorized to designate one of the two Board members to preside over the meeting.

Article 6.

Department of Juvenile Justice.

§ 6.01. Director.

§ 66-1 of the Code of Virginia establishes the Department of Juvenile Justice under the immediate supervision of a Director who is appointed by the Governor, subject to confirmation by the General Assembly. In accordance with § 66-2 of the Code of Virginia, the Director is responsible for supervising the Department and for exercising such other powers and performing such other duties as may be provided by law or as may be required of the Director by the Governor and the Secretary of Public Safety. The Director shall implement such standards and goals of the Board as formulated for local and community programs and facilities. In accordance with § 16.1-234 of the Code of Virginia, it shall be the duty of the Department to ensure that minimum standards established by the Board for court service and other state-operated programs are adhered to.

§ 6.02. Relationship of the Board and Department.

In keeping with the powers and duties imposed upon the Board and upon the Director by law, the Board shall regularly meet with the Director in order that the responsibilities of each are carried out efficiently and cooperatively. The Board shall periodically assess its needs for administrative assistance and how well those needs are being met, and shall so advise the Director. In accordance with § 16.1-309.4 of the Code of Virginia, the Department shall submit to the Board on or before July 1 of odd-numbered years, a statewide plan for the establishment and maintenance of a range of institutional and community-based, diversion, predispositional and postdispositional services to be reasonably accessible to each court. The Department shall establish procedures to ensure (i) the superior quality and timeliness of materials submitted to the Board and (ii) that the Board is informed as early as possible of individuals attending Board meetings.

§ 6.03. Administrative Assistance.

The Department shall provide staff assistance to the Board in carrying out its administrative duties.

Article 7.

Amendments and Procedural Irregularities.

§ 7.01. Annual Review.

The Board shall review the By-Laws annually to ensure compliance with any amendments that may have been made to applicable sections of the Code of Virginia.

§ 7.02. Amendments.

The By-Laws may be amended at any regular or special meeting of the Board by an affirmative vote of the majority of the Board, provided that the proposed amendment was included in the notice of the meeting.

§ 7.03. Procedural Irregularities.

Failure to observe procedural provisions of the By-Laws does not affect the validity of Board actions.

§ 7.04. Effective Date.

The foregoing By-Laws are adopted by the Board and are effective as amended, June 31, 2024.

Robert Vilchez, Chair
Scott Kizner, Vice Chair
Synethia White, Secretary
Lisa Cason
Eric English
William Johnson
David Mick
Laura F. O'Quinn



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COMMONWEALTH *of* VIRGINIA

Board of Juvenile Justice

DRAFT BOARD MINUTES

March 31, 2025

Virginia Public Safety Training Center

Board Members Present: Lisa Cason (remote participant), Eric English, William (Will) Johnson, Scott Kizner, David Mick, Robert (Tito) Vilchez, and Synethia White

Board Members Absent: Laura O'Quinn

Department of Juvenile Justice (Department) Staff: Frank Battle, Ken Davis, Michael Favale, Wendy Hoffman, Hamlet Hood, Jerri Jackson, Nikia Jones, Melodie Martin, Andrea McMahon, Ashaki McNeil, Linda McWilliams, Leah Nelson, Brian Russell, Cassandra Sheehan (Attorney General's Office), James Towey, and Deana Williams

Guests (Signed the Attendance List): Amber Banks, Jameka Jackson, Tyler Layne, Pamela Little-Hill, Keyris Manzanares, Enza Mercy, and Valerie Slater

CALL TO ORDER AND INTRODUCTIONS

Chairperson Tito Vilchez called the meeting to order at 9:31 a.m. and asked for introductions.

CONSIDERATION OF REMOTE PARTICIPATION

On motion duly made by Synethia White and seconded by Eric English, the Board of Juvenile Justice approved (1) the Chair's decision to approve the request of Board Member Lisa Cason to participate from a remote location on the grounds that her principal residence location is more than 60 miles from the meeting location, and (2) affirmed that her voice could be heard by all persons at the primary meeting location. All Board members present declared "aye," and the motion carried.

PUBLIC COMMENT

Valerie Slater from RISE for Youth provided public comment; her printed comments are attached to the meeting minutes.

CONSIDERATION OF BOARD MINUTES

The minutes of November 1, 2024, and December 6, 2024, Board meetings were offered for approval. On motion duly made by Will Johnson and seconded by Eric English, the Board approved the minutes as presented. All Board members present declared "aye," and the motion carried.

NEW BUSINESS

Consideration of the City of Chesapeake Needs Assessment

Ken Davis, Regulatory Coordinator, Department

Mr. Davis explained the process for the City of Chesapeake's request to move forward with their needs assessment on renovations to their Juvenile Detention Center (JDC). Mr. Davis introduced Leah Nelson from the Department's Quality Assurance Unit and Pamela Little-Hill and Jameka Jackson from the City of Chesapeake, who were present at the meeting to answer any questions.

Chapter 30, Regulation Governing State Reimbursement of Local Juvenile Residential Facility Costs, was created to fulfill the requirements of §§ 16.1-309.5 and 16.1-309.9 of the Code of Virginia pertaining to the construction, enlargement, purchase, or renovation of juvenile detention centers and other facilities, and state reimbursement for those projects. The regulation requires that any such project be subject to chapter 30 and all other applicable statutes, regulations, and guidance documents. Those guidance documents include, among others, The Step-By-Step Procedure for Approval and Reimbursement for Local Facility Construction, Enlargement, and Renovation.

While Chapter 30 does contain several enforceable provisions on the subject, it is the Step-By-Step Procedure that outlines the specific steps to be taken for localities and facilities to file for state reimbursement for these types of projects. The certification regulation, 6VAC35-20, also has a requirement that new construction, expansion, and renovations of all juvenile residential facilities, whether or not the facility or its sponsor is seeking reimbursement for construction or operation, shall conform to the governing provisions of the regulation governing state reimbursement. The Step-by-Step Procedure is incorporated by reference into Chapter 30 and contains the requirement the Department follows.

The Step-By-Step document sets out the procedure that localities and facilities must follow for construction and renovation projects including the needs assessment, planning study, preliminary design, and construction documents. There are also procedures for the confirmation of funding and the reimbursement itself. In addition, the Step-By-Step document contains all the required construction specifications, also known as the "guide specs". These detail specifications such as the kinds of masonry or fire suppression system to be used.

The first step of the process is the needs assessment. According to the Step-by-Step document, the needs assessment is an evaluation of trends and factors at the local or regional level which may affect current and future client needs and the assessment of local facilities and nonresidential programs available to meet such needs. The needs assessment starts with a letter to the Department briefly describing the unmet need, stating the governing body's intent to complete a needs assessment, identifying the locality's project manager, and requesting the Department's assistance with the project. The Department's detention specialist will then assist the locality in preparing the needs assessment present to the Board. Leah Nelson is filling the role as the Department's detention specialist because that role is currently vacant.

Board approval, and approval by the Office of the Secretary of Public Safety and Homeland Security, will authorize the locality to proceed to the planning study which is the overall description of the proposed project consisting of new construction, renovation of existing facilities, or both. The needs

assessment step is not the end; the Board will hear from the Chesapeake team several more times as they go through the process.

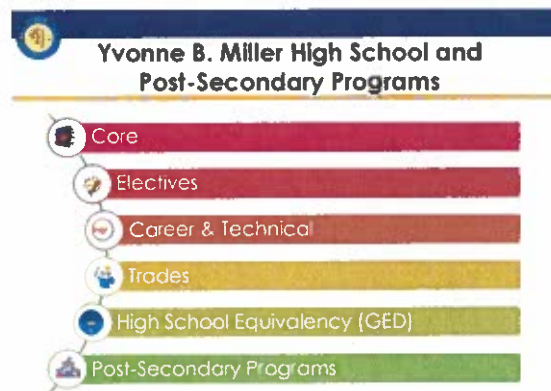
Leah Nelson concluded the presentation by noting that the first step of the Step-by-Step procedure was the submission of the letter by the City of Chesapeake which prompted the presentation to the Board at this meeting. The completed needs assessment for the Chesapeake JDC is on pages 42 – 136 of the Board packet. The City of Chesapeake would like the Board's consideration and approval of the needs assessment, in order to move forward with the next step in the process.

Chairperson Vilchez noted that the next step would be the planning study, and asked whether the Department would provide an update of the process at the next meeting. Ms. Nelson responded that the locality would develop their planning study and submit drafts to the Department's Quality Assurance and Capital Outlay Offices, and a synopsis of the planning study would then be provided to the Secretary of Public Safety and Homeland Security for review. The Department will have meetings with Chesapeake and determine whether to indicate acceptance. It will then come back to the Board.

On motion duly made by Tito Vilchez and seconded by David Mick, and pursuant to 6VAC35-30 (Regulation Governing State Reimbursement of Local Juvenile Residential Facility Costs), and in adherence to the Department of Juvenile Justice Step-By-Step Procedures for Approval and Reimbursement for Local Facility Construction, Enlargement, and Renovation, the Board of Juvenile Justice approved the Chesapeake Juvenile Services Needs Assessment to renovate the Chesapeake Juvenile Detention Center and authorized Chesapeake Juvenile Services to proceed to a Planning Study. All Board members present declared "aye," and the motion carried.

Education Program Update

Deana Williams, School Superintendent, Department



Yvonne B. Miller High School offers many of the same courses as a public high school and is monitored by the Virginia Department of Education (DOE). Our program does not offer any courses not approved by DOE.

Core subjects include:

- English classes, grades nine through 12.
- Math is offered from low to high level.

- The sciences offered are biology, environmental, and some chemistry classes.
- All the history classes are offered to include government and Virginia and US history.
- Electives include music, art, health, driver's education, or career technical classes. Currently offered are AD Design 1 and 2, as well as business and information technology classes.
- GED programs for students who wish to have that option.
- Trades classes have opened for both high school and postsecondary students, and there are enrichment classes such as music production. Barbering is a popular trades study where students can take the state board and earn a license. There is also a forklift simulator class where youth can be transported to Reynolds Community College and earn a forklift certification.
- College courses are offered, mainly in the areas of business and entrepreneurship. There are a couple of students enrolled in the online programs, and it is going well.

Instructional Model

Blended learning combines traditional face-to-face instruction with online activities and hands-on experiences, creating a flexible and personalized learning environment. This model also enhances accessibility, particularly for students who face scheduling or location challenges.

Through blended learning, teachers can focus on providing individualized support, fostering active learning, and improving retention. Combining these diverse formats not only enhances academic outcomes but also builds essential digital literacy skills, preparing students for future careers.

The Department's Division of Education (Education Program) currently uses the blended learning model.

Digital Learning Platforms



Virtual Virginia through Canvas:
Core Subjects & Electives

ICEV:
Career & Technical Education

NCCER (with VITA):
Trades

GED Academy:
GED®/High School Equivalency (HSE)

These platforms support the blended learning model. An online platform for every course is offered at Bon Air.

Virtual Virginia is used for all core subjects and electives. DOE has used Virtual Virginia for several years and has ensured all online curriculum is aligned with DOE standards.

iCEV is an online platform that offers every career and technical course designed.

NCCER is associated with VITA and has taken some time to become operational; meanwhile, there are textbooks and printed materials for those classes.

 Student Assessments and Educational Apps	
Assessments	Educational Apps
• ISAEP/GED® • SOL Testing (Fall and Spring) • ACT WorkKeys- substitute test for EOC Reading and Writing SOLs • WISE Financial Literacy testing	• Newsela (ELA, SS, SCI) • Gizmos (SCI, Math) • Everfi (financial literacy) • Lexia (ELA) • NoRedInk (Writing across curriculum)

The Education Program does have different educational apps used as tools in the classrooms.

- **Newsela** for English language arts, social studies, and science.
- **Gizmos** are virtual labs for science and math.
- **Everfi** are interactive lessons which prepare students for the WISE exam. This is used as a career and technical certification for graduation.
- **Lexia** is research proven computerized reading program that accelerates skills for students.
- **NoRedInk** improves students' writing and grammar skills.

Superintendent Williams provided the Board with copies of the Program of Studies which details the courses offered at Yvonne B. Miller High School.

Board member Kizner asked how long the school day is. Superintendent Williams responded 6.75 hours of instruction, including lunch. There may be some postsecondary education students that take a few courses, but normally most high school students are in school for a full day.

Board member White asked if this was for all facilities. Superintendent Williams replied the schedule is only for Bon Air.

Board member Mick asked about hiring teachers. Superintendent Williams noted that the hiring of teachers is the school's biggest challenge. The most difficult teacher hiring, currently, is for science because of the series of courses it takes to be endorsed.

Board member Johnson asked about the postsecondary course offerings. Superintendent Williams answered that the Education Program does have college courses, some enrichment courses such as music production and art, along with trade certifications for forklift, HVAC, carpentry, and plumbing. The Division of Education is in the process of hiring an electrical teacher. Board member Johnson followed up and asked whether the postsecondary courses were primarily career and technical. Superintendent Williams said yes, mostly career and technical and college.

Board member White asked what the options for online classes or courses are. Superintendent Williams replied that for the past several years, the Education Program has offered small business and entrepreneurship courses through Reynolds Community College, which consist of six courses before earning a career study certificate. The Division of Education is working to expand that degree. There are currently two students who have taken all courses offered at Bon Air and are now in the process of taking courses for an associate's degree.

Board member Johnson asked if those credit courses are college or high school credit towards graduation. Superintendent Williams said that those are specifically for the postsecondary students. The Education Program does not have dual enrollment.

Board member Kizner asked for a sense of the profile of the student that enters Bon Air. Superintendent Williams replied that, on average, students come to Bon Air already a few years behind. It might be that the school receives a student who is in eighth grade but is 16 years old. It is estimated that around 90% of our students read below their grade level. The Division of Education employs two reading specialist positions dedicated to the literacy program.

Board member Kizner asked, if a student is about to leave Bon Air, what is the transition like with the local school system? Superintendent Williams said the Division of Education has a reenrollment coordinator who works with the school team in the community to review all the student records and share information. Board member Kizner asked about the best estimate of percentage of students who graduate with a diploma. Superintendent Williams referred to the last slide in the packet, noting that Penn Foster is no longer used.

Board member Mick said that the reenrollment coordinator is the person who transitions the youth back to the local school, and the transition specialist helps the youth with employment. What is the difference between those two positions? Superintendent Williams responded that the transition specialist does exactly that; they do a series of tests and review the student file to help the youth, who is between high school and college, find employment. Board Member Mick asked how many students are in the Pathful Explore (Virginia Job Shadowing) program. Superintendent Williams said that is one of the kids' favorite programs and takes the student virtually to a job site. Board member Mick offered a "good job" to Superintendent Williams on doubling the graduation numbers for year's past.

Universal Screening Assessments

STAR Reading & Math • Administered In October & March or at the time of enrollment/exit. • Purpose is to help determine students' proficiency levels, identify gaps in knowledge, and guide interventions.	Home Language Survey • Administered at the beginning of the school year or at the time of enrollment. • Purpose is to determine if a student speaks a language other than English at home. If the answer is "yes," it signals that the student may need further assessment to determine their English language proficiency.	Gifted Academic Screener (Language and Math) • Completed at the beginning of each school year or semester, depending upon the school schedule. • Used to target potential gifted students. • Used in conjunction with other assessments and information prior to making a referral.
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The Education Program does a series of screening assessments that help identify youth very early on to see if they need more evaluation or court services.

Every couple of years the program does have one or two gifted students that come through.

Diagnostic Tests for the Literacy Program

Qualitative Reading Inventory (QRI) tests words in isolation and reading passages for comprehension
Core Phonics Survey tests phonics skills in decoding for real words and pseudo words
Words Their Way tests knowledge of phonics in encoding (spelling)

Diagnostic tests help identify reading gaps before instruction begins. For the literacy program, once the reading assessment screeners flag students who are low level, the student is pulled into the diagnostic assessment for literacy to make sure they qualify for the reading program but also to determine where to start them in the reading program.



Diagnostic Tests for EL Students

WIDA Screener

- Administered after home language survey and students are identified as speaking a language other than English.
- Purpose is to assess the English proficiency of students whose first language is not English and to determine eligibility for language support services.

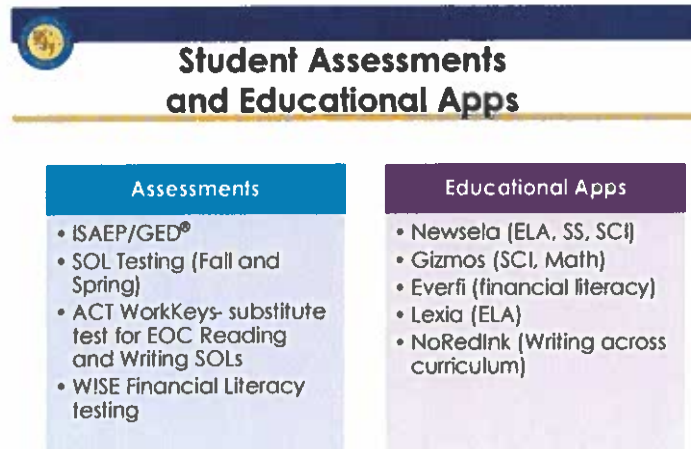
With the screeners and the diagnostic assessment, the Education Program is trying to take a tiered approach to identify students who need targeted interventions and supports.



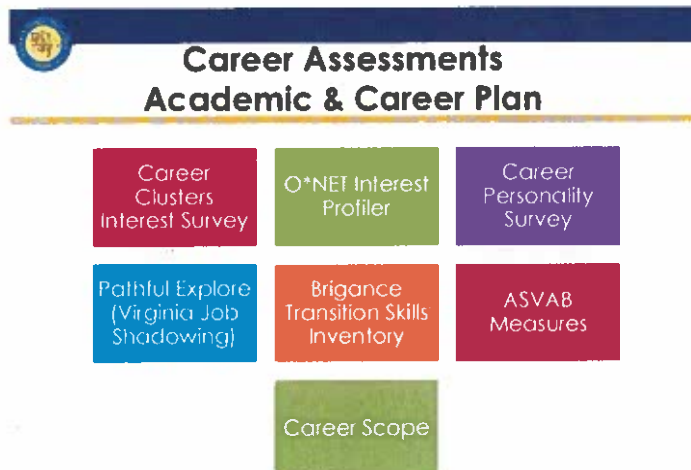
Growth Assessments

ACCESS Online for EL Students	Administered in February Annual test to monitor proficiency in English and decide whether a student still needs support
VDOE Growth Assessments for Reading & Math	Grades 6 - 8 Administered in the fall and winter To track how much a student has improved over time, helping educators identify areas where students need more support
Star Reading & Math	Grades 6-12 Administered in the fall and spring, or at the time of enrollment To track how much a student has improved over time, helping educators identify areas where students need more support

Growth Assessments are mandatory by DOE.



Superintendent Williams continued her presentation by describing the assessments.



This slide shows a series of career assessments. The Division of Education employs two transition specialists, who determine what test to provide the student based on their needs and what they want to do for a career.

Brigance is mainly for students with disabilities.

Career Scope is an interest aptitude test that is primarily for postsecondary students but has been extended to all students.

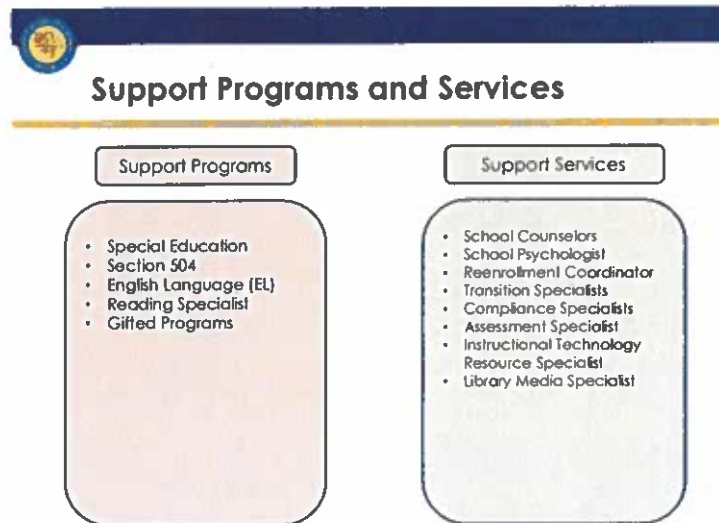
Board member Kizner asked, of the 25 students who received the standard diploma in the 2023-2024 school year, what percentage did that represent of all students who were eligible for a diploma? Superintendent Williams did not have those numbers, but noted that the Education Program does have students who transition out before graduation.

Board member Kizner asked about the barrier preventing dual enrollment. Superintendent Williams replied that there are no major barriers; it is no different than public schools across the nation. The Department is competing with other local school divisions to hire teachers quickly that have a master's or doctorate degree. The Department must be competitive with other divisions. Board member Kizner said he imagined teacher retention and hiring are a challenge statewide and must be a greater challenge for the Department. Superintendent Williams agreed, especially when local school divisions offer a higher salary bonus such as the City of Richmond who offer \$10,000. The Department did offer bonuses pre-pandemic.

Board member English asked about the language support. Superintendent Williams responded that currently there are six English learner (EL) students; usually the school has between four and six students, and the Division of Education does hire EL teachers. The schedule for EL teachers is designed for them to pull students from classes and offer them more individualized services and support. Although this is not mandated for our GED students, this support is still offered if they need it.

Referring to page 149 of the Board packet, Board member Mick asked whether in 2024 a total student count of 167 was not just seniors. Superintendent Williams said that was correct, it was a combined number at multiple grade levels. Board member Mick stated that in 2024, 42 students received their diplomas and 16 received their GED certificate. What happens now to the 42 youth that graduated? Superintendent Williams said as soon as a student earns a high school diploma or GED, the transition specialist will work with them. They will administer the Career Scope, review their SOL score, and review their academic career plan, which is a required plan through DOE. Board member Mick wanted to make sure that once the youth received their diploma or GED, they were not released. Superintendent Williams answered that those youth are kept engaged. Some students may not know what they want to do but are offered college courses and trades until they decide. Some youth may be exposed to careers they did not think were possible.

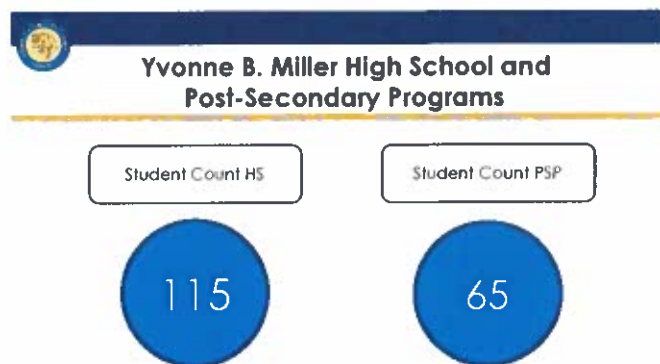
Board member Kizner asked if there was a 19- or 20-year-old student with a GED or diploma, do they still have six hours of school a day? Superintendent Williams responded they have a choice. The Education Program would encourage those youth to get involved in something even though they are undecided. They will plug those youth in right away to a postsecondary option. If they do not want to go to college or have not decided on a trade, the Education Program tries to expose them to other options, including enrichment courses to make sure these youth are not sitting on a unit. It is not mandatory for them; they can decide whether it is a full day.



Superintendent Williams explained that Compliance Specialists used to be part of the Special Education team but have had other programs added to their responsibilities, such as Section 504.

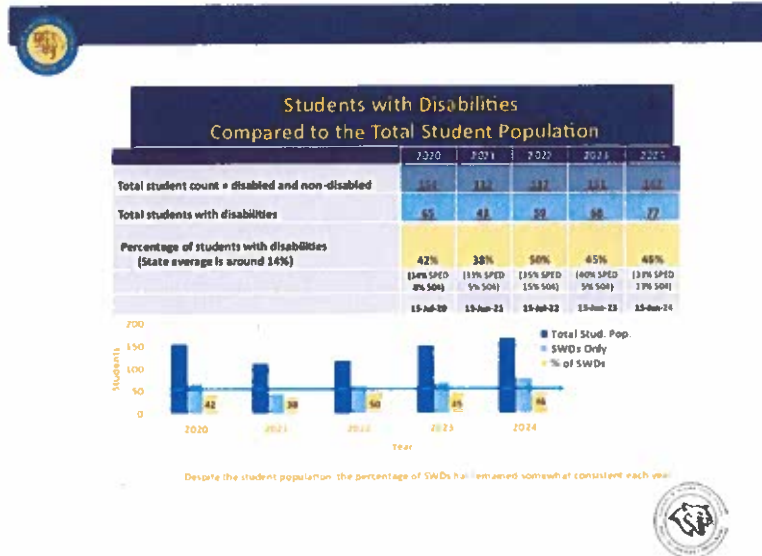
There is an Assessment Specialist that evaluates the student's performance through assessments.

An Instructional Technology Resource Specialist is designated to help teachers implement technology and apps and digital platforms in the classroom.

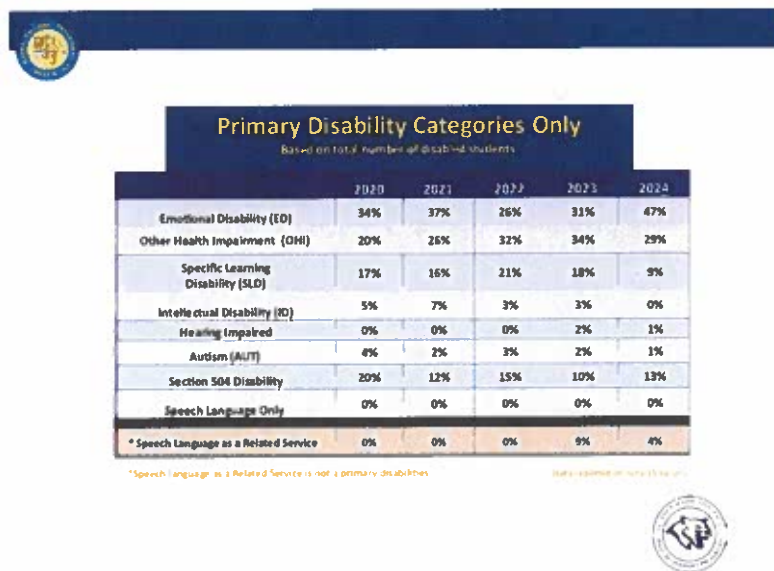


Data extracted from PowerSchool February 26, 2025

Superintendent Williams provided data on overall high school and postsecondary numbers.



This is longitudinal data. It shows that it has always been the case that 30-40% of students have disabilities, and this year it is 46%. This is notably higher than the state average which is around 14%. This important piece of data does suggest that specialized programs and resources are needed. It also helps guide the best instructional model for our students and which digital learning platforms are good for students with disabilities.



From 2020 to 2024, emotional disability was the highest category at 47%, which is a significant number. Out of the total student population, 46% of students have a disability, but out of the SPED population, 47% have an emotional disability, which is almost half of the students. Other Health Impairments (OHI) are the second highest at 29%. Historically, Intellectual Disability and Autism have been at lower percentages, but the school does currently have a couple of youth, and programs are designed specifically for them.

Board member Kizner asked if the parent participation was good with IEP meetings. Superintendent Williams responded that parent participation has been good, especially since there are more virtual options since the pandemic. More parents can participate virtually than in person. There are times when a parent is not able to provide signatures on IEP paperwork, but the Division of Education sets up tables during visitation to get the needed signatures. Board member Kizner asked if the Department employs a full-time school psychologist. Superintendent Williams replied yes, and she is amazing. This is such a hard position to fill; and Superintendent Williams noted that she had served in that position in schools in Richmond and Henrico.



YBMHS Three Year Graduation Rate

YVONNE B. MILLER HIGH SCHOOL COMPLETION			
	2021-2022	2022-2023	2023-2024
Advanced Studies Diploma	1	0	0
Standard Diploma	7	23	25
Applied Studies Diploma	2	1	1
Penn Foster High School Diploma	N/A	N/A	N/A
GED® Certificate	12	9	16
Total number of graduates	22	33	42





Data extracted: 7/8/24

Superintendent Williams concluded her presentation by noting that the Department has made great improvements, the strategies in place are working, and students are graduating.

Board member White asked how school is provided when movement is restricted in the facility. Superintendent Williams replied that education is converted over to the units, which is why the online learning platform is so important. Laptop carts are provided for every student in the unit so they can have access to a laptop to do their work online, and teachers are sent to support them in their unit, if needed. If there are students who are removed from the classroom due to behavioral issues, teachers are assigned to visit them and provide education. Those teachers assigned to the unit work directly with content teachers and exchange updates and information on those students. Also, nonstructural days called intersession, like spring break, are used to recover special education services. For example, if students miss a certain amount of school time those students can be pulled into school in order to provide interventions. Board member White asked if that type of information is documented to be shared with families. Superintendent Williams said it is documented in the form of plans that are shared with Bon Air staff.

Board member Kizner recognized that school is all year long and applauded the teachers who have chosen to teach at Bon Air and not at Chesterfield, Henrico, or Richmond who might have potentially better salaries and not work as many days. Superintendent Williams replied that she worked closely with the agency's Human Resources Office to compete with those school divisions. Teachers in the local schools are able to work nine months out of the year, can have access to their cell phones, and

are not restricted by working in a facility. Bon Air is a challenging environment, and working with committed youth provides special challenges for teachers.

DIRECTOR'S CERTIFICATION ACTIONS

Mr. Bailey was unable to attend the meeting and there are no certification actions.

DIRECTOR AND BOARD COMMENTS

Director Floriano was unable to attend today's Board meeting, but James Towey, the Department's Regulatory and Legislative Affairs Manager was able to take questions or comments back to agency leadership for a response.

Board member White said the Board has received a lot of information at this meeting, specifically from public comment, and much of it on recurring themes. The Board is notified of things in between meetings and electronically of the happenings at the facility due to the diligence of the staff and the requests Board members have made in previous meetings about being kept aware of issues at Bon Air. But concerns keep coming up. Board member White said she did not speak for the Board as a whole, but in her opinion it seems like the Board needs something more in-depth because the Board keeps hearing about these concerns. Board member White understood the comments from people who have come forward, which have been shared on several occasions. Board member White is not siding with anyone but absolutely understands the concerns. Board member White would like to know what additional things are being addressed in the facility that the Board might not be aware of. Board member White was pleased to learn that if young people are not able to move about the facility, they still receive educational services and that various processes are in place for that scenario. There are quite a few other things listed in the education presentation that Board member White would like to be updated on.

Board member Kizner supported Ms. White's comments. Board member Kizner believed the minutes reflect his desire to have an independent outside group look at many of the comments the Board has been hearing for the past several months. Board member Kizner said there seem to be some reservations on that idea.

Board member Johnson echoed Ms. White and Mr. Kizner's comments. He understood this Board is a policy board, not a supervisory board, and there are only certain things this Board is empowered to do. But usually, the only time the Board really hears about things operationally is during the certification reports. It seems to be, in Board member Johnson's said he feels those presentations are formulaic, so any additional information speaking to Ms. White/Mr. Kizner's comments would be appreciated.

Chairperson Vilchez also echoed the Board's comments. As a Board member and a resident of the state, Chairperson Vilchez is also concerned with what is going on at the Bon Air facility. Chairperson Vilchez appreciated Ms. Slater's public comment and said that it is good the Board is informed. There have been improvements with DJJ's communication to the board about Bon Air, but now, Chairperson Vilchez is asking, as a Board member, what can be done to prevent certain types of behavior at Bon Air? The Board is willing to listen at the next meeting to information about actions to address and prevent further activity of the kind that was shared by Ms. Slater.

ADJOURNMENT

Chairperson Vilchez adjourned the meeting at 10:32 a.m.

RISE for Youth Public Comment - DJJ Board Meeting 3/31/25

Valerie Slater, Esq., Executive Director of RISE for Youth, Criminal Defense Attorney

Good morning Board members, staff, and attendees. My name is Valerie Slater. I am a criminal defense attorney and the executive director of RISE for Youth, an organization committed to ensuring every space that impacts a young person's life encourages growth and success.

I am giving public comment today once again in response to the many disturbing reports of ill-treatment and harsh conditions endured by youth and staff at Bon Air JCC. To date I continue hearing so many of the same issues from several different sources to include:

- Youth not having regular access to the outside for fresh air and sunlight,
- Residents remaining in their rooms with not even 1 hour out of their rooms to take showers, make phone calls, and participate in large muscle activity for more than 5 days at a time,
- Residents being placed in solitary confinement for several days,
- Youth being deprived of showers for several consecutive days,
- Residents in need of medical treatment being ignored by medical staff,
- Retaliation against staff and residents that speak out,
- Staff working double shifts, and longer, without breaks or notice that their shifts will run consecutively,
- This is not a comprehensive list.

I do not also need to rehearse for you all the incidents that have made the news as of late, and I hear of more that do not make the news. What I am here to ask of each of you, is please, do not dismiss the concerns raised yet again here today as an attempt to advance an ulterior motive or to advance an agenda.

But if you choose not to listen to me, please here and act on behalf of the parents who were brave enough to write and share their deep concerns enclosed in the folder of information I provided to each of you. Please hear the voice of the resident who bravely shared pages from his journal, which are also provided in the folder of information. You will find that all of the pages have been redacted to protect the youth and families brave enough to speak out.

As Board Members, you have the powers and duties promulgated in VA Code § 66-10 which include:

- Establishing and monitoring policies for the DJJ's programs and facilities
- Monitoring the activities of the Department and its effectiveness in implementing the policies developed by the Board.
- Promulgating regulations necessary to accomplish the provisions of this title and other laws of the Commonwealth.
- Ensure the development of programs to educate citizens and elicit public support for the activities of the Department.
- And others.

I once again ask of you board members:

- Support outside investigation into ALL allegations,
- Establish Monthly monitoring of the Bon Air facility with teams that include Board members, advocates, previously incarcerated youth, family members, and legislators who are appointed to Boards and Committees with oversight authority over youth justice issues,
- Ensure monitoring includes reviewing ALL serious incident reports, facility staffing levels, actual school attendance, and the implementation of all rehabilitative programming,
- Move forward with building a smaller more rehabilitative facility on the campus of Bon Air

- Safely reduce the facility population by:
 - Reducing the LOS for indeterminately sentenced youth via
 - An increased use of community-based treatment options
 - Even increasing the use of electronic monitoring which can further help reduce the facility's population

I implore you, please consider implementing the suggested changes, and/or engage with us in meaningful dialogue to develop strategies and solutions that will help find a positive way forward leading to the success of all of Virginia's youth. We must work together to ensure DJJ Is providing a safe environment for its employees and a safe rehabilitative space for youth committed to its care.

[REDACTED]

[REDACTED]

[REDACTED]

I also want to add in that my son is denied medical.

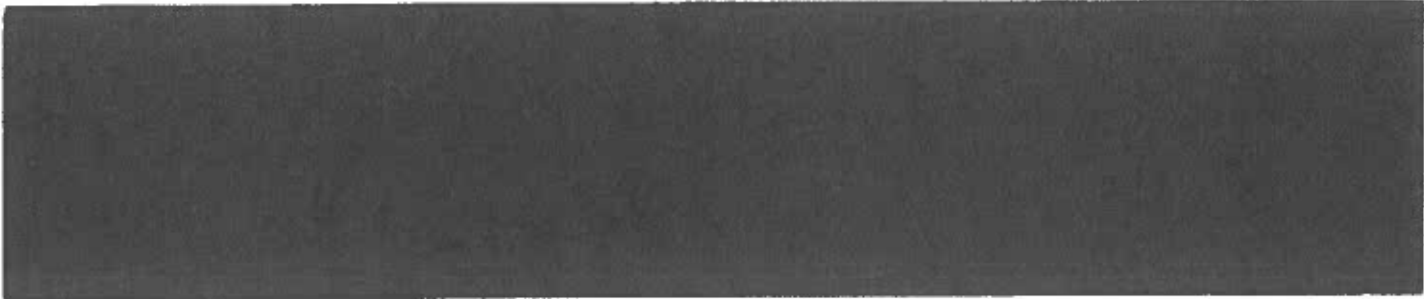
He hasn't started any treatments and barely gets counseling services. Supposed to have weekly counseling.

Showers daily is a big concern along with schooling. Also 24hr lockdown for days at a time.

[REDACTED]

I hope this request reaches you well. I am writing to express my concerns about the way the children at Bon Air are being treated. My son is a resident at Bon Air. He was transferred there on 8/7/2024. There have been many occasions where my son was locked away in a cell for 24 hours at a time for several days with the most recent being from 2/1/25-2/6/2025. The facility is required to allow these children to be out of their rooms at least 1 hour a day, which is not happening. My son is not getting to attend school regularly either. Currently, visitation with loved ones has been canceled with the last visitation being 1/5/2025. This is the 2nd time this facility has canceled visitation for more than a month. They have not accommodated home video calls with the family during these times. It has been brought to my attention the visitations have been canceled due to lack of staffing at Bon Air. This is another reason why these children are locked away for so long in their cells. Their federal rights are being violated. I have also been given information, not from the facility itself, that there is a rise in violence at this facility and attacks on staff members. For example, a supervisor was jumped, and another staff member was stabbed. I have also gone to visitation where children had broken fingers and black eyes, and parents were never notified. These children are supposed to be being rehabilitated so that they can reenter society. They have been court-ordered by judges to receive treatment services and counseling that are not being fulfilled. We need to take immediate action. I fear for the safety and well-being of my child and for others who are experiencing the same issues. I also fear for his mental state while being incarcerated at Bon Air Juvenile Correctional Center.

Thank you for taking the time to read this email with concerns surrounding Bon Air.



A few months ago, my son [REDACTED] sustained a severe head injury caused by a staff member. I was never notified, and he did not receive the necessary medical attention despite the wound clearly requiring sutures.

He began complaining of chest pain on February 5th, but the medical staff dismissed his concerns. After checking his vitals, a nurse accused him of seeking attention and sent him back to lockdown. It wasn't until days later, when the pain became unbearable, that he was forced to flood his room just to get another staff member's attention. Even then, he didn't receive emergency care until February 10th, and I wasn't notified until February 13th from Felicia Bowles stating my son was in stable condition at the hospital.

They continue to keep him in lockdown for days at a time without phone calls, showers, or basic necessities, using staffing shortages as an excuse.

Felicia Bowles has been particularly rude and unprofessional, raising serious concerns about the quality of care being provided.

On February 19th (yesterday), Dr. Clark and Nurse Felicia Bowles refused to send my son out for treatment, despite his pain and an allergic reaction to medication. It was only after I emailed the supervisor of the doctors that I received a call back, and they finally ensured my son was taken to the hospital for evaluation.

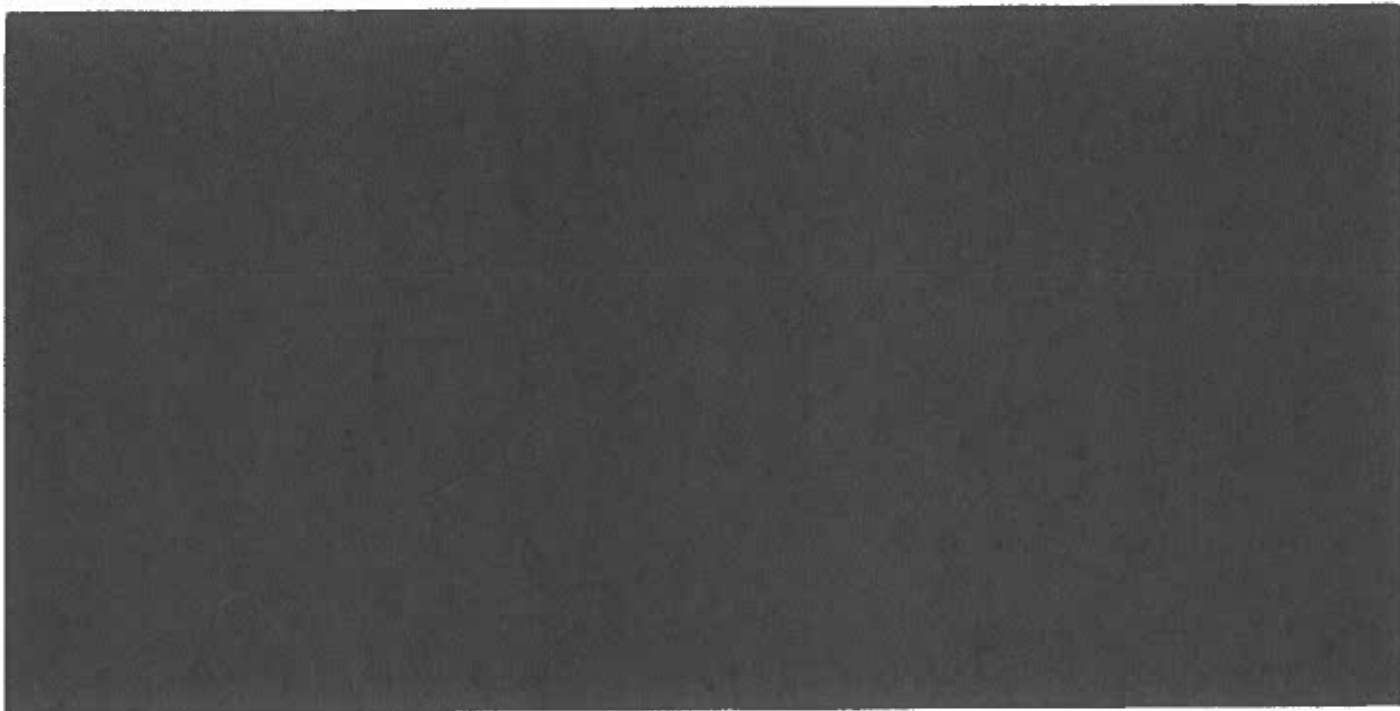
My child's rights are being violated, ignored, and dangerously neglected. This is a life-threatening issue, and immediate action must be taken to ensure his safety and well-being.

I also feel that my rights as a parent are being disregarded and removed, leaving me powerless to advocate for my child's health and safety.

You should also know that the kids are being locked down for up to three days at a time, with no access to showers, sunlight, or the ability to contact their loved ones. This treatment is not only inhumane but completely unacceptable.

To make matters worse, my son was wondering why I hadn't visited him in the hospital. He kept asking the staff if they had informed me, and they repeatedly told him "yes." In reality, I wasn't notified until the same day as his discharge. The ironic part is that they called me Feb 11 to say visitation had resumed for Sun Feb 16, completely unaware that my son was hospitalized at the time. It's clear there is a severe lack of communication within their own system.



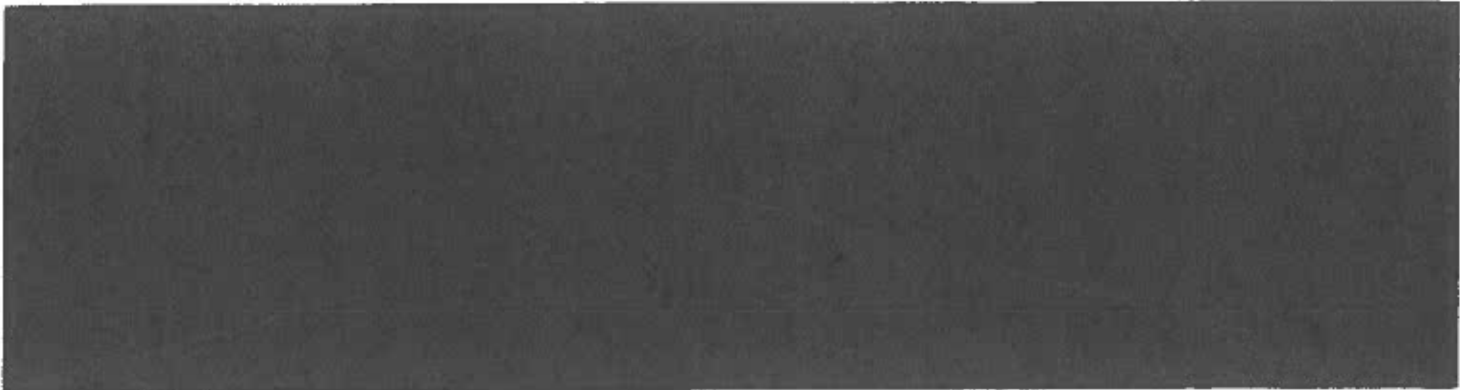


In your own words, describe what happened

My child does not have access to a phone to make regular calls home. The phone on the unit has been broken for more than a month. I have address with unit counselor. I have asked during team meeting when it would be fixed, who to contact to make sure repair request has been issued. The unit counselor continuously say she has no information. Only time he has been able to call home is about once a week from the unit counselors office via speaker phone. There is no reasonable amount of privacy.

Per the NIC: Youth have rights to reasonable access to telephones to communicate with their loved ones.[66] Standards issued by ACA and JDAI require that youth can place two phone calls during admission and twice weekly during the length of stay. Staff should not deprive youth of phone calls as a disciplinary measure, and should not listen to or record conversations without specific and reasonable suspicion of criminal activity or threat to facility security.[67]





Board of the Department of Juvenile Justice

Dear Members of the Department of Juvenile Justice Board,

I am writing to formally express my deep concerns regarding the ongoing conditions at Bon Air Juvenile Correctional Center. These issues not only violate basic human rights but also undermine the rehabilitative purpose that such institutions are meant to serve.

1. Unjustified Cancellation of Visitation:

Visitation is being canceled without apparent reason, often cited as a "safety issue" with no further explanation. This denies both the incarcerated children and their families critical time to maintain familial bonds and emotional support.

2. Lack of Respect from Staff:

From upper management to frontline staff, there is a consistent pattern of disrespect toward the incarcerated youth and their families. This hostile environment further isolates the children and undermines their mental well-being.

3. Severe Nutritional Deficiency:

The nutrition provided is wholly inadequate. My son has lost over 40 pounds while in the facility, a clear indication of neglect. Proper nutrition is a fundamental right, and such drastic weight loss poses serious health risks.

4. Extended Isolation and Denial of Basic Hygiene:

Children are being locked in their rooms for up to three to four consecutive days without access to showers or basic personal care. This is not only inhumane but also a direct violation of their rights and dignity.

5. Violation of Educational Rights:

My son has missed over three weeks of school, depriving him of his constitutional right to education. This negligence jeopardizes his future and contradicts the rehabilitative mission of the juvenile justice system.

6. Isolation from Family:

Incarcerated children are being denied access to phones, preventing them from contacting their loved ones. This isolation further exacerbates their emotional distress and contradicts the principles of rehabilitation.

7. Leadership Instability:

Bon Air has undergone over five changes in superintendents and counselors, creating an unstable environment that negatively impacts the children. These constant shifts make it difficult for youth to build trust and receive consistent support.

8. Retaliation Against Families Speaking Out:

Perhaps most alarming is the pattern of retaliation against children when their parents speak up about these injustices. Any parent who dares to advocate for their child risks their child facing further mistreatment from staff. This culture of fear and intimidation is unacceptable and must be addressed immediately.

9. Misuse of Allocated Funds:

Our government allocates approximately \$80,000 per incarcerated child annually, with even more funding provided if the child has an Individualized Education Program (IEP). This raises a serious question: Where is that money going? My son is certainly not receiving even 5% of that funding in terms of proper care, education, nutrition, or rehabilitation services.

These ongoing issues demonstrate systemic neglect and a failure to uphold the standards of care and rehabilitation expected from a juvenile correctional facility. I urge the Board to conduct a thorough investigation into the conditions at Bon Air and implement immediate corrective measures to protect the well-being and rights of the children under its care.

Thank you for your attention to this urgent matter. I look forward to your response and the steps you will take to address these serious concerns.

Sincerely,

A very concerned parent.

down still row 100 + 100000
to our searched every Friday. Staff were performing
base skin resident searches on 10-24-24
Friday, 11-1-24 and through 10-31-24
10-25-24 through - ~~11-1-24~~ PAGE (4) Front

We have been down in our rooms/cells without an LMA (hour out of our room). On Wednesday 10-30-24, Unit [redacted] had a natural gas leak, me as well as [redacted] other residents were exposed to the fumes for 20-30 minutes before being removed from the unit. We were escorted to the existing Gym until further notice, [redacted] residents were affected by the fumes that we were inhaling into our body. Approximately 30 mins to an hour after being secured in the Gym, Med Nurse [redacted] arrived at the Gym. She put the thing on my arm to check our blood pressure and the thing on my finger to check my heart rate. [redacted] said that I was fine, when really I knew I was not okay. The med nurse only asked me if I wanted water. I developed a cough and shortage of breath is what I told the nurse, she still insisted on me drinking water. I asked to call my mother, as I am still a juvenile, they told me that

Back

they only did medical and told me to talk to my JCS about that. I was when we never able to notify my mother regarding the issue and was left in the Gym until about 5:00 or 5:30 p.m. Still to this day no one has come to address the situation with me, or any of the other Residents. Thursday, 10-30-24 @ 7:00pm we were escorted to unit [redacted] in hand shackles. Once we were secured in our cells on unit [redacted] the whole unit, including our cells were filled with the Aroma of bleach. There was no air-flow coming in or out of the building. The Staff left resident [redacted] in the cell having a panic attack for roughly 30 minutes, he was also throwing up, as well as coughing up blood. At about 9:00 they finally turned on the Air-Conditioning unit. On, Friday, 11-1-24, I woke up to water and poop @ about 11:00 or 12:00 my peers caused the bathroom and was accompanied by a flooded toilet that went

Washed

PAGE 2
Front

stop flushing, and also went up through 2 other toilets which flooded as well. The flood was caused by a former resident that flushed a pair of boxers down their toilet. The whole hallway was flooded with water, and poop. We were all left on the unit with the smell of poop and bleach until about 4:50pm or 5:15pm. When staff escorted us [redacted] to unit [redacted]. Me and my peers did not receive a shower on, ~~10-30-24~~ 10-30-24 ~~nor~~ or on 10-31-24. We finally were able to shower on 11-1-24. 11-2-24, we remained on lockdown with no hour out of our rooms. 11-3-24, we remained on lockdown, again with no hour out of our rooms. Thursday, 12/5/24, I was on unit [redacted] and [redacted]. [redacted] entered the unit and told us that we had to go down. We went down around 4:30-5:00 PM. Other staff came on the unit and began doing searches, [redacted] and a few other Iron Air staff. When they searched [redacted] they ripped all my pictures and posters off of wall. ~~When~~ When returning to my room there was nothing but a book, and a pair of cloths to take

[REDACTED] Buck [REDACTED]

a shower with and my blanket, mat, and sheet. I did not receive my shower that night and was only allowed one trip to use the bathroom as there are no toilets in the rooms. [REDACTED] Friday, 12/6/24, I came out to take my shower at about [REDACTED]. We were told that we were on "lockdown" and remained in our cells the rest of the day. At approximately 5:00 [REDACTED] staff escorted me and my peers [REDACTED] to visit [REDACTED]. From there, we didn't receive our showers that night, but got them on our LMA (1 hour out of your room) the next day (Thursday and Friday they didn't let [REDACTED] visit attend school). Saturday, 12/7/24, we ~~received~~ remained on "lockdown" with our LMA and took our showers. Sunday, 12/8/24, I was gladly able to participate in my weekly visitation from [REDACTED]. I returned back to visit [REDACTED] and remained on "lockdown" until it was time for my LMA. Monday, 12/9/24, They allowed us to attend school and got our LMA later that night, around 5:00 or 6:00pm. They did a big facility

DAC + G

move and moved everyone to a different unit with all different people. I was moved to unit [redacted] and was moved into a room with hair all over the floor, poop in the toilet and a ripped up mat. They gave me a couple of wet Bleach wipes and told me that is all they could give me, and that they weren't allowed to open our doors. 12/13/24, I was able to attend [redacted] period, but not [redacted] 12/14/24. I was not able to attend class at all, and 12/17/24, I wasn't able to attend any classes either. 12/18/24, I was not able to attend any of my classes. 12/19/24, I was not able to attend school at all and remained on "lockdown" all day. With no LMA, they said we were down because of a plumbing issue, but ended up searching the unit. 12/20/24, we remained on "lockdown" all day with no LMA. 1/6/25, we were not able to attend school and remained on lockdown all day with no LMA. 1/10/25, I was not able to attend school and remained on a unit with other residents that "bucket" + flooded their room/unit. I am being

Back

treated like a caged animal! Something needs to happen with this facility, there is NO rehabilitation at all, the counselors that are supposed to meet with each resident on a weekly basis rarely comes to check on me. There is nothing good about this facility. I have been here for [REDACTED] I have no [REDACTED] treatments that are required by the courts. It has been one thing after another with this facility. The way ~~we~~ we are treated in here is covered up anytime we bring it up. It's not right and they know it! They simply do Not Care. I also was not given a shower on 1/9/25 *was not offered an opportunity to take it the next morning, 1/10/25. 1/12/25. I was not able to participate in visitation, as it was canceled. ~~It was canceled~~ We were also on lockdown all day with no LMA.

[REDACTED]
[REDACTED]
On top of all that, I haven't called home [REDACTED] weeks, my mail has also been being held back. My mother sent me a [REDACTED] a few pictures [REDACTED] it is now [REDACTED] and I have yet to receive it. About [REDACTED] weeks ago now she also sent me [REDACTED] envelopes with [REDACTED] in each envelope and I have not received that either 1/15/25, and 1/16/25 I did not receive my shower. I received my shower, 1/17/25 at about [REDACTED] 1/18/25, I got 30 minutes out of my room throughout the whole day. 1/19/25, I was not able to attend visitation, as it was canceled for the second week in a row! 1/22/25, I was able to attend school, but when I returned to the unit I/we remained on "lockdown" for the remainder of the day. However I was able to finally make a phone call home, but also had a treatment team and was not able to attend, but it was held without me. 1/25/25, we were all lockdown, however for some reason unit [REDACTED] was on the floor while the rest of the facility [REDACTED]

Back [REDACTED]

was on "lockdown." 2/1/25, we were on "lockdown" while residents on other units were on the floor all day. Unit [REDACTED] was on "lockdown" all day with no LMA. I also did not receive my dinner tray, Gma cookies or bag of chips that all came with the dinner tray. A couple other residents did not receive what they were supposed to. Which led to [REDACTED] residents bucking and getting restrained. The unit was left trashed. I have asked for a Grievance multiple times throughout everything in these papers, and still have yet to receive one. That is another big violation of my rights. I also did not receive my shower on 2/1/25. And on 2/2/25 we remained on lockdown all day with no LMA and no shower. 2/4/25 I was able to attend my [REDACTED] period class, when I got back to the unit we had to secure, and were told that we are on "lockdown." We remained on "lockdown" for the remainder of the day.

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Front

I did not receive my shower on 2/4/25.
2/5/25, we remained on lockdown with
no LMA. 2/6/25 we were on lockdown
until about 1:30 PM when we were
finally able to attend school for
[redacted] 2/7/25

we were able to attend [redacted] period class
but not [redacted] however we did finally
get out of our cell for unit floor time.

2/8/25, we did clean up and came out
our rooms for 30 minutes. After that we
didn't come out of our rooms for the rest
of the day, and one staff was doing
checks on our unit as well as another
unit. 2/9/25, we remained on lockdown
all day. 2/9/25, staff left us on the
unit, in our rooms while there was a
fire somewhere in the facility. We could
smell the fumes of whatever was on fire.
We also did not receive showers on
2/9/25. 2/10/25, we remained on lockdown
all day with no LMA. 2/10/25, we were
not able to attend school. 2/11/25, we came
out our rooms for about an hour around

Back

8:00 or 8:30 AM, but were not able to attend school. After going down at about 7:30 we remained on lockdown for the remainder of the day. I did not receive my shower on 2/11/25. 2/12/25, we remained on lockdown all day with no LMA. We didn't come out of our rooms at all. Staff told us that they cannot open any doors and that we were under a state of emergency. At 6:11pm, 6:16pm, 6:30pm, 7:00pm, 7:10pm, and 8:00pm the facility power shut off multiple times, we were left in our rooms. I also did not receive my shower on 2/12/25. 2/13/25, I was finally able to get a shower, but remained on lockdown all day with no LMA. 2/13/25, we weren't able to attend school but were finally able to get some floor time/being out of our rooms.

Virginia Juvenile Community Crime Control Act
FY2025-FY2026 Budget Summary

Locality	FY2025 MOE	FY2025 State	FY2026 MOE	FY 2026 State
Accomack	\$0.00	\$ 23,933.00	\$0.00	\$ 23,933.00
Albemarle	\$52,231.00	\$ 71,218.00	\$52,231.00	\$ 71,218.00
Alleghany	\$3,617.00	\$ 18,476.00	\$3,617.00	\$ 18,476.00
Amelia	\$2,729.00	\$ 9,913.00	\$2,729.00	\$ 9,913.00
Amherst	\$28,233.00	\$ 37,022.00	\$28,233.00	\$ 37,022.00
Appomattox	\$332.00	\$ 9,071.00	\$332.00	\$ 9,071.00
Arlington	\$270,059.00	\$ 270,059.00	\$270,059.00	\$ 270,059.00
Augusta	\$0.00	\$ 26,808.00	\$0.00	\$ 26,808.00
Bath	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Bedford	\$14,190.00	\$ 70,751.00	\$14,190.00	\$ 70,751.00
Bland	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Botetourt	\$3,300.00	\$ 13,138.00	\$3,300.00	\$ 13,138.00
Brunswick	\$635.00	\$ 11,703.00	\$635.00	\$ 11,703.00
Buchanan	\$809.00	\$ 67,453.00	\$809.00	\$ 67,453.00
Buckingham	\$287.00	\$ 8,798.00	\$287.00	\$ 8,798.00
Campbell	\$53,024.00	\$ 53,024.00	\$53,024.00	\$ 53,024.00
Caroline	\$8,460.00	\$ 14,869.00	\$8,460.00	\$ 14,869.00
Carroll	\$2,940.00	\$ 18,929.00	\$2,940.00	\$ 18,929.00
Charles City	\$9,400.00	\$ 6,585.00	\$9,400.00	\$ 6,585.00
Charlotte	\$268.00	\$ 12,976.00	\$268.00	\$ 12,976.00
Chesterfield	\$202,459.00	\$ 668,292.00	\$202,459.00	\$ 668,292.00
Clarke	\$0.00	\$ 8,990.00	\$0.00	\$ 8,990.00
Craig	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Culpeper	\$1,119.00	\$ 51,802.00	\$1,119.00	\$ 51,802.00
Cumberland	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Dickenson	\$2,739.00	\$ 10,437.00	\$2,739.00	\$ 10,437.00
Dinwiddie	\$9,014.00	\$ 19,549.00	\$9,014.00	\$ 19,549.00
Essex	\$4,885.00	\$ 22,825.00	\$4,885.00	\$ 22,825.00
Fairfax County	\$613,374.00	\$ 600,996.00	\$613,374.00	\$ 600,996.00
Fauquier	\$2,886.00	\$ 36,836.00	\$2,886.00	\$ 36,836.00
Floyd	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Fluvanna	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Franklin County	\$10,124.00	\$ 21,332.00	\$10,124.00	\$ 21,332.00
Frederick	\$0.00	\$ 53,031.00	\$0.00	\$ 53,031.00
Giles	\$385.00	\$ 9,243.00	\$385.00	\$ 9,243.00
Gloucester	\$44,727.00	\$ 44,727.00	\$44,727.00	\$ 44,727.00
Goochland	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Grayson	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Greene	\$0.00	\$ 7,596.00	\$0.00	\$ 7,596.00
Greensville	\$8,668.00	\$ 6,585.00	\$8,668.00	\$ 6,585.00

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Halifax	\$10,476.00	\$ 63,762.00	\$10,476.00	\$ 63,762.00
Hanover	\$20,556.00	\$ 81,243.00	\$20,556.00	\$ 81,243.00
Henrico	\$209,620.00	\$ 390,110.00	\$209,620.00	\$ 390,110.00
Henry	\$34,009.00	\$ 131,661.00	\$34,009.00	\$ 131,661.00
Highland	\$0.00	\$ 6,585.00	\$0.00	\$ 6,585.00
Isle of Wight	\$10,716.00	\$ 23,984.00	\$10,716.00	\$ 23,984.00
James City	\$91,512.00	\$ 91,512.00	\$91,512.00	\$ 91,512.00
King & Queen	\$2,535.00	\$ 9,336.00	\$2,535.00	\$ 9,336.00
King George	\$1,040.00	\$ 15,258.00	\$1,040.00	\$ 15,258.00
King William	\$10,300.00	\$ 6,951.00	\$10,300.00	\$ 6,951.00
Lancaster	\$7,908.00	\$ 20,530.00	\$7,908.00	\$ 20,530.00
Lee	\$3,333.00	\$ 27,260.00	\$3,333.00	\$ 27,260.00
Loudoun	\$145,706.00	\$ 145,706.00	\$145,706.00	\$ 145,706.00
Louisa	\$1,028.00	\$ 9,905.00	\$1,028.00	\$ 9,905.00
Lunenburg	\$1,047.00	\$ 13,270.00	\$1,047.00	\$ 13,270.00
Madison	\$1,494.00	\$ 6,585.00	\$1,494.00	\$ 6,585.00
Mathews	\$10,651.00	\$ 22,790.00	\$10,651.00	\$ 22,790.00
Mecklenburg	\$1,349.00	\$ 31,360.00	\$1,349.00	\$ 31,360.00
Middlesex	\$3,241.00	\$ 6,585.00	\$3,241.00	\$ 6,585.00
Montgomery	\$179.00	\$ 49,393.00	\$179.00	\$ 49,393.00
Nelson	\$202.00	\$ 10,364.00	\$202.00	\$ 10,364.00
New Kent	\$14,391.00	\$ 10,557.00	\$14,391.00	\$ 10,557.00
Northampton	\$0.00	\$ 12,336.00	\$0.00	\$ 12,336.00
Northumberland	\$6,626.00	\$ 29,083.00	\$6,626.00	\$ 29,083.00
Nottoway	\$617.00	\$ 19,399.00	\$617.00	\$ 19,399.00
Orange	\$2,181.00	\$ 21,728.00	\$2,181.00	\$ 21,728.00
Page	\$0.00	\$ 30,076.00	\$0.00	\$ 30,076.00
Patrick	\$5,984.00	\$ 25,241.00	\$5,984.00	\$ 25,241.00
Pittsylvania	\$29,756.00	\$ 41,765.00	\$29,756.00	\$ 41,765.00
Powhatan	\$2,056.00	\$ 8,468.00	\$2,056.00	\$ 8,468.00
Prince Edward	\$0.00	\$ 10,840.00	\$0.00	\$ 10,840.00
Prince George	\$21,972.00	\$ 52,775.00	\$21,972.00	\$ 52,775.00
Prince William	\$509,171.00	\$ 394,413.00	\$509,171.00	\$ 394,413.00
Pulaski	\$0.00	\$ 21,321.00	\$0.00	\$ 21,321.00
Rappahannock	\$0.00	\$ 9,673.00	\$0.00	\$ 9,673.00
Richmond County	\$11,698.00	\$ 10,751.00	\$11,698.00	\$ 10,751.00
Roanoke County	\$24,644.00	\$ 179,982.00	\$24,644.00	\$ 179,982.00
Rockbridge	\$0.00	\$ 14,600.00	\$0.00	\$ 14,600.00
Rockingham	\$0.00	\$ 44,867.00	\$0.00	\$ 44,867.00
Russell	\$411.00	\$ 28,355.00	\$411.00	\$ 28,355.00
Scott	\$35.00	\$ 23,096.00	\$35.00	\$ 23,096.00
Shenandoah	\$0.00	\$ 31,204.00	\$0.00	\$ 31,204.00

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Smyth	\$4,392.00	\$ 29,786.00	\$4,392.00	\$ 29,786.00
Southampton	\$6,340.00	\$ 10,485.00	\$6,340.00	\$ 10,485.00
Spotsylvania	\$39,655.00	\$ 84,641.00	\$39,655.00	\$ 84,641.00
Stafford	\$37,265.00	\$ 107,510.00	\$37,265.00	\$ 107,510.00
Surry	\$6,275.00	\$ 6,585.00	\$6,275.00	\$ 6,585.00
Sussex	\$3,321.00	\$ 6,585.00	\$3,321.00	\$ 6,585.00
Tazewell	\$923.00	\$ 46,689.00	\$923.00	\$ 46,689.00
Warren	\$0.00	\$ 36,630.00	\$0.00	\$ 36,630.00
Washington	\$11,856.00	\$ 34,727.00	\$11,856.00	\$ 34,727.00
Westmoreland	\$30,339.00	\$ 58,808.00	\$30,339.00	\$ 58,808.00
Wise	\$6,815.00	\$ 54,899.00	\$6,815.00	\$ 54,899.00
Wythe	\$0.00	\$ 33,156.00	\$0.00	\$ 33,156.00
York	\$44,146.00	\$ 54,684.00	\$44,146.00	\$ 54,684.00
Alexandria	\$95,575.00	\$ 185,026.00	\$95,575.00	\$ 185,026.00
Bristol	\$9,828.00	\$ 28,057.00	\$9,828.00	\$ 28,057.00
Buena Vista	\$0.00	\$ 11,657.00	\$0.00	\$ 11,657.00
Charlottesville	\$108,415.00	\$ 220,840.00	\$108,415.00	\$ 220,840.00
Chesapeake	\$83,014.00	\$ 246,857.00	\$83,014.00	\$ 246,857.00
Colonial Heights	\$0.00	\$ 69,080.00	\$0.00	\$ 69,080.00
Covington	\$1,054.00	\$ 7,575.00	\$1,054.00	\$ 7,575.00
Danville	\$26,324.00	\$ 86,999.00	\$26,324.00	\$ 86,999.00
Emporia	\$8,917.00	\$ 63,101.00	\$8,917.00	\$ 63,101.00
Fairfax City	\$0.00	\$ 12,378.00	\$0.00	\$ 12,378.00
Falls Church	\$2,815.00	\$ 120,679.00	\$2,815.00	\$ 120,679.00
Franklin City	\$6,195.00	\$ 15,521.00	\$6,195.00	\$ 15,521.00
Fredericksburg	\$33,165.00	\$ 54,975.00	\$33,165.00	\$ 54,975.00
Galax	\$0.00	\$ 13,363.00	\$0.00	\$ 13,363.00
Hampton	\$110,724.00	\$ 315,703.00	\$110,724.00	\$ 315,703.00
Harrisonburg	\$0.00	\$ 41,964.00	\$0.00	\$ 41,964.00
Hopewell	\$42,913.00	\$ 105,185.00	\$42,913.00	\$ 105,185.00
Lexington	\$0.00	\$ 6,608.00	\$0.00	\$ 6,608.00
Lynchburg	\$147,370.00	\$ 247,716.00	\$147,370.00	\$ 247,716.00
Manassas	\$2,510.00	\$ 59,873.00	\$2,510.00	\$ 59,873.00
Manassas Park	\$0.00	\$ 20,794.00	\$0.00	\$ 20,794.00
Martinsville	\$22,756.00	\$ 72,076.00	\$22,756.00	\$ 72,076.00
Newport News	\$226,485.00	\$ 339,437.00	\$226,485.00	\$ 339,437.00
Norfolk	\$639,899.00	\$ 639,899.00	\$639,899.00	\$ 639,899.00
Norton	\$10.00	\$ 12,062.00	\$10.00	\$ 12,062.00
Petersburg	\$64,836.00	\$ 84,000.00	\$64,836.00	\$ 84,000.00
Poquoson	\$10,295.00	\$ 10,295.00	\$10,295.00	\$ 10,295.00
Portsmouth	\$45,877.00	\$ 184,000.00	\$45,877.00	\$ 184,000.00
Radford	\$0.00	\$ 10,199.00	\$0.00	\$ 10,199.00

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Richmond City	\$459,084.00	\$ 347,683.00	\$459,084.00	\$ 347,683.00
Roanoke City	\$274,384.00	\$ 394,210.00	\$274,384.00	\$ 394,210.00
Salem	\$9,418.00	\$ 52,851.00	\$9,418.00	\$ 52,851.00
Staunton	\$0.00	\$ 35,093.00	\$0.00	\$ 35,093.00
Suffolk	\$57,855.00	\$ 124,169.00	\$57,855.00	\$ 124,169.00
Virginia Beach	\$662,505.00	\$ 869,280.00	\$662,505.00	\$ 869,280.00
Waynesboro	\$0.00	\$ 55,484.00	\$0.00	\$ 55,484.00
Williamsburg	\$31,908.00	\$ 39,383.00	\$31,908.00	\$ 39,383.00
Winchester	\$0.00	\$ 66,337.00	\$0.00	\$ 66,337.00
	\$5,922,796.00	\$10,379,921.00	\$5,922,796.00	\$10,379,921.00
	\$16,302,717.00		\$16,302,717	

Summary Data FY2025 and FY2026

Program Types	Sum of FY 25 Year 1 Youth	Sum of FY 25 Year 1 Budget	Sum of FY 26 Year 2 Youth	Sum of FY 26 Year 2 Budget
Anger Management	755	\$ 362,110.97	721	\$ 293,530.97
Assessments/Evaluations	86	\$ 67,011.00	83	\$ 66,311.00
Clinical Services	152	\$ 411,823.00	146	\$ 337,286.00
Community Service	1361	\$ 883,368.07	1281	\$ 724,001.07
Coordinator/Administrative		\$ 347,222.12		\$ 283,233.12
Employment/Vocational	56	\$ 77,400.00	48	\$ 68,200.00
Gang Intervention	45	\$ 86,500.00	35	\$ 46,500.00
Gang Prevention	40	\$ 143,000.00	40	\$ 14,300.00
Group Home	166	\$ 1,639,949.00	126	\$ 1,177,749.00
Law Related Education	347	\$ 137,702.40	315	\$ 94,236.00
Life Skills	110	\$ 188,032.20	98	\$ 178,403.00
Mentoring	149	\$ 299,910.00	143	\$ 274,910.00
Parenting Skills	102	\$ 158,144.00	69	\$ 143,444.00
POST-D Day & Evening Reporting	52	\$ 603,834.00	52	\$ 603,834.00
POST-D EM & GPS	1089	\$ 1,405,295.24	1014	\$ 1,074,475.46
POST-D Outreach	298	\$ 447,359.30	273	\$ 377,359.30
POST-D Shelter Care	44	\$ 220,094.50	44	\$ 220,094.50
PRE-D Day & Evening Reporting	20	\$ 104,426.00	20	\$ 104,426.00
PRE-D EM & GPS	2415	\$ 3,582,550.44	2140	\$ 3,315,753.39
PRE-D Outreach	1188	\$ 2,880,819.30	1060	\$ 2,426,316.48
PRE-D Shelter Care	298	\$ 2,788,881.15	282	\$ 2,853,090.15
Pro-Social Activities	51	\$ 19,020.00	45	\$ 18,750.00
Pro-Social Skills	853	\$ 392,499.19	826	\$ 303,664.34
Restorative Justice	433	\$ 209,375.00	421	\$ 194,074.00
Sex Offender Services	4	\$ 7,550.00	4	\$ 7,550.00
Shoplifting/Larceny Reduction	205	\$ 45,197.64	190	\$ 26,639.24
Specialized Prevention Services	192	\$ 180,791.50	291	\$ 180,791.50
Specialized Prorgam Services	463	\$ 566,263.40	443	\$ 534,367.55
Substance Use Ed/Treatment	848	\$ 500,311.57	824	\$ 494,431.57
Substance Use Prevention	455	\$ 52,305.00	455	\$ 52,305.00
Truancy Intervention	189	\$ 270,351.07	165	\$ 258,351.07
Truancy Prevention	177	\$ 235,660.57	177	\$ 235,660.57
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Total:	12643	\$ 19,314,757.63	9600	\$ 16,984,038.28

Table 1: FY23/24 Allowable VJCCCA Funded Programs and Services (updated 12/09/2021)

VJCCCA GRANT PLAN ADMINISTRATION	
Coordinator/ Administrative Services	Administrative services to manage VJCCCA plans, programs, and services <u>Services may include:</u> plan development coordination, Plan and/or Data Contact responsibilities, negotiating/monitoring service contracts, and attending VJCCCA meetings and/or training <u>Requirements:</u> Plans may allocate up to 5% of total VJCCCA budget for compensation of these services by non-DJJ staff; FTE percentages must be proportional to allocation
PUBLIC SAFETY	
Pre-Dispositional Detention Alternatives	
PRE-D Outreach Services	Monitoring that provides for public safety and assures youth's availability for court through random contacts at home, school, and within the community via face to face or phone/video contact This category of services should not be used for CHINS or other non-detainable offenses. <u>Target Population:</u> Pre-dispositional youth in need of a detention alternative (with a DAI score of 10-14); Youth stepped down from a more-restrictive detention alternative <u>Requirements:</u> Program guidelines must be established through an MOA with provider and must include program expectations established by court and CSU, including: number and mode of contacts; length of stay; a plan for step up/down as needed based on a system of graduated sanctions and incentives; hours of operation; program behavior management system; and admission/dismissal criteria.
PRE-D Electronic Monitoring (EM) & Global Positioning Service (GPS)	Monitoring that provides for public safety and assures youth's availability for court through use of electronic monitoring (EM) or global positioning service (GPS) This category of services should not be used for CHINS or other non-detainable offenses. <u>Target Population:</u> Pre-dispositional youth in need of a detention alternative (with a DAI score of 10-14); Youth stepped up/down from a less/more-restrictive detention alternative. <u>Requirements for non-DJJ providers:</u> Program guidelines must be established through an MOA with provider and must include program expectations established by court and CSU, including: number and mode of contacts; length of stay; a plan for step up/down as needed based on a system of graduated sanctions and incentives; hours of operation; program behavior management system; and admission/dismissal criteria. Use of EM/GPS must also include Pre-D Outreach Services as a component of this service.

PRE-D Structured Day & Evening Reporting Programs	Non-residential programs that provide structured activities and supervision during or after regular school hours (especially during the hours of 3:00pm-7:00pm), and are used as a pre-dispositional alternative to secure detention. This category of services should not be used for CHINS or other non-detainable offenses. <u>Target population:</u> Pre-dispositional youth in need of a detention alternative (with a DAI score of 10-14); Youth stepped up/down from a less/more-restrictive detention alternative <u>Services include:</u> transportation; counseling; supervision; academic support; vocational development; cultural, educational and recreational activities; pro-social skill development
PRE-D Shelter Care	Short-term (up to 90 days) residential care programs that focus on stabilizing youth behavior and are used as a pre-dispositional alternative to detention. This category of services should not be used for CHINS or other non-detainable offenses. <u>Target Population:</u> Pre-dispositional youth in need of a detention alternative (with a DAI score of 10-14); Youth stepped up from a less-restrictive detention alternative; Youth stepped down from secure detention <u>Services include:</u> assessment(s) and a specifically approved range of services to address treatment needs such as counseling, academic support, interagency services referrals
Post-Dispositional/Graduated Sanctions POST-D Outreach Services	Monitoring that provides additional contacts to home, school, and within the community via face to face or phone/video contact in order to enhance probation/parole supervision <u>Target Population:</u> Youth on probation or parole in need of additional supervision; youth facing technical violation(s) of supervision; youth before the court for disposition <u>Requirements:</u> Program guidelines must be established through an MOA with provider and must include program expectations established by court and the CSU, including: number and mode of contacts; length of stay; a plan for step up/down as needed based on a system of graduated sanctions and incentives; hours of operation; program behavior management system; and admission/dismissal criteria. The number of contacts shall be determined in advance, proportional to severity of need with a plan to decrease over time, and should not remain in place for over 30 consecutive days without CSU Supervisor approval. Additional surveillance contacts do not replace contacts made by the youth's probation/parole officer.

POST-D Electronic Monitoring (EM) & Global Positioning Service (GPS)	Monitoring that provides additional surveillance in order to enhance probation/parole supervision through use of electronic monitoring (EM) or global positioning service (GPS); <u>Target Population:</u> Youth on probation or parole in need of additional supervision; youth facing technical violation(s) of supervision; youth before the court for disposition <u>Requirements for non-DJJ providers:</u> Program guidelines must be established through an MOA with provider and must include program expectations established by court and the CSU, including: number and mode of contacts; length of stay; a plan for step up/down as needed based on a system of graduated sanctions and incentives; hours of operation; program behavior management system; and admission/dismissal criteria. The number of contacts shall be determined in advance, proportional to severity of need with a plan to decrease over time, and should not remain in place for over 30 consecutive days without CSU Supervisor approval. Additional surveillance contacts do not replace contacts made by the youth's probation/parole officer. Use of EM/GPS must also include Post-D Outreach Services as a component of this service.
POST-D Structured Day & Evening Reporting Programs	Non-residential programs that provide structured activities and supervision during or after regular school hours (especially during the hours of 3:00pm-7:00pm) in order to enhance probation/parole supervision <u>Target Population:</u> Youth on probation or parole in need of additional supervision; youth facing technical violation(s) of supervision; youth before the court for disposition <u>Services include:</u> transportation; counseling; supervision; academic support; vocational development; cultural, educational and recreational activities; pro-social skill development
POST-D Shelter Care	Short-term (up to 90 days) residential care programs that focus on stabilizing youth behavior in order to enhance probation/parole supervision <u>Target Population:</u> Youth on probation or parole in need of additional supervision; youth facing technical violation(s) of supervision; youth before the court for disposition <u>Services include:</u> assessment(s) and a specifically approved range of services to address treatment needs such as counseling, academic support, interagency services referrals

ACCOUNTABILITY	
Community Service Programs	Programs that provide community service work opportunities for youth that include supervision and recruiting & establishing partnerships with work sites; May also incorporate social learning and/or restorative principles; transportation to/from work sites Case management duties alone (providing a list of worksite opportunities, monitoring attendance, verifying completion) do not meet the requirements for this program. <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D); youth on supervised probation/parole facing technical violation(s) (graduated sanction) <u>Requirements:</u> An MOA between DJJ and the locality (as the service provider) is required.
Law Related Education Programs	Programs that encourage youth to become law-abiding citizens by promoting civic responsibility, accountability, and an understanding of the legal system; may also include offense-specific individual/group discussions, interactive web-based presentations, pre & post knowledge tests <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D); youth on supervised probation/parole facing technical violation(s) (graduated sanction) <u>Program Examples:</u> Virginia Rules <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Restorative Justice Programs	Programs that provide youth an opportunity to repair harm caused by their behavior and to recognize how their behavior impacts others; May also include restitution and/or other compensation to victims <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D); youth on supervised probation/parole facing technical violation(s) (graduated sanction) <u>Services include:</u> circle processing; community conferencing; victim/offender conferences <u>Requirements:</u> Participation by all parties is strictly voluntary.
Shoplifting/ Larceny Reduction Programs	Programs that educate participants on the laws and consequences of shoplifting and/or larceny; May also include developing consequential thinking skills; discussing alternatives to problem behavior; addressing thinking patterns, values, and beliefs that lead to problem behavior <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) on charges related to shoplifting and/or larceny; youth on supervised probation/parole facing technical violation(s) (graduated sanction) for related behavior <u>Program Examples:</u> Youth Emerge Straight (Y.E.S.); STOPLifting (3rd Millennium Classrooms) <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team

COMPETENCY DEVELOPMENT	
Anger Management Programs	Programs that teach alternative means of communicating and problem solving to reduce aggressive behavior; May also include individual/group counseling and education; conflict resolution skills; self-regulation skills; cognitive behavioral interventions; development of problem solving, impulse-control, and coping skills <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) on charges related to violence and/or aggression; youth on supervised probation/parole facing technical violation(s) (graduated sanction) for related behavior <u>Program Examples:</u> Aggression Replacement Therapy (ART); Thinking For a Change (T4C); 3rd Millennium Classrooms; Peaceful Alternatives To Tough Situations (PATTS) <u>Requirements:</u> Services must be provided by a licensed mental health professional with applicable degree(s) and specialized training* or a curriculum/program approved by the VJCCCA Coordination Team <u>Assessments/evaluations</u> for youth requiring clinical services in order to fulfill diversion plan or court ordered obligations. The SASSI does not meet the requirements for this program. <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) requiring clinical services in order to fulfill diversion or court-ordered obligations <u>Requirements:</u> Services must be provided by a licensed mental health professional with applicable degree(s) and specialized training*
	Mental health services to meet the needs of youth and family; May include individual, group, or family counseling; in-home counseling; equine therapy; art therapy; music therapy; etc. <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) with an identified need for mental health services <u>Requirements:</u> Services must be provided by a licensed mental health professional with applicable degree(s) and specialized training*
Clinical Services	Programs that prepare youth with basic employment skills and assist them in obtaining employment; May include vocational assessment and counseling; job and pre-employment skill development; on-site supervision/supported employment; coordination of transportation; job placement programs <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) with an identified need for employment skill building; youth on supervised probation/parole with an identified need for related skill development <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Employment/Vocational Programs	

Gang Intervention Programs	Programs designed to reduce gang involvement; May include skill development to assist youth in critical thinking, decision making, and resistance/refusal skills; identifying and addressing youth, family and community factors that influence gang involvement; mentoring/coaching; wraparound services and supports; individual/family/group counseling; connecting youth to pro-social supports, places, and activities; tattoo removal; job training/placement <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) on charges related to gang involvement; youth on supervised probation/parole with an identified need <u>Program Examples:</u> The Phoenix Curriculum; Gang Resistance Education and Training (G.R.E.A.T.); Youth Advocate Programs (YAP) <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Life Skills Programs	Programs that promote skill development to assist youth in maintaining pro-social and healthy behaviors to become productive citizens; May include individualized services based on youth's identified criminogenic need; consequential thinking, goal setting, social perspective-taking, and/or interpersonal skill development; independent living skills; development of healthy relationships and support systems <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) with an identified need for life skills development <u>Program Examples:</u> Casey Life Skills; Botvin LifeSkills Training; ARISSE; Project Life <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Mentoring Programs	Programs that build competency by providing a positive adult relationship/role model to support, guide, and enhance opportunities for youth to meet their goals and be successful; May include modeling/teaching prosocial skills and coping mechanisms; advising; reinforcing and coaching positive behavior; interpersonal skill training <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D); youth on supervised probation/parole with an identified need <u>Program Examples:</u> MENTOR Virginia <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Parenting Skills Programs	Programs designed to build positive parenting solutions, enhance parenting skills, and provide support to the parents/guardians/caretakers/natural supports of justice-involved youth; May include parent/guardian empowerment; culturally competent programming; fatherhood initiatives <u>Target Population:</u> Parents/guardians/caretakers/natural supports of youth before intake or the court (Pre-D or Post-D) or on supervised probation/parole <u>Program Examples:</u> The Parent Project; 24/7 Dad; FAST Families & Schools Together®; Strengthening Families <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team

Pro-Social Activities	Programs, services, and activities that build protective factors, provide positive reinforcement, and reduce likelihood for future delinquency through pro-social activities; May include structured recreational activities; extracurricular activities; cultural activities; lessons/classes; costs associated with GED testing <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D); youth on supervised probation/parole with an identified need <u>Requirements:</u> Prior approval must be received from the VJCCCA Coordination Team. This category must be a standalone program on the plan.
Pro-Social Skills Programs	Programs tailored to the individual needs of youth that teach skills to enhance pro-social behaviors and improve consequential thinking skills; May include cognitive behavioral interventions; gender specific programming; character development and value clarification; addressing thinking patterns, values, and beliefs that contribute to problem behavior <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D); youth on supervised probation/parole with an identified need to strengthen protective factors <u>Program Examples:</u> Thinking For A Change (T4C); 3rd Millennium Classrooms; Girls Circle; The Council for Boys and Young Men; Unity Circle; Becoming a Man (B.A.M) Program; Working on Womanhood (WOW) <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Sex Offender Services	Programs and services that promote public safety through education and/or treatment of sexual offending behaviors; May include sexting education; personal boundary education; individual, family, and group counseling/treatment <u>Target Population:</u> Youth before intake or court (Pre-D or Post-D) or on supervised probation/parole on charges related to sexting, pornography, and/or sexual offending behaviors <u>Requirements:</u> Services must be provided by a licensed professional with applicable degree(s) and specialized training* or a curriculum/program approved by the VJCCCA Coordination Team
Substance Abuse Education/Treatment Programs	Programs designed to teach youth the consequences of illegal substance use, assist the youth in remaining drug and alcohol free, and to avoid further problem behavior; May include substance abuse education; substance abuse counseling/treatment Urinalysis, breathalyzer, and other drug testing may be conducted by the service provider only when done in conjunction with treatment program administration. Drug testing alone is an excluded service. The SASSI does not meet the requirements for this program. <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) on charges related to drugs or alcohol; youth on supervised probation/parole facing technical violation(s) (graduated sanction) for related behavior <u>Requirements:</u> Services must be provided by a licensed professional with applicable degree(s) and specialized training* or a curriculum/program approved by the VJCCCA Coordination Team

Truancy Intervention Programs	Programs that improve school engagement and reduce further court involvement by addressing barriers to school attendance; May include mentoring/coaching and counseling; incentives and rewards; summer transition services; morning accountability/wake-up calls; home visits; student/teacher relationship building; college & career readiness services; academic supports; truancy-based mediation/restorative practices; alternative court programs/teen court <u>Target Population:</u> Youth before intake for CHINS-Truancy petitions; youth on supervised probation/parole facing technical violation(s) (graduated sanction) for related behavior <u>Program Examples:</u> Achievement Mentoring Program (AMP); Check and Connect; School Engagement Program by Domus; On Track Supports by RISE Network; Preparing Our Kids for Success by Parent Project; Youth Advocate Program – Truancy (YAP) <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Specialized Program Services (formerly Supervision Plan Services)	Funding allocated for the purchase of services that are not provided for within the current VJCCCA plan. Services may include any service or program outlined on the Allowable Services List. <u>Target Population:</u> Youth before intake or the court (Pre-D or Post-D) on charges related to the requested service; youth on supervised probation/parole facing technical violation(s) (graduated sanction) related to/indicating need for requested service <u>Requirements:</u> Approval must be received from the VJCCCA Coordination Team
GROUP HOMES	
Group Home Programs	Programs that provide a residential placement in a non-secure environment; includes placement in a homelike foster care environment <u>Target Population:</u> Youth before the court (Pre-D or Post-D); youth on supervised probation/parole with an identified need <u>Requirements:</u> Must meet licensing, regulatory, and certification requirements.

** All service providers (including local VJCCCA-funded employees and contracted providers) must possess the required professional credentials and must be operating in compliance within regulations and scope of practice, including but not limited to the VA Dept. of Health Professions Board of Counseling.*

Table 2: FY 23/24 Allowable VJCCCA Funded Prevention Programs and Services (updated 12/09/2021)

COMPETENCY DEVELOPMENT	
Gang Prevention Programs	Programs designed to prevent gang involvement; May include skill development to assist youth in critical thinking, decision making, and resistance/refusal skills; identifying and addressing youth, family and community factors that influence gang involvement; mentoring/coaching; wraparound services and supports/case management; individual/family/group counseling; connecting youth to pro-social supports, places, and activities; tattoo removal; job training/placement <u>Target Population:</u> Youth who have been identified, by an approved assessment tool, as being at-risk for gang involvement <u>Program Examples:</u> The Phoenix Curriculum; Gang Resistance Education and Training (G.R.E.A.T.); Youth Advocate Programs (YAP) <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Substance Abuse Prevention Programs	Programs designed to teach youth the consequences of illegal substance use, assist the youth in remaining drug and alcohol free, May include substance abuse education; substance abuse screening (i.e. SASST), assessment, and counseling <u>Urinalysis, breathalyzer, and other drug testing is a prohibited service.</u> <u>Target Population:</u> Youth who have been identified, by an approved assessment tool, as being at-risk for substance abuse <u>Requirements:</u> Services must be provided by a licensed professional with applicable degree(s) and specialized training* or a curriculum/program approved by the VJCCCA Coordination Team
Truancy Prevention Programs	Programs that improve school engagement and prevent youth from becoming truant by addressing barriers to school attendance; May include mentoring/coaching and counseling; incentives and rewards; summer transition services; morning accountability/wake-up calls; home visits; student/teacher relationship building; college & career readiness services; academic supports; case management; truancy-based mediation/restorative practices; alternative court programs/teen court; truancy awareness campaigns <u>Target Population:</u> Youth who have been identified, by an approved assessment tool, as being at-risk for truancy <u>Program Examples:</u> Achievement Mentoring Program (AMP); Check and Connect; School Engagement Program by Domus; On Track Supports by RISE Network; Preparing Our Kids for Success by Parent Project; Youth Advocate Program – Truancy (YAP); Wyman's Teen Outreach Program (TOP); Communities in Schools; Truancy Court Program (TCP); Ability School Engagement Partnership <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team
Specialized Prevention Programs	Programs that provide specialized services to prevent youth from becoming involved in the juvenile justice system <u>Target Population:</u> Youth who have been identified, by an approved assessment tool, as being at-risk for juvenile justice system involvement <u>Requirements:</u> A curriculum/program approved by the VJCCCA Coordination Team

* All service providers (including local VJCCCA-funded employees and contracted providers) must possess the required professional credentials and must be operating in compliance within regulations and scope of practice, including but not limited to the VA Dept. of Health Professions Board of Counseling.



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TO: State Board of Juvenile Justice

FROM: Virginia Department of Juvenile Justice

SUBJECT: Request Authorization to Make Additional Amendments to the Regulation Governing Juvenile Correctional Centers (6VAC35-71) and Reinitiate the Final Stage of the Standard Regulatory Process

DATE August 18, 2025

I. SUMMARY OF ACTION REQUESTED

The Department of Juvenile Justice (the department) respectfully asks the State Board of Juvenile Justice (board) for authorization to make additional amendments to the Regulation Governing Juvenile Correctional Centers (6VAC35-71) which is currently in the Final Stage of the Standard Regulatory Process.

II. BACKGROUND

In 2016, the Department initiated a Notice of Intended Regulatory Action (NOIRA) to conduct a comprehensive review of this chapter. Since then, the action has advanced through the Proposed Stage and a Revised Proposed Stage before a Final Stage action was initiated in December 2022. At the Final Stage, the action underwent Office of Attorney General (OAG) review before being returned to the department on November 1, 2024, at the department's request, to address possible areas of regulatory overreach. The department has conducted a subsequent review of the proposed amendments to date, as well as the existing regulatory language, and is recommending a few additional changes to address the areas of regulatory excess, correct erroneous language, and make other modifications to reflect the department's comprehensive restructuring in 2023.

The attached text sets out the relevant board-approved proposed amendments. Each applicable section, subsection, or subdivision identified for further amendment is highlighted in gray to convey that changes are being proposed in that area, and that the board should disregard the initially proposed, grayed-out text. Proposed amendments follow the grayed-out portion with the relevant changes highlighted in yellow.

III. ANTICIPATED CHANGES

Resident Advisory Provisions (6VAC35-71-90)

Section 90 of the regulations currently instructs each juvenile correctional center to have a resident advisory committee to represent the resident population and provide opportunities to raise concerns about and provide input into areas of the program that impact residents. The initially proposed amendments sought additional changes to this section to solidify the department's Student Government Association program that was in place at the time. The board originally approved amendments that required the organization to provide leadership, development opportunities and chances for civic participation and engagement, and to allow for resident communication with facility and agency leadership. The original amendments also required the JCC to develop a constitution and bylaws that would govern the organization and mandated that these documents be posted in each housing unit.

Many of the previously proposed amendments to 6VAC35-71-90 do not satisfy the conditions set forth in the Procedures for the Review of State Agency Regulations issued by the Office of Regulatory Management (ORM). That document provides that all regulatory activity ... "shall be necessary to protect the public health, safety, and welfare." While the department believes that providing some opportunity for resident representation and input may be necessary for their welfare, the same cannot be said for the requirements to establish a constitution and bylaws, to post these documents in every unit, and to provide opportunities for residents to engage in civic activities. The department believes many of these initially proposed amendments may be more appropriate for an agency procedure, and based on the directive in ORM's procedures, should not have been inserted as regulatory requirements. Moreover, these provisions will add unnecessary discretionary requirements to the department's aggregate regulatory count in direct conflict with the Governor's regulatory reduction directive.¹

The department is submitting this proposal to strike these unnecessary provisions in favor of language that more closely resembles the existing requirements in Section 90, while removing outdated language and making other minor changes to comply with ORM's procedures. The revised proposed amendments remove the reference in the current regulations to the now obsolete Reception and Diagnostic Center (RDC), the JCC that was responsible for intake, evaluation, and classification of committed juveniles prior to their assignment to a residential facility. Like the existing provision, the proposal directs the JCC administration to provide opportunities for the committee to meet as a body and with the residents they represent but also allows the agency to deviate from this requirement if such opportunities would threaten facility safety or security.

Remove Obsolete Terms and Positions Resulting from Agency Restructure

On August 11, 2023, the Director of the Department of Juvenile Justice announced a significant agency reorganization that eliminated, renamed, or restructured several positions and divisions within the agency. As part of this restructuring, the Community Manager position, referenced several times in the proposed regulatory amendments, was abolished.

Among other provisions, the board-approved amendments proposed to include a definition for "Community Manager" in Section 10 of the regulation, and to impose a requirement in 6VAC35-71-110(B) that the JCC

¹ Pursuant to Executive Order 19 (June 30, 2022) and ORM's Regulatory Reduction Guide, state agencies shall accomplish a 25% reduction in discretionary regulatory requirements by December 31, 2025.

administration establish procedures directing the assistant superintendent and community manager of each housing unit to visit their assigned units regularly, consistently, and frequently.

To address the restructuring, the department is now proposing to remove the “Community Manager” term and definition from Section 10 of the regulation and to modify subsection B of 6VAC35-71-10 to require that such written procedures direct the assistant superintendent **and other designated JCC supervisory** staff to make such regular, consistent, and frequent visits. This change will eliminate reference to an abolished position and provide more generalized language in case an additional change in title or other reorganization becomes necessary.

In addition, the original proposal sought to require notice to, reports to, or approvals by the position “two levels above the superintendent in the department’s reporting chain of command,” when certain specified events occur. As a result of the agency restructuring, there is no longer an intervening position between the superintendent and the desired recipient of these notifications, thus, eliminating the need for this language. The department proposes to modify these provisions so that the required reports and notifications are made to the facility superintendent’s supervisor, who is one level above the superintendent in the department’s chain of command. The department proposes this change to Section 545(A) (*requiring notice of lockdowns extending beyond 72 hours*); Section 1140(L) (*requiring approval before extending room confinement beyond 72 hours*); and Section 1140(M)(3) (*authorizing waiver or reduction in frequency of the recurring reviews required when room confinement periods exceed five days*).

Amend Provisions for Therapeutic Communities

At the Proposed Stage, the board approved the addition of a new section that would memorialize the department’s implementation of therapeutic communities in its housing units. When DJJ initially implemented the Community Treatment Model in 2015, it sought to transform its housing units to function as therapeutic communities with certain components, including: 1) designated staff with consistent assignment to a single housing unit for the residents’ therapeutic benefit; 2) residents’ continued assignment to the same housing unit throughout commitment unless facility security or the resident’s needs or progress would be threatened; 3) daily, structured, therapeutic activities in accordance with 6VAC35-71-740; and 4) direction and monitoring through an interdisciplinary team. While ensuring sustained, consistent staffing and continued resident assignment may provide some therapeutic benefit to residents, the initially proposed language acknowledged the possibility that these arrangements may be impracticable or threaten facility safety or security. The very possibility that these arrangements could result in such a threat or jeopardize the resident’s progress tends to suggest that these arrangements are not necessary to protect the public, and, in fact, may cut against public protection. Because this provision is not necessary to protect the public and considering the Governor’s mandate to remove unnecessary regulatory requirements,² the department recommends removing the proposed Section 735 in its entirety. The department also recommends conforming changes to remove provisions in other areas of the chapter that reference Section 735 or therapeutic communities.

² In accordance with the Regulatory Reduction Guide issued by ORM, “the 25% reduction target applies only to regulations that bind parties other than the state agency promulgating the regulation.” Because the Regulation Governing Juvenile Correctional Centers applies to JCCs currently operated by the department, and not to external entities, DJJ will not receive credit for any reduction to this chapter. ORM’s Reduction Guide recommends, however that agencies consider ways to eliminate requirements that impose unnecessary burdens on their own officials and provide no associated benefit for the general public, irrespective of whether they will receive reduction credit for the change.

Address Erroneous Language

After the board approved the last set of amendments for advancement to the Final Stage of the standard regulatory process, the department discovered an error in the proposed language. Section 80, which addresses the process for submitting, processing, and responding to grievances in the juvenile correctional center, proposes to compel the department to have a grievance procedure in place providing for immediate review and resolution within eight hours of review for grievances that may generate immediate harm to a resident, and review and resolution of all other grievances no later than 30 business days after receipt of the grievance. The board-approved language provides that grievances shall be deemed resolved once **facility staff** have addressed, corrected, or referred the issue to an external organizational unit. The department is concerned that this language may preclude the staff currently responsible for addressing, processing, and referring grievances, from carrying out the grievance process because they are not “facility staff,” as contemplated in the regulatory language. The department is proposing additional language that would allow for resolution of grievances once “designated facility staff **or other department staff responsible for recording, monitoring, coordinating, and resolving grievances** have addressed, corrected, or referred the issue to an external organizational unit.

The proposal also makes a minor edit to 6VAC35-71-1140 M 3 to correct an erroneous citation.

IV. PROCESS FOR RESUBMISSION OF FINAL STAGE AND NEXT STEPS

Overview of Process for Resubmission

As set forth in Part III, above, the regulatory action was paused in the Final Stage of the process while undergoing OAG review. In accordance with ORM’s procedures, changes to the regulatory text with substantial impact between the Proposed and Final stages necessitate a letter from the OAG certifying that the agency has authority to make the additional changes. Given the department’s desire to address the areas of possible regulatory overreach, the department has suggested the additional changes described in Part III of this memorandum. If the board approves these changes, the department will resubmit the proposed regulatory action to the Final Stage, initiating Executive Branch review that will commence with a subsequent review by the OAG. Once the requisite Executive Branch level reviews are completed, the action will be published in the Virginia Register and undergo a 30-day final adoption and public comment period. The anticipated deadlines for various actions in the Final Stage are outlined in the table below.

Timeframes for Final Stage

Action/Review	Deadline for Completion
Submit revised packet to Town Hall	No deadline after board approval
OAG Review	No deadline after submission
Department of Planning and Budget (assess substantive changes since last action).	21-day deadline
Secretary of Public Safety and Homeland Security	14-day deadline
ORM Review	14-day deadline
Governor/Chief of Staff Review	No deadline
Publication of Final Stage in Virginia Register	In accordance with publication schedule
Final Adoption Period/Public Comment	30-day deadline

The final regulation takes effect after the 30-day deadline or subsequent date specified by the department unless a triggering event occurs.³

VI. CONCLUSION

The department believes the revised proposal addresses the areas of regulatory concern that prompted its request to the OAG to return the action and resolves additional issues in the proposed regulation generated by agency restructuring, Governor's directives, and other changes. Accordingly, the department asks the board to approve this request and authorize the department to resubmit the regulatory action with the additional amendments described in this memorandum to the Final Stage of the standard regulatory process.

³ Pursuant to § 2.2-4015 of the Code of Virginia, if a legislative objection is filed, the regulation becomes effective on a date specified by the agency that falls after the expiration of the applicable 21-day extension period. If the Governor exercises his authority to require the agency to provide for additional public comment, the regulation shall become effective on a date specified by the agency that falls after the period for which the Governor has provided for additional public comment. If the Governor and appropriate standing committees of the General Assembly or Joint Commission on Administrative Rules have exercised their authority to suspend the effective date of the regulation, the regulation would take effect after the next regular legislative session.

**Regulation Governing Juvenile Correctional Centers
Additional Revisions at Final Stage**

6VAC35-71-10. Definitions (Excerpt).

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

"Annual" means within 13 months of the previous event or occurrence.

"Assistant superintendent" means the individual who provides regular assistance and support to the superintendent in the management and operation of a juvenile correctional center.

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

"Board" means the Board of Juvenile Justice.

"Case record" [or "~~record~~"] means [the collection of] written ~~or electronic~~ information regarding a resident and the resident's family, if applicable [~~, maintained in accordance with written procedures~~].

"Community manager" means the individual who supervises, coordinates, and directs an assigned group of staff in multiple housing units and who oversees the schedules, programs, and services for assigned housing units within a juvenile correctional center.]

"Community manager" means the individual who supervises, coordinates, and directs an assigned group of staff in multiple housing units and who oversees the schedules, programs, and services for assigned housing units within a juvenile correctional center.]

"Contraband" means [any an] item possessed by or accessible to a resident or found within a juvenile correctional center or on its premises that (i) is prohibited by statute, regulation, or department procedure; (ii) is not acquired through approved channels or in prescribed amounts; or (iii) may jeopardize the safety and security of the juvenile correctional center or individual residents.

"Contractor" means an individual who has entered into a legal agreement to provide services on a recurring basis to a juvenile correctional center.

"Department" means the Department of Juvenile Justice.

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

~~"Direct supervision" or "directly supervise" means the act of working with residents who are not in the presence of direct care staff. Staff members who provide direct supervision are responsible for maintaining the safety, care, and well-being of the residents in addition to providing services or performing the primary responsibilities of that position. [a method of resident supervision in which the act of] a direct supervision employee [is authorized to provide providing] services to a resident while direct care [staff employees] are not within close proximity and do not have direct and continuous visual observation of or the ability to hear any sounds or words spoken by the resident.~~

"Direct supervision employee" means [a staff member an employee] who is responsible for maintaining the safety, care, and well-being of the residents in addition to providing services or

performing the primary responsibilities of that position and who is authorized to directly supervise residents.

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

["Disciplinary room confinement" means the placement of a resident in room confinement as a consequence for a violation of a facility rule after application of the disciplinary process, as provided for in 6VAC35-71-1110.]

"Emergency" means a sudden, generally unexpected occurrence or set of circumstances demanding immediate action such as a fire, chemical release, loss of utilities, natural disaster, ~~taking of hostages~~ hostage situation, ~~major disturbances~~ disturbance, escape, and ~~or bomb threats~~ threat. ~~Emergency~~ For purposes of this definition, "emergency" does not include regularly scheduled employee time off or other situations that reasonably could be reasonably anticipated.

"Grievance" means a written communication by a resident on a department-approved form that reports a condition or situation that [relates to department procedure and that] presents a risk of hardship or harm to a resident [~~and relates to department procedure~~].

"Housing unit" means the space in a juvenile correctional center in which a particular group of residents resides, which comprises sleeping areas, bath and toilet facilities, and a living room or its equivalent for use by the residents. Depending upon its design, a building may contain one or several separate housing units.

"Individual service plan" or ~~"service plan"~~ means a written plan of action developed, revised as necessary, and reviewed at specified intervals, to meet [~~the needs of~~] a [~~resident~~ resident's needs]. ~~The individual service plan specifies (i) measurable short term and long term goals; (ii) the objectives, strategies, and time frames for reaching the goals; and (iii) the individuals responsible for carrying out the plan.~~

"Juvenile correctional center," "JCC," or "facility" means a public or private facility, operated by or under contract with the ~~Department of Juvenile Justice~~ department, where 24-hour per day care is provided to residents under the direct care of the department 24 hours a day, seven days a week. [~~For purposes of this chapter, "juvenile correctional center" does not include any facility at which a direct care alternative placement program is operated.~~]

~~"Living unit" means the space in a juvenile correctional center in which a particular group of residents resides that contains sleeping areas, bath and toilet facilities, and a living room or its equivalent for use by the residents. Depending upon its design, a building may contain one living unit or several separate living units.~~

["Juvenile correctional center administration," JCC administration," or "facility administration" means the juvenile correctional center superintendent or the superintendent's designee.]

"Lockdown" means the restriction of all or a group of residents to their housing unit, an area within their housing unit, or another area within a JCC for the purpose of (i) relieving temporary tensions within the facility [that may threaten or critically affect staff or residents or present a risk to public safety]; (ii) conducting a facility search for [~~missing tools or other security~~] contraband; (iii) responding to an imminent threat to the security and control of the facility or to the safety of staff, residents, or the public; or (iv) responding to other unexpected circumstances that threaten the safe operation of the facility, such as a loss of electricity, a critical shortage of staff, or an emergency.

"Mechanical restraint" means [~~the use of~~] an approved mechanical device that involuntarily restricts the freedom of movement or voluntary functioning of a limb or portion of [~~an individual's~~ the] body as a means of controlling [~~his~~ the individual's] physical activities when the individual being restricted does not have the ability to remove the device. For purposes of this [~~definition~~ chapter], mechanical restraints [~~are limited to handcuffs, handcuff covers, leather restraints,~~ shall

include] flex-cuffs, [handcuffs, leather restraints, waist chains,] leg irons, restraining belts and straps, [helmets, spit guards, anti-mutilation gloves, and restraint chairs and waist chains.

"Mechanical restraint chair" means an approved chair used to restrict the freedom of movement or voluntary functioning of a portion of [an individual's the] body as a means of controlling [his the individual's] physical activities while the individual is seated and either stationary or being transported.]

["Mental health clinician" means a clinician licensed to provide assessment, diagnosis, treatment planning, treatment implementation, and similar clinical counseling services, or a license-eligible clinician under supervision of a licensed mental health clinician.]

"Parent" or "legal guardian" means (i) a biological or adoptive parent who has legal custody of a resident, including either parent if custody is shared under a joint decree or agreement; (ii) a biological or adoptive parent with whom a resident regularly resides; (iii) a person judicially appointed as a legal guardian of a resident; or (iv) a person who exercises the rights and responsibilities of legal custody by delegation from a biological or adoptive parent, upon provisional adoption, or otherwise by operation of law.

"Physical restraint" means the application of behavior intervention techniques involving a physical intervention to prevent an individual from moving all or part of [his the individual's] body.

"Premises" means the tracts of land within the secure perimeter on which any part of a juvenile correctional center is located and any buildings on such tracts of land.

["Protective device" means an approved device placed on a portion of a resident's body to protect the resident or staff from injury.]

"Reception and Diagnostic Center" or "RDC" means the juvenile correctional center that serves as the central intake facility for all individuals committed to the department. The Reception and Diagnostic Center's primary function is to orient, evaluate, and classify each resident before being assigned to a juvenile correctional center or alternative placement.

"Resident" means an individual, [either a minor or an adult regardless of age], who is committed to the department and resides in a juvenile correctional center.

"Room confinement" means the involuntary placement of an individual resident in the resident's room or other designated room [, except during normal sleeping hours,] and the imposition of additional restrictions [for the purpose of (i) ensuring the safety of the resident, staff, or others within the facility; (ii) ensuring the security of the facility; or (iii) protecting property within the facility]. For purposes of this [regulation chapter], room confinement shall not include [any (i)] timeout [period periods; (ii) confinement during normal sleeping hours; (iii) confinement for purposes of allowing residents in a housing unit to shower safely; (iv) confinement for purposes of conducting facility counts; (v) confinement during shift changes; or (vi) or any] confinement resulting from a lockdown.

"Rules of conduct" means a listing list of a juvenile correctional center's rules or regulations that is maintained to inform residents and others of the behavioral expectations of the behavior management program, about behaviors that are not permitted, and about the sanctions consequences that may be applied when impermissible behaviors occur.

"Security [staff employee]" means [staff an employee] who [are is] responsible for maintaining the safety, care, and well-being of residents and the safety and security of the facility.

["Sexual abuse" means nonconsensual sexual contact by a resident or staff, including (i) contact between the penis and the vagina or the anus; (ii) contact between the mouth and the penis, vagina, or anus; (iii) penetration of the anal or genital opening of another person by a hand, finger, or other object; or (iv) non-penetrative intentional touching (either directly or through the clothing) of the genitalia, anus, groin, breast, inner thigh, or buttocks; and (v) intentional sexual

touching (either directly or through clothing) of the genitalia, anus, groin, breast, inner thigh, or buttocks.

"Sexual misconduct" means any sexual conduct or act by a resident either individually, with another resident, or directed towards staff, including non-forced sexual contact, indecent exposure or masturbation, and sexual harassment.]

["Spit guard" means a protective device designed for the purpose of preventing the spread of communicable diseases as a result of spitting or biting.]

"Superintendent" means the individual who [has the responsibility is responsible] for the on-site onsite management and operation of a juvenile correctional center on a regular basis.

"Timeout" means a systematic behavior management technique [program component] designed to reduce or eliminate [minor] inappropriate or problematic behavior by having staff require a resident to move to a specific location that is away from a source of reinforcement [for the earlier of a period not to exceed 60 minutes or] until the problem behavior has subsided [, not to exceed 60 minutes].

"Volunteer" or "intern" means [any an] individual or group under the direction and authority of the juvenile correctional center who of their own free will voluntarily provides goods and services without competitive compensation.

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

6VAC35-71-80. Grievance procedure.

A. [The superintendent or the superintendent's designee shall ensure the facility's compliance with the department's grievance procedure.] The [department shall have a] grievance procedure [shall provide in place that provides] for the following:

1. Resident participation in the grievance process, with assistance from staff upon request;
2. Investigation of the grievance by an impartial and objective person employee who is not the subject of the grievance;
3. Documented, ~~timely~~ responses to all grievances with the supporting reasons for the decision;
4. At least one level of appeal;
5. Administrative review of grievances;
6. Protection of residents from retaliation or the threat of retaliation for filing a grievance; and
7. Immediate review of [emergency] grievances [that pose an immediate risk of harm to a resident] with resolution as soon as practicable but no later than eight hours after the initial review [and review and resolution of all other grievances as soon as practicable but no later than 30 business days after receipt of the grievance. For purposes of this subdivision, a grievance may be deemed resolved once facility staff have addressed, corrected, or referred the issue to an external organizational unit].
7. Immediate review of emergency grievances that pose an immediate risk of harm to a resident with resolution as soon as practicable but no later than eight hours after the initial review and review and resolution of all other grievances as soon as practicable but no later than 30 business days after receipt of the grievance. For purposes of this subdivision, a grievance may be deemed resolved once designated facility staff or other department staff responsible for recording, monitoring, coordinating, and resolving grievances have addressed, corrected, or referred the issue to an external organizational unit.

B. Residents shall be oriented to the grievance procedure in an age or and developmentally appropriate manner.

C. The grievance procedure shall be (i) written in clear and simple language, (ii) posted in an area accessible to residents, and (iii) ~~posted~~ available in an area easily accessible to parents and legal guardians.

D. Staff shall assist and work cooperatively with other employees in facilitating the grievance process.

6VAC35-71-90. Resident advisory committee Student government association.

~~Each A. [A The] JCC, except RDC, [administration] shall have a resident advisory committee maintain a student government association that (i) is representative of the facility's population and (ii) shall meet monthly with the superintendent or designees during which time the residents shall be given the opportunity to raise matters of concern to the residents and the opportunity to have input into planning, problem-solving, and decision-making in areas of the residential program that affect their lives. [that] is organized to (i) provide leadership [;] development opportunities [;] and opportunities for civic participation and engagement for residents and (ii) allow for resident communication with facility and agency leadership.~~

B. The student government association shall develop a constitution and bylaws that shall govern the operation of the organization and provide for an election process for student government association officers and representatives.

C. Representatives from the student government association shall meet with the superintendent or the superintendent's designee at least once per month, during which time the representatives shall be given the opportunity to raise matters that concern the residents and to have input into planning, problem-solving, and decision-making in areas of the residential program that affect their lives.

D. In addition to the monthly meetings with the superintendent or the superintendent's designee, the JCC [administration] shall provide regular opportunities for the student government association to meet as a body and with the residents they represent.

E. The facility [administration] shall maintain a current copy of the constitution and bylaws required in subsection B of this section that shall be posted in each housing unit. During orientation, the residents shall receive an overview of the student government association, the constitution, and the bylaws.

6VAC35-71-90. Resident advisory committee.

Each JCC, except RDC, shall have a resident advisory committee that (i) is representative consists of the facility's population resident representatives and (ii) shall meet ~~meets~~ monthly with the superintendent or the superintendent's designees during which time the residents shall be given the opportunity to raise matters of concern to the residents and the opportunity ~~designee~~ to have address resident concerns and provide input into planning, problem-solving ~~problem solving~~, and decision-making ~~decision making~~ in areas of the residential program that affect their lives.

B. Unless the JCC administration determines that resident committee meetings would threaten facility safety or security, the JCC administration also shall provide opportunities for the committee to meet as a body and with the residents they represent.

6VAC35-71-110. Organizational communications.

A. The superintendent or the superintendent's designee shall meet, at least monthly, with all facility department heads and key staff members.

~~B. The superintendent or the assistant superintendent, chief of security, treatment program supervisor, or counseling supervisor, if designated by the superintendent, shall visit the living units and activity areas at least weekly In order to encourage informal contact with employees and~~

~~residents, and to observe informally the facility's living and working conditions, and enhance the efficacy and success of the therapeutic community within each housing unit, the JCC [administration] shall [ensure that establish written procedures that require] the assistant superintendent and the community manager assigned to each specific housing unit [shall to] make regular, consistent, and frequent visits to each housing unit under their jurisdiction [, in accordance with written procedures established pursuant to subsection D of this section]. [The written procedures also shall provide facility rules regarding these visits.]~~

~~B. The superintendent or the assistant superintendent, chief of security, treatment program supervisor, or counseling supervisor, if designated by the superintendent, shall visit the living units and activity areas at least weekly In order to encourage informal routine contact with employees and residents, and to observe informally the facility's each housing unit's living and working conditions, the JCC administration shall ensure that establish written procedures that require the assistant superintendent and the community manager assigned to each specific housing unit shall and other designated JCC supervisory staff to make regular, consistent, and frequent visits to each housing unit under their jurisdiction [, in accordance with written procedures established pursuant to subsection D of this section]. [The written procedures also shall provide facility rules regarding these visits.]~~

~~C. The superintendent shall make such visits, at a minimum, one time visit every housing unit and activity area at least once per month.~~

~~[D. The JCC shall establish written procedures governing the visits required in subsection B of this section that shall specify the required duration of each visit, the information and activities that should be observed, and the manner in which the visits shall be documented.]~~

6VAC35-71-160. Required initial training.

~~A. Each employee JCC employees shall complete initial, comprehensive agency-approved training that is specific to the individual's occupational class, is based on the needs of the population served, and ensures that the individual has the competencies to perform the position responsibilities. Contractors shall receive training required to perform their position responsibilities in a correctional environment.~~

~~B. Direct care staff and employees responsible for the direct supervision of residents shall and security employees, before that employee is being responsible for the direct supervision of supervising a resident, shall complete at least 120 hours of training, which shall include training in the following areas:~~

~~1. Emergency preparedness and response;~~

~~2. 1. First aid and cardiopulmonary resuscitation, unless the individual is currently certified, with certification required as applicable to their duties;~~

~~2. Recognition of signs and symptoms and knowledge of actions required in a medical emergency;~~

~~3. The facility's department's behavior management program, as provided in 6VAC35-71-745, including the requirements for sustaining a therapeutic community environment, as required in 6VAC35-71-735. At a minimum, this training shall address (i) the components and basic principles of the behavior management program; (ii) the principles, definitions, and expectations governing a therapeutic community environment; (iii) the main tenets of the department's graduated incentive system; and (iv) the tools available to address noncompliance;~~

~~3. The facility's department's behavior management program, as provided in 6VAC35-71-745. At a minimum, this training shall address (i) the components and basic principles of~~

the behavior management program; (ii) the main tenets of the department's graduated incentive system, and (iii) the tools available to address noncompliance;

4. The residents' rules of conduct [and,] the rationale for the rules [, and the disciplinary process in accordance with 6VAC35-71-1110];

5. The facility's department's behavior interventions, with restraint training required as including, if applicable to their the individual's duties, training in the use of physical [and restraints,] mechanical restraints [, and protective devices and the mechanical restraint chair], as provided in [6VAC35-71-1130 and 6VAC35-71-1175,] 6VAC35-71-1180 [, and 6VAC35-71-1203];

6. Emergency preparedness and response, as provided in 6VAC35-71-460;

7. Standard precautions, as provided in 6VAC35-71-1000;

6. 8. Child abuse and neglect;

7. 9. Mandatory reporting;

10. Residents' rights, including the prohibited actions provided for in 6VAC35-71-550;

8. 11. Maintaining appropriate professional relationships;

9. 12. Appropriate interaction among staff and residents;

10. 13. Suicide prevention, as provided in 6VAC35-71-805;

11. Residents' rights, including but not limited to the prohibited actions provided for in 6VAC35-71-550 (prohibited actions);

12. Standard precautions;

13. Recognition of signs and symptoms and knowledge of actions required in medical emergencies;

14. Adolescent development;

15. Procedures applicable to the employees' position positions and consistent with their work profiles; and

16. Other topics as required by the department and any applicable state or federal statutes or regulations.

C. Administrative and managerial staff shall receive at least 40 hours of training during their first year of employment. Clerical and support staff shall receive at least 16 hours of training.

D. Employees who administer medication shall, prior to such administration, successfully complete a medication training program approved by the Board of Nursing or be licensed by the Commonwealth of Virginia to administer medication.

E. Employees providing medical services shall be trained in tuberculosis control practices.

C. Direct supervision employees shall complete an initial 80 hours of agency-approved training [inclusive of, including] the topics enumerated in subsection B of this section before being responsible for the direct supervision of a resident and an additional 40 hours of agency-approved training before the completion of their first year of employment.

D. Employees providing medical services shall complete the following training:

1. An initial 40 hours of agency-approved training, [inclusive of including] (i) tuberculosis control practices and (ii) the topics enumerated in subdivisions B 5 through B 16 of this section before they may work directly with a resident; and

2. An additional 80 hours of agency-approved training before the expiration of their first year of employment.

E. Employees who administer medication shall, prior to administration and in accordance with the provisions of § 54.1-3408 of the Code of Virginia, successfully complete a medication

management training program approved by the Board of Nursing or be [~~certified~~ licensed] by the Commonwealth of Virginia to administer medication.

F. Administrative and managerial staff shall receive at least 40 hours of training during their first year of employment. Clerical and support staff shall receive at least 16 hours of training.

~~F. When~~ G. If an individual is employed by contract to provide services for which licensure by a professional organization is required, documentation of current licensure shall constitute compliance with this section.

~~G. H. Volunteers and interns shall be trained in accordance with 6VAC35-71-240 (volunteer and intern orientation and training).~~

I. The department shall develop written procedures that clearly delineate the positions falling under each category identified in this section.

6VAC35-71-170. Retraining.

A. Each employee shall complete retraining that is specific to the individual's occupational class and the position's job description [,] and [that] addresses any professional development needs.

- ~~1. Direct care staff and employees who provide, security employees, direct supervision of the residents employees, and employees providing medical services shall complete 40 hours of training annually, [inclusive of including] the requirements of this section.~~
2. Administrative and managerial staff shall receive at least 40 hours of training annually.
3. Clerical and support staff shall receive at least 16 hours of training annually.
- ~~4. Contractors shall receive retraining as required to perform their position responsibilities in the correctional environment.~~

B. All staff shall complete an annual training refresher on the facility's emergency preparedness and response plan and procedures.

C. All direct care ~~staff and employees who provide, security employees, and direct supervision of the residents employees~~ shall complete annual [retraining refresher training] in the following areas:

1. The department's behavior management program and the requirements for sustaining a therapeutic community environment, as required [~~in accordance with by~~] 6VAC35-71-160 B 3;

1. The department's behavior management program in accordance with 6VAC35-71-160 B 3;

2. Suicide prevention;

2. 3. Maintaining appropriate professional relationships;

~~3. 4.~~ Appropriate interaction among staff and residents;

~~4. 5.~~ Child abuse and neglect;

~~5. 6.~~ Mandatory reporting;

~~6. 7.~~ Resident rights, including but not limited to the prohibited actions provided for in 6VAC35-71-550 (prohibited actions);

~~7. 8.~~ Standard precautions; and

~~8. Behavior management techniques; and~~

9. Other topics as required by the department and any applicable state or federal statutes or regulations.

D. All employees providing medical services shall complete annual retraining in the topics enumerated in subdivisions C 2 through C 9 of this section.

E. All direct care staff employees, security employees, and direct supervision employees shall receive training sufficient to maintain a current certification in first aid and cardiopulmonary resuscitation.

F. Employees who administer medication shall complete annual refresher training on the administration of medication, which shall [~~at a minimum,~~] include [at a minimum,] a review of the components required in 6VAC35-71-1070.

~~F.~~ G. If an individual is employed by contract to provide services for which licensure by a professional organization is required, documentation of the individual's current licensure shall constitute compliance with this section.

~~G.~~ H. All staff approved to apply physical restraints as provided for in [~~6VAC35-71-1130~~ 6VAC35-71-1175] (~~physical restraint~~) shall be trained as needed to maintain the applicable current certification.

~~H.~~ I. All staff approved to apply mechanical restraints [~~protective devices, or the mechanical restraint chair~~] shall be retrained annually as required by 6VAC35-71-1180 (~~mechanical restraints~~) [and 6VAC35-71-1203].

~~I.~~ J. Staff who have not timely completed required retraining shall not be allowed to have direct care or direct supervision responsibilities pending completion of the retraining requirements.

6VAC35-71-360. Sleeping areas.

~~A. Male~~ Generally, male and female residents shall have separate sleeping areas; however, nothing in this chapter shall preclude a facility from making a placement decision based upon a case-by-case analysis [~~as required in 6VAC35-71-555,~~] of whether a placement would ensure a resident's health and safety or present management or security problems [~~as required in 6VAC35-71-555~~].

B. Beds in all facilities or sleeping areas established, constructed, or structurally modified after July 1, 1981, shall be at least three feet apart at the head, foot, and sides; and [~~double-decker bunk~~] beds in such facilities shall be at least five feet apart at the head, foot, and sides. Facilities or sleeping areas established, constructed, or structurally modified before July 1, 1981, shall have a bed placement plan approved by the director or the director's designee.

C. Mattresses shall be fire retardant as evidenced by documentation from the manufacturer, except in buildings equipped with an automated sprinkler system [~~as~~] as required by the Virginia Uniform Statewide Building Code (13VAC5-63).

D. Sleeping quarters established, constructed, or structurally modified after July 1, 1981, shall have:

1. At least 80 square feet of floor area in a bedroom accommodating one person;
2. At least 60 square feet of floor area per person in rooms accommodating two or more persons; and
3. Ceilings with a primary height [~~of~~] at least 7-1/2 feet [~~in height,~~] exclusive of protrusions, duct work, or dormers.

6VAC35-71-545. Lockdowns.

A JCC may impose a lockdown [within a facility only] in accordance [with written procedures that require the following with the following requirements]:

1. With the exception of a lockdown to respond to an emergency [~~as defined in 6VAC35-71-40~~], a lockdown may not be imposed until the superintendent or the superintendent's designee provides approval;
2. [~~In the event of~~ If] an emergency [necessitating] necessitates] a lockdown, the superintendent shall be notified as soon as practicable;

3. The [~~superintendent's supervisor and the administrator at the next level in the department's reporting chain of command shall be notified~~ facility shall have written procedures in place for notifying administrators above the level of superintendent] of all lockdowns except lockdowns for routine [~~facility contraband~~] searches;

4. [~~In the event that If~~] the lockdown extends beyond 72 hours, the lockdown and the steps being planned or taken to resolve the situation shall be reported immediately to the administrator who is two levels above the superintendent in the department's reporting chain-of-command;

4. ~~In the event that If~~ the lockdown extends beyond 72 hours, the lockdown and the steps being planned or taken to resolve the situation shall be reported immediately to the administrator who is two levels above the superintendent in the department's reporting chain-of-command facility superintendent's supervisor;

5. Whenever residents are confined to a locked room as a result of a lockdown, the staff shall:

a. Check each locked-down resident visually at least every 15 minutes, and more frequently if necessitated by the circumstances;

b. Ensure that each resident has a means of immediate communication with staff, either verbally or electronically, throughout the duration of the confinement period;

c. Ensure that each resident is afforded the opportunity for at least one hour of large muscle exercise outside of the locked room every calendar day unless the resident displays behavior that is threatening or presents an imminent danger to himself or others, or unless the circumstances that required the lockdown justify an exception.

d. Ensure that the superintendent or the superintendent's designee makes personal contact with each resident who is confined every calendar day; and

e. In response to a resident who exhibits self-injurious behavior after being in room confinement, (i) take appropriate action in response to the behavior, (ii) consult with a [~~qualified~~] mental health [~~professional~~ clinician] immediately thereafter and document the consultation, and (iii) monitor the resident in accordance with established protocols, including constant supervision, if appropriate.

6VAC35-71-735. Therapeutic communities in housing units.

A. [~~A The~~] JCC [~~administration~~] shall ensure that each housing unit functions as a therapeutic community that, at a minimum, includes the following components:

1. Designated staff assigned to one housing unit and, to the extent practicable, continued assignment to that unit for the therapeutic benefit of residents;

2. Continued resident assignment to the same housing unit throughout the duration of commitment, unless the continued assignment would threaten facility safety or security or the resident's needs or progress;

3. Daily, structured therapeutic activities provided in accordance with 6VAC35-71-740; and

4. Direction, guidance, and monitoring provided by an interdisciplinary team

B. The department shall establish written procedures governing therapeutic communities in housing units that include these components.

6VAC35-71-735. Therapeutic communities in housing units.

A. The JCC administration shall ensure that each housing unit functions as a therapeutic community that, at a minimum, includes the following components:

1. Designated staff assigned to one housing unit and, to the extent practicable, continued assignment to that unit for the therapeutic benefit of residents;
2. Continued resident assignment to the same housing unit throughout the duration of commitment, unless the continued assignment would threaten facility safety or security or the resident's needs or progress;
3. Daily, structured therapeutic activities provided in accordance with 6VAC35-71-740; and
4. Direction, guidance, and monitoring provided by an interdisciplinary team

B. The department shall establish written procedures governing therapeutic communities in housing units that include these components:

Article 1

Behavior, Discipline, and Room Confinement

6VAC35-71-1110. Disciplinary process.

A. ~~[A The]~~ JCC ~~[administration]~~ shall ensure that, to the extent practicable, resident behavioral issues are addressed (i) in the context of a therapeutic community; (ii) in a manner that is consistent with the department's behavior management program; (iii) with consideration of the safety and security of the residents, staff, and others in the facility; and (iv) with the goal of rehabilitating ~~[, rather than punishing]~~ the resident.

A. The JCC administration shall ensure that, to the extent practicable, resident behavioral issues are addressed ~~(i) in the context of a therapeutic community;~~ (i) in a manner that is consistent with the department's behavior management program; (ii) with consideration of the safety and security of the residents, staff, and others in the facility; and (iii) with the goal of rehabilitating ~~, rather than punishing~~ the resident.

B. ~~[Each The]~~ JCC ~~[administration]~~ shall ~~[follow written procedures for handling address]~~ (i) minor resident misbehavior through an informal process and (ii) instances when a resident is charged with a violation of the rules of conduct through the formal process outlined below in subsections C, D, and E of this section. Such ~~[The procedures shall provide for (i) graduated sanctions and (ii) staff and resident orientation and training on the procedures.]~~

~~B. When C.~~ If staff have reason to believe a resident has committed a rule violation that cannot be resolved through the facility's informal process, staff shall prepare a disciplinary report detailing the alleged rule violation. A written copy of the report shall be maintained by the housing unit staff. The resident shall be given a written copy of the report within 24 hours of the alleged rule violation; however, staff shall have the discretion to provide residents who are noncompliant or are displaying maladaptive behavior ~~[at least]~~ one ~~[or more opportunities opportunity]~~ to view the written report instead of providing a copy to the resident within 24 hours of the alleged rule violation. ~~[In the event that staff exercises If staff exercise]~~ this option, a copy of the written report shall be provided to the resident once the resident demonstrates ~~[that]~~ the ~~[resident is able ability]~~ to comply with the rules of the facility.

~~G. D.~~ After the resident receives notice of an alleged rule violation, the resident shall be provided the opportunity to admit or deny the charge.

1. The resident may admit to the charge in writing to a superintendent or the superintendent's designee who was not involved in the incident, accept the sanction prescribed for the offense, and waive [his the] right to any further review.

2. If the resident denies the charge or there is reason to believe that the resident's admission is coerced or that the resident does not understand the charge or the implication of the admission, the formal process for resolving the matter detailed in subsection ~~D~~ E of this section shall be followed.

~~D~~. E. The formal process for resolving rule violations shall provide the following:

1. A disciplinary hearing to determine if substantial evidence exists to find the resident guilty of the rule violation shall be scheduled to occur no later than seven days [~~, excluding weekends and holidays,~~] after the rule violation [, excluding weekends and holidays]. The hearing may be postponed with the resident's consent.

2. The resident alleged to have committed the rule ~~violations~~ violation shall be given at least 24 ~~hours~~ hours' notice of the time and place of the hearing, ~~but~~ however the hearing may be held within 24 hours with the resident's written consent.

3. The disciplinary hearing on the alleged rule violation shall:

a. Be conducted by an impartial and objective ~~staff~~ employee who shall determine (i) what evidence is admissible, (ii) the guilt or innocence of the resident, and (iii) if the resident is found guilty of the rule violation, what sanctions shall be imposed;

b. Allow the resident to be present throughout the hearing, unless the resident waives the right to attend, his behavior justifies exclusion, or another resident's testimony must be given in confidence. The reason for the resident's absence or exclusion shall be documented;

c. Permit the resident to make a statement ~~and~~ , present evidence, ~~and to request~~ relevant witnesses on his behalf. The reasons for denying ~~such~~ these requests shall be documented;

d. Permit the resident to request a staff member to represent him and question the witnesses. A staff member shall be appointed to help the resident when it is apparent that the resident is not capable of effectively collecting and presenting evidence on his own behalf; and

e. Be documented, with a record of the proceedings kept for [~~six months~~ three years].

4. A written record shall be made of the hearing disposition and supporting evidence. The hearing record shall be kept on file at the JCC.

5. The resident shall be informed in writing of the disposition and, if found guilty of the rule violation, the reasons supporting the disposition and the right to appeal.

6. If the resident is found guilty of the rule violation, a copy of the disciplinary report shall be placed in the resident's case record.

7. The superintendent or the superintendent's designee shall review all disciplinary hearings and dispositions to ensure conformity with [~~procedures and regulations~~ this chapter].

8. The resident shall have the right to appeal the disciplinary hearing decision to the superintendent or the superintendent's designee within 24 hours of receiving the decision. The appeal shall be decided within 24 hours of its receipt, and the resident shall be notified in writing of the results within three days. These ~~time frames~~ timeframes do not include weekends and holidays.

~~E. When it is necessary to place the resident in confinement to protect the facility's security or the safety of the resident or others, the charged resident may be confined pending the formal~~

hearing for up to 24 hours. Confinement for longer than 24 hours must be reviewed at least once every 24 hours by the superintendent or designee who was not involved in the incident. For any confinement exceeding 72 hours, notice shall be made in accordance with 6VAC35-71-1140 D (room confinement).

6VAC35-71-1140. Room confinement.

A. ~~Written procedures shall govern how and when residents may be confined to a locked governing room confinement shall address the following issues:~~

1. The actions or behaviors that may result in room confinement;
2. The factors, such as age, developmental level, or disability, that should be considered prior to placing a resident in room confinement;
3. The process for determining whether the resident's behavior threatens the safety and security of the resident, others, or the facility; the protocol for determining whether the threat necessitating room confinement has [been] abated; and the necessary steps for releasing the resident [to a less restrictive setting from room confinement] after the threat [is has] abated; and
4. The circumstances under which a debriefing with the resident should occur after the resident is released from confinement; the party that should conduct the debriefing; and the topics that should be discussed in the debriefing, including the cause and impact of the room confinement and the appropriate measures post-confinement to support positive resident outcomes.

~~B. Whenever a resident is confined to a locked room, including but not limited to being placed in isolation, staff shall check the resident visually at least every 30 minutes and more frequently if indicated by the circumstances.~~

~~C. Residents who are confined to a locked room, including but not limited to being placed in isolation, shall be afforded the opportunity for at least one hour of physical exercise, outside of the locked room, every calendar day unless the resident's behavior or other circumstances justify an exception. The reasons for any such exception shall be approved in accordance with written procedures and documented~~

B. If a resident is placed in room confinement, regardless of the duration of the confinement period or the rationale for the confinement, staff shall take measures to ensure the continued health and safety of the confined resident. At a minimum, the following measures shall be [applied taken]:

1. Staff shall monitor the resident visually at least every 15 minutes and more frequently if indicated by the circumstances. If a resident is placed on suicide precautions, staff shall [make conduct] additional visual checks as determined by the [qualified] mental health [professional clinician].
2. A qualified medical [or mental] health professional [or mental health clinician] shall [at least once daily,] visit with the resident [at least once daily] to assess the resident's medical and mental health status.
3. The resident shall have a means of immediate communication with staff, either verbally or electronically, throughout the duration of the confinement period.
4. The resident shall be afforded the opportunity for at least one hour of large muscle activity outside of the locked room every calendar day unless the resident displays behavior that is threatening, presents an imminent danger to himself or others, or [otherwise justifies an exception or unless] other circumstances [, such as lockdown or power failure,] prevent the activity. The reasons for the exception shall be approved [by the superintendent or the superintendent's designee] and documented [in accordance with written procedures].

5. If the resident ~~[, while placed in room confinement,]~~ exhibits self-injurious behavior ~~[while in room confinement]~~, staff shall (i) take appropriate action in response to the behavior ~~[to prevent further injury and to notify supervisory staff]~~; (ii) consult with a ~~[qualified]~~ mental health ~~[professional clinician]~~ immediately after the threat ~~[is has]~~ abated and document the consultation; and (iii) ~~[monitor the resident in accordance with established protocols, including constant supervision, if appropriate]~~ adjust the frequency of face-to-face checks, as needed, never allowing more than 15 minutes to pass between checks].

C. ~~[A resident shall never be placed in room confinement as a sanction for noncompliance or as a means of punishment.]~~ Room confinement may be imposed only in response to the following situations:

1. If a resident's actions threaten facility security or the safety and security of residents, staff, or others in the facility; ~~[or]~~
2. In order to prevent damage to real or personal property when the damage is committed with the intent of fashioning an object or device that may threaten facility security or the safety and security of residents, staff, or others in the facility ~~[;]~~
3. If the resident admits in writing to a charge for or is found guilty of one of the following offenses in accordance with the disciplinary process in 6VAC35-71-1110 and is placed in disciplinary room confinement:
 - a. Escape, attempted escape, or Absent without Leave (AWOL);
 - b. Possession or use of an unauthorized item that has the potential to threaten the security of the facility;
 - c. Assault and battery;
 - d. Fighting;
 - e. Sexual misconduct; or
 - f. Sexual abuse.

D. A resident may not receive a sanction for disciplinary room confinement that exceeds five consecutive days.

~~D. Room~~ E. Except when a resident is placed in disciplinary room confinement in accordance with subdivision C 3, room] confinement may be imposed only after less restrictive measures have been exhausted or cannot be employed successfully. Once the threat necessitating the confinement ~~[is has]~~ abated, staff shall initiate the process for releasing the resident from confinement ~~[and returning him to a lesser restrictive setting.]~~

~~E. F. In the event that If]~~ a resident is placed in room confinement, the resident shall be ~~[afforded the same opportunities as other residents in the housing unit, including treatment, education, and as much time out of the resident's room as security considerations allow provided medical and mental health treatment, as applicable, education, daily nutrition in accordance with 6VAC35-71-630, and daily opportunities for bathing in accordance with 6VAC35-71-550.]~~

~~F. G.]~~ Within the first three hours of a resident's placement in room confinement, a designated staff member shall communicate with the resident to explain (i) the reasons for which the resident has been placed in confinement; (ii) the expectations governing behavior while ~~[placed]~~ in room confinement; and (iii) the steps necessary ~~[in order]~~ for ~~[a the]~~ resident to be released from room confinement.

~~[G. H.]~~ A resident confined for six or fewer waking hours shall be afforded the opportunity at least once during the confinement period to communicate ~~[with a staff member,]~~ wholly apart from the communications required in subsection G of this section, ~~[with a staff member]~~ regarding the resident's status or the impact of the room confinement. A resident confined for a period that

exceeds six waking hours shall be afforded an opportunity twice daily during waking hours for these communications.

[H. I.] The superintendent or the superintendent's designee shall make personal contact with every resident who is placed in room confinement each day of confinement.

D. [I. J] If a resident is confined to a locked placed in room confinement for more than 24 hours, the superintendent or the superintendent's designee shall be notified and shall provide written approval for any continued room confinement beyond the 24-hour period.

E. If the confinement extends to more than 72 hours, the (i) confinement and (ii) the steps being taken or planned to resolve the situation shall be immediately reported to the department staff, in a position above the level of superintendent, as designated in written procedures. If this report is made verbally, it shall be followed immediately with a written, faxed, or secure email report in accordance with written procedures.

F. The superintendent or designee shall make personal contact with each resident who is confined to a locked room each day of confinement.

G. When confined to a room, the resident shall have a means of communication with staff, either verbally or electronically.

H. If the resident, after being confined to a locked room, exhibits self injurious behavior (i) staff shall immediately consult with, and document that they have consulted with, a mental health professional; and (ii) the resident shall be monitored in accordance with established protocols, including constant supervision, if appropriate.

[J. K] The facility superintendent's supervisor shall provide written approval before any room confinement may be extended beyond 48 hours.

[K. L] The administrator who is two levels above the superintendent in the department's reporting chain-of-command shall provide written approval before any room confinement may be extended beyond 72 hours. The administrator's approval shall be contingent upon receipt of a written report outlining the steps being taken or planned to resolve the situation. The facility [administration] shall convene a treatment team consisting of stakeholders involved in the resident's treatment to develop this plan. The department shall establish written procedures governing the development of this plan.

[K. L] The administrator who is two levels above the superintendent in the department's reporting chain-of-command facility superintendent's supervisor shall provide written approval before any room confinement may be extended beyond 72 hours. The administrator's approval shall be contingent upon receipt of a written report outlining the steps being taken or planned to resolve the situation. The facility [administration] shall convene a treatment team consisting of stakeholders involved in the resident's treatment to develop this plan. The department shall establish written procedures governing the development of this plan.

[-L.M] Room confinement periods that exceed five days shall be subject to a case management review [process in accordance with written procedures] that [provide adheres to] the following [requirements]:

1. A facility-level review committee shall conduct a [case-management case management] review at the committee's next scheduled meeting immediately following expiration of the five-day period.

2. If the facility-level case management review determines a need for the resident's continued confinement, the case shall be referred for a case management review at the division-level [committee's next scheduled meeting immediately following the meeting for the facility-level review committee meeting, which shall occur no later than seven business days following the referral].

3. Upon completion of the initial reviews in subdivisions L 1 and L 2 of this section, any additional time that the resident remains in room confinement shall be subject to a recurring review by the facility-level review committee and the division-level review committee, as applicable, until either committee recommends the resident's release from room confinement. [~~However, upon~~ Upon] written request of the division-level review committee, the administrator who is two levels above the superintendent in the department's reporting chain-of-command shall be authorized to reduce the frequency of or waive the division-level reviews [~~in accordance with written procedures~~. The rationale for the waiver shall be documented and placed in the resident's record].

3. Upon completion of the initial reviews in subdivisions ~~L 1~~ M 1 and ~~L 2~~ M 2 of this section, any additional time that the resident remains in room confinement shall be subject to a recurring review by the facility-level review committee and the division-level review committee, as applicable, until either committee recommends the resident's release from room confinement. ~~However, upon~~ Upon written request of the division-level review committee, the administrator who is two levels above the superintendent in the department's reporting chain-of-command facility superintendent's supervisor shall be authorized to reduce the frequency of or waive the division-level reviews [~~in accordance with written procedures~~. The rationale for the waiver shall be documented and placed in the resident's record].

[~~M. The provisions of this section shall become effective (insert effective date of this regulation).~~]



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TO: Board of Juvenile Justice

FROM: Virginia Department of Juvenile Justice

SUBJECT: Request Authorization to Initiate Notice of Intended Regulatory Action for 6VAC35-150, Regulation for Nonresidential Services

DATE August 18, 2025

I. SUMMARY OF ACTION REQUESTED

The Department of Juvenile Justice (the department) respectfully asks the State Board of Juvenile Justice (board) for authorization to initiate the Notice of Intended Regulatory Action (NOIRA) to make comprehensive amendments to 6VAC35-150 (Regulation for Nonresidential Services).

II. STATUTORY AND REGULATORY BACKGROUND

Section 16.1-233 directs the board to establish minimum standards for court service staff and related supportive personnel and promulgate regulations pertaining to their appointment and function "to the end that uniform services insofar as is practical, will be available to juvenile and domestic relations district courts throughout the Commonwealth." Section 16.1-235 requires DJJ to "develop and operate probation, parole, and related court services...and make such services available to juvenile and domestic relations district courts, as required by...regulations established by the board." Finally, § 16.1-309.9 directs the board to develop, promulgate, and approve standards for the development, implementation, operation, and evaluation of the range of community-based programs, services, and facilities authorized by the Virginia Juvenile Community Crime Control Act (VJCCCA). The Regulation for Nonresidential Services (6VAC35-150) carries out these statutory requirements by establishing minimum requirements for state-operated and locally operated court service units and setting out additional requirements for nonresidential programs utilized by the juvenile and domestic relations court, including those funded, in part, by the VJCCCA.

In 2019, the Department conducted a periodic review of this regulatory chapter in accordance with the requirements in § 2.2-4007.1 and concluded that the chapter should be amended to remove obsolete provisions, clarify language, and update requirements based on departmental changes. The department now seeks to file a NOIRA to initiate comprehensive amendments to this chapter.

III. ANTICIPATED CHANGES

Changes to Terms, Definitions, and Scope of Chapter

The department anticipates proposing several changes to clarify and simplify existing definitions and terms, as described below:

- Distinguish procedures depending on statewide, individual, or local application;
- Remove provisions that improperly incorporate written procedures in violation of IVAC7-10-140;
- Amend definitions to align with statutory or other regulatory definitions or to reflect the department's current nomenclature;
- Remove definitions for terms no longer used in the chapter;
- Establish definitions for undefined terms;
- Add details to definitions for clarification; and
- Remove unnecessary or inaccurate language, including erroneous citations.

Removal of Operational, Instructional, Duplicative, or Otherwise Unnecessary Provisions

The department plans to remove several operational provisions it deems unnecessary to interpret the law or protect the public health, safety, or welfare. Provisions that address administrative duties, impose needless notification requirements, and set out other detailed operational requirements are among those slated for removal. The department also hopes to remove numerous duplicative provisions, such as those mirroring other sections in this or other regulatory chapters.

Removal or Replacement of Outdated Requirements

Several provisions in this chapter impose requirements that are no longer practicable based upon agency restructuring and changes in practice for CSUs, courts, residential facilities, and nonresidential programs. The department expects to strike these provisions.

Removing Requirements from Documents Improperly Incorporated by Reference; Imposing Requirements Outright Instead of by Written Procedures

Several provisions require compliance with external, department-developed procedures. In accordance with IVAC7-10-140, agencies may not incorporate their own documents by reference unless the documents or circumstances are unique and highly unusual. The proposed amendments will seek to remove provisions requiring compliance with the department's written procedures or otherwise incorporating external department documents. If language from the incorporated document is necessary to protect public health or safety, the department will recommend expressly including that language rather than incorporating the entire document and will replace provisions that require regulated entities to adopt certain specified procedural requirements with language imposing the requirement outright.

Adding and Amending Provisions to Ensure Public Health and Safety

The department plans to add and amend several provisions to address gaps in regulatory oversight that may impact public safety, including provisions addressing the transportation of detained juveniles and reporting and

documenting serious incidents and incidents of child abuse and neglect. The department also expects to bolster its provisions addressing security and safety in CSUs and other nonresidential programs, particularly in areas involving training, use of force, medication administration, and access to procedures.

Clarifying, setting, or amending timelines for certain requirements

The department expects to amend several sections to clarify, establish, or change deadlines for satisfying certain regulatory requirements involving volunteer and intern registration; diversion of qualifying offenses, social history reports; case plan reviews, contacts, and release notifications for juveniles under supervision; and progress reports for service providers.

Changes for Compliance with the Law, Alignment with other Chapters, or Additional Clarity

The department hopes to make additional changes to correct erroneous statutory citations and provisions improperly citing to statutory requirements and to ensure the chapter includes all language and requirements the governing statute mandates. Additionally, where needed, the department plans to align provisions in this chapter with similar, relevant language in other chapters. For example, language addressing postdispositional detention responsibilities for CSU staff will be aligned with language in Chapter 101, and certain provisions addressing nonresidential VJCCCA programs will be amended to align with similar provisions in Chapter 41 applicable to group homes funded, in part, through the VJCCCA.

Other Substantive Changes

The department expects to amend several provisions addressing the process for intake, probation, and parole. Changes will provide clearer guidance to court service unit staff on processes for making entries into the department's electronic data collection system, assessing whether a juvenile should be detained predispositionally; utilizing replacement intake officers; ensuring protections are afforded to victims of juvenile offenders, and addressing violations of probation and parole.

The department also plans to make more generalized changes, such as clarifying which staff are responsible for fulfilling the various duties imposed in this chapter, ensuring regulatory language does not conflict with statutory provisions, expanding the scope of certain provisions, as needed, to include other intended targets, and making other changes for clarity.

Additionally, the department will amend the chapter to reflect any relevant active variances adopted by the board since the regulation was last amended.

Making Style, Formatting, and Structural Changes

Finally, the department expects to amend several provisions to reflect requirements in the Virginia Style Manual. The department also plans to rearrange some regulatory provisions to accomplish additional regulatory reduction and to ensure that provisions are in the appropriate sections of the chapter.

IV. PROCESS FOR SUBMISSION OF NOIRA AND NEXT STEPS

The NOIRA serves as the first stage of the standard regulatory process and is intended to alert the public of the board's intent to take certain action on a regulation. If the board approves the department's request to initiate the NOIRA action, the department will submit the necessary filing to the Virginia Regulatory Town Hall. This will launch executive branch review of the action. Once these requisite reviews are complete, the action will undergo a 30-day public comment period, after which, the department will provide the board with the language reflecting the proposed amendments for board approval and advancement to the Proposed stage of the standard regulatory process. The anticipated timeframes for the NOIRA action are established in the table below.

Timeframes for NOIRA Stage

Action/Review	Deadline for Completion
Submit NOIRA to Virginia Regulatory Town Hall	No deadline after board approval
Department of Planning and Budget	14-day deadline
Secretary of Public Safety and Homeland Security	14-day deadline
Office of Regulatory Management	14-day deadline
Governor/Chief of Staff	No deadline
Publication of NOIRA in Virginia Register	In accordance with publication schedule
Public comment period	30-day deadline

VI. CONCLUSION

The department believes the initiation of this NOIRA action is an important preliminary step in commencing a thorough review of 6VAC35-150; identifying areas for reduction, simplification, and clarification; and carrying out the statutory obligation to conduct quadrennial periodic regulatory reviews. Accordingly, the department asks the board to approve this request and authorize the department to initiate the NOIRA stage of the standard regulatory process.



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MEMORANDUM

TO: State Board of Juvenile Justice

FROM: Virginia Department of Juvenile Justice

DATE: August 18, 2025

SUBJECT: Request to Amend Guidance Document: Compliance Manual for 6VAC35-150, Regulation for Nonresidential Services

I. ACTION REQUESTED

The Department of Juvenile Justice (department) respectfully requests the State Board of Juvenile Justice's (board's) authorization to amend an active guidance document, Compliance Manual, 6VAC35-150-Regulation for Nonresidential Services (CSU Compliance Manual). The department seeks to amend the Compliance Manual to comply with Governor Youngkin's Executive Directive 1 and Executive Order 19, and related documents issued by the Office of Regulatory Management (ORM), which collectively require executive branch agencies and boards to reduce the number of their discretionary regulatory requirements and the length of their guidance documents by 25%.

II. BACKGROUND

As one of his first acts as Governor of the Commonwealth, Governor Youngkin issued Executive Directive 1, which mandated that all state Executive Branch entities initiate regulatory processes to reduce the number of discretionary regulations by 25%. Subsequently, the Governor issued Executive Order 19, which amended the regulatory reduction mandate to require a 25% reduction in the number of discretionary regulatory requirements and which created the ORM to help facilitate and oversee executive branch agencies' reduction efforts. Concerned with the challenges regulated entities encounter when faced with excessively long and complex guidance documents, ORM also directed agencies to strive to simplify and reduce the aggregate length of their guidance documents by at least 25%. The term, "guidance document" is defined in § 2.2-4101 as "any document developed by a state agency or staff that provides information or guidance of general applicability to the staff or public to interpret or implement statutes or the agency's rules or regulations. Agencies and boards have until December 31, 2025, to meet the Governor's reduction aims and may not count any reductions against the 25% goal until the proposed changes have been finalized.

The department currently has numerous active guidance documents in place, including several compliance manuals that provide interpretive guidance and instructions on assessing compliance for various

regulatory chapters. Among these, the 55-page CSU Compliance Manual provides interpretive guidance and instructions for staff in the 30 state-operated and two locally operated court service units, as well as staff in DJJ's Certification Unit. While the department intends to amend the Regulation for Nonresidential Services, which forms the basis for the CSU Compliance Manual, amendments to that chapter are not expected to take effect before the December 31, 2025, reduction deadline. Rather than waiting to make comprehensive amendments to the manual that align with the proposed regulatory amendments, the department is asking the board to approve amendments to the existing text now, as described in Parts III and IV of this memorandum. The department plans to conduct a subsequent review and propose additional amendments to reflect the proposed regulatory changes closer to the anticipated effective date of the regulation updates.

III. CHANGES TO REPRODUCED REGULATORY TEXT

The CSU Compliance Manual currently includes text boxes that recite the regulatory text for each subsection of the regulation. Because the department is subject to a separate process for amending regulations, this proposal does not seek to amend any existing regulatory text contained in 6VAC35-150 and recited in the regulatory text boxes. Instead, changes displayed in these boxes are intended to reflect the following:

Amended Regulatory Text Since the Last Review Cycle:

The proposal displays one amendment accomplished through the regulatory process since the last comprehensive amendment cycle in 2011. The amendment removes the 90-day deadline for completing a truancy diversion. This deadline was mandated by regulation (6VAC35-150-335) in accordance with a state statute that was amended in 2020 (Chapter 753 of the 2020 Acts of Assembly). The board subsequently approved a fast-track amendment to the regulation to remove the 90-day deadline. The regulatory change took effect on October 1, 2021.

Omitted Provisions

The compliance manual unintentionally omits 6VAC35-150-120, the regulatory provision directing staff to comply with the procedural reporting provisions for reportable incidents. The department's Certification Unit was made aware of this omission and has supplemented its audit materials to provide for this assessment. The proposal corrects this omission, identifies the applicable incorporated procedure, and provides instructions for determining compliance.

The proposal also adds Section 30, an existing regulatory provision that does not require assessment and was omitted from this document in the past. This addition is intended to clarify that Section 30 is in place, but an assessment of this provision is not needed.

Corrections to the Reproduced Regulatory Text

The proposal also corrects erroneous citations, fixes grammatical errors, and makes other technical corrections to the reproduced regulatory text.

IV. PROPOSED CHANGES TO COMPLIANCE INFORMATION, INTERPRETATIONS, AND DETERMINATIONS

General Changes to Simplify Document and Reduce Word Count

In keeping with ORM's instructions on guidance document reduction, the department is seeking to amend this compliance manual by removing extraneous language and information to reduce the number of words used in the document. Descriptions of the proposed changes consistent with this goal are summarized below:

- Remove all goal statements. Each section of the manual contains a description of the goal of each regulatory provision. In some cases, the goals merely restate the regulatory requirements. The department believes these statements have no bearing on the compliance determination and provide no meaningful additional guidance regarding the audit.
- Remove the terms and applicable definitions listed after each regulatory subsection. Because many terms are used across multiple sections in the existing document, definitions are duplicated unnecessarily. The department proposes to remove each separate definition listed after the applicable subsection and to replace these definitions with a single appendix that houses all terms and definitions applicable to court service units and set out in Section 10 of the chapter. Definitions that apply to other nonresidential programs and have no application to CSUs are not included. The proposal adds hyperlinks wherever defined terms are used in the regulation so that regulated entities have access to these definitions.
- Remove the instructions, information, and recommendations that are not required by regulatory or incorporated procedural language, including information regarding best practices. This information does not affect the outcome of the compliance assessment. (*See e.g., §§ 90 B, 230 B, 260, 300 A, 336 A, 336 B, 336 C, 350 A, and 355*).
- Eliminate references to repealed regulatory provisions (§ 90 B).
- Strike additional information that unnecessarily duplicates regulatory language or incorporated procedural requirements (§§ 140 B, 400).
- Strike instructions that are not required by existing regulatory language and do not align with current compliance methodologies (§ 62 A).
- Strike other extraneous instructions and language (§§ 40, 290).

Changes Regarding Procedural References

The chapter presently contains several provisions that “adopt textual matter by reference” to an external document, essentially “incorporating the document by reference” and thus requiring compliance with the external document's text. Specifically, the current regulation incorporates many of the department's procedures by requiring compliance with these procedures. Because IVAC7-10-140 prevents agencies from incorporating their own documents by reference absent a showing that the circumstances or documents are unique and highly unusual, the department plans to remove reference to these incorporated procedures through a separate regulatory action. Until those regulatory changes are made, however, court service units are bound by the provisions within the incorporated procedures as if they were regulatory requirements, and the department will continue to assess compliance with these requirements. The current CSU Compliance Manual, however, inexplicably references procedures that, while related to the regulatory provision, are not incorporated into the regulation and therefore, should have no impact on the

compliance determination. The department is concerned that referencing these procedures in the Compliance Manual will lead regulated entities and compliance staff to infer that compliance with such procedures also is necessary as part of the regulatory requirement. To prevent this inference, the proposal removes these misleading references (§§ 130(A), 280, 335(A), and 365). Additionally, the proposal strikes all unrelated and presumably erroneous DJJ procedural references, updates references that were replaced or incorporated into other procedures, and makes conforming changes elsewhere in the text (§§ 40, 80 C, 350 A and B, 380, and 420).

Changes to Align Information and Instructions with Regulatory Language

Some of the current manual's supplemental information and instructions are inconsistent with the regulatory language. Additionally, several compliance instructions are incomplete and do not require assessment of all components outlined in the applicable regulatory provision. The proposal removes, replaces, or bolsters these instructions so that they align more closely with the regulatory language (§§ 60, 100, 130, 280, 336).

Updates and Other Changes to Titles

The manual occasionally addresses documents, agency units, programs, and facilities by their formal names, some of which have been updated since 2011. The proposal either replaces these specific references with more generic language, updates the name to align with the department's current titles, or removes the reference entirely (90 B, 100, 130 A).

Related to these concerns, currently, the regulation directs CSU staff to provide certain notifications to staff in the Reception and Diagnostic Center (RDC), the former juvenile correctional center that housed newly committed juveniles and performed intake and evaluation functions for the department before a committed juvenile's placement in a correctional center. The RDC was shuttered in 2015, and while the department is seeking to update these outdated provisions through a separate regulatory action, that action is pending. The proposal seeks to align the compliance determination with the regulatory provision's perceived intent: to ensure that when juveniles are transported directly from court to an initial intake facility, staff in the facility and in DJJ's unit that oversees the intake process are notified immediately of the juvenile's pending arrival.

Changes to Reflect a Variance

Currently, 6VAC35-150-40 and 6VAC35-20-92 allow court service unit administrators to request a variance from any noncritical regulatory requirement. If approved, the variance excuses the entity from complying with a regulatory requirement when conditions exist where compliance is not possible. One such active variance currently allows CSU supervisees to have their supervision transferred to another unit when the individual's place of abode falls outside the jurisdiction of the originally assigned CSU. As currently drafted, 6VAC35-150-390 A allows such transfers only when the supervisee's legal residence falls outside the relevant jurisdiction. The proposal makes note of this variance as a reminder to CSUs and Certification staff that a temporary exception to the regulatory language is in place.

Rearrangement of Language for Clarity and Consistency

The review also identified several areas of the manual where instructions should have been provided as part of the compliance determination rather than listed under the “additional information” heading (§§ 80 A, 90 B). Various other areas of the manual require rearrangement to avoid confusion and misinterpretation (§ 80 A). For purposes of consistency and clarity, the proposal rearranges these provisions.

Other Technical and Clarifying Changes; Change to Document Format

The proposal makes several technical changes, including correcting erroneous citations and making numerous grammatical changes in conformity with the “Form, Style, and Procedure Manual for Publication of Virginia Regulations.” The proposal recommends additional changes for clarity (*see e.g.*, §§ 40, 410).

Finally, to streamline agency documents, the department is proposing modifications to the manual’s format to include fields that will allow compliance staff to document the assessment and any relevant comments for each regulatory requirement. This will prevent staff from having to maintain multiple documents for conducting assessments.

V. PROCESS FOR SUBMISSION OF GUIDANCE DOCUMENT AMENDMENTS AND NEXT STEPS

The department believes this Compliance Manual meets the definitional requirements of a guidance document, as set out in § 2.2-4101 and is subject to the requirements for guidance documents outlined in § 2.2-4002.1. The latter statute exempts such documents from the requirements of the Administrative Process Act and subjects them to a 30-day public comment period, including comment through the Virginia Regulatory Town Hall website, “after publication in the Virginia Register of Regulations, and prior to its effective date.” If the board allows the department to proceed with the proposed amendments, the action will be subject to the process noted below:

DJJ opens forum on Virginia Regulatory Town Hall (no deadline after board approval)	→	ORM reviews guidance document (no deadline)	→	Guidance document published in Virginia Register of Regulations (based on Register’s publication schedule)	→	30-day public comment period: document takes effect immediately after, or on date specified by DJJ unless triggering event occurs ¹
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VI. CONCLUSION

The department believes the changes described in this memorandum will help significantly reduce the length of the CSU Compliance Manual in furtherance of the department’s overall reduction efforts. Along with meeting an important administration goal, the changes will simplify the manual, remove outdated guidance and instructions, and clarify existing requirements. For the foregoing reasons, the department asks the board to approve these amendments.

¹ Per § 2.2-4002.1, if a written comment is received during a public comment period asserting that the guidance document is contrary to state law or regulation or should not be exempted from this chapter, the effective date shall be delayed an additional 30 days.



**COMPLIANCE MANUAL
REGULATION FOR NONRESIDENTIAL
SERVICES**

[INSERT EFFECTIVE DATE]

COMPLIANCE MANUAL
6VAC35-150 – REGULATION FOR NONRESIDENTIAL SERVICES

Certification Audit Instructions for Court Service Units

This compliance manual for the Regulation for Nonresidential Services (6VAC35-150) governs all compliance audits conducted by the Department of Juvenile Justice of state and locally operated court service units established pursuant to §§ 16.1-233 and 16.1-235 of the *Code of Virginia*.

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Part I General Provisions						
6VAC35-150-10. Definitions.						
6VAC35-150-10. Definitions.						
See Appendix						
<i>Compliance Determination: None.</i> These terms appear throughout the chapter and, where used, are linked to the definitions in the Appendix.						
6VAC35-150-30. Applicability.						
A. Parts I (6VAC35-150-10 et seq.) and II (6VAC35-150-55 et seq.) of this chapter apply to all CSUs for juvenile and domestic relations district courts.						
B. Parts I (6VAC35-150-10 et seq.) and III (6VAC35-150-425 et seq.) of this chapter apply to nonresidential programs and services (i) for which the CSU contracts or (ii) are included in a local "Virginia Juvenile Community Crime Control Act" plan.						
C. Part III of this chapter also applies to applicable programs and services operated by or contracted with a CSU .						
<i>Compliance Determination: None.</i> These provisions address the scope of the chapter and will not be assessed for compliance.						

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Regulatory Requirement, Interpretation, and Compliance Determination					Comments	C	NC	NA	ND

6VAC35-150-40. Variances.	6VAC35-150-40. Variances
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A <u>variance</u> may be requested by a program administrator or service <u>provider</u> when conditions exist where the program or service <u>provider</u> is not able to comply with a section or subsection of this chapter. Any such request must meet the criteria and comply with the procedural requirements provided in the Regulations Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs, 6VAC35-20 et seq. and in accordance with <u>written</u> procedures.				
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| <u>Additional Information and Interpretation:</u> <ul style="list-style-type: none">• The variance requests will be reviewed for compliance with this section and 6VAC35-20-92.• Program administrator means the CSU director.• Applicable DJJ CSU procedure: VOL I-1.6-01. | | | | |
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| <u>Compliance Determination:</u> <ul style="list-style-type: none">• <i>Interview CSU director.</i> Inquire whether the CSU has requested or been issued a variance by the board.• <i>Examine documentation:</i> If a variance was requested or issued, review documentation for compliance with the applicable regulatory requirements. | | | | |
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Regulatory Requirement, Interpretation, and Compliance Determination					Comments	C	NC	NA	ND

6VACC35-150-50. Licensure by other agencies.					6VACC35-150-50. Licensure by other agencies.				
6VACC35-150-50. Licensure by other agencies. A current license or certificate issued by the Commonwealth shall be accepted as evidence of a program's compliance with one or more specific standards of this chapter when the requirements for licensure or certification are substantially the same as, or exceed, the requirements set out in this chapter.									
<i>Additional Information and Interpretation:</i> The department may inquire into the licensure/certification requirements and auditing processes.									
<u>Compliance Determination:</u> • <i>Interview CSU director.</i> Inquire whether the unit is licensed or certified by another agency. • <i>Examine documentation.</i> If the unit is licensed or certified by another agency, review the license or certificate and any other relevant documentation for compliance with applicable regulatory requirements.									

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
PART II - OPERATING STANDARDS FOR COURT SERVICE UNITS						
Article 1 Administration						
6VAC35-150-60. Organizational structure						
6VAC35-150-60. Organizational structure. There shall be a <u>written</u> description and organizational chart of the <u>unit</u> showing current lines of authority, responsibility and accountability, including the <u>unit</u> director's reporting responsibility. <i>Additional Information and Interpretation:</i> • There is no standardized format for the organizational chart design. The chart must be sufficiently detailed so that the reviewer can follow the lines of authority. • The "unit director's reporting responsibility" means the individual to whom the CSU reports. • The "written description" includes the titles provided in the organizational chart. <i>Compliance Determination:</i> Review the written description and organizational chart.						
6VAC35-150-62 (A) and (B). Suitable quarters.						
6VAC35-150-62(A). Suitable quarters. A. The <u>CSU</u> director annually shall review the <u>unit's</u> needs for suitable quarters, utilities, and furnishings and shall request from the appropriate governing body the resources to meet these needs. <i>Additional Information and Interpretation:</i> There is no standardized format for the review and request process. The CSU must be able to show that, annually, the needs are reviewed and, if needs are identified, a request for resources was made.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
<u>Compliance Determination: Interview CSU director:</u> - Inquire whether and how the unit's needs for suitable quarters, utilities, and furnishings were reviewed and the review's outcome. - If the review indicated a need for additional resources, ask the CSU director whether the unit made a request to the appropriate governing body.						
6VAC35-150-62 (B). Suitable quarters. B. <u>Intake, probation, and parole</u> officers shall have access to private office space.						
<u>Compliance Determination: Interview staff.</u> Inquire regarding access to private office space.						
6VAC35-150-64. Prohibited financial transactions. The <u>unit</u> shall not collect or disburse support payments, fines, restitution, court fees, or court costs.						
<u>Compliance Determination: Interview staff.</u> Inquire regarding practices related to the collection and disbursement of support payments, fines, restitution, court fees, and court costs.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT

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C NC NA ND

6VAC35-150-66. Procedures for handling funds.

6VAC35-150-66. Procedures for handling funds.

The unit director shall establish written procedures for handling any ongoing unit employee fund established and maintained by the employees that is derived from employee contributions, the operation of vending machines, special fundraising projects, or other employee canteen services, that utilizes the name of the unit or the department, or that the unit approves the obtaining of or obtains a tax identification number for such funds. Any such funds are not state funds and shall not be commingled in any way with state funds. The department's tax identification number shall not be used for such funds.

Additional Information and Interpretation: Employee funds include those such as flower funds and drink machine funds.

Compliance Determination:

- *Interview CSU director*: Inquire whether the unit has employee funds that utilize the name of the unit or department or the unit's or department's tax identification number.
- *Review procedures*: If the unit has or had, within the audit period, an applicable employee fund, the unit's procedure shall be reviewed.
- *Examine documentation*: If the unit has or had, within the audit period, an applicable employee fund, the account statement or other relevant documents may be reviewed to determine compliance.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-80 (A). Background checks. A. Except as provided in subsection C of this section, all persons who (i) accept a position of employment, (ii) <u>volunteer</u> on a regular basis or are <u>interns</u> and will be alone with a <u>juvenile</u> in the performance of their duties, or (iii) provide contractual services directly to a <u>juvenile</u> on a regular basis and will be alone with a <u>juvenile</u> in the performance of their duties in a <u>CSU</u>, or as required by 6VAC35-150-430 C, shall undergo the following background checks to ascertain whether there are criminal acts or other circumstances that would be detrimental to the safety of <u>juveniles</u>: • A reference check; • A criminal history record check; • A fingerprint check with (i) the Virginia State Police (VSP) and (ii) the Federal Bureau of Investigation (FBI); • A central registry check with Child Protective Services (CPS); and • A driving record check, if applicable to the individual's job duties. <u>Additional Information and Interpretation:</u> • Each CSU must maintain a record of background checks completed since the last audit. • "In a CSU" means the duties are conducted or services are provided on site at the CSU office. <u>Compliance Determination:</u> <u>Examine documentation:</u> • Review new staff, volunteer or intern, or contractual service provider information for each requirement. (The audit team will not review the content of the information on file). • For state-operated CSUs, look for documentation that the department's background unit conducted the investigation. A statement from the background unit is satisfactory.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT					Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination					Comments	C	NC	NA	ND
- For locally operated CSUs, review information on file for each of the required elements. A statement from human resource personnel is satisfactory documentation if it shows that all required elements were completed. - Review the CPS registry check from the Virginia Department of Social Services.									

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-80(B). Background checks. B. To minimize vacancy time when the fingerprint checks, required by subdivision 3 of this subsection have been requested, <u>unit</u> staff may be hired pending the results of the fingerprint checks, provided: 1. All of the other applicable components of subsection A of this section have been completed; 2. The applicant is given written notice that continued employment is contingent on the fingerprint check results, as required by subdivision A(3) of this section; and 3. Staff hired under this exception shall not be allowed to be alone with <u>juveniles</u> and may work with <u>juveniles</u> only when under the direct supervision of staff whose background checks have been completed until such time as all background checks are completed. <u>Compliance Determination:</u> • <i>Examine documentation:</i> Review new staff information to determine whether any staff were hired pending fingerprint check results; if so, review documentation to ensure written notice was provided to such applicants. • <i>Interview CSU director:</i> Inquire whether the unit's hiring and supervision practices meet this subsection's requirements. • <i>Interview staff:</i> Inquire whether new staff subject to this exception were left alone with juveniles.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-150-80(C). Background checks. C. The <u>unit</u> , program, or service <u>provider</u> shall have procedures for supervising nonstaff persons, who are not subject to the provisions of subsection A of this section, who have contact with <u>juveniles</u> .						
<i>Additional Information and Interpretation:</i> This applies to a contract worker or a service contract provider, such as a maintenance person, who is not alone with a juvenile (and thus has not completed a background check) but may have incidental contact with juveniles due to the worker's presence in the office.						
<u>Compliance Determination:</u> <i>Review the unit's procedures:</i> Verify compliance with this subsection's requirements.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-80(D). Background checks. D. Subsection A of this section shall apply to programs to which the <u>CSU</u> refers <u>juveniles</u> who are before the court or before an <u>intake officer</u>, including, but not limited to, programs included in a local Virginia Juvenile Community Crime Control Act plan. When an agency or program refers <u>juveniles</u> to other service <u>providers</u>, excluding community service programs and licensed professionals or programs licensed or regulated by other state agencies, the referring agency shall require the service <u>provider</u> to document that all persons who provide services or supervision through substantial one-on-one contact with <u>juveniles</u> have undergone a background check as required in subsection A of this section. <i>Additional Information and Interpretation:</i> This subsection applies to programs to which the CSU refers juveniles unless (i) the program is licensed or regulated by another state agency or (2) the service provider is a licensed professional. <u>Compliance Determination:</u> • <i>Interview CSU director:</i> Inquire regarding processes of approving and referring juveniles to service providers. • <i>Examine documentation:</i> Review documentation of the CSU's notification to service providers regarding the background check documentation requirements, including: ○ List of programs used by CSU. ○ Notice to programs by CSU. ○ Response from programs confirming compliance.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-150-90(A). Training.		6VAC35-150-90 (A) & (B). Training.				
A. All employees, <u>volunteers</u> , and <u>interns</u> shall receive documented orientation appropriate to their duties and to address any needs identified by the individual and the supervisor.						
<u>Compliance Determination:</u> <i>Examine documentation.</i> Review records of employees, volunteers, and interns for documentation of applicable orientations.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-90(B). Training. B. All employees shall receive ongoing training and development appropriate to their duties and to address any needs identified by the individual and the supervisor, if applicable. <u>Additional Information and Interpretation:</u> • CSU personnel should closely monitor skill deficiencies and training expectations detailed in employee documentation. • Trainings may be formal classes related to the position or information training through staff meetings if attendance and topics covered are documented. • Such training shall include training required by 6VAC35-150-200 (safety and security procedures). If such training is not completed, the unit shall be found noncompliant only with section 200. <u>Compliance Determination:</u> • <i>Examine documentation:</i> Review the following: ○ The department's or unit's training plan or procedure for training requirements; ○ The employee's job description, performance evaluations, or related documentation for (1) performance deficiencies or (2) recommended training requirements appropriate to their duties if a training plan or procedure is not in place. The audit team will compare the employee documentation with the training logs and records to ensure that necessary and identified trainings were completed as indicated; and ○ Documentation of applicable trainings. • <i>Interview staff and supervisor:</i> Inquire whether there are adequate and appropriate trainings or any unaddressed training needs.						

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Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND

6VAC35-150-100. Personnel and operating procedures.						
6VAC35-150-100. Personnel and operating procedures. All staff shall have access to <u>approved procedures</u> governing: 1. Recruitment and selection; 2. Grievance and appeal; 3. Confidential individual employee personnel records; 4. Discipline; 5. Equal employment opportunity; 6. Leave and benefits; 7. Resignations and terminations; 8. Orientation; 9. Promotion; 10. Probationary period; and 11. Competitive salary. <u>Additional Information and Interpretation:</u> Procedures may be issued by DJJ, the Division of Community Programs, DJJ's Human Resources Department, or local equivalents. <u>Compliance Determination:</u> • <i>Examine procedures:</i> Review to ensure that required components are covered. Observe location and document availability. • <i>Interview staff:</i> Inquire regarding access to and availability of applicable procedures.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-110 (A), (B), (C), and (D). Volunteers and interns.						
6VAC35-150-110 (A). Volunteers and interns. A. For every <u>volunteer and intern</u> , the <u>unit</u> shall maintain a current description of duties and responsibilities and a list of the minimum required qualifications. <u>Compliance Determination:</u> <i>Examine documentation:</i> Review position descriptions for duties and required qualifications. If qualifications are not included on the volunteer position descriptions, the audit team may examine additional documentation of required qualifications (e.g., correspondence with volunteer or intern).						
6VAC35-150-110 (B). Volunteers and interns. B. <u>Volunteers and interns</u> shall comply with all applicable regulations, policies, and approved procedures. <u>Additional Information and Interpretation:</u> Applicable DJJ Administrative Directive: 15-001. <u>Compliance Determination:</u> • <i>Interview CSU director or volunteer coordinator:</i> Inquire regarding compliance with this section. • <i>Examine documentation:</i> Review documentation if there are instances of noncompliance.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-110 (C). Volunteers and interns. C. One or more designated persons shall coordinate <u>volunteer</u> services; and <u>Compliance Determination:</u> <i>Interview CSU director or volunteer coordinator:</i> Inquire regarding compliance with this subsection.						
6VAC35-150-110 (D). Volunteers and interns. D. <u>Volunteers and interns</u> shall be registered with the <u>department</u>. <u>Additional Information and Interpretation:</u> • The department's primary purpose in requiring registration is for liability insurance purposes, as applicable. • The regulation does not establish a timeframe for registration. <u>Compliance Determination:</u> <i>Examine documentation:</i> Review the volunteer roster and compare it with the volunteer registry maintained by the CSU.						
6VAC35-150-120. Reportable incidents.						
6VAC35-150-120. Reportable incidents. When an event or incident occurs that is required by <u>department</u> procedures to be reported, staff shall report the event or incident as required by and in accordance with <u>department</u> procedures. <u>Additional Information and Interpretation:</u> Applicable CSU procedure: 9462. <u>Compliance Determination:</u> Examine reportable incidents in the department's electronic data system.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-130 (A). Research. A. <u>Juveniles</u> shall not be used as subjects of <u>human research</u> , except as provided in 6VAC35-170 and in accord with Chapter 5.1 (§ 32.1-126.16 et seq.) of Title 32.1 of the Code of Virginia. <u>Compliance Determination:</u> <i>Examine documentation:</i> Review any research project for approval (from the department's Data, Research, & Records Integrity Unit). 6VAC35-150-130 (B). Research. B. The testing of medicines or drugs for experimentation or research is prohibited. <u>Compliance Determination:</u> • <i>Interview CSU director:</i> Inquire regarding compliance with this subsection. • <i>Examine documentation:</i> Review approved research projects.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-140 (A), (B), (C), and (D). Records management.						
6VAC35-150-140 (A). Records management. A. <u>Case records</u> shall be indexed and kept up to date and uniformly in content and arrangement in accordance with <u>approved procedures</u>. <i>Additional Information and Interpretation:</i> The CSU director should have procedures that map and describe the case management process. Applicable DJJ CSU procedure: 9450. <i>Compliance Determination:</i> • <i>Review procedure:</i> Examine requirements of applicable procedures. • <i>Examine case records:</i> Review case records and the file management system to ensure they are maintained uniformly and in accordance with the procedural requirements.						
6VAC35-150-140 (B). Records management. B. <u>Case records</u> shall be kept in a secure location accessible only to authorized staff. <i>Additional Information and Interpretation:</i> Case records are not considered secure if they are left in an area where persons other than CSU staff (e.g., cleaning personnel) may access them. • “Secure locations” include, but are not limited to locked cabinets, rooms, or desk drawers. • The key should not be available to non-CSU staff (except individuals who may require access in emergencies). <i>Compliance Determination:</i> • <i>Interview CSU director and staff:</i> Inquire regarding compliance with this subsection.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-140(C). Records management. C. All <u>case records</u> shall be maintained and disposed of in accordance with the Library of Virginia regulations and record retention schedules and with <u>approved procedures</u>. <u>Additional Information and Interpretation</u>: Applicable DJJ CSU procedure: 9450. <u>Compliance Determination</u>: • <i>Review procedure</i>: Review applicable requirements. • <i>Interview CSU director and staff</i>: Inquire regarding compliance with this subsection.						
6VAC35-150-140(D). Records management. D. Any disclosure or release of information shall be in accordance with the Code of Virginia and applicable federal statutes and regulations and <u>approved procedures</u>. <u>Additional Information and Interpretation</u>: Applicable DJJ CSU procedure: 9451. <u>Compliance Determination</u>: • <i>Review procedure</i>: Review applicable requirements. • <i>Interview CSU director and staff</i>: Inquire regarding compliance with this subsection. • <i>Examine documentation</i>: Review case files for documentation of information releases (e.g. release of information forms).						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE
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C NC NA ND

Assessment

Article 2
Security and Safety

6VAC35-150-200. Safety and security procedures.

6VAC35-150-200. Safety and security procedures.

In accordance with [approved procedures](#), the [unit](#) shall implement:

1. Safety and security practices for the office environment to include at least fire, bomb threat, natural disasters, and hostage and medical emergency situations;
2. Safety and security practices for staff making field visits to [juveniles](#) and their families; and
3. Training on appropriate crisis prevention and intervention techniques for the office and the field that staff may use to respond to behavior that poses a risk to the safety of themselves or others.

Additional Information and Interpretation:

- Applicable DJJ CSU procedure: 9461.
- Training requirements are referenced in 6VAC35-150-90(B). If safety and security and crisis intervention training is not completed, the unit will be found noncompliant with only Section 200 (and not Section 90).

Compliance Determination:

- *Interview staff:* Inquire regarding staff knowledge and implementation of procedures.
- *Examine documentation:* Review orientation records for new staff.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT

Regulatory Requirement, Interpretation, and Compliance Determination

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Comments	C	NC	NA	ND

6VAC35-150-210 (A), & (B). Physical force.

6VAC35-150-210 (A). Physical force.
A. Physical force shall be used only as a last resort and shall never be used as punishment. Staff shall use only the minimum force deemed reasonable and necessary to eliminate the imminent risk to the safety of themselves or others.

Compliance Determination:

- *Interview staff:* Inquire regarding use of physical force.
- *Examine documentation:* Review documentation of instances involving physical force for compliance with this subsection.

6VAC35-150-210 (B). Physical force.

B. Each use of physical force shall be reported in writing to the [CSU](#) director, who shall ensure that all reportable incidents are further reported in accordance with the [department's](#) procedures for reporting serious incidents.

Additional Information and Interpretation: Applicable DJJ CSU procedure: 9462.

Compliance Determination:

- *Interview staff:* Inquire regarding use of physical force.
- *Examine documentation:* Review documentation of instances involving physical force for compliance with this subsection.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-150-220. Searches						
6VAC35-150-220. Searches						
6VAC35-150-220. Searches. Searches of an individual's person and immediate area may be conducted only in accordance with approved procedures , with all applicable state and federal statutes and regulations, and with the Virginia and United States Constitutions. Only staff who have received training approved by the department shall conduct searches.						
<i>Additional Information and Interpretation:</i> Applicable DJJ CSU procedure: 9469.						
<i>Compliance Determination:</i>						
• <i>Review procedure:</i> Determine applicable requirements. • <i>Interview CSU director or staff:</i> Inquire whether CSU personnel conduct searches, and if so, whether search practices comply with this section. • <i>Examine documentation:</i> If staff are approved to conduct searches, (1) ensure the department has approved the training and (2) examine training records for compliance with this section.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-230 (A), & (B). Weapons.						
6VAC35-150-230 (A). Weapons. A. A probation officer may obtain authorization to carry a weapon as provided by § 16.1-237 of the Code of Virginia only in accordance with approved procedures that require at least: (i) firearms safety training, (ii) a psychological or mental health assessment, (iii) approval by the CSU director, and (iv) approval by the unit director's supervisor.						
<u>Additional Information and Interpretation:</u> • "Weapon" means a firearm. • Applicable DJJ Administrative Directive: 18-004.1.						
<u>Compliance Determination:</u> • Interview CSU director and staff: Inquire whether probation officers have been authorized to carry a weapon. • Examine documentation: If probation officers have been so authorized, examine (1) procedure to ensure compliance with this subsection and (2) records of staff authorized to carry a weapon for elements required by this subsection and the procedure.						
6VAC35-150-230 (A), & (B). Weapons.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-230 (B). Weapons. B. All <u>CSU</u> staff authorized to carry weapons shall have received training and retraining, in accordance with <u>approved procedures</u>, which shall include the limited circumstances when weapons may be carried and used as required by law and liability insurance coverage. <u>Additional Information and Interpretation:</u> Applicable DJJ Administrative Directive: 18-004.1. <u>Compliance Determination:</u> <i>Examine documentation:</i> If CSU staff are authorized to carry weapons, review (1) the procedure for required training elements; and (2) the authorized staff's training records.						
6VAC35-150-240. Arrest of juvenile by staff.						
6VAC35-150-240. Arrest of juvenile by staff. Probation officers shall exercise their arrest powers in accordance with <u>approved procedures</u>. <u>Additional Information and Interpretation:</u> Applicable DJJ CSU procedure: 9463. <u>Compliance Determination:</u> • <i>Interview CSU director and staff.</i> Inquire whether probation officers have made arrests. • <i>Examine procedure:</i> Review procedural components. • <i>Examine documentation:</i> If probation officers have made arrests, review documentation to ensure compliance with the procedural requirements (e.g., training). If documentation is not maintained, the audit team may interview staff to determine compliance.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-150-250. Absconders.						
6VAC35-150-250. Absconders. <u>Unit</u> staff shall cooperate with <u>department</u> personnel and state and local law-enforcement authorities to help locate and recover <u>juveniles</u> who violate the conditions of their <u>probation</u> or <u>parole</u> supervision and upon whom a detention order has been issued or who escape or run away from a juvenile correctional center, detention home, or other juvenile placement. <i>Additional Information and Interpretation:</i> CSUs also are subject to the requirements of § 16.1-309.1 of the <i>Code of Virginia</i>. <i>Compliance Determination:</i> • <i>Interview CSU director and staff:</i> Inquire whether any juveniles have absconded. The audit team also may interview staff who liaised with law enforcement to determine compliance with this section. • <i>Examine documentation:</i> If juveniles have absconded, examine case records for compliance with this section.						
6VAC35-150-260. Transportation of detained juveniles.						
6VAC35-150-260. Transportation of detained juveniles. Detained <u>juveniles</u> shall be transported in accord with the “Guidelines for Transporting Juveniles in Detention,” (September 2004) issued by the <u>board</u> in accord with § 16.1-254 of the Code of Virginia. <i>Compliance Determination:</i> • <i>Interview CSU director and staff:</i> Inquire regarding procedures for transporting detained juveniles. • <i>Examine documentation:</i> Compare practices ascertained in the interviews with the guideline requirements.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE
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Regulatory Requirement, Interpretation, and Compliance Determination		Assessment				
		Comments	C	NC	NA	ND

Article 3
Intake

6VAC35-150-270 (A), (B), and (C). Intake duties.

6VAC35-150-270(A). Intake duties.

A. When making an intake determination as provided for by § 16.1-260 of the Code of Virginia, whether in person or by telephone or interactive video conferencing, the intake officer shall, in accordance with approved procedures:

1. Explain the steps and options in the intake process to each person present as provided for in approved procedures;
2. Make all required data entries into the department's electronic data collection system in accordance with § 16.1-224 of the Code of Virginia and approved procedures.
3. Consult with available parents, guardians, legal custodian, or other person standing in loco parentis to determine the appropriate placement; and
4. Notify the juvenile's parents, guardians, legal custodian, or other person standing in loco parentis in cases involving the juvenile's detention.

Additional Information and Interpretation: Applicable DJJ CSU procedure: 9115.

Compliance Determination:

- *Review procedure:* Verify compliance with this subsection.
- *Interview intake officers:* Inquire whether the requirements of this subsection and procedures are followed.
- *Examine documentation:* Examine electronic data system and/or case records for required entries.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-150-270 (B). Intake duties. B. When making a detention decision pursuant to § 16.1-248.1 of the Code of Virginia and when making recommendations to the court at a detention hearing pursuant to § 16.1-250 of the Code of Virginia, <u>CSU</u> personnel shall make use of the uniform risk assessment instrument and related procedure mandated by Chapter 648 of the 2002 Acts of Assembly.						
<u>Additional Information and Interpretation</u> : Applicable DJJ CSU procedures: 9115, 9131, and 9135.						
<u>Compliance Determination</u> : • <i>Interview intake officers</i>: Inquire whether detention decisions are made in accordance with this subsection. • <i>Examine documentation</i>: Review case records of detained juveniles or electronic data system entries for compliance with this subsection, including examining whether use of the instrument comported with the procedural requirements.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-270 (C). Intake duties. C. When the chief judge in a jurisdiction requests the provision of a replacement <u>intake officer</u> pursuant to § 16.1-235.1 of the Code of Virginia, the <u>CSU</u> shall enter into a written agreement with the requesting court that shall address, at a minimum, the scope of the <u>intake duties</u>, the location where <u>intake</u> cases will be processed, and the protocol for arranging any required face-to-face contact between the <u>intake officer</u> and <u>juvenile</u>. <u>Compliance Determination:</u> • <i>Interview CSU director.</i> Inquire whether the chief judge requested the provision of replacement intake officers. • <i>Examine documentation:</i> If a chief judge so requested, review the agreement for compliance with this subsection and § 16.1-235.1 of the <i>Code of Virginia</i>.						
6VAC35-150-280. Medical and psychiatric emergencies at intake.						
6VAC35-150-280. Medical and psychiatric emergencies at intake. If during the <u>intake</u> interview, the <u>intake officer</u> suspects that the <u>juvenile</u> requires emergency medical or psychiatric care, the <u>intake officer</u> shall: 1. Immediately contact the <u>juvenile's</u> parents or legal guardians to advise them of the emergency and any responsibilities they may have; and 2. Before placing a <u>juvenile</u> in a more restrictive setting, the <u>intake officer</u> shall arrange for the <u>juvenile</u> to receive the needed emergency care. <u>Compliance Determination:</u> • <i>Interview CSU director and intake officer.</i> Inquire whether any intake officers have suspected a medical or psychiatric emergency during an intake interview. • <i>Examine documentation.</i> If an intake officer suspected a medical or psychiatric emergency during the intake interview, examine the case record or electronic data system for compliance with this section.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT					Assessment
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND

6VAC35-150-290. Intake communication with detention.

6VAC35-150-290. Intake communication with detention.

When CSU staff facilitate the placement of a juvenile in detention, they shall give detention staff, by telephone, in writing, or by electronic means, no later than the time the juvenile arrives at the detention facility, the reason for detention and the offenses for which the juvenile is being detained including any ancillary offenses. CSU staff shall also give detention staff the following information when available and applicable: medical information; parents' or guardians' names, addresses, and phone numbers; prior record as regards sexual offenses, violence against persons, or arson; suicide attempts or self-injurious behaviors; gang membership and affiliation; and any other information as required by approved procedures.

Additional Information and Interpretation: Applicable DJJ CSU procedure: 9132.

Compliance Determination:

- *Examine procedure*: Review procedure for required components.
- *Interview CSU staff*: Inquire regarding CSU contacts with detention center when facilitating a juvenile's placement in detention.
- *Interview detention center staff*: Contact the most frequently used detention center regarding compliance with this section and the applicable procedure.
- *Examine documentation*: Review the case record or electronic data system to ensure information is shared with the detention center in compliance with this section and applicable procedures.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE
DOCUMENT

Regulatory Requirement, Interpretation, and Compliance Determination

Assessment				
Comments	C	NC	NA	ND

Article 4.

Out of Home Placements

6VAC35-150-300 (A), (B), & (C). Prepositionally placed juvenile.

6VAC35-150-300 (A). Prepositionally placed juvenile.

A. In accordance with approved procedures, a representative of the CSU shall make contact, either face-to-face or via videoconferencing, with each juvenile placed in prepositional detention, jail, or shelter care pursuant to §16.1-248.1 of the Code of Virginia, within five days of the placement. A representative of the CSU shall make contact with the juvenile at least once every 10 days thereafter, either face-to-face or by telephone or videoconferencing. All such contacts shall include direct communication between the CSU staff and the juvenile.

Additional Information and Interpretation:

- This visit may be a private meeting away from the courtroom prior to transport to a detention home. Applicable DJJ CSU procedure: 9134.
- This requirement applies to juveniles whose cases have been transferred or certified to circuit court for trial as an adult who are confined in a jail pending trial.

Compliance Determination:

- *Examine procedure:* Review procedure for components.
- *Examine documentation:* Review case records or other documentation of the contract with prepositionally detained juveniles to determine compliance with this subsection and the procedure.

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REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-300 (B). Predispositionally placed juvenile. B. The case of each predispositionally placed <u>juvenile</u> shall be reviewed at least every 10 days in accordance with <u>approved procedures</u> to determine whether there has been a material change sufficient to warrant recommending a change in placement. <u>Additional Information and Interpretation:</u> The CSU staff should take all efforts to ensure the continued detention of juveniles is appropriate. Applicable DJJ CSU procedure: 9134. <u>Compliance Determination:</u> • <i>Examine procedure:</i> Review procedural requirements. • <i>Examine documentation:</i> Review case records or other documentation of the review of predispositionally detained juveniles for compliance with this subsection and the procedure.						
6VAC35-150-300 (C). Predispositionally placed juvenile. C. When the <u>unit</u> is the <u>placing agency</u> and is supervising a <u>juvenile</u> in a residential facility, designated staff of the <u>CSU</u> shall be available to the facility's staff 24 hours a day in case of emergency. <u>Compliance Determination:</u> • <i>Interview staff:</i> Inquire regarding on-call or 24-hour coverage practices. • <i>Examine documentation:</i> Review on-call or 24-hour schedule for coverage.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-150-310 (A) & (B). Postdispositional detention.						
6VAC35-150-310 (A). Postdispositional detention. A. When a court orders a <u>juvenile</u> to be detained postdispositionally for more than 30 days pursuant to subsection B of § 16.1-284.1 of the Code of Virginia, the <u>CSU</u> staff shall develop a <u>written</u> plan with the facility to enable such <u>juvenile</u> to take part in one or more community treatment programs appropriate for that <u>juvenile's</u> rehabilitation, which may be provided at the facility or while the <u>juvenile</u> is on temporary release status, as determined by that <u>juvenile's</u> risk to public safety and other relevant factors. The <u>CSU</u> shall provide a copy of the <u>juvenile's</u> social history to the postdispositional detention program upon request.						
<u>Compliance Determination:</u> <i>Examine documentation:</i> Review case records of postdispositionally placed juveniles for compliance with this subsection including CSU development of the plan and documentation that, if requested, a copy of the social history was sent.						
6VAC35-150-310 (B). Postdispositional detention B. The <u>case record</u> of a <u>juvenile</u> placed in a postdispositional detention program pursuant to subsection B of § 16.1-284.1 of the Code of Virginia shall contain: 1. Social history; 2. Court order; 3. Reason for placement; and 4. Current supervision plan, if applicable.						
<u>Compliance Determination:</u> <i>Examine documentation:</i> Review case records of postdispositionally placed juveniles for compliance with this subsection.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND

6VAC35-150-320. Notice of juvenile's transfer						
6VAC35-150-320. Notice of Juvenile's Transfer						
When <u>CSU</u> staff have knowledge that a <u>juvenile</u> has been moved from one residential facility to another residential facility and do not have knowledge that the juvenile's parents or legal guardians have been advised of the transfer, <u>CSU</u> staff shall notify the <u>juvenile's</u> parents or legal guardians within 24 hours and shall document the notification in the <u>juvenile's case record</u> .						
<i>Compliance Determination:</i>						
<i>Examine documentation:</i> Review a sample of case records to determine whether CSU staff had knowledge of the move, and if so, verify knowledge of parental or guardian notification. If applicable, examine record for documentation that notice was sent to the required parties in compliance with this section.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT

Regulatory Requirement, Interpretation, and Compliance Determination

Assessment

Comments

C NC NA ND

Article 5

Probation, Parole and Other Supervision

6VAC35-150-335 (A), (B), and (C). Diversion.

6VAC35-150-335 (A). Diversion.

A. When an intake officer proceeds with diversion in accordance with subsection B of § 16.1-260 of the Code of Virginia, such supervision shall not exceed 120 days.

Compliance Determination:

Examine documentation: Review a sample of case records of diverted juveniles for compliance with this subsection.

6VAC35-150-335 (B). Diversion.

B. When a new complaint is filed against a juvenile who is currently under supervision in accordance with subsection A of this section, and the juvenile qualifies for diversion in accordance with subsection B of § 16.1-260 of the Code of Virginia, then the intake officer may proceed with diversion for an additional 120 days from the date of the subsequent complaint.

Additional Information and Interpretation: This section is permissive. The second or subsequent offense need not be diverted, but if it is, the diversion must not exceed 120 days.

Compliance Determination:

Examine documentation: Review a sample of case records of juveniles with a second or subsequent diversion for compliance with this subsection.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-150-335 (C). Diversion. C. In no case shall a petition be filed by the CSU based on acts or offenses in the original complaint after 120 days from the date of the initial referral on the original complaint.						
<u>Compliance Determination:</u> <i>Examine documentation:</i> Review a sample of case records of diverted juveniles to assess whether any petitions were filed in conflict with this subsection.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND

6VAC35-150-336 (A), (B), & (C). Social histories.						
6VAC35-150-336 (A). Social histories. A. A social history shall be prepared in accordance with <u>approved procedures</u> (i) when ordered by the court, (ii) for each <u>juvenile</u> placed on <u>probation supervision</u> with the <u>unit</u> , (iii) for each <u>juvenile</u> committed to the <u>department</u> , (iv) for each <u>juvenile</u> placed in a postdispositional detention program for more than 30 days pursuant to § 16.1-284.1 of the Code of Virginia, or (v) upon written request from another <u>unit</u> when accompanied by a court order. Social history reports shall include the following information: 1. Identifying and demographic information on the <u>juvenile</u> ; 2. Current offense and prior court involvement; 3. Social, medical, psychological, and educational information about the <u>juvenile</u> ; 4. Information about the family; and 5. Dispositional recommendations, if permitted by the court.						
<u>Additional Information and Interpretation:</u> Applicable DJJ CSU procedure: 9230.						
<u>Compliance Determination:</u> • <i>Review procedure:</i> Examine the procedure for required components and compliance with this subsection. • <i>Examine documentation:</i> Review a sample of case records for compliance with this subsection and the procedure.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-336 (B). Social histories. B. An existing social history that is less than 12 months old may be used provided an addendum is prepared updating all changed information. A new social history shall be prepared as required in subsection A of this section or when ordered by the court if the existing social history is more than 12 months old. <u>Compliance Determination:</u> • <i>Interview CSU director and staff:</i> Inquire regarding social histories and addendum practices. • <i>Examine documentation:</i> Review case files for compliance with this subsection.						
6VAC35-150-336 (C). Social histories. C. Social history reports on <u>adults</u> may be modified as provided for in procedures approved by the <u>CSU</u> director after consultation with the judge or judges of the court. <u>Additional Information and Interpretation:</u> <i>Applicable DJJ CSU procedure: 9230.</i> <u>Compliance Determination:</u> • <i>Interview CSU director:</i> Inquire whether the CSU utilizes the format (1) provided for in 6VAC35-150-336 and approved procedures or (2) as provided for in procedures approved by the CSU director after consultation with the judge or judges of the court. • <i>Review procedure:</i> If a modified format is used, review the internal procedure for required components. • <i>Examine documentation:</i> Examine adult case records for compliance with applicable format and content requirements.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT					Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination					Comments	C	NC	NA	ND

6VACC35-150-340. Beginning Supervision.									
6VACC35-150-340. Beginning supervision. Within the timeframes established by <u>approved procedures</u> for beginning supervision, a <u>probation</u> or <u>parole</u> officer shall: 1. See the <u>juvenile</u> face-to-face. 2. Give the <u>juvenile</u> the written rules of <u>supervision</u>, including any special conditions, and explain these to the <u>juvenile</u> and, when appropriate, to the <u>juvenile's</u> parents or guardians; and 3. Document these actions in the <u>case record</u>. <i>Additional Information and Interpretation:</i> The required timeframes begin to run when the unit receives the court order placing the individual under its supervision. If the court order is not date stamped, the timeframes will begin to run on the date the court order was issued. Applicable DJJ CSU procedure: 9323.									
<i>Compliance Determination:</i> • <i>Review procedure:</i> Examine procedure to determine applicable timeframes. • <i>Examine documentation:</i> Review a sample of case records for compliance with this section and the procedure.									

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND

6VAC35150-350 (A) and (B). Supervision plans for juveniles.						
6VAC35-150-350 (A). Supervision plans for juveniles A. To provide for the public safety and address the needs of a <u>juvenile</u> and that <u>juvenile's</u> family, a <u>juvenile</u> shall be supervised according to a <u>written individual supervision plan</u>, developed in accordance with <u>approved procedures</u> and timeframes, that describes the range and nature of field and office contact with the <u>juvenile</u>, with the parents or guardians of the <u>juvenile</u>, and with other <u>agencies</u> or <u>providers</u> providing treatment or services. <u>Additional Information and Interpretation:</u> - The unit may develop supervision plans specific to the unit, provided they do not conflict with approved procedures. - Applicable DJJ CSU procedures: 9324, 9334, and the Reentry and Intervention Manual for Committed and Paroled Juveniles (Reentry Manual). - The CSU will need to provide a list of levels to the audit team before the audit to establish frequency of contacts for different levels of supervision. <u>Compliance Determination:</u> <i>Review procedures: Examine procedures to determine applicable requirements and timeframes.</i> <i>Examine documentation: Review a sample of case records for compliance with this subsection and the procedures.</i>						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-350 (B). Supervision plans for juveniles. B. In accordance with <u>approved procedures</u> , each <u>written individual supervision plan</u> shall be reviewed (i) with the <u>juvenile</u> and the <u>juvenile's</u> family, and (ii) by a supervisor from both a treatment and a case management perspective to confirm the appropriateness of the plan.						
<i>Additional Information and Interpretation:</i> Applicable DJJ CSU procedures: 9324 and the Reentry Manual.						
<i>Compliance Determination:</i> • <i>Review procedures:</i> Examine procedures to determine applicable requirements. • <i>Examine documentation:</i> Review a sample of case records or alternative documents for compliance with this subsection and the procedure.						
6VAC35-150-355. Supervision of juvenile on electronic monitoring. When a <u>unit</u> places a <u>juvenile</u> in an <u>electronic monitoring program</u> , use of the program shall be governed by <u>approved procedures</u> that shall provide for criteria for placement in the program, parental involvement, required contacts, consequences for <u>tampering</u> with and violating program requirements, and time limits.						
<i>Additional Information and Interpretation:</i> Applicable DJJ CSU Procedure: 9467.						
<i>Compliance Determination:</i> <i>Review procedure:</i> Examine procedure and case records to determine compliance with this section and the procedure.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination	Comments	C	NC	NA	ND	
6VAC35-150-365. Supervision of adult on probation.						
6VAC35-150-365. Supervision of adult on probation. For an <u>adult</u> convicted of a criminal act for which the <u>juvenile</u> court retained jurisdiction pursuant to § 16.1-241 of the Code of Virginia and the <u>juvenile</u> court does not order specific conditions of <u>supervision</u> , a <u>supervision plan</u> for the <u>adult</u> probationer shall be prepared within 30 days of the disposition. The adult and that adult's family, if appropriate, must be consulted in development of the <u>supervision plan</u> .						
<u>Compliance Determination:</u> • <u>Examine documentation:</u> Review a sample of adult case records for compliance with this section.						
6VAC35-150-380. Violation of probation or parole.						
6VAC35-150-380. Violation of probation or parole. When a probationer or parolee violates the conditions of the individual's <u>probation</u> or <u>parole</u> , <u>unit</u> personnel shall take action in accordance with <u>approved procedures</u> .						
<u>Additional Information and Interpretation:</u> Applicable DJJ CSU procedure: 9326.						
<u>Compliance Determination:</u> • <u>Review procedure:</u> Examine procedure to determine applicable requirements. • <u>Examine documentation:</u> Review a sample of case records for compliance with this section and the procedure.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE
DOCUMENT

Regulatory Requirement, Interpretation, and Compliance Determination		Assessment			
	Comments	C	NC	NA	ND

6VAC35-150-390 (A), and (B). Transfer of case supervision.

6VAC35-150-390 (A). Transfer of case supervision.

A. When the legal residence of an individual under the supervision of a CSU is not within the jurisdiction of the original CSU, the supervision of the case may be transferred to another unit in Virginia in accordance with §16.1-295 of the Code of Virginia and approved procedures.

Additional Information and Interpretation:

- Applicable DJJ CSU procedure: 9351.
- This does not include transfers between branch offices in the same CSU.
- A variance issued by the Board of Juvenile Justice in November 2024 allows CSUs to transfer supervision to another unit when the legal residence **or place of abode** of the supervisee is not within the jurisdiction of the original CSU. Change to one's place of abode suggests a temporary relocation, such as a temporary placement in a residential facility.

Compliance Determination:

- *Interview CSU director:* Inquire whether supervision was transferred on any cases.
- *Review procedure:* Examine procedure to determine applicable requirements.
- *Examine documentation:* Review a sample of case records for compliance with the statute, this subsection, and the procedure.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-150-390 (B). Transfer of case supervision. B. When transferring or receiving <u>supervision</u> of a <u>juvenile</u> on <u>probation</u> or <u>parole</u> to or from another state, <u>CSU</u> staff shall do so in accordance with the Interstate Compact Relating to Juveniles, Article 14 (§ 16.1-323 et seq.) of Chapter 11 of Title 16.1 of the Code of Virginia.						
<u>Compliance Determination:</u> • <i>Interview CSU director:</i> Inquire whether supervision was transferred to or from another state on any cases. • <i>Examine documentation:</i> Review a sample of case records for documentation of juveniles on probation or parole and received from or transferred to other states.						
6VAC35-150-400. Notice of release from supervision.						
Notice of release from <u>supervision</u> shall be given in writing to the individual under the <u>supervision</u> of a <u>CSU</u> and to the parents or guardians of <u>juveniles</u> . Such notification shall be appropriately documented in the <u>case record</u> in accordance with <u>approved procedures</u> .						
<u>Additional Information and Interpretation:</u> • Applicable DJJ CSU procedure: 9327.						
<u>Compliance Determination:</u> • <i>Review procedure:</i> Examine procedure to determine applicable documentation requirements. • <i>Examine documentation:</i> Review a sample of closed supervision case records for compliance with this section and the procedure.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE

DOCUMENT

Regulatory Requirement, Interpretation, and Compliance Determination

Comments

C NC NA ND

Assessment

Article 6

Juvenile in Direct Care

6VAC35-150-410 (A) and (B). Commitment information.

6VAC35-150-410(A). Commitment information.

A. When a juvenile is committed to the department, the juvenile may not be transported to the Reception and Diagnostic Center (RDC) until (i) the items and information required by the Code of Virginia and approved procedures have been received by RDC and (ii) the case is accepted by RDC.

Additional Information and Interpretation: Applicable DJJ CSU procedure: Reentry Manual.

Compliance Determination:

- *Review procedure:* Examine procedure to determine applicable requirements.
- *Interview director:* Inquire whether there are any "drop offs."
- *Examine documentation:* Review a sample of case records for compliance with § 16.1-287, this subsection, and the procedure.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT

Regulatory Requirement, Interpretation, and Compliance Determination		Assessment				
		Comments	C	NC	NA	ND

6VAC35-150-410 (B). Commitment information.

B. If a juvenile is transported to the department directly from the court, in addition to ensuring the immediate delivery of the items required in subsection A of this section, unit staff shall immediately notify RDC by telephone of the juvenile's impending arrival.

Additional Information and Interpretation: Applicable DJJ CSU procedure: Reentry Manual.

Compliance Determination:

- *Interview CSU director*: Inquire whether any juveniles were transported to an initial intake facility directly from court, and if so, whether unit staff immediately phoned staff at the initial intake facility and in the department's Central Admission and Placement Unit regarding such juvenile.
- *Examine documentation*: Review a sample of case records of juveniles committed to the department who are transported directly from court for compliance with this subsection.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT

Regulatory Requirement, Interpretation, and Compliance Determination	Assessment				
	Comments	C	NC	NA	ND

6VAC35-150-415. Supervision of juvenile in direct care.

6VAC35-150-415. Supervision of juvenile in direct care.

For a juvenile placed in direct care, the probation or parole officer shall, in accordance with approved procedures, do the following:

1. Develop and implement a family involvement plan;
2. Develop a parole supervision plan.
 - a. For a juvenile indeterminately committed to the department pursuant to §§ 16.1-272 and 16.1-278.8 A 14 of the Code of Virginia, CSU staff shall complete a parole supervision plan in accordance with approved procedure.
 - b. For a juvenile determinately committed to the department pursuant to § 16.1-272, 16.1-278.8 A 17, or 16.1-285.1 of the Code of Virginia, a parole supervision plan shall be prepared for all serious offender judicial review hearings as required by law and in accordance with approved procedures.
3. Send a report on the family's progress toward planned goals of the family involvement plan to the facility at which the juvenile is housed.

Additional Information and Interpretation:

- Applicable DJJ CSU procedures: 9334 and the Reentry Manual.

Compliance Determination:

- Review procedures: Examine procedures to determine applicable requirements.
- Examine documentation: Review a sample of case records of commitments for compliance with the statutes, this section, and the procedure.

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE DOCUMENT		Assessment				
Regulatory Requirement, Interpretation, and Compliance Determination		Comments	C	NC	NA	ND
6VAC35-41-420. Contact during juvenile's commitment						
6VAC35-150-420. Contacts during juvenile's commitment. During the period of a juvenile's commitment, a designated staff person shall make contact with the committed juvenile, the juvenile's parents, guardians, or other custodians, and the treatment staff at the juvenile's direct care placement as required by approved procedures . The procedures shall specify when contact must be face-to-face contact and when contacts may be made by video conferencing or by telephone.						
<i>Additional Information and Interpretation:</i> Applicable DJJ CSU procedures: Reentry Manual and 9334.						
<u>Compliance Determination</u> • <i>Review procedure:</i> Examine procedures to determine applicable requirements. • <i>Examine documentation:</i> Review a sample of case records of committed juveniles for compliance with this section and the procedures.						

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE MANUAL

APPENDIX: Applicable Definitions from 6VAC35-150-10.

6VAC35-150-10. Definitions.

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

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

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

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

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

“Board” means the Board of Juvenile Justice.

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

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

“Department” means the Department of Juvenile Justice.

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

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

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

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE MANUAL

APPENDIX: Applicable Definitions from 6VAC35-150-10.

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

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

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

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

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

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

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

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

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

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

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

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

REGULATION FOR NONRESIDENTIAL SERVICES COMPLIANCE MANUAL
APPENDIX: Applicable Definitions from 6VAC35-150-10.

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

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

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

COMPLIANCE MANUAL 6VAC35-150 – REGULATION FOR NONRESIDENTIAL SERVICES

Certification Audit Instructions for Court Service Units

Part I General Provisions

6VAC35-150-10. Definitions.

6VAC35-150-10. Definitions (applicable to CSUs only).

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

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

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

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

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

“Board” means the Board of Juvenile Justice.

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

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

“Department” means the Department of Juvenile Justice.

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

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

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

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

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

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

Individual supervision plans are applicable during probation and parole and for treatment of a juvenile or an adult and the services for the juvenile's family for the time during which a juvenile is committed to the department.

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

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

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

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

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

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

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

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

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

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

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

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

Compliance Determination: None. These terms appear throughout the chapter and, where used, are linked to the definitions in the Appendix.

6VAC35-150-30 (A), (B), and (C). Applicability.

6VAC35-150-30 (A). Applicability.

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

Compliance Determination: None. This provision addresses the scope of the chapter and will not be assessed for compliance.

6VAC35-150-30 (B). Applicability.

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

Compliance Determination: None. This provision addresses the scope of the chapter and will not be assessed for compliance.

6VAC35-150-30. Applicability.

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

Compliance Determination: None. This provision addresses the scope of the chapter and will not be assessed for compliance.

6VAC35-150-40. Variances.

6VAC35-150-40. Variances.

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

Additional Information and Interpretation:

Goal: To ensure that (1) any programmatic changes approved for implementation outside the scope of the applicable regulatory requirement meet specific requirements and (2) all programs (including CSUs) follow the same procedure for seeking a variance.

Additional information:

- The variance requests will be reviewed for compliance with this section and **the Regulations Governing the Monitoring, Approval, and Certification of Juvenile Justice Programs (specifically, the requirements of 6VAC35-20-92).**
- Program administrator means the CSU director.
- Applicable DJJ CSU procedure: **9019VOL I-1.6-01.**

Compliance Determination:

Interview CSU director:

- ~~• Inquire whether the CSU has any practices in noncompliance with applicable regulatory requirements.~~
- Inquire whether the CSU has requested or been issued a variance by the Board.

Examine documentation: If a variance ~~has been~~^{was} requested or issued, review documentation for compliance with the applicable regulatory requirements.

Applicable definitions:

- ✓ ~~"Provider" means a person, corporation, partnership, association, organization, or public agency that is legally responsible for compliance with regulatory and statutory requirements relating to the provision of services or the functioning of a program.~~
- ✓ ~~"Variance" means a Board action that relieves a program from having to meet or develop a plan of action for the requirements of a section or subsection of this chapter.~~
- ✓ ~~"Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

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

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

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

Additional Information and Interpretation:

~~Goal: To avoid duplicative licensing/certification processes.~~

~~Additional information:~~ The ~~Department~~ department may inquire into the licensure/certification requirements and auditing processes.

Compliance Determination:

Interview CSU director: Inquire whether the unit ~~or a program~~ is licensed^l ~~or~~ certified by another agency.

Examine documentation: If the unit/program is licensed^l ~~or~~ certified by another agency, review ~~the~~ license^l ~~or~~ certificate and any other applicable documentation for compliance with applicable regulatory requirements.

Applicable definitions:

None.

Part II Operating Standards for Court Service Units
Article I
Administration

6VAC35-150-60. Organizational structure.

6VAC35-150-60. Organizational structure.

There shall be a written description and organizational chart of the unit showing current lines of authority, responsibility, and accountability, including the unit director's reporting responsibility.

Additional Information and Interpretation:

~~Goal: To ensure the current lines of authority, responsibility, and accountability are formalized.~~

~~Additional information:~~

- There is no standardized format for the ~~design of the~~ "organizational chart." design The chart must be ~~of~~ sufficiently detailed so that the reviewer can follow the lines of authority.
- The "unit director's reporting responsibility" means the individual to whom the CSU reports.
- The "written description" ~~is inclusive of~~ includes the titles provided in the organizational chart.

Compliance Determination:

Examine documentation: Review written description and organizational chart.

Applicable definitions:

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

6VAC35-150-62 (A) & (B). Suitable quarters.

6VAC35-150-62 (A). Suitable quarters.

A. The CSU director annually shall review the unit's needs for suitable quarters, utilities, and furnishings and shall request from the appropriate governing body the resources to meet these needs.

Additional Information and Interpretation:

~~Goal: To ensure that CSU has sufficient work space and materials.~~

~~Additional information:~~ There is no standardized format for the review and request process. The CSU must be able to show that, annually, the needs are reviewed and, if needs are identified, a request for resources was made.

Compliance Determination:

Interview CSU director:

- Inquire whether and how the unit's needs for suitable quarters, utilities, and furnishings were reviewed and regarding the outcome of the review.
- If the review indicated a need for additional resources, ask the CSU director whether the unit made a request to the appropriate governing body.

~~*Examine documentation:* If the review indicated a need for additional resources, examine the unit's request to the appropriate governing body (i.e., annual budget request).~~

Applicable definitions:

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

6VAC35-150-62 (B). Suitable quarters.

B. Intake, probation, and parole officers shall have access to private office space.

Additional Information and Interpretation: None.

~~Goal: To ensure that CSU personnel have access to private office space to protect confidential communications and information.~~

~~Additional information: None.~~

Compliance Determination:

Interview staff: Inquire regarding access to private office space.

Applicable definitions:

- ~~✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ~~✓ "Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the Code of Virginia.~~
- ~~✓ "Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

6VAC35-150-64. Prohibited financial transactions.

6VAC35-150-64. Prohibited financial transactions.

The unit shall not collect or disburse support payments, fines, restitution, court fees, or court costs.

Interpretation:

~~Goal: To ensure the CSU does not collect or disburse funds.~~

~~Additional information: None.~~

Compliance Determination:

Interview staff: Inquire regarding ~~any~~ practices related to the collection and disbursement of support payments, fines, restitution, court fees, and court costs.

Applicable definitions:

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

6VAC35-150-66. Procedures for handling funds.

6VAC35-150-66. Procedures for handling funds.

The unit director shall establish written procedures for handling any ongoing unit employee fund established and maintained by the employees that is derived from employee contributions, the operation of vending machines, special fundraising projects, or other employee canteen services, that utilizes the name of the unit or the Department~~department~~, or that the unit approves the obtaining of or obtains a tax identification number for such funds. Any such funds are not state funds and shall not be commingled in any way with state funds. The Department's~~department's~~ tax identification number shall not be used for such funds.

Additional Information and Interpretation:

Goal: ~~To (1) ensure the unit has procedures for handling funds and (2) maintain the fiscal integrity of state funds.~~

Additional information: ~~Employee funds include those such as a flower funds, and drink machine funds, etc.~~

Compliance Determination:

Interview CSU director: Inquire whether the unit has ~~any~~ employee funds that utilize the name of the unit or ~~the Department~~ department or ~~that use~~ the unit's or Department's ~~department's~~ tax identification number.

Review procedures: If the unit has or had, within the audit period, an applicable employee fund, the unit's procedure shall be reviewed.

Examine documentation: If the unit has or had, within the audit period, an applicable employee fund, the account statement or other relevant documents may be reviewed to determine compliance ~~with this section.~~

Applicable definitions:

- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Department" means the Department of Juvenile Justice.~~
- ✓ ~~"Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

6VAC35-150-80 (A), (B), (C), & (D). Background checks.

6VAC35-150-80 (A). Background checks.

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

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

Additional Information and Interpretation:

Goal: To standardize screening and hiring procedures to determine suitability of employees, volunteers, interns, and contractual service providers. To protect the safety of juveniles, who are receiving services, under the court's or unit's supervision by ensuring that all required background checks are completed on staff and applicable volunteers, interns, and contract service providers.

Additional information:

- Each CSU must maintain a record of background checks completed since the last audit.
 - For state operated CSUs, the audit team will review the presence of documentation that the investigation was conducted by the Department's background unit. A statement from the Background Unit is satisfactory documentation.
 - Review CPS registry check.
 - For locally operated CSUs, the auditor will review information on file for each of the required elements. A statement from human resource personnel is satisfactory documentation if it shows that all required elements were completed.
- "In a CSU" means the duties are conducted or services are provided ~~on-site~~, **on site** at the CSU office.

Compliance Determination:

Examine documentation:

- Review new staff, volunteer or intern, or contractual service provider information for each requirement. (The audit team will not review the content of the information on file.)
- For state-operated CSUs, look for documentation that the department's background unit conducted the investigation. A statement from the background unit is satisfactory.
- For locally operated CSUs, review information on file for each of the required elements. A statement from human resource personnel is satisfactory documentation if it shows that all required elements were completed.
- Review the CPS registry check from the Virginia Department of Social Services.

Applicable definitions:

- ✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the *Code of Virginia*.
- ✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the *Code of Virginia*. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed

to the Department.

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

6VAC35-150-80 (B). Background checks.

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

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

Interpretation:

~~Goal: To minimize vacancy in employee positions while protecting the safety of juveniles under the court's or unit's supervision or receiving services from the unit.~~

~~Additional information: None.~~

Compliance Determination:

Examine documentation: Review new staff information ~~to determine whether any staff were hired pending for each requirement fingerprint check results; and if so, R~~ review documentation to ensure written notice ~~is was~~ provided to ~~such~~ applicants ~~of requirements of this section~~.

Interview CSU director: Inquire ~~regarding~~ whether the unit's hiring and supervision practices meet ~~the this subsection's requirements of this section~~.

Interview staff: Inquire whether new staff, subject to this exception, were left alone with juveniles.

Applicable definitions:

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

6VAC35-150-80 (C). Background checks.

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

Additional Information and Interpretation:

~~Goal: To ensure juveniles are not left alone with individuals not subject to the background check requirements.~~

~~Additional information: This applies to a contract worker or to a service contract provider, such as a maintenance person, who is not alone with a juvenile (and thus has not completed a background check) but may have incidental contact with juveniles just because the worker is due to the worker's present presence in the office. Applicable DJJ CSU procedure: 9461~~

Compliance Determination:

~~Review the unit's procedures: Review procedures to ensure Verify compliance with the requirements of this section subsection's requirements.~~

Applicable definitions:

- ~~✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ~~✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ~~✓ "Provider" means a person, corporation, partnership, association, organization, or public agency that is legally responsible for compliance with regulatory and statutory requirements relating to the provision of services or the functioning of a program.~~

6VAC35-150-80 (D). Background checks.

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

Additional Information and Interpretation:

~~Goal: To ensure programs to which the CSU refers juveniles comply with the background check requirements.~~

~~Additional information: This subsection applies to programs to which the CSU refers juveniles if-unless (1) the program is not-licensed or regulated by another state agency or (2) the service provider is not-a licensed professional.~~

Compliance Determination:

~~Interview CSU director: Inquire regarding processes of approving service providers and referring juveniles to service providers.~~

~~Examine documentation: Review the documentation of the CSU's notice notification to service providers regarding the background check documentation requirements including: that requires programs to which it refers juveniles to document that all persons who provide services have undergone applicable background checks.~~

- ~~• Review list~~List of programs used by CSU.
- ~~• Review a~~Notice to programs by CSU.
- ~~• Review r~~Response from programs confirming compliance.

Applicable definitions:

- ~~✓ "Agency" means any governmental entity of the Commonwealth or any unit of local government including counties, cities, towns, and regional governments and the Departments thereof, and including any entity, whether public or private, with which any of the foregoing has entered into a contractual relationship for the provision of services as described in this chapter.~~
- ~~✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ~~✓ "Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the Code of Virginia.~~
- ~~✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ~~✓ "Provider" means a person, corporation, partnership, association, organization, or public agency that is legally responsible for compliance with regulatory and statutory requirements relating to the provision of services or the functioning of a program.~~

6VAC35-150-90 (A) & (B). Training.

6VAC35-150-90 (A). Training.

A. All employees, volunteers, and interns shall receive documented orientation appropriate to their duties and to address any needs identified by the individual and the supervisor.

Interpretation:

~~Goal: To ensure employee, volunteers, and interns receive appropriate orientation.~~

~~Additional information: None.~~

Compliance Determination:

Examine documentation: Review records of employees, volunteers, and interns for documentation of applicable orientations.

Applicable definitions:

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

6VAC35-150-90 (B). Training.

B. All employees shall receive ongoing training and development appropriate to their duties and to address any needs identified by the individual and the supervisor, if applicable.

Additional Information and Interpretation:

~~Goal: To ensure employees receive appropriate on-going training and development.~~

~~Additional information:~~

- ~~• This is a new regulatory requirement, replacing the 40-hour per year standing requirement. CSU personnel should closely monitor and skill deficiencies and training expectations detailed in employee work profiles (EWPsdocumentation). The audit team will review the EWP and compared with the training logs and records to ensure that any needed and identified trainings have been completed as indicated in the EWP.~~
- Trainings ~~can may~~ be formal training classes related to the position or informational training through staff meetings if attendance and topics covered are documented.
- Such training shall include training ~~as~~ required by 6VAC35-150-200 (safety and security procedures). If such training is not completed, the unit shall be found ~~in noncompliance~~noncompliant ~~with only one regulatory requirement and such noncompliance shall be attributed to only with section 200.~~
- ~~• Best practice is for the CSU to maintain individual training logs for each staff either through LMS or on-site in the employee's training or personnel file.~~

Compliance Determination:

Examine documentation: Review the following:

- The Department's department's or unit's training plan or procedure for training requirements; ~~or~~
- ~~• If a training plan or procedure is not in place, review the~~ The employee's job description, work profile or employee, performance evaluations, or related documentation for (1) performance deficiencies or (2) recommended training requirements that are appropriate to their duties ~~if a training plan or procedure is not in place. The audit team will compare the employee documentation with the training logs and records to ensure that necessary and identified trainings were completed as indicated in the documentation;~~ and
- Documentation of applicable trainings.

Interview staff and supervisor: Inquire whether there are adequate and appropriate trainings or any unaddressed training needs.

Applicable definitions:
None.

6VAC35-150-100. Personnel and operating procedures.

6VAC35-150-100. Personnel and operating procedures.

All staff shall have access to approved procedures governing:

1. Recruitment and selection;
2. Grievance and appeal;
3. Confidential individual employee personnel records;
4. Discipline;
5. Equal employment opportunity;
6. Leave and benefits;
7. Resignations and terminations;
8. Orientation;
9. Promotion;
10. Probationary period; and
11. Competitive salary.

Additional Information and Interpretation:

~~Goal: To ensure staff have access to procedures governing their performance and work environment.~~

~~Additional information: Procedures may be issued by the Division of Operations DJJ, the Division of Community Programs, the agency DJJ's human resources department, the Department of Human Resources Management, or the local equivalents.~~

Compliance Determination:

Examine procedures: Review procedures to ensure that required components are covered. Observe location and document availability ~~of the documents~~.

Interview staff: Inquire regarding access to and availability of applicable procedures.

Applicable definitions:

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

6VAC35-150-110 (A), (B), (C), & (D). Volunteers and interns.

6VAC35-150-110 (A). Volunteers and interns.

A. For every volunteer and intern, the unit shall maintain a current description of duties and responsibilities and a list of the minimum required qualifications;

Interpretation:

~~Goal:—To ensure every volunteer and intern is qualified for the applicable assignment and has a description of the duties and responsibilities so that expectations are known.~~

~~Additional information: None.~~

Compliance Determination:

Examine documentation: Review position descriptions for duties and required qualifications.

~~Additional information:~~ If qualifications are not included on the volunteer position descriptions, the audit team may examine additional documentation of required qualifications (~~i.e.c.g.~~, correspondence with volunteer or intern).

Applicable definitions:

- ~~✓—"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ~~✓—"Volunteer" or "intern" means any individual or group who of their own free will and without any financial gain provides services without competitive compensation.~~

6VAC35-150-110 (B). Volunteers and interns.

B. Volunteers and interns shall comply with all applicable regulations, policies, and approved procedures;

Additional Information and Interpretation:

~~Goal:—To ensure that volunteers and interns comply with legal and Department requirements.~~

~~Additional information:~~ Applicable DJJ Administrative Directive: 15-001.

Compliance Determination:

Interview CSU director ~~and~~ or volunteer coordinator: Inquire regarding compliance with this section.

Examine documentation: Review documentation if there are instances of noncompliance.

Applicable definitions:

- ~~✓—"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ~~✓—"Volunteer" or "intern" means any individual or group who of their own free will and without any financial gain provides services without competitive compensation.~~

6VAC35-150-110 (C). Volunteers and interns.

C. One or more designated persons shall coordinate volunteer services; and

Interpretation:

~~Goal: To ensure volunteer services are coordinated.~~

~~Additional information: None.~~

Compliance Determination:

~~Interview CSU director and/or volunteer coordinator:~~ Inquire regarding compliance with this subsection.

Applicable definitions:

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

6VAC35-150-110 (D). Volunteers and interns.

D. Volunteers and interns shall be registered with the ~~Department~~department.

Additional Information and Interpretation:

~~Goal: To ensure that volunteers and interns are registered with the Department.~~

- ~~• Additional information: The Department's department's primary purpose in requiring registration is for liability insurance purposes, as applicable.~~
- ~~• The regulation does not establish a timeframe for registration.~~

Compliance Determination:

~~Examine documentation: Review the volunteer roster and documentation of it having been sent to the Department department on a periodic basis. Compare sample from the activecompare it with the volunteer registry roster of volunteers with the volunteers in the Department's volunteer database maintained by the CSU.~~

~~Additional information: The regulation does not indicate a time frame for when the volunteers and interns are registered.~~

Applicable definitions:

~~✓ "Department" means the Department of Juvenile Justice.~~

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

6VAC35-150-120. Reportable incidents.

6VAC35-150-120. Reportable incidents.

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

Additional Information and Interpretation:

- Applicable CSU procedure: 9462.

Compliance Determination: Examine documentation of reportable incidents in the department's electronic data system.

6VAC35-150-130 (A) & (B). Research.

6VAC35-150-130 (A). Research.

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

Interpretation:

~~Goal: To ensure research involving juveniles is conducted in compliance with applicable statutes and regulations.~~

~~Additional information: Applicable DJJ Administrative Directive: 07-006.3.~~

Compliance Determination:

~~Examine documentation:~~ Review any research project for approval (from the ~~Department's department's~~ Research and Evaluation Data, Research, & Records Integrity Unit ~~or as required by the locality~~).

Applicable definitions:

- ~~✓ "Human research" means any systematic investigation using human subjects as defined by § 32.1-162.16 of the Code of Virginia and 6VAC35-170, et seq. Human research shall not include research prohibited by state and federal statutes or regulations or research exempt from federal regulations or mandated by any applicable statutes or regulations.~~
- ~~✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~

6VAC35-150-130 (B). Research.

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

Interpretation:

~~Goal: To ensure testing of medicines or drugs for experimentation or research does not occur.~~

~~Additional information: None.~~

Compliance Determination:

~~Interview CSU director:~~ Inquire regarding compliance with this subsection.

~~Examine documentation:~~ Review approved research projects.

Applicable definitions:

~~None.~~

6VAC35-150-140 (A), (B), (C), & (D). Records management.

6VAC35-150-140 (A). Records management.

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

Interpretation:

~~Goal: To ensure case records are maintained uniformly and in accordance with approved procedures.~~

~~Additional information:~~ The CSU director should have procedures that map and describe the case management process. Applicable DJJ CSU procedure: 9450.

Compliance Determination:

~~Review procedure:~~ Examine requirements of applicable procedures.

~~Examine case records:~~ Review case records and the file management system to ensure they are maintained uniformly and ~~are~~ in accordance with the procedural requirements.

Applicable definitions:

- ~~✓—"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ~~✓—"Case record" or "record" means written or electronic information regarding an individual and the individual's family, if applicable, that is maintained in accordance with approved procedures.~~

6VAC35-150-140 (B). Records management.

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

Additional Information and Interpretation:

~~Goal: To ensure case records are maintained securely and information is kept confidential.~~

~~Additional information:~~ Case records are not considered secure if they are left in an area where persons other than CSU staff (e.g., cleaning personnel) may ~~have access to them (i.e., cleaning personnel).~~

- "Secure locations" include, but are not limited to, locked cabinets, rooms, or desk drawers. ~~Case records should be kept in a secure location when not in use.~~
- The key should not be available to non-CSU staff (except individuals who may require access in ~~ease of an emergency/emergencies~~).

Compliance Determination:

~~Interview CSU director and staff:~~ Inquire regarding compliance with this subsection.

Applicable definitions:

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

6VAC35-150-140 (C). Records management.

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

Additional Information and Interpretation: Applicable DJJ CSU procedure: 9450.

Goal: To ensure proper maintenance and disposal of case records.

Additional information: None.

Compliance Determination:

Review procedure: Review applicable requirements ~~of applicable procedures~~.

Interview CSU director and staff: Inquire regarding compliance with this section.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Case record" or "record" means written or electronic information regarding an individual and the individual's family, if applicable, that is maintained in accordance with approved procedures.~~

6VAC35-150-140 (D). Records management.

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

Additional Information and Interpretation:

Goal: ~~To ensure records are disclosed only in accordance with applicable statutes, regulations, and procedures.~~

Additional information: ~~The approved procedure should include the applicable statutory restrictions and requirements (i.e., §§ 16.1-300 and 16.1-309.1 of the Code of Virginia).~~ Applicable DJJ CSU procedure: 9451.

Compliance Determination:

Review procedure: Review applicable requirements ~~of applicable procedures~~.

Interview CSU director and staff: Inquire regarding compliance with this subsection.

Examine documentation: Review case files for documentation of information appropriate releases of information ~~(i.e.g., release of information forms).~~

Applicable definitions:

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

Article 2
Security and Safety

6VAC35-150-200. Safety and security procedures.

6VAC35-150-200. Safety and security procedures.

In accordance with ~~approved procedures~~, the ~~unit~~ shall implement:

1. Safety and security practices for the office environment to include at least fire, bomb threat, natural disasters, and hostage and medical emergency situations;
2. Safety and security practices for staff making field visits to juveniles and their families; and
3. Training on appropriate crisis prevention and intervention techniques for the office and the field that staff may use to respond to behavior that poses a risk to the safety of themselves or others.

Additional Information and Interpretation:

Goals:

1. ~~To ensure CSU implements procedures for safety and security of staff, juveniles, families, and visitors to the CSU and in the field.~~
2. ~~To establish that unit staff are trained in safety and security practices in the office environment and for field visits.~~

Additional information:

- Applicable DJJ CSU procedure: 9461.
- Training requirements are referenced in 6VAC35-150-90 (B). If safety and security and crisis intervention training is not completed, the unit will be found ~~in none compliance~~ noncompliant with only ~~the~~ section 200 regulatory requirement (and not section 90).

Compliance Determination:

Interview staff: Inquire regarding staff knowledge ~~of procedures~~ and implementation of procedures.

Examine documentation: Review orientation records for new staff.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~

6VAC35-150-210 (A) & (B). Physical force.

6VAC35-150-210 (A). Physical force.

A. Physical force shall be used only as a last resort and shall never be used as punishment. Staff shall use only the minimum force deemed reasonable and necessary to eliminate the imminent risk to the safety of themselves or others.

Interpretation:

~~Goal: To ensure physical force is used only as required by this section.~~

~~Additional information: None.~~

Compliance Determination:

Interview staff: Inquire regarding use of physical force.

Examine documentation: Review documentation of ~~any~~ instances involving physical force for compliance with this subsection.

Applicable definitions:

~~None.~~

6VAC35-150-210 (B). Physical force.

B. Each use of physical force shall be reported in writing to the CSU director, who shall ensure that all reportable incidents are further reported in accordance with the ~~Department's~~ department's procedures for reporting serious incidents.

Additional Information and Interpretation:

~~Goal: To ensure use of physical force is reported in compliance with this section.~~

~~Additional information:~~ Applicable DJJ CSU procedure: 9462

Compliance Determination:

Interview staff: Inquire regarding use of physical force.

Examine documentation: Review documentation of ~~any~~ instances involving physical force for compliance with this subsection.

Applicable definitions:

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

✓ ~~"Department" means the Department of Juvenile Justice.~~

6VAC35-150-220. Searches.

6VAC35-150-220. Searches.

Searches of an individual's person and immediate area may be conducted only in accordance with approved procedures, with all applicable state and federal statutes and regulations, and with the Virginia and United States constitutions. Only staff who have received training approved by the ~~Department~~ department shall conduct searches.

Additional Information and Interpretation:

~~Goal: To ensure searches are conducted by trained staff in accordance with the Constitution and applicable statutes, regulations, and procedures.~~

~~Additional information:~~ Applicable DJJ CSU procedure: 9469.

Compliance Determination:

~~Review procedure:~~ ~~Review procedure~~ Determine applicable requirements.

~~Interview CSU director or staff:~~ Inquire whether CSU personnel conduct searches, and if so. ~~If searches are performed, inquire~~ whether search practices ~~are conducted in compliance~~ comply with this section.

~~Examine documentation:~~ If staff are approved to conduct searches, (1) ensure ~~the department has approved the training has been approved by the Department~~ and (2) examine training records for compliance with this section.

Applicable definitions:

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

✓—"Department" means the Department of Juvenile Justice.

6VAC35-150-230 (A) & (B). Weapons.

6VAC35-150-230 (A). Weapons.

A. A **probation** officer may obtain authorization to carry a weapon as provided by § 16.1-237 of the Code of Virginia only in accordance with **approved procedures** that require at least: (i) firearms safety training, (ii) a psychological or mental health assessment, (iii) approval by the CSU director, and (iv) approval by the unit director's supervisor.

Additional Information and Interpretation:

Goal: To ensure that (1) probation officers obtain authorization to carry a weapon in accordance with the applicable statute and procedures and (2) procedures contain components required by this section.
Applicable DJJ Administrative Directive: 18-004.1.

- *Additional information:* "Weapon" means a firearm.
- *Applicable DJJ Administrative Directive:* 18-004.1.

Compliance Determination:

Interview CSU director and staff: Inquire whether probation officers have been authorized to carry a weapon.

Examine documentation: If probation officers have been so authorized ~~to carry a weapon~~, examine (1) procedure to ensure compliance with this subsection and (2) records of staff authorized to carry a weapon for elements required by this subsection and the procedure.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Probation" means a court-ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).~~

6VAC35-150-230 (B). Weapons.

B. All CSU staff authorized to carry weapons shall have received training and retraining, in accordance with approved procedures, which shall include the limited circumstances when weapons may be carried and used as required by law and liability insurance coverage.

Additional Information and Interpretation:

Goal: To ensure that CSU staff authorized to carry weapons receive appropriate training and retraining.

Additional information: Applicable DJJ Administrative Directive: 18-004.1

Compliance Determination:

Examine documentation: If CSU staff are authorized to carry weapons, review (1) the procedure for required training elements; ~~(2) documentation for training approval by the Department;~~ and ~~(32)~~ the authorized staff's training records.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~

6VAC35-150-240. Arrest of juvenile by staff.

6VAC35-150-240. Arrest of juvenile by staff.

Probation officers shall exercise their arrest powers in accordance with **approved procedures**.

Additional Information and Interpretation:

~~Goal: To ensure probation officers exercise their arrest powers in accordance with approved procedures.~~

~~Additional information: Applicable DJJ CSU procedure: 9463.~~

Compliance Determination:

~~Interview CSU director and staff: Inquire whether **probation officers have made** arrests **have been made by** probation officers.~~

~~Examine procedure: Review **procedural** components **of the procedure**.~~

~~Examine documentation: If probation officers have made arrests, review documentation to ensure compliance with the **procedural** requirements **of the procedure** (i.e.g., training). **If documentation** is not maintained, the audit team may interview staff to determine compliance.~~

~~Additional information: If probation officers have made arrests and documentation of the arrests are not maintained, the audit team may interview staff for compliance with the procedure.~~

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally-operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally-operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Probation" means a court ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).~~

6VAC35-150-250. Absconders.

6VAC35-150-250. Absconders.

Unit staff shall cooperate with ~~Department~~ department personnel and state and local law-enforcement authorities to help locate and recover juveniles who violate the conditions of their probation or parole supervision and upon whom a detention order has been issued or who escape or run away from a juvenile correctional center, detention home, or other juvenile placement.

Additional Information and Interpretation:

~~Goal: To ensure cooperation between the Department and law-enforcement personnel.~~

~~Additional information: CSUs also are also~~ subject to the requirements of § 16.1-309.1 of the *Code of Virginia*.

Compliance Determination:

Interview CSU director and staff: Inquire whether any juveniles have absconded. The audit team also may interview staff who liaised with law enforcement to determine compliance.

Examine documentation: If juveniles have absconded, examine case records for compliance with this section.

~~Additional information: The audit team may also interview staff who liaised with law enforcement to determine compliance with this section.~~

Applicable definitions:

- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Department" means the Department of Juvenile Justice.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ✓ ~~"Parole" means supervision of a juvenile released from commitment to the Department as provided for by §§ 16.1-285, 16.1-285.1, and 16.1-285.2 of the Code of Virginia.~~
- ✓ ~~"Probation" means a court ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).~~
- ✓ ~~"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~

6VAC35-150-260. Transportation of detained juveniles.

6VAC35-150-260 . Transportation of detained juveniles.

Detained juveniles shall be transported in accord with "Guidelines for Transporting Juveniles in Detention," ~~current edition~~(September 2004) issued by the board in accord with § 16.1-254 of the Code of Virginia.

Interpretation:

~~Goal: To ensure transportation of detained juveniles is conducted in accordance with the guidelines issued by the Board of Juvenile Justice.~~

~~Additional information: None.~~

Compliance Determination:

~~Interview CSU director and staff: Inquire regarding procedures for transporting detained juveniles.~~

~~Examine documentation: Observe guideline availability if transportation is conducted by CSU staff.~~
Compare practices ascertained in the interviews with the guidelines' requirements ~~of the guidelines.~~

Applicable definitions:

✓ ~~"Board" means the Board of Juvenile Justice.~~

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

Article 3
Intake

6VAC35-150-270 (A), (B), & (C). Intake duties.

6VAC35-150-270 (A). Intake duties.

A. When making an intake determination as provided for by § 16.1-260 of the Code of Virginia, whether in person or by telephone or interactive video conferencing, the intake officer shall, in accordance with approved procedures:

1. Explain the steps and options in the intake process to each person present as provided for in approved procedures;
2. Make all required data entries into the Department's department's electronic data collection system in accordance with § 16.1-224 of the Code of Virginia and approved procedures;
3. Consult with available parents, guardians, legal custodian, or other person standing in loco parentis to determine the appropriate placement; and
4. Notify the juvenile's parents, guardians, legal custodian, or other person standing in loco parentis in cases involving the juvenile's detention.

Additional Information and Interpretation:

Goal: To ensure that intake determinations comply with this section and procedures.

Additional information: Applicable DJJ CSU procedure: 9115.

Compliance Determination:

Review procedure: Review procedural requirements to ensure Verify compliance with this subsection.

Interview intake officers: Inquire whether the requirements of this subsection and procedures are followed.

Examine documentation: Examine electronic data system and/or case records for required entries.

Applicable definitions:

- ✓ "Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.
- ✓ "Department" means the Department of Juvenile Justice.
- ✓ "Intake" means the process for screening complaints and requests alleged to be within the jurisdiction of the juvenile and domestic relations district court pursuant to § 16.1-260 of the Code of Virginia.
- ✓ "Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the Code of Virginia.
- ✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.

6VAC35-150-270 (B). Intake duties.

B. When making a detention decision pursuant to § 16.1-248.1 of the Code of Virginia and when making recommendations to the court at a detention hearing pursuant to § 16.1-250 of the Code of Virginia, **CSU** personnel shall make use of the uniform risk assessment instrument and related procedure mandated by Chapter 648 of the 2002 Acts of Assembly.

Additional Information and Interpretation:

~~Goal: To ensure detention decisions are made using the uniform risk assessment instrument and related procedure.~~

~~Additional information:~~ Applicable DJJ CSU procedures: 9115, 9131, and 9135.

Compliance Determination:

Interview intake officers: Inquire whether detention decisions are made in accordance with this **subsection**.

Examine documentation: Review case records of detained juveniles or electronic data system entries for compliance with this **subsection**, ~~including. Such review will examine examining~~ whether use of the ~~risk assessment~~ instrument comported with the **procedural** requirements ~~of the procedures~~.

Applicable definitions:

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

6VAC35-150-270 (C). Intake duties.

C. When the chief judge in a jurisdiction requests the provision of a replacement **intake officer** pursuant to § 16.1-235.1 of the Code of Virginia, the **CSU** shall enter into a **written** agreement with the requesting court that shall address, at a minimum, the scope of the **intake** duties, the location where **intake** cases will be processed, and the protocol for arranging any required face-to-face contact between the **intake officer** and **juvenile**.

Interpretation:

~~Goal: To ensure the provision of replacement intake officers is provided as required by statute.~~

~~Additional information: None.~~

Compliance Determination:

Interview CSU director: Inquire whether the chief judge requested the provision of replacement intake officers.

Examine documentation: If a chief judge **so** requested ~~replacement intake officers~~, review **the** agreement for compliance with this **subsection** and § 16.1-235.1 of the *Code of Virginia*.

Applicable definitions:

- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Intake" means the process for screening complaints and requests alleged to be within the jurisdiction of the juvenile and domestic relations district court pursuant to § 16.1-260 of the Code of Virginia.~~
- ✓ ~~"Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the Code of Virginia.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ✓ ~~"Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

6VAC35-150-280. Medical and psychiatric emergencies at intake.

6VAC35-150-280. Medical and psychiatric emergencies at intake.

If during the intake interview, the intake officer suspects that the juvenile requires emergency medical or psychiatric care, the intake officer shall:

1. Immediately contact the juvenile's parents or legal guardians to advise them of the emergency and any responsibilities they may have; and
2. Before placing a juvenile in a more restrictive setting, the intake officer shall arrange for the juvenile to receive the needed emergency care.

Interpretation:

Goal: — To ensure the intake officer complies with this section when, during the intake interview, the officer suspects a juvenile requires emergency medical or psychiatric care.

Additional information: Applicable DJJ CSU procedure: 9125.

Compliance Determination:

Interview CSU director and intake officer: Inquire whether any intake officers have suspected a medical or psychiatric emergency during an intake interview.

Examine documentation: If an intake officer ~~dealt with~~ suspected a medical or psychiatric emergency during the intake interview, examine case record or electronic data system for compliance with this section.

Applicable definitions:

- ✓ — "Intake" means the process for screening complaints and requests alleged to be within the jurisdiction of the juvenile and domestic relations district court pursuant to § 16.1-260 of the *Code of Virginia*.
- ✓ — "Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the *Code of Virginia*.
- ✓ — "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the *Code of Virginia*. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.

6VAC35-150-290. Intake communication with detention.

6VAC35-150-290. Intake communication with detention.

When **CSU** staff facilitate the placement of a **juvenile** in detention, they shall give detention staff, by telephone, in writing, or by electronic means, no later than the time the **juvenile** arrives at the detention facility, the reason for detention and the offenses for which the **juvenile** is being detained including any ancillary offenses. **CSU** staff shall also give detention staff the following information when available and applicable: medical information; parents' or guardians' names, addresses and phone numbers; prior record as regards sexual offenses, violence against persons, or arson; suicide attempts or self-injurious behaviors; gang membership and affiliation; and any other information as required by **approved procedure**.

Additional Information and Interpretation:

~~Goal: To ensure CSU staff share necessary information in facilitating the placement of a juvenile in detention.~~

~~Additional information: Applicable DJJ CSU procedure: 9132.~~

Compliance Determination:

Examine procedure: Review procedure for required components.

Interview CSU staff: Inquire regarding CSU contacts with detention center when facilitating **a juvenile's placement**~~the placement of a juvenile~~ in detention.

Interview detention center staff: Contact the most frequently used detention center; ~~inquire~~ regarding compliance with the section and the applicable procedure.

Examine documentation: Review **the** case record or electronic data system to ensure information (~~if available~~) is shared with the detention center in compliance with this section and applicable procedures.

Applicable definitions:

- ~~✓ "Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ~~✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ~~✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ~~✓ "Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

Article 4
Out-of-Home Placements

6VAC35-150-300 (A), (B), & (C). Predispositionally placed juvenile.

6VAC35-150-300 (A). Predispositionally placed juvenile.

A. In accordance with approved procedures, a representative of the CSU shall make contact, either face-to-face or via videoconferencing, with each juvenile placed in predispositional detention, jail, or shelter care pursuant to § 16.1-248.1 of the Code of Virginia, within five days of the placement. A representative of the CSU shall make contact with the juvenile at least once every 10 days thereafter either face-to-face or by telephone or videoconferencing. All such contacts shall include direct communication between the CSU staff and the juvenile.

Additional Information and Interpretation:

~~Goal: To ensure that a representative of the CSU maintains contact with juveniles placed predispositionally in detention, jail, or shelter care as required by this section.~~

~~Additional information:~~

- ~~• A representative of the CSU should inquire regarding the adjustment and safety of, answer any questions posed by, and provide any necessary information to the detained juvenile. This visit can may be a private meeting away from the courtroom prior to transport to a detention home. Applicable DJJ CSU procedure: 9134.~~
- This requirement applies to juveniles whose cases have been transferred or certified to circuit court for trial as an adult who are confined in a jail pending trial.

Compliance Determination:

Examine procedure: Review procedure for components ~~of the procedure~~.

Examine documentation: Review case records or other documentation of the contact with predispositionally detained juveniles to determine compliance with this subsection and the procedure.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~

6VAC35-150-300 (B). Predispositionally placed juvenile.

B. The case of each predispositionally placed **juvenile** shall be reviewed at least every 10 days in accordance with **approved procedures** to determine whether there has been a material change sufficient to warrant recommending a change in placement.

Additional Information and Interpretation:

Goal: To ensure the case of each predispositionally placed juvenile is reviewed as required by this section.

Additional information: The CSU staff should take all efforts to ensure the continued detention of juveniles is appropriate. Applicable DJJ CSU procedure: 9134.

Compliance Determination:

Examine procedure: Review procedural requirements.

Examine documentation: Review case records or other documentation of the review of predispositionally detained juveniles for compliance with this **subsection** and the procedure.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~

6VAC35-150-300 (C). Predispositionally placed juvenile.

C. When the unit is the placing agency and is supervising a juvenile in a residential facility, designated staff of the CSU shall be available to the facility's staff 24 hours a day in case of emergency.

Interpretation:

Goal: To ensure that the residential facility has access to CSU personnel in case of emergency.

Additional information: None.

Compliance Determination:

Interview staff: Inquire regarding on-call ~~or~~ 24-hour coverage practices.

Examine documentation: Review on-call ~~or~~ 24-hour schedule for coverage.

Applicable definitions:

- ✓ ~~"Agency" means any governmental entity of the Commonwealth or any unit of local government including counties, cities, towns, and regional governments and the Departments thereof, and including any entity, whether public or private, with which any of the foregoing has entered into a contractual relationship for the provision of services as described in this chapter.~~
- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~

6VAC35-150-310 (A) & (B). Postdispositional detention.

6VAC35-150-310 (A). Postdispositional detention.

A. When a court orders a juvenile to be detained postdispositionally for more than 30 days pursuant to subsection B of § 16.1-284.1 of the Code of Virginia, the CSU staff shall develop a written plan with the facility to enable such juvenile to take part in one or more community treatment programs appropriate for that juvenile's rehabilitation, which may be provided at the facility or while the juvenile is on temporary release status, as determined by that juvenile's risk to public safety and other relevant factors. The CSU shall provide a copy of the juvenile's social history to the postdispositional detention program upon request.

Interpretation:

~~Goal: To ensure collaboration between the CSU staff and postdispositional detention program staff in accordance with this section.~~

~~Additional information: None.~~

Compliance Determination:

Examine documentation: Review case records of postdispositionally placed juveniles for compliance with this subsection including CSU development of the plan and documentation that, if requested, a copy of the social history was sent.

Applicable definitions:

- ~~✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ~~✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ~~✓ "Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

6VAC35-150-310 (B). Postdispositional detention.

B. The **case record** of a **juvenile** placed in a postdispositional detention program pursuant to subsection B of § 16.1-284.1 of the Code of Virginia shall contain:

1. Social history;
2. Court order;
3. Reason for placement; and
4. Current supervision plan, if applicable.

Interpretation:

Goal: To ensure case records of postdispositionally placed juveniles are maintained in accordance with this section.

Additional information: None.

Compliance Determination:

Examine documentation: Review case records of postdispositionally placed juveniles for compliance with this subsection.

Applicable definitions:

- ✓ "Case record" or "record" means written or electronic information regarding an individual and the individual's family, if applicable, that is maintained in accordance with approved procedures.
- ✓ "Individual supervision plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or adult. It specifies measurable short term and long term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan. Individual supervision plans are applicable during probation and parole and for treatment of a juvenile or an adult and the services for the juvenile's family for the time during which a juvenile is committed to the Department.
- ✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the *Code of Virginia*. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.

6VAC35-150-320. Notice of juvenile's transfer.

6VAC35-150-320. Notice of juvenile's transfer.

When CSU staff have knowledge that a juvenile has been moved from one residential facility to another residential facility and do not have knowledge that the juvenile's parents or legal guardians have been advised of the transfer, CSU staff shall notify the juvenile's parents or legal guardians within 24 hours and shall document the notification in the juvenile's case record.

Interpretation:

Goal: To ensure parents or legal guardians are advised of juveniles' transfer from one residential facility to another while avoiding duplicative work for CSU personnel.

Additional information: None.

Compliance Determination:

Examine documentation: Review a sample of case records to determine whether CSU staff had knowledge of the move, and if so, if knowledge of move, review for verify knowledge of parental or guardian notification. If applicable, examine record for documentation of that notice having been sent to the parent or legal guardian required parties in compliance with this section.

Applicable definitions:

- ✓ "Case record" or "record" means written or electronic information regarding an individual and the individual's family, if applicable, that is maintained in accordance with approved procedures.
- ✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the *Code of Virginia*.
- ✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the *Code of Virginia*. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.

Article 5
Probation, Parole, and Other Supervision

6VAC35-150-335 (A), (B), & (C). Diversion.

6VAC35-150-335 (A). Diversion.

A. When an intake officer proceeds with diversion in accordance with subsection B of § 16.1-260 of the Code of Virginia, such supervision shall not exceed 120 days. ~~For a juvenile alleged to be a truant pursuant to a complaint filed in accordance with § 22.1-258 of the Code of Virginia, such supervision shall be limited to 90 days.~~

Interpretation:

~~Goal: To ensure diversions are processed in accordance with this section and the Code of Virginia.~~

~~Additional information: Applicable DJJ CSU procedure: 9123.~~

Compliance Determination:

Examine documentation: Review a sample of case records of diverted juveniles for compliance with this s u b section.

Applicable definitions:

- ✓ ~~"Diversion" means the provision of counseling, informal supervision, programs, or services, or a combination thereof, which is consistent with the protection of the public safety and the welfare of the juvenile as provided for in §§ 16.1-227 and 16.1-260 of the Code of Virginia.~~
- ✓ ~~"Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the Code of Virginia.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ✓ ~~"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~

6VAC35-150-335 (B). Diversion.

B. When a new complaint is filed against a juvenile who is currently under supervision in accordance with subsection A of this section, and the juvenile qualifies for diversion in accordance with subsection B of § 16.1-260 of the Code of Virginia, then the intake officer may proceed with diversion for an additional 120 days from the date of the subsequent complaint.

Additional Information and Interpretation:

~~Goal: To ensure subsequent diversions are processed in accordance with this section and the Code of Virginia.~~

~~Additional information: This section is permissive. The second or subsequent offense does not have to exceed not be diverted, but. However, if it is diverted, the diversion must not exceed 120 days.~~

Compliance Determination:

Examine documentation: Review a sample of case records of juveniles with a second or subsequent diversion for compliance with this subsection.

Applicable definitions:

- ✓ ~~"Diversion" means the provision of counseling, informal supervision, programs, or services, or a combination thereof, which is consistent with the protection of the public safety and the welfare of the juvenile as provided for in §§ 16.1-227 and 16.1-260 of the Code of Virginia.~~
- ✓ ~~"Intake officer" means the probation officer who is authorized to perform the intake function as provided in § 16.1-260 of the Code of Virginia.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ✓ ~~"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~

6VAC35-150-335 (C). Diversion.

C. In no case shall a petition be filed by the CSU based on acts or offenses in the original complaint after 120 days from the date of the initial referral on the original complaint.

Interpretation:

~~Goal: To ensure diversion cases are processed in accordance with this section.~~

~~Additional information: None.~~

Compliance Determination:

Examine documentation: Review a sample of case records of diverted juveniles ~~for compliance with this section (to assess whether any petitions are were filed more than 120 days from the date of the original complaint in conflict with this subsection).~~

Applicable definitions:

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

6VAC35-150-336 (A), (B), &(C). Social histories.

6VAC35-150-336 (A). Social histories.

A. A social history shall be prepared in accordance with **approved procedures** (i) when ordered by the court, (ii) for each **juvenile** placed on probation supervision with the unit, (iii) for each juvenile committed to the **Department**, (iv) for each juvenile placed in a postdispositional detention program for more than 30 days pursuant to § 16.1-284.1 of the Code of Virginia, or (v) upon **written** request from another unit when accompanied by a court order. Social history reports shall include the following information:

1. Identifying and demographic information on the juvenile;
2. Current offense and prior court involvement;
3. Social, medical, psychological, and educational information about the juvenile;
4. Information about the family; and
5. Dispositional recommendations, if permitted by the court.

Additional Information and Interpretation:

~~Goal: To ensure social history reports are completed in accordance with the Code of Virginia, this section, and the procedures.~~

~~Additional information: Internal procedures and format should be developed by the CSU Director.~~
Applicable DJJ CSU procedure: 9230.

Compliance Determination:

Review procedure: Examine the procedure for required components and compliance with this **subsection**.

Examine documentation: Review a sample of case records for compliance with this **sub** section and the procedure.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally-operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally-operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally-operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ✓ ~~"Probation" means a court-ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).~~
- ✓ ~~"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~

6VAC35-150-336 (B). Social histories.

B. An existing social history that is less than 12 months old may be used provided an addendum is prepared updating all changed information. A new social history shall be prepared as required in subsection A of this section or when ordered by the court if the existing social history is more than 12 months old.

Interpretation:

~~Goal: To ensure social history information is up-to-date and that judicial/service referral decisions are not based on information that is not current.~~

~~Additional information: Format of the addendum may be provided in unit procedures.~~

Compliance Determination:

Interview CSU director and staff: Inquire regarding social histories and addendum practices.

Examine documentation: Review case files for compliance with this subsection.

Applicable definitions:

~~None.~~

6VAC35-150-336 (C). Social histories.

C. Social history reports on adults may be modified as provided for in procedures approved by the CSU director after consultation with the judge or judges of the court.

Additional Information and Interpretation:

~~Goal: To ensure social histories on adults are in a format provided for in approved procedures or in a format approved by the CSU director after consultation with the judge or judges of the court.~~

~~Additional information: Internal procedures and format should be developed by the CSU director.~~

Applicable DJJ CSU procedure: 9230.

Compliance Determination:

Interview CSU director: Inquire whether the CSU utilizes the format (1) provided for in ~~section 3366~~ VAC35-150-336 and approved procedures or (2) as provided for in procedures approved by the CSU director after consultation with the judge or judges of the court.

Review procedure: If a modified format is used, review the internal procedure for required components.

Examine documentation: Examine adult case records for compliance with applicable format and content requirements.

Applicable definitions:

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

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

6VAC35-150-340. Beginning supervision.

6VAC35-150-340. Beginning supervision.

Within the timeframes established by approved procedures for beginning supervision, a probation or parole officer shall:

1. See the juvenile face-to-face;
2. Give the juvenile the written rules of supervision, including any special conditions, and explain these to the juvenile and, when appropriate, to the juvenile's parents or guardians; and
3. Document these actions in the case record.

Additional Information and Interpretation:

~~Goal:~~ To ensure probation and parole officers follow approved procedures and the requirements of this section when beginning supervision.

~~Additional information:~~ The required time frames begin to run when the unit receives the court order placing the individual under the its supervision ~~of the unit is received by the unit. Best practice is for the court order to be date stamped.~~ If the court order is not date stamped, the time frames will begin to run on the date the court order was issued. Applicable DJJ CSU procedure: 9323.

Compliance Determination:

Review procedure: Examine procedure to determine applicable time frames.

Examine documentation: Review a sample of case records for compliance with ~~the~~ this section and the procedure.

Applicable definitions:

- ✓ ~~"Approved procedures"~~ means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally-operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally-operated court service units approved in accordance with local procedures.
- ✓ ~~"Case record" or "record"~~ means written or electronic information regarding an individual and the individual's family, if applicable, that is maintained in accordance with approved procedures.
- ✓ ~~"Court service unit," "CSU," or "unit"~~ means a state or locally-operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the *Code of Virginia*.
- ✓ ~~"Juvenile"~~ means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the *Code of Virginia*. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.
- ✓ ~~"Parole"~~ means supervision of a juvenile released from commitment to the Department as provided for by §§ 16.1-285, 16.1-285.1, and 16.1-285.2 of the *Code of Virginia*.
- ✓ ~~"Probation"~~ means a court-ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).
- ✓ ~~"Supervision"~~ means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.
- ✓ ~~"Written"~~ means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.

6VAC35-150-350 (A) & (B). Supervision plans for juveniles.

6VAC35-150-350 (A). Supervision plans for juveniles.

A. To provide for the public safety and address the needs of a juvenile and that juvenile's family, a juvenile shall be supervised according to a written individual supervision plan, developed in accordance with approved procedures and timeframes, that describes the range and nature of field and office contact with the juvenile, with the parents or guardians of the juvenile, and with other agencies or providers providing treatment or services.

Additional Information and Interpretation:

~~Goal: To ensure the supervision of juveniles is provided in accordance with the individual supervision plan in accordance with procedures.~~

~~Additional information:~~

- ~~• The unit may develop supervision plans, specific to the unit, which provided they do not conflict with approved procedures. Juveniles are to be supervised according to the established procedures.~~
- ~~• Applicable DJJ CSU procedures: 9324, 9334, and the Reentry and Intervention Manual for Committed and Paroled Juveniles (Reentry Manual) and 9338.~~
- ~~• The CSU will need to provide list of levels to audit team prior to before the audit to establish frequency of contacts for different levels of supervision.~~

Compliance Determination:

Review procedures: Examine procedures to determine applicable requirements and time frames.

Examine documentation: Review a sample of case records for compliance with ~~the~~ this sub section and the procedures.

Applicable definitions:

- ~~✓ "Agency" means any governmental entity of the Commonwealth or any unit of local government including counties, cities, towns, and regional governments and the Departments thereof, and including any entity, whether public or private, with which any of the foregoing has entered into a contractual relationship for the provision of services as described in this chapter.~~
- ~~✓ "Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ~~✓ "Individual supervision plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or adult. It specifies measurable short-term and long-term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan. Individual supervision plans are applicable during probation and parole and for treatment of a juvenile or an adult and the services for the juvenile's family for the time during which a juvenile is committed to the Department.~~
- ~~✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ~~✓ "Provider" means a person, corporation, partnership, association, organization, or public agency that is legally responsible for compliance with regulatory and statutory requirements relating to the provision of services or the functioning of a program.~~
- ~~✓ "Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~
- ~~✓ "Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

6VAC35-150-350 (B). Supervision plans for juveniles.

B. In accordance with approved procedures, each written individual supervision plan shall be reviewed (i) with the juvenile and the juvenile's family, and (ii) by a supervisor from both a treatment and a case management perspective to confirm the appropriateness of the plan.

Additional Information and Interpretation:

~~Goal:~~ To ensure that the supervision plan is reviewed in accordance with this section.

~~Additional information:~~ Applicable DJJ CSU procedures: 9260, 9324, 9325, 9334, 9338, and the Reentry Manual 9339.

Compliance Determination:

~~Review procedure:~~ Examine procedures to determine applicable requirements.

~~Examine documentation:~~ Review a sample of case records or alternative documentation for compliance with the this subsection and the procedure.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Individual supervision plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or adult. It specifies measurable short-term and long-term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan. Individual supervision plans are applicable during probation and parole and for treatment of a juvenile or an adult and the services for the juvenile's family for the time during which a juvenile is committed to the Department.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ✓ ~~"Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

6VAC35-150-355. Supervision of juvenile on electronic monitoring.

6VAC35-150-355. Supervision of juvenile on electronic monitoring.

When a unit places a juvenile in an electronic monitoring program, use of the program shall be governed by approved procedures that shall provide for criteria for placement in the program, parental involvement, required contacts, consequences for tampering with and violating program requirements, and time limits.

Additional Information and Interpretation: Applicable DJJ CSU Procedure: 9467

Goal: To ensure electronic monitoring programs are governed by the requirements of approved procedures governing the components of this section.

Additional information: Applicable DJJ CSU procedure: 9467.

Compliance Determination:

Review procedure: Examine procedure ~~or~~ and description of the Electronic Monitoring Program used by the Unit case records to determine that the Unit and Program have agreed to the regulatory requirements compliance with this section and the procedure.

Applicable definitions:

- ✓ "Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.
- ✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.
- ✓ "Electronic monitoring" means the use of electronic devices, including, but not limited to, voice recognition and global positioning systems, to verify a juvenile's or adult's compliance with certain judicial orders or conditions of release from incarceration, as an alternative to detention, or as a short-term sanction for noncompliance with rules of probation or parole.
- ✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.
- ✓ "Tamper" means any purposeful alteration to electronic monitoring equipment that interferes with or weakens the monitoring system.

6VAC35-150-365. Supervision of adult on probation.

6VAC35-150-365. Supervision of adult on probation.

For an adult convicted of a criminal act for which the juvenile court retained jurisdiction pursuant to § 16.1-241 of the Code of Virginia and the juvenile court does not order specific conditions of supervision, a supervision plan for the adult probationer shall be prepared within 30 days of the disposition. The adult and that adult's family, if appropriate, must be consulted in development of the supervision plan.

Interpretation:

Goal: To ensure supervision plans are developed for adult probationers in accordance with this section.

Additional information: None.

Compliance Determination:

Review procedure: ~~Examine procedure to determine applicable requirements.~~

Examine documentation: Review a sample of adult case records for compliance with ~~the this~~ section ~~and the procedure.~~

Applicable definitions:

- ✓ ~~"Adult" means a person 18 years of age or older who is not a delinquent child as defined in § 16.1-228 of the Code of Virginia.~~
- ✓ ~~"Individual supervision plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or adult. It specifies measurable short-term and long-term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan. Individual supervision plans are applicable during probation and parole and for treatment of a juvenile or an adult and the services for the juvenile's family for the time during which a juvenile is committed to the Department.~~
- ✓ ~~"Probation" means a court ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).~~
- ✓ ~~"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~

6VAC35-150-380. Violation of probation or parole.

6VAC35-150-380. Violation of probation or parole.

When a probationer or parolee violates the conditions of the individual's probation or parole, unit personnel shall take action in accordance with approved procedures.

Additional Information and Interpretation: Applicable DJJ CSU procedure: 9326.

Goal: To ensure violations of probation and parole are managed in accordance with approved procedures.

Additional information: Applicable DJJ CSU procedure: 9326.

Compliance Determination:

Review procedure: Examine procedure to determine applicable requirements.

Examine documentation: Review a sample of case records for compliance with ~~the this~~ section and the procedure (~~i.e., if formal action is taken, ensure that the required discussion with the supervisor occurred~~).

Applicable definitions:

- ~~✓ "Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ~~✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ~~✓ "Parole" means supervision of a juvenile released from commitment to the Department as provided for by §§ 16.1-285, 16.1-285.1, and 16.1-285.2 of the Code of Virginia.~~
- ~~✓ "Probation" means a court-ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).~~

6VAC35-150-390 (A) & (B). Transfer of case supervision.

6VAC35-150-390 (A). Transfer of case supervision.

A. When the legal residence of an individual under the supervision of a CSU is not within the jurisdiction of the original CSU, the supervision of the case may be transferred to another unit in Virginia in accordance with § 16.1-295 of the Code of Virginia and approved procedures.

Additional Information and Interpretation:

~~Goal: To ensure supervision of cases within Virginia is transferred in accordance with this section, the statute, and the procedure.~~

~~Additional information:~~

- Applicable DJJ CSU procedure: 9351.
- This does not include transfers between branch offices in the same CSU.
- A variance issued by the Board of Juvenile Justice in November 2024 allows court service units CSUs to transfer supervision to another unit when the legal residence or place of abode of the supervisee is not within the jurisdiction of the original court service unit CSU. A change to one's place of abode suggests a temporary relocation, such as a temporary placement in a residential facility.

Compliance Determination:

Interview CSU director: Inquire whether supervision was transferred on any cases.

Review procedure: Examine procedure to determine applicable requirements.

Examine documentation: Review a sample of case records for compliance with the statute, this subsection, and the procedure.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~

6VAC35-150-390 (B). Transfer of case supervision.

B. When transferring or receiving supervision of a juvenile on probation or parole to or from another state CSU staff shall do so in accordance with the Interstate Compact Relating to Juveniles, Article 14 (§ 16.1-323 et seq.) of Chapter 11 of Title 16.1 of the Code of Virginia.

Additional Information and Interpretation: None.

~~Goal: To ensure the supervision of cases to and from another state is transferred in accordance with the applicable statutes.~~

~~Additional information: None.~~

Compliance Determination:

Interview CSU director: Inquire whether supervision was transferred to or from another state on any cases.

Examine documentation: Review a sample of case records for documentation of juveniles on probation or parole and received from or transferred to other states ~~compliance with the statutes and this subsection.~~

Applicable definitions:

- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ✓ ~~"Parole" means supervision of a juvenile released from commitment to the Department as provided for by §§ 16.1-285, 16.1-285.1, and 16.1-285.2 of the Code of Virginia.~~
- ✓ ~~"Probation" means a court ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).~~
- ✓ ~~"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~

6VAC35-150-400. Notice of release from supervision.

6VAC35-150-400. Notice of release from supervision.

Notice of release from supervision shall be given in writing to the individual under the supervision of a CSU and to the parents or guardians of juveniles. Such notification shall be appropriately documented in the case record in accordance with approved procedures.

Additional Information and Interpretation:

~~Goal: To ensure the individual being released from supervision and the juvenile's parents are notified in writing of release from supervision.~~

~~Additional information: Applicable DJJ CSU procedure: 9327. Copies of written notification and or court orders releasing a probationer shall be placed in the case file and the probation officer shall document the release in the case narrative.~~

Compliance Determination:

Review procedure: Examine procedure to determine applicable documentation requirements.

Examine documentation: Review a sample of closed supervision case records for compliance with this section and the procedure.

Applicable definitions:

- ~~✓—"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ~~✓—"Case record" or "record" means written or electronic information regarding an individual and the individual's family, if applicable, that is maintained in accordance with approved procedures.~~
- ~~✓—"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ~~✓—"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~
- ~~✓—"Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.~~
- ~~✓—"Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.~~

Article 6
Juvenile in Direct Care

6VAC35-150-410 (A) & (B). Commitment information.

6VAC35-150-410 (A). Commitment information.

A. When a juvenile is committed to the department, the juvenile may not be transported to the Reception and Diagnostic Center (RDC) until (i) the items and information required by the Code of Virginia and approved procedures have been received by RDC and (ii) the case is accepted by RDC.

Additional Information and Interpretation:

~~Goal:~~ To ensure that the appropriate information is provided to RDC prior to the resident being transported to RDC.

~~Additional information:~~ Applicable DJJ CSU procedure: 9332 Reentry Manual).

Compliance Determination:

Review procedure: Examine procedure to determine applicable requirements.

Interview director: Inquire whether there are any "drop offs."

Examine documentation: Review a sample of case records for compliance with ~~the statute~~ § 16.1-287, this subsection, and the procedure.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Department" means the Department of Juvenile Justice.~~
- ✓ ~~"Direct care" means the time during which a resident, who is committed to the Department pursuant to §§ 16.1-272, 16.1-285.1, or subdivision A 14 or A 17 of § 16.1-278.8 of the Code of Virginia, is under the supervision of staff in a juvenile correctional center or other juvenile residential facility operated by or under contract with the Department.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~

6VAC35-150-410 (B). Commitment information.

B. If a juvenile is transported to the Department-department directly from the court, in addition to ensuring the immediate delivery of the items required in subsection A of this section, unit staff shall immediately notify RDC by telephone of the juvenile's impending arrival.

Additional Information and Interpretation:

~~Goal: To ensure RDC immediately receives notice of a juvenile's impending arrival and the appropriate information when transported to RDC directly from court.~~

~~Additional information: Applicable DJJ CSU procedure: 9354 Reentry Manual.~~

Compliance Determination:

Interview CSU director:

- Inquire whether any juveniles were transported to ~~RDC~~ thean initial intake facility directly from court.

~~Review procedure: Examine procedure to determine applicable requirements (i.e., information to be provided to RDC), and if so, whether unit staff immediately phoned staff at the initial intake facility and in the department's Central Admission and Placement Unit regarding such juvenile.~~

Examine documentation: Review a sample of case records of juveniles committed to the Department-department who are transported directly from court for compliance with this ~~section-subsection and the procedure.~~

Applicable definitions:

- ✓ ~~"Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.~~
- ✓ ~~"Department" means the Department of Juvenile Justice.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~

6VAC35-150-415. Supervision of juvenile in direct care.

6VAC35-150-415. Supervision of juvenile in direct care.

For a juvenile placed in direct care, the probation or parole officer shall, in accordance with approved procedures, do the following:

1. Develop and implement a family involvement plan.
2. Develop a parole supervision plan.

a. For a juvenile indeterminately committed to the Department pursuant to §§ 16.1-272 and 16.1-278.8 A 14 subsection A (14) of

b.a. § 16.1-278.8 and § 16.1-272 of the Code of Virginia, CSU staff shall complete a parole supervision plan in accordance with approved procedure.

e.b. For a juvenile determinately committed to the Department pursuant to subdivision A (17) of

§ 16.1-278.8 or §§ 16.1-285.1 or § 16.1-272, 16.1-278.8 A 17, or 16.1-285.1 of the Code of Virginia, a parole supervision plan shall be prepared for all serious offender judicial review hearings as required by law and in accordance with approved procedures.

3. Send a report on the family's progress toward planned goals of the family involvement plan to the facility at which the juvenile is housed.

Additional Information and Interpretation:

Goal: To ensure family involvement plans, supervision plans, and progress reports are completed in accordance with applicable statutes, this section, and the procedures.

Additional information: Quarterly means every 90 days after the development of the plan. Applicable DJJ-CSU procedures: 9332, 9334, and the Reentry Manual 9338.

Compliance Determination:

Review procedures: Examine procedures to determine applicable requirements.

Examine documentation: Review a sample of case records of commitments for compliance with the statutes, this section, and the procedure.

Applicable definitions:

- ✓ "Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state-operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.
- ✓ "Court service unit," "CSU," or "unit" means a state or locally operated court service unit established pursuant to §§ 16.1-233 and 16.1-235 of the Code of Virginia.
- ✓ "Department" means the Department of Juvenile Justice.
- ✓ "Direct care" means the time during which a resident, who is committed to the Department pursuant to §§ 16.1-272, 16.1-285.1, or subdivision A 14 or A 17 of § 16.1-278.8 of the Code of Virginia, is under the supervision of staff in a juvenile correctional center or other juvenile residential facility operated by or under contract with the Department.
- ✓ "Individual supervision plan" means a written plan developed, updated as needed, and modified at intervals to meet the needs of a juvenile or adult. It specifies measurable short term and long term goals, the objectives, strategies, and time frames for reaching the goals, and the individuals responsible for carrying out the plan. Individual supervision plans are applicable during probation and parole and for treatment of a juvenile or an adult and the services for the juvenile's family for the time during which a juvenile is committed to the Department.
- ✓ "Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this

regulation, "juvenile" includes an individual, regardless of age, who is or has been before

the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.

- ✓ "Parole" means supervision of a juvenile released from commitment to the Department as provided for by §§ 16.1-285, 16.1-285.1, and 16.1-285.2 of the *Code of Virginia*.
- ✓ "Probation" means a court-ordered disposition of a juvenile or an adult as provided by §§ 16.1-278.5 (B)(2), 16.1-278.8 (A)(5), 16.1-278.8 (A)(7), and 16.1-278.8 (A)(7a).
- ✓ "Supervision" means visiting or making other contact with or providing treatment, rehabilitation, or services to a juvenile as required by the court, by an intake officer, or for probation or parole purposes.
- ✓ "Written" means the required information is communicated in writing. Such writing may be available in either hard copy or in electronic form.

6VAC35-150-420. Contacts during juvenile's commitment.

6VAC35-150-420. Contacts during juvenile's commitment.

During the period of a juvenile's commitment, a designated staff person shall make contact with the committed juvenile, the juvenile's parents, guardians, or other custodians, and the treatment staff at the juvenile's direct care placement as required by approved procedures. The procedures shall specify when contact must be face-to-face contact and when contacts may be made by video conferencing or by telephone.

Additional Information and Interpretation:

~~Goal: To ensure CSU personnel have contact with (1) the juvenile, (2) the juvenile's parents or guardians, and (3) treatment staff at the residential facility during the juvenile's period of commitment in accordance with this section and the procedure.~~

~~Additional information: Applicable DJJ CSU procedures: 9332 Reentry Manual and 9334.~~

Compliance Determination:

Review procedure: Examine procedures to determine applicable requirements.

Examine documentation: Review a sample of case records of committed juveniles for compliance with this section and the procedures.

Applicable definitions:

- ✓ ~~"Approved procedures" means (i) procedures issued by the Department of Juvenile Justice, which apply to all state operated court service units and which may be voluntarily observed by locally operated court service units; or (ii) modifications to the procedures approved by the director or his designee; or (iii) procedures for locally operated court service units approved in accordance with local procedures.~~
- ✓ ~~"Direct care" means the time during which a resident, who is committed to the Department pursuant to §§ 16.1-272, 16.1-285.1, or subdivision A 14 or A 17 of § 16.1-278.8 of the Code of Virginia, is under the supervision of staff in a juvenile correctional center or other juvenile residential facility operated by or under contract with the Department.~~
- ✓ ~~"Juvenile" means an individual less than 18 years of age, a delinquent child, a child in need of supervision, or a child in need of services as defined in § 16.1-228 of the Code of Virginia. For the purpose of this regulation, "juvenile" includes an individual, regardless of age, who is or has been before the court, who was under the age of 18 at the time of the offense or act, who is under supervision or receiving services from a court service unit or a program under contract with or monitored by the unit, or who is committed to the Department.~~

DOCUMENTS INCORPORATED BY REFERENCE (6VAC35-150)

"Guidelines for Transporting Juveniles in Detention," State Board of Juvenile Justice, September 2004.



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MEMORANDUM

TO: State Board of Juvenile Justice

FROM: Virginia Department of Juvenile Justice

DATE: August 18, 2025

SUBJECT: Request to Initiate Notice of Intended Regulatory Action to Amend Regulations Governing Juvenile Record Information and the Virginia Juvenile Justice Information System (6VAC35-160)

I. ACTION REQUESTED

The Department of Juvenile Justice (department) respectfully requests the State Board of Juvenile Justice's (board's) authorization to initiate the first stage of the standard regulatory process, known as the Notice of Intended Regulatory Action (NOIRA) to enable the comprehensive overhaul of the regulatory requirements contained in 6VAC35-160, *Regulations Governing Juvenile Record Information and the Virginia Juvenile Justice Information System*. The purpose of this regulatory action is to align the regulation with changes to practices for entities utilizing the Virginia Juvenile Justice Information System (VJJIS), clarify existing requirements and provisions in the chapter, reduce the number of discretionary regulatory requirements to assist in carrying out the Governor's 25% regulatory reduction mandate established in Executive Order 19 (2022), and fulfill the agency's periodic review mandate as set forth in § 2.2-4007.1 of the Code of Virginia.

II. BACKGROUND

VJJIS Generally

Section 16.1-222 of the Code of Virginia establishes the VJJIS within the Department of Juvenile Justice (the department). Pursuant to § 16.1-223, this system is tasked with receiving, classifying, and filing certain data reported to it and maintained by the department. The statute also directs the board to promulgate regulations governing the security and confidentiality of such data submitted into the VJJIS. In accordance with these statutory provisions, the regulations set forth in 6VAC35-160 were promulgated in 2004 to establish a system whereby "participating agencies," including, among others, the department, secure juvenile detention centers, and juvenile group homes, have access to data contained within the VJJIS and are subject to rules regarding confidentiality, security, and disclosure. The regulations also set out the process by which juvenile record information may be disclosed to parties authorized to inspect

juvenile record information under § 16.1-300 of the Code of Virginia, and the process for storing, retaining, and expunging such records.

Previous Reviews

Section 2.2-4007.1 of the Code of Virginia directs agencies and boards to conduct a review of all regulations every four years “to determine whether they should be continued without change or be amended or repealed, consistent with the stated objectives of applicable law, to minimize the economic impact on small businesses in a manner consistent with the stated objectives of applicable law.” In accordance with the statute, if a regulation has undergone a comprehensive review in an action that solicited public comment, a periodic review is not required until four years after its effective date.” The department last conducted a periodic review of this chapter with proposed changes taking effect on September 20, 2017; thus, this chapter is overdue for a periodic review.

III. ANTICIPATED CHANGES

Changes to Terms and Definitions

The department anticipates proposing several changes to clarify and simplify existing definitions and terms, as described below:

- Establish definitions for undefined terms used or proposed for inclusion in this chapter based either on similar definitions in other chapters or definitions in other relevant resources;
- Add new terminology and strike existing definitions for terms with multiple meanings in the chapter;
- Modify terms to reflect industry use;
- Modify definitions to remove references to outdated or needlessly incorporated documents; and
- Amend terms and definitions to simplify and provide greater clarity and precision.

Removal of Duplicative Provisions

The department anticipates restructuring various sections so that provisions are no longer duplicated across sections or subsections within the chapter.

Expansion of Automatically Designated ‘Participating Entities’

The existing regulation automatically designates DJJ-operated facilities and programs, as well as locally operated court service units and secure juvenile detention centers as participating entities in the VJJIS. Such automatic designation means the entities do not need to apply to DJJ to obtain status as a participating entity. The department is hoping to expand this list to include programs that have been approved under the Virginia Juvenile Community Crime Control Act (VJCCCA) due to the volume of such programs and the burden associated with enforcing an application process for these entities.

Removal of Operational Provisions Not Necessary to Protect Public Health, Safety, or Welfare

In accordance with ORM's procedures governing regulatory development and review, all regulatory activity shall be "necessary to protect the public health, safety, and welfare." The department hopes to remove several provisions in this chapter that do not meet this standard. Provisions addressing timelines for submitting data into the VJJIS or setting out requirements for correcting errors in data submissions, while beneficial in providing operational guidance, arguably are not necessary for the protection of public health, safety, or welfare. Neither are many of the detailed provisions addressing the process for challenging information contained in a juvenile record or appealing the outcome of such challenge. The department plans to remove these types of provisions from the regulation.

Removal of or Updates to Certain Documents Incorporated by Reference

This chapter contains a few provisions that "adopt textual matter by reference" to an external document, essentially requiring compliance with the external text. In some cases, these requirements are proper and do not violate any other state laws or regulations. In other cases, the incorporation of these external documents violates 1VAC7-10-140, which provides that agencies may not incorporate their own documents into a regulation by reference unless the documents or circumstances are unique and highly unusual. The department plans to remove or substantially modify provisions requiring compliance with the department's written procedures or otherwise impermissibly incorporating external department procedures and documents.

Other provisions incorporate external documents that, while permissible, raise concerns regarding the validity of or need for the incorporated document. In November 2024, through a separate, fast-track regulatory action, the department asked the board for authorization to remove one such incorporated information technology standard based on concerns that the document is outdated, has been superseded, and, irrespective of the appropriate version, need not be incorporated into the regulation because the current provisions referencing the DIBR are sufficient to accomplish the regulatory intent. The board has approved the department's fast-track regulatory action request, and the department submitted the action through the Virginia Regulatory Town Hall to commence Executive Branch review of the action. The fast-track action was published in the Virginia Register of Regulation on July 28, 2025, and is undergoing a 30-day public comment period. The department anticipates removing the incorporated document here, as in the fast-track regulatory action, to ensure that the changes will be preserved regardless of the order in which each separate action takes effect.

The department plans to retain properly incorporated documents but will ensure the text references the most recent version rather than rescinded or superseded versions.

Clarification Regarding Contractual Requirements for Participating Entities

The proposal will amend the provision currently addressing the agreements DJJ must develop with participating agencies to clarify which entities are required to execute the contract, require the execution of other documents to guarantee confidentiality of information in the VJJIS, and make several technical changes. Currently, the chapter mandates that persons given access to juvenile record information must sign an information security agreement that aligns with the requirements set out in department procedures.

Additionally, the proposal will loosen the requirements regarding logical access controls so that such controls must be established by contract.

Removal of Impractical or Unnecessary Provisions

The department plans to remove provisions imposing requirements that are either impractical or impossible for participating entities to achieve. In some cases, the participating entity is not a part of the department or does not have access to information needed to carry out the underlying requirement. In other cases, the requirement adds a layer of unnecessary bureaucracy that creates a conflict with the regulatory reduction mandate. Finally, some provisions are impractical because they require participating entities to provide notification of certain actions even when such actions would not trigger any similar obligations for the recipient of the notification. Currently, the department is not enforcing these provisions and believes they should be removed.

Background Checks

The department hopes to propose amendments to this chapter that, while ensuring participating entity staff who have access to the VJJIS have had the appropriate background checks, as required under the existing chapter, relinquishes the department's control over some aspects of the checks. Additionally, the department plans to specify the necessary checks that must be included in the background check, in alignment with various other regulatory chapters.

Responding to Requests for Records; Challenging Record Information

The department plans to make several changes to the process for requesting juvenile record information, responding to such requests, documenting the requests and outcomes, and simplifying the process for challenging information contained within the records. The changes will seek to align the process for responding to requests more closely with that which public bodies must follow in responding to Freedom of Information Act (FOIA) requests, remove operational provisions not appropriate for regulation, , ensure adequate and accurate records are maintained for such requests and responses, correct erroneous language, and provide for greater consistency with other mandated processes. Additionally, the proposal will simplify the process for challenging information contained in juvenile records and clarify requirements regarding notification of the outcome of such challenges.

Expungement

- *Additional documentation requirements counter to expungement requirement:* Some expungement and recordkeeping provisions require additional notifications and documentation that will make expunging juvenile records more challenging. The department plans to modify these provisions to control the additional notifications and documentation that may be needed when juvenile records are expunged.
- *Unnecessarily burdensome or impractical requirements regarding expungements:* Some requirements in the expungement process appear unnecessarily burdensome or impractical for participating entities. Provisions imposing certain notification requirements on the data owner or requiring the creation of new documents to replace expunged documents will be amended or removed, as appropriate.

Statutory Language and Information

Many of the chapter's provisions explain or reference underlying statutory provisions and use language that does not align with the statute. The department plans to correct these provisions. Additionally, some provisions in the chapter explain, quote, or reference an underlying statutory provision unnecessarily. The department plans to replace some of these provisions with language citing the statute and to remove other such provisions entirely. Finally, the proposal will reference statutory provisions that were unintentionally omitted.

Removal or Replacement of Outdated Provisions and Documents

The department expects to make several amendments to the chapter to strike provisions that, due to evolving programming and changes in industry practices, have become obsolete.

Changes for Clarity and Style

Because regulations must be “clearly written” and “easily understandable” to comply with § 2.2-4017 of the Code of Virginia, the department plans to make numerous technical and formatting changes, as well as a few substantive changes intended to simplify the chapter, promote consistency in language, and conform to requirements in the “Virginia Register of Regulations Form, Style, and Procedure Manual for Publication of Virginia Regulations.”

IV. PROCESS FOR SUBMISSION OF NOIRA AND NEXT STEPS

Given its comprehensive review of this chapter and the numerous amendments the department plans to accomplish through this action, the department is seeking authorization to submit this action through the standard regulatory process. This process involves three stages, commencing with the NOIRA stage that announces the proposal, followed by the Proposed Stage, wherein the proposed regulatory text will be provided to the board, and ending with the Final Stage, when the regulatory language will be adopted and finalized. Each stage includes Executive Branch review, publication of the action in the Virginia Register of Regulations, and a public comment period. The timeframes for the NOIRA are illustrated in the table below:

Timeframes for NOIRA Stage

Action/Review	Deadline for Completion
Submit NOIRA to Virginia Regulatory Town Hall	No deadline after board approval
Department of Planning and Budget	14-day deadline
Secretary of Public Safety and Homeland Security (if applicable)	14-day deadline
Office of Regulatory Management	14-day deadline
Governor/Chief of Staff	No deadline
Publication of NOIRA in Virginia Register	In accordance with publication schedule
Public Comment Period	30-day deadline

V. CONCLUSION

The department believes filing this NOIRA action is an important preliminary step in initiating comprehensive changes to this chapter, including reducing the number of regulatory requirements, simplifying and clarifying provisions, and carrying out the statutory obligation to conduct periodic regulatory reviews every four years. Accordingly, the department asks the board to approve this request and authorize the department to initiate the NOIRA stage of the standard regulatory process.



COMMONWEALTH of VIRGINIA

Board of Juvenile Justice

TO: State Board of Juvenile Justice

FROM: Virginia Department of Juvenile Justice

SUBJECT: Request Amendment of Board Policies 20-504 (Termination of Probation), 12-001 (Health Care Service), 12-002 (Health Care Authority and Responsibility, 12-004 (Access to Health Care Services), 12-007 (Emergency Health Care Records); 12-008 (Health Care Records), and 12-009 (Statistical and Environmental Reporting) and Retention of Board Policies 12-005 (Right to Refuse Treatment) and 12-006 (Special Health Care Needs)

DATE: August 18, 2025

I. SUMMARY OF ACTION REQUESTED

The Department of Juvenile Justice (the department) respectfully requests that the State Board of Juvenile Justice (the board) approve the amendment of nine board policies pursuant to the authority established in *Code of Virginia* § 66-10.

II. BACKGROUND OF THE REQUEST

Code of Virginia § 66-10 contains three provisions that empower the board to establish certain policies and give rise to duties related to policies. The statute provides in pertinent part:

The board shall have the following powers and duties:

1. To establish and monitor policies for the programs and facilities for which the Department is responsible under this law;
2. To ensure the development of a long-range youth services policy;
3. To monitor the activities of the Department and its effectiveness in implementing the policies developed by the Board.

Pursuant to this statutory authority, the board currently has 34 active policies in place ranging in subject matter from overall administration of the department to operations within facilities and programs regulated by the department. Many of these policies were established in the early 1990s and were last reviewed or updated more than ten years ago.

At the April 2022 board meeting, the department informed the board of its intent to conduct a comprehensive review of each existing board policy and to make a formal recommendation to the board to retain, amend, or rescind each one based upon that review. The department described its plan to recommend retaining or

amending those policies that are mandated by statute or that provide guidance above and beyond what is required by regulation and to recommend rescinding those policies that have been subsumed into regulation, that duplicate existing law, or that are obsolete.

To date, the department has made recommendations for, and the board has acted on 18 policies. The department is now recommending action on nine additional policies. Summaries of the existing policies and recommendations for action are contained in Part IV of this memorandum.

III. DIFFERENCES BETWEEN BOARD POLICIES AND BOARD REGULATIONS

Code of Virginia § 2.2-4001, which provides definitions for terms used in the Administrative Process Act (§ 2.2-4000 et. seq.) (the Act), defines the term “regulation” as “any statement of general application, having the force of law, affecting the rights or conduct of any person, adopted by an agency in accordance with the authority conferred on it by applicable basic laws.” The Act makes it clear that all regulations are subject to the requirements contained in the Act unless an exception or exemption applies.

In contrast, policies are neither defined nor expressly addressed in the Act. Furthermore, while policies may be enforced by the authorized body to the extent that they do not collide with a law or regulation, they do not have the same force and effect of law afforded to regulations.¹ It is the Department’s understanding, therefore, that policies are not regulations subject to the requirements of the Act. This means that the authority to establish, amend, and rescind board policies rests solely with the board, and additional involvement or approval by other executive branch agencies is not required, nor must the board consider any public comments before taking action to amend or rescind such policies.

IV. POLICIES IDENTIFIED FOR AMENDMENT OR RETENTION

Current Policy

20-504 Termination of Probation

Consistent with Department procedures and in collaboration with the courts, each court service unit shall develop a process for early termination of probation supervision when supervision is no longer warranted by the circumstances of the case to protect the community and to meet the juvenile’s needs.

Effective Date: May 1, 1994

Most Recent Review: April 8, 2009

Recommendation: Amend

Proposed Amended Policy:

20-504 Termination of Probation

The Department shall develop procedures for early termination of probation supervision when supervision is no longer warranted by the circumstances of the case to protect the community and to meet the juvenile’s needs. These procedures shall direct court service unit personnel to consult with the court of jurisdiction before an early termination of probation supervision.

Effective Date: May 1, 1994

Most Recent Review: August 18, 2025

¹ 2011 Op. Va. Att’y Gen. 99, 102.

Rationale for Recommendation: This policy was presented at the December 6, 2024, board meeting. At that time, the department explained that it has been working to reduce the number of CSU-specific documents in favor of statewide procedures to help ensure that youth across the Commonwealth are treated the same way, regardless of the judicial district in which they reside. Following discussion and questions from members of the board, the department agreed to require that the department procedure mandate that CSU staff must consult with the court of jurisdiction before any early termination of probation.

Current Policy

12-001 Health Care Service

Each facility shall timely provide health care services that promote the well being of and are appropriate to meet the medical needs of all juveniles. Such services shall be provided in accordance with applicable statutes and regulations, prevailing community standards, and medical ethics.

In compliance with all state and federal laws and regulations and professional medical standards, the Department shall develop and implement health care procedures for the following areas:

Health Care Authority and Autonomy
Responsible Agency
Health Care Insurance
Adequate Staff and Resources
Health Care Screenings and Examinations
Immunizations
Treatment Plans
Standing Orders/Protocols/Direct Orders
Access to Health Care Services
Sick Call
First Aid Kits
Statistical and Environment Reporting
Licensure and Certification of Health Care Personnel
Cardiopulmonary Resuscitation & First Aid Training

Emergency Health Care Services
Hospitalizations
Medical Management of Substance Abuse
Pregnancy
Orthodontic Treatment
Prescribing and Administrating Medications
Elective Health Procedures
Medical Treatment of Staff
Informed Consent
Notification of Parents or Guardians
Health Care Records
Confidentiality of Health Information

Health care services shall include medical, dental, orthodontic, mental health, family planning, obstetrical, gynecological, health education, and other ancillary services.

Effective Date: January 14, 2009

Most Recent Review: January 14, 2009

Recommendation: Amend

Proposed Amended Policy:

12-001 Health Care Services

Each facility shall provide timely health care services that promote the well-being of all juveniles and are appropriate to meet their medical needs. Such services shall be provided in accordance with applicable statutes and regulations, prevailing community standards, and medical ethics.

In compliance with all applicable state and federal laws and regulations and professional medical standards, the Department shall develop and implement health care procedures for the following areas:

Health Care Authority and Autonomy
 Responsible Agency
 Health Care Insurance
 Adequate Staff and Resources
 Health Care Screenings and Examinations
 Immunizations
 Treatment Plans
 Standing Orders/Protocols/Direct Orders
 Access to Health Care Services
 Sick Call
 Medical Services Request
 First Aid Kits
 Statistical and Environment Reporting
 Licensure and Certification of Health
 Care Personnel

Cardiopulmonary Resuscitation & First Aid
 Training
 Emergency Health Care Services
 Hospitalizations
 Medical Management of Substance Abuse
 Pregnancy
 Orthodontic Treatment
 Prescribing and Administering Medications
 Elective Health Procedures
 Medical Treatment of Staff
 Informed Consent
 Notification of Parents or Guardians
 Health Care Records
 Confidentiality of Health Information

“Health care services” means those actions, preventive and therapeutic, taken for the physical and mental well-being of a resident. Health care services shall include medical, dental, orthodontic, mental health, family planning, obstetrical, gynecological, health education, and other ancillary services.

Effective Date: January 14, 2009

Most Recent Review: August 18, 2025

Rationale for Recommendation: The department has identified a few changes we believe will improve the policy. The department recommends two substantive changes. First, the department recommends adding “Medical Services Request” to the list of required procedures. Second, the department recommends using the full definition of “health care services” from 6VAC35-71-10 in the final paragraph. Other minor changes are recommended for style and clarity, including changing the title to “Health Care Services.” Importantly, the department checked its current procedures and verified that all the listed procedures do, in fact, exist and are in effect.

Current Policy

12-002 Health Authority and Responsibility

Each facility shall have a designated health care authority responsible for organizing, planning, monitoring, and assuring quality, accessible, and timely health services for all residents. Staff shall refer any resident with any condition suspected of requiring health care services for treatment. Clinical judgments are solely the responsibility of appropriate health care personnel.

Effective Date: January 14, 2009

Most Recent Review: January 14, 2009

Recommendation: Amend

Proposed Amended Policy:

12-002 Health Authority and Responsibility

Each facility shall have a designated health care authority responsible for organizing, planning, monitoring, and assuring quality, accessible, and timely health services for all residents. Staff shall refer for treatment any

resident with any condition suspected of requiring health care services. Clinical judgments are solely the responsibility of appropriate health care personnel.

Effective Date: January 14, 2009

Most Recent Review: August 18, 2025

Rationale for Recommendation: The department determined that the second sentence in this policy was not as clear as it could be. To that end, the department recommends the language above.

Current Policy

12-004 Access to Health Care Services

All residents shall have unimpeded access to request health care services. Information about the availability of and access to health care services shall be communicated, orally and in writing, to residents upon their arrival at the facility.

Requests for health care services shall be monitored and responded to daily by qualified healthcare staff and referred to a physician when necessary. Physician-directed sick call shall be provided timely, in accordance with applicable national frequency standards, and in a clinical setting by qualified health care professionals. Thereafter, a plan of care shall be developed appropriate to the findings.

The resident shall receive preventative and follow-up health care services, including the gynecological assessment of females, as ordered by clinicians and/or in accordance with the resident's established plan of care.

Effective Date: January 14, 2009

Most Recent Review: January 14, 2009

Recommendation: Amend

Proposed Amended Policy:

12-004 Access to Health Care Services

All residents shall have unimpeded access to request health care services. Information about the availability of and access to health care services shall be communicated to residents, orally and in writing, upon their arrival at the facility.

Qualified healthcare staff shall monitor and respond to healthcare service requests daily and shall refer them to a physician when necessary. Physician-directed sick call shall be provided timely, in accordance with national health care standards, and in a clinical setting by qualified health care professionals. Thereafter, an appropriate plan of care shall be developed.

Effective Date: January 14, 2009

Most Recent Review: August 18, 2025

Rationale for Recommendation: The department added the full regulatory definition of "health care services" in Policy 12-001, meaning the final paragraph of this policy is unnecessary. The department recommends removing it and making other minor changes for grammar and style.

Current Policy:

12-007 Emergency Health Care Records

Each facility shall provide for 24-hour emergency medical, mental health, and dental services. Each facility's written emergency management plan shall address medical emergencies and accommodating residents with special health care needs in the event of an emergency. The plan shall be reviewed annually and updated as necessary.

Health care staff shall be prepared to implement the health care aspects of the facility's emergency management plan. Also, facility personnel shall be trained to respond to health care emergencies as dictated by national standards. Health care and facility personnel shall cooperate to ensure that all procedures may be implemented to ensure an appropriate level of necessary security which minimally impedes the emergency transportation of residents.

Effective Date: January 14, 2009

Most Recent Review: January 14, 2009

Recommendation: Amend

Proposed Amended Policy:

12-007 Emergency Health Care Services

Each facility shall provide for 24-hour emergency medical, mental health, and dental services. Each facility's written emergency management plan shall address medical emergencies and the accommodation of residents with special health care needs in the event of an emergency. Facilities shall review their plans annually and update them as necessary.

Health care staff shall be prepared to implement the health care aspects of the facility's emergency management plan. Facility personnel also shall be trained to respond to health care emergencies as dictated by national standards. Health care and facility personnel shall cooperate to ensure that all procedures may be implemented to ensure the necessary level of security which minimally impedes the emergency transportation of residents.

Effective Date: January 14, 2009

Most Recent Review: August 18, 2025

Rationale for Recommendation: The board memo of January 14, 2009, shows that the board passed this policy as "Emergency Health Care Services." The title was somehow recorded improperly, so the department recommends correcting the title. The department also recommends a number of clarifying changes to grammar and style. The department does not recommend any substantive changes.

Current Policy:

12-008 Health Care Records

Confidentiality: Health care records shall be maintained for each resident. All health care records shall be confidential and maintained in accordance with all applicable state and federal laws and regulations. All health care records shall be used in a manner which promotes a safe treatment environment, encourages the resident's subsequent use of health care services, and maximizes the success of treatment.

Juvenile Access: Residents shall have unimpeded access to their medical information. However, the Department may withhold from inspection, in accordance with applicable state laws and regulations, that portion of the records determined to be detrimental to the resident.

Effective Date: January 14, 2009

Most Recent Review: January 14, 2009

Recommendation: Amend

Proposed Amended Policy:

12-008 Health Care Records

Confidentiality: Facilities shall maintain health care records for each resident. All health care records shall be confidential and maintained in accordance with all applicable state and federal laws and regulations. All health care records shall be used in a manner which promotes a safe treatment environment, encourages the resident's subsequent use of health care services, and maximizes the success of treatment.

Juvenile Access: Residents shall have unimpeded access to their medical information except that, in accordance with applicable state laws and regulations, the Department may withhold from inspection portions of the records determined to be detrimental to the resident.

Rationale for Recommendation: The department believes this policy can be written more clearly and recommends the proposed version. There is no change in substance.

Current Policy:

12-009 Statistical and Environmental Reporting

Each facility's designated health care authority shall meet with the facility superintendent at least quarterly and shall submit, to the Department's Health Administrator and the facility superintendent, monthly statistical summaries, quarterly reports, and annual statistical summaries on the health care delivery system and health environment. The superintendent and administrative staff shall be updated annually on health care related procedures that require their attention.

Effective Date: January 14, 2009

Most Recent Review: January 14, 2009

Recommendation: Amend

Proposed Amended Policy:

12-009 Health Services Statistical and Environmental Reporting

The designated health care authority in each facility shall meet with the facility superintendent at least quarterly and shall submit to the Department's Health Administrator and the facility superintendent, monthly statistical summaries, quarterly reports, and annual statistical summaries on the health care delivery system and health environment. The superintendent and administrative staff shall be updated annually on health care-related procedures that require their attention.

Effective Date: January 14, 2009

Most Recent Review: August 18, 2025

Rationale for Recommendation: The department feels the existing title is vague and does not indicate that the policy is related to health services. The department recommends changing the title to reflect that it is a health services policy. The department also recommends minor edits to punctuation and for style. The department does not recommend any substantive changes.

Current Policy:

12-005 Right to Refuse Treatment

Each resident may refuse specific health care evaluations and treatment in accordance with applicable state and federal laws.

Effective Date: January 14, 2009

Most Recent Review: January 14, 2009

Recommendation: Retain

Rationale for Recommendation: While various regulations establish a resident's right to refuse treatment, none of the regulations mentions the resident's right to refuse health care evaluations. For this reason, the department recommends retaining the policy.

Current Policy:

12-006 Special Health Care Needs

Each facility shall implement a proactive program that provides appropriate health care for residents who require close medical supervision or multidisciplinary care. All residents with special health care needs shall have a written treatment plan, developed by the appropriate physician, dentist, or qualified mental health practitioner, with directions for health care personnel and other staff regarding their roles in the care and supervision of the resident. Arrangements shall be made to provide hospitalization and specialty care to residents in need of such services.

Chronic Disease Program: A chronic disease program with the goal of decreasing the frequency and severity of symptoms, including preventing disease progression and fostering improvement in functioning, shall be provided for residents with chronic diseases.

Substance Abuse: Clinical management shall be provided for residents who are under the influence of alcohol or other drugs or those going through withdrawal. Detoxification of any residents who are chemically dependent shall be performed under medical supervision.

Family Planning: Comprehensive family planning services shall be provided or made available, as needed, in accordance with state law. Pregnant juveniles shall receive timely and appropriate prenatal care, high risk obstetrical services, when indicated, and postpartum care.

Orthoses/Prostheses: Medical or dental orthoses, prostheses, and other aids to impairment shall be supplied in a timely manner when the health of the resident would otherwise be adversely affected, as determined by the responsible physician or dentist, and when a significant portion of the prosthetic or orthodontic treatment can reasonably be expected to be completed during the time the resident is in direct care.

Medications: Pharmaceuticals shall be provided in a timely, safe, and sufficient manner. Psychotropic medications shall be prescribed only when clinically indicated as part of a program of therapy.

Effective Date: January 14, 2009

Most Recent Review: January 14, 2009

Recommendation: Retain

Rationale for Recommendation: The department has determined that this policy is still necessary and that it does not need amendment; therefore, the department recommends retaining the policy with no amendments.

V. IMPACT AND EFFECTIVE DATE OF BOARD ACTION

If the board votes in support of the department's recommendations in Part IV of this memorandum, the proposed changes will take effect immediately. Adopting the department's recommendations will support the effort to provide statewide guidance in early termination of probation and will provide clearer language in the board's health care policies. Accordingly, the department recommends that the board adopt these amendments.

DIRECTOR'S CERTIFICATION ACTIONS

MARCH 21, 2025

Certified Judge Patrick D. Molinari Juvenile Shelter to November 13, 2027, with a letter of congratulations for 100% compliance. **Page 2**

Certified Blue Ridge Juvenile Detention Center and Post-dispositional Program to February 11, 2028, with a letter of congratulations for 100% compliance. **Page 5**

Certified Virginia Beach Crisis Intervention Home to March 21, 2026. **Page 8**

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Judge Patrick D. Molinari Juvenile Shelter
8642 Wellington Road
Manassas, VA 20109
(703) 792-8261
Katrina Brown, Superintendent
Kbrown4@pwcgov.org

AUDIT DATES:

February 25, 2025

CERTIFICATION ANALYST:

Wanda Parris-Flanagan

CURRENT TERM OF CERTIFICATION:

November 13, 2021 – November 12, 2024

REGULATIONS AUDITED:

6VAC35-41 Regulation Governing Juvenile Group Homes

PREVIOUS AUDIT FINDINGS – August 25, 2021:

99.60% Compliance Rating

6VAC35-41-490 (I). Emergency and evacuation procedures. CRITICAL

CURRENT AUDIT FINDINGS – February 25, 2025:

100% Compliance Rating

DIRECTOR'S CERTIFICATION ACTION March 21, 2025: Certified Judge Patrick D. Molinari Juvenile Shelter to November 13, 2027, with a letter of congratulations for 100% compliance. *Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.*

TEAM MEMBERS:

Wanda Parris-Flanagan, Team Leader
Sherron Key, Certification
Dr. Christopher Moon, DJJ Central Office
Jessica Cabrera, Argus House Group Home

POPULATION SERVED:

The Judge Patrick D. Molinari Juvenile Shelter is a non-secure facility designed to house up to 15 at-risk adolescent co-ed residents, between the ages of 10 and 17. The facility is operated by Prince William County, and serves residents and families from that jurisdiction, including Manassas City and Manassas Park.

FACILITY DESCRIPTION: The facility is a single-story building with two (2) living units, 2-classrooms, one of which is also the game room, staff shared office, conference room, kitchen, dining area a clinic and offices.

PROGRAM DESCRIPTION

The Judge Patrick D. Molinari Juvenile Shelter is a non-secure 15 beds facility that serves both male and female juveniles between the ages of 10-17. The program is designed as an alternative to secure detention or a temporary emergency placement for some youth who may need immediate shelter. The program provides short term residential care which focuses on stabilizing the juvenile's behavior and provides programming to address individual needs with the goal of reunification with the family. All services are provided through a referral from the local Juvenile and Domestic Relations Court, the local Court Services Unit, or The Department of Social Services.

SERVICES PROVIDED

Facility

- **Education**

The Molinari Juvenile Shelter (MJS) falls under the Prince William County Department of Social Services. The MJS educational program is housed in two classrooms within a non-secure facility. The educational program consists of students primarily in grades six through 12 who are taught Standards of Learning curriculum and some students who may participate in the GED program. Generally, students who participate in the educational program have difficulty progressing the general curriculum and mastering Individual Education Program (IEP) goals. Due to the short-term nature of students' residence at MJS, the school focuses on intensive, direct instruction in basic reading and math skills, as well as Standards of Learning (SOL) coursework for verified units of credit. Therefore, the goals of the program are to ensure students graduate on time with the knowledge, skills, and habits of mind necessary to create a thriving future for themselves and their community.

- **Medical**

MJS employs a nurse, physician assistants and a physician to monitor and address the medical needs of residents. The medical clinic currently operates several days a week and has an on-call nurse to address all medical issues and unforeseen events.

- **Community Volunteers**

MJS has a great relationship with the local community. Volunteers will be resuming services soon to provide weekly arts and crafts, girl scouts, yoga, life skills and religious activities for the youth.

- **Recreation**

Each youth is given an opportunity for structured large muscle activity daily and receives additional physical activity during their daily physical education class. The recreation program also provides off campus leisure activities during evening and weekend hours.

Community Services

Many of MJS youth receive court ordered services during their stay at the shelter. Some of these service providers include but are not limited to Manassas Addiction Clinic, PWC CSB, Trauma & Hope and others. These providers are not employed by PWC, nor do they have contracts with PWC. MJS coordinates with service providers to ensure residents can attend and participate in these services.

MJS trains all new employees on the good neighbor policies procedures and how to promote positive relationships with neighbors. The facility and yard are properly maintained at all times. Staff and visitors have designated parking areas. Trash is collected twice a week outside and everyday internally. Our neighbors and noise levels are considered whenever a function is planned, and all staff are required to maintain friendly relationships with our neighbors. If a resident is AWOL emergency services are alerted.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Blue Ridge Juvenile Detention Center
195 Peregrory Lane
Charlottesville, Virginia 22902
(434) 951-9340
James Boland, Director
bolandja@brid.org

AUDIT DATE:

December 3, 2024

CERTIFICATION ANALYST:

Wanda Parris-Flanagan

CURRENT TERM OF CERTIFICATION:

February 11, 2022 – February 10, 2025

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS February 23, 2022:

100% Compliance Rating

CURRENT AUDIT FINDINGS – December 3, 2024:

100% Compliance Rating

DIRECTOR'S CERTIFICATION ACTION March 21, 2025: Certified Blue Ridge Juvenile Detention Center and Post-dispositional Program to February 11, 2028, with a letter of congratulations for 100% compliance.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Wanda Parris-Flanagan, Team Leader
Kenneth Bailey, Certification
Sherron Key, Certification
Kevin Heller, Certification
Christy Brown, Shenandoah JDC
Spring Johnson, Piedmont JDC
Christopher Moon, Central Office

POPULATION SERVED:

Blue Ridge Juvenile Detention Center is a secure custody facility operated by the Blue Ridge Juvenile Detention Commission.

- Service Area: City of Charlottesville and the Counties of Albemarle, Culpeper, Fluvanna and Greene.
- Certified Capacity: (For JDC include general population, CPP, Reentry, PD Detention) 40
- Gender: Male and Female (co-educational)

- Age Range: (For JDC include general population, CPP, Reentry, PD Detention) 10 through 17 for pre and post disposition residents; through age 20 for CPP, CAP, Reentry residents.

SERVICES PROVIDED:

Facility:

- Ensure public safety by direct care monitoring, observation, management, record keeping/documentation of facility residents in daily activities ensuring security and safety by providing sight and direct supervision, coordinating and overseeing movement, and observing behavior and interaction with other residents to ensure that facility and program procedures are appropriately upheld and followed. Blue Ridge Juvenile Detention is a 40 bed, single room facility comprising 27,000 square feet of space. There are four living units with 10 rooms per unit including one handicap accessible room in each unit. Two showers within each unit provide for daily hygiene needs. The units have seating areas with game tables in a television viewing area. There is also an interview room and storage area contained within each living unit. There is a full-service kitchen and an adjacent 40 seat dining room. There are three classrooms, a library and gymnasium as well as an outdoor recreation area. The facility is controlled by touch screen and roller ball mouse control systems within a Master Control Center and four auxiliary touch screen living unit control stations. There are designated areas for intake of detainees to include two holding cells, personal property storage, intake shower area, medical exam room and interview room. An administrative area houses an Office Services Assistant, Director, Deputy Director, Chief of Security and Business Office Manager.

- **Post-Disposition Program**

BRJD's Post-Disposition Program (Post-D) is a dispositional/commitment alternative for certain juvenile offenders who may benefit from local short-term treatment while in a controlled setting. The Post-D 90 Program is 90 days in length and is for juveniles who are not eligible for commitment to the Virginia Department of Juvenile Justice (DJJ). The Post-D 180 Program is 180 days in length and is for juveniles who are eligible for commitment to DJJ. Both programs serve juveniles who likely have not experienced success in community-based services or other types of residential settings.

BRJD's Post-D program is intended for youth that appear to be amenable to treatment and to improving maladaptive thinking and behaviors and ultimately improve and contribute to their community while incarcerated and shortly after release. They may earn privileges to work, participate in community service and volunteer assignments as well as leave the facility for educational activities and home visits. These services and privileges are intended to increase family and community involvement, thus increasing the youth's chances for a successful transition back into his or her community.

Residents participate in the development of their individualized service plan which addresses and strives to strengthen the areas of family, education, mental health, community, social, emotional, and physical well-being. The Post-D Program is designed to encourage and support residents in their interpersonal/intrapersonal development, as well as increase a resident's competence in life skills, empathy, problem solving, and conflict resolution. This is accomplished through creating experiential opportunities for residents to increase their sense of efficacy in these areas. Programming includes but is

not limited to character education, substance abuse education and/or counseling, reproductive health/personal safety education, and individual and/or family counseling. Services available may include those provided at BRJD, within the community, or a combination of both.

Post-D residents participate in BRJD's academic program which is designed to increase their level of knowledge and academic success. Career options and vocational abilities are explored. The program works closely with treatment/programs staff as collaborative intervention efforts facilitate a successful re-entry of the youth to their community. Additional information regarding the specific approaches and treatment modalities provided to both Post-D and CPP residents will be outlined further in the CPP section below.

- **Community Placement Program**

A closed unit program for males ages 14-20 who have been committed to the Department of Juvenile Justice. This program addresses many of the areas listed above with an emphasis on increasing educational competencies, increasing employment readiness, and reducing criminal thinking by helping residents improve in the areas of self-control, decision making and problem solving. Services provided include but are not limited to Aggression Replacement Training, Individual and Group Substance Abuse (CYT and/or A New Direction), individual and family therapy, individual Trauma Focused Cognitive Behavior Therapy (TF-CBT), Dialectical Behavioral Therapy, Garden/Greenhouse Program, Weekly Life Skills Group with Clinician, Onsite Psychiatrist available for medication management, Moral Reconnection Therapy, Forward Thinking - Cognitive-Behavioral Curriculum, Family Therapy / Supportive Counseling, Cross Keys Equine Therapy*, Trauma Informed Yoga / Mindfulness*. (*based on availability/funding.)

- **Central Admissions and Placement**

Residents who have been committed to DJJ may remain at or be transferred to BRJD in order to participate in the intake, orientation, and evaluation process.

- **Detention Re-Entry**

DJJ residents who are 30 to 120 days from release may be transferred from BAJCC or a CPP to a local detention facility in close proximity to their home community in order to aid in a successful transition by beginning services that would previously not begin until after released from incarceration.

Community

Community services and programs utilized by the facility include but are not limited to: Habitat for Humanity, Rivanna Trails Foundation, Front Porch Music, Region Ten Community Services Board, PVCC, Charlottesville, Albemarle, Fluvanna, Culpeper and Greene Department of Social Services, Juvenile Justice Advisory Committee, Community Attention, Music Resource Center, Lighthouse Film Studio, Planned Parenthood, Sexual Assault Resource Agency, Habitat Store, University of Virginia, Virginia Commonwealth University, Big Brothers/Big Sisters, MIMA Music Program, Visible Records, Second Language Pilot Program and Virginia Gang Investigators.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Virginia Beach Crisis Intervention Home
811 13th Street
Virginia Beach, Virginia 23451
(757) 422-4521
Christi Berry, Program Director
cberry@tyscommission.org
William Wimbish, Deputy Director of TYS
wwimbish@tyscommission.org

AUDIT DATES:

March 13, 2024

CERTIFICATION ANALYST:

Learna R. Harris

CURRENT TERM OF CERTIFICATION:

May 13, 2021 – May 12, 2024

REGULATIONS AUDITED:

6VAC35-41 Regulation Governing Juvenile Group Homes and Halfway Houses

PREVIOUS AUDIT FINDINGS December 20, 2021

100% Compliance Rating

CURRENT AUDIT FINDINGS – March 13, 2024

89.4% Compliance Rating

6VAC35-41-110 (A). Grievance procedure.

6VAC35-41-490 (I). Emergency and evacuation procedures. **CRITICAL**

6VAC35-41-860 (A). Individual service plans.

6VAC35-41-1210 (A). Tuberculosis screening. **CRITICAL**

6VAC35-41-1280 (H). Medication. **CRITICAL**

6VAC35-41-1300 (B). Behavior support.

6VAC35-41-1320 (D). Physical restraint.

No repeat deficiencies.

DIRECTOR'S CERTIFICATION ACTION – September 23, 2024: Extended the current certification of Virginia Beach Crisis Intervention Home to January 1, 2025, with a status report on areas of noncompliance.

DIRECTOR'S CERTIFICATION ACTION – March 21, 2025: Certified Virginia Beach Crisis Intervention Home to March 21, 2026.

Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.

TEAM MEMBERS:

Learna Harris, Certification Analyst

POPULATION SERVED:

The Crisis Intervention Home (CIH) provides 24-hour intake for up to 12 males and females between the ages of 13-17 from referrals made by the Court Service Unit and Social Service agencies. CIH opened under the aegis of the Tidewater Regional Group Home Commission (TRGHC) in 1975 at its first location at 317 20th Street, Virginia Beach. In the winter of 1986, the facility moved to 811 13th Street, Virginia Beach. Our current building was built in 1985. In 1988, an extension was added to the building to include a Director's office, conference room, and staff bathroom. It is a one-story facility constructed of a brick exterior with wood trim. In 2009, the Commission changed its name to the Tidewater Youth Services Commission.

The following rooms are located in the building: Secretary's office, schoolroom, front/staff office, Assistant Director's office, Counselor workstation area, laundry room, utility closet, storage closet, 6 bedrooms, 4 resident bathrooms, 2 staff bathrooms, kitchen, pantry, resident common/ living area, dining area, Director's office, and a conference room. There are also two detached storage sheds.

The CIH is situated in a residential area, eight blocks from the Oceanfront. It is fenced on three sides and is approximately sixty feet from the road on 13th street. A parking lot accommodates twelve automobiles, one of which is a handicapped space.

PROGRAMS AND SERVICES PROVIDED:

The Crisis Intervention Home (CIH) offers an intensive, short-term crisis intervention program designed to stabilize youth and their families and help them clarify and resolve crisis situations. CIH also offers long term programming (3-6 months) for females referred and accepted into the post-dispositional program. The goal is to prevent further involvement with the court system and to offer an alternative to detention for youth in crisis. The staff assists each youth in recognizing his/her own life goals and establish steps to achieve them. An Initial Objectives and Strategies Plan are developed for each youth within 72hrs of their placement. An Individual Service Plan / Behavior Support Plan are created for residents who are in the program for 30 days or longer. This Plan is created with the resident and involves the referring agency and parent/legal guardian to present a level of accountability for the resident. It also allows staff to understand what triggers a resident's negative behavior and what interventions work and do not work with a particular resident. The staff works with referring agencies to help prepare youth without family involvement for future placements. Residents accepted into the post-dispositional program are also required to receive Family Counseling and Aggression Replacement Training during their placement. Home visits are another component of the post-dispositional program that is designed to help the child transition back into their family environment.

SERVICES PROVIDED:

- Direct:
 - Individual Counseling
 - Aggression Replacement Training
 - Periodic Life Skills and Adolescent Groups

- Recreational Activities
- Assessment of client Needs
- Family Counseling upon a request from the referring agency/worker

- Community
 - Academic and vocational education in Virginia Beach School system
 - Medical, dental and psychological services
 - Star of the Sea Catholic Church, The Virginia Beach Rotary, The Bayshore Circle of the Kings Daughters, Cape Henry Rotary, Open Door Community Chapel, and various other organizations and individuals – Provide monetary gifts and service donations to the facility youth for needs such as prescription medication refills, clothing, school supplies, projects for the Crisis Intervention Home, and recreational outings.

Significant Issues Encountered:

Following the March 13, 2024, audit the following issues were encountered which made it impossible to determine compliance of regulations cited during the July 10, 2024 status visit.

As related by Mr. William Wimbish, in March 2024, the Tidewater Youth Services Commission faced an unprecedented situation. Over 70% of the programming staff resigned, including Program Director Katie Keeter on March 7, 2024, and Program Assistant Director Peter McNiel on March 9, 2024. This sudden staff shortage necessitated a temporary closure of the Crisis Intervention Group Home, with the last youth leaving on March 11, 2024.

Given the staffing crisis, the executive team decided to prioritize a revitalization plan for the Crisis Intervention Group Home, focusing on beautification and functionality to create a trauma-informed space. The main objective was to replace old carpeting and vinyl with high-end industrial vinyl flooring.

Timeline of Events:

1. Vapor Barrier Identification and Installation:
 - Identified: April 4, 2024
 - Installed: April 22-29, 2024
2. Flooring Installation:
 - Scheduled Start Date: April 18, 2024
 - Actual Start Date: May 2, 2024
 - Completion Date: May 24, 2024
3. Gas Line Leak:
 - Identified: June 25, 2024
 - Fixed: August 9, 2024

During the revitalization process, we encountered significant challenges with contractors, which severely impacted our timeline. Initially, we were quoted that the flooring would be completed during the first week of May. However, the contracted flooring provider refused to honor any warranties due to the lack of encapsulation in the building's crawl space. This unexpected requirement forced us to seek bids for the vapor barrier installation.

Despite our efforts to expedite the process, we faced further delays. One contractor, who had accepted the bid, failed to show up without any explanation. This no-show not only caused frustration but also pushed the vapor barrier installation from its identified date of April 4 to April

22-29, 2024. The delay in installing the vapor barrier meant that the flooring installation, initially scheduled for April 18, could not commence until May 2, 2024.

The situation worsened when, during the vapor barrier installation, the city turned off the gas supply to the building. Upon completion of the flooring after the installation of the vapor barrier after the installation, the city gas company identified a leak in the gas lines, which further delayed the project. Finding a contractor to address the gas leak proved challenging, and the gas line was not repaired until August 9, 2024.

These contractor-related issues significantly extended our project timeline. What was initially projected to be a two-month renovation turned into a six-month journey of waiting and shifting plans. The continuous delays and lack of reliable contractors not only caused frustration but also hindered our ability to provide timely services to the youth in need.

Following the gas line repair, the Virginia Health Department conducted an inspection on August 15, 2024. The Crisis Intervention Group Home was able to intake its first youth on August 21, 2024.

Despite the unexpected challenges and delays, the renovations were successfully completed, ensuring a safer and more functional environment for the youth. This experience underscores the importance of reliable contractors and the impact their actions can have on critical projects.

William Wimbish Narrative Addendum for Renovations at Crisis Intervention Group Home:

We would like to extend our heartfelt thanks and gratitude to the Department of Juvenile Justice for allowing us to extend our certification due to the unexpected challenges and delays we faced prior to reopening. Your support has been invaluable during this period.

In March 2024, the Tidewater Youth Services Commission faced an unprecedented situation when over 70% of the programming staff resigned, including Program Director and Program Assistant Director. This sudden staff shortage necessitated a temporary closure of the Crisis Intervention Group Home.

Despite these challenges, we prioritized a revitalization plan for the Crisis Intervention Group Home, focusing on creating a trauma-informed space. The main objective was to replace old carpeting and vinyl with high-end industrial vinyl flooring. However, we encountered significant challenges with contractors, which severely impacted our timeline. The flooring installation, initially scheduled for April, was delayed due to issues with the vapor barrier and a gas line leak, extending the project from two months to six months.

After committing to reopening our facility during this period, we also faced difficulties in staffing the program director position. The first candidate, hired on April 29, 2024, was terminated on May 13, 2024, due to multiple concerns, including emotional outbursts and difficulties in understanding and processing information. This early termination highlighted the importance of finding the right leader for this critical role.

Our next program director, hired on July 15, 2024, showed strong leadership but had conflicts with external commitments, specifically High school-level coaching. Although he initially indicated he would step away from these responsibilities, he resigned on September 12, 2024, citing medical concerns and conflicts from these commitments.

At this critical juncture, Deputy Director William Wimbish stepped in, taking on more supervisory duties. Knowing leadership and dedication were instrumental in stabilizing the program during this turbulent time. Recognizing the need for strong, consistent leadership, the executive team decided to pause the search for a new program director and appointed Assistant Director Ms. Christi Berry as the interim program director.

Mrs. Berry's development into this role has been transformative. Under her leadership, supported by Mr. Wimbish's oversight, the program has seen significant improvements. Their combined efforts have shifted the narrative from one of setbacks to one of resilience and progress. The program has nearly reached its maximum capacity, caring for up to seven female residents with high acuity and dual diagnoses simultaneously, showcasing the positive impact of their leadership.

However, maintaining leadership has continued to be a challenge. On October 18, 2024, we lost an assistant program director. We are currently maintaining our population while focusing on hiring for two assistant director positions. We will soon open the application pool for a program director to ensure we have the right candidate to lead the Crisis Intervention Group Home in all areas of programming and compliance.

Looking ahead, we plan to open the boys' bed space to a limited capacity by January or February, as we continue to hire and develop staff. While we initially faced many barriers with our physical plant and building standards, we are now focused on ensuring we have the appropriate staff and leadership team to not only reach compliance but to strive for excellence.

Once again, we thank Director Amy Floriano and all members of the certification team at the Department of Juvenile Justice for their help and efforts in ensuring that our program can continue to serve at-risk youth and move forward towards our goals.

**CORRECTIVE ACTION PLAN
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

FACILITY/PROGRAM:	Virginia Beach Crisis
SUBMITTED BY:	William Wimbish, Deputy Director
CERTIFICATION AUDIT DATES:	March 13, 2024
CERTIFICATION ANALYST:	Sherron Key
STATUS REVIEW DATE:	December 17, 2024

Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.

6VAC35-41-110 (A). Grievance procedure.

- A. Written procedure shall provide that residents are oriented to and have continuing access to a grievance procedure that provides for:
1. Resident participation in the grievance process with assistance from staff upon request.
 2. Investigation of the grievance by an objective employee who is not the subject of the grievance.
 3. Documented, timely responses to all grievances with the reasons for the decisions.
 4. At least one level of appeal.
 5. Administrative review of grievance.
 6. Protection from retaliation or threat of retaliation for filing a grievance; and
 7. Hearing of an emergency grievance within eight hours.

Audit Finding:

Four of four applicable cases reviewed did not provide documented, timely responses to the grievances with the reason for the decision.

Program Response

Cause:

We acknowledge the findings of the audit and appreciate the diligence in identifying areas for improvement. The lack of timely responses to grievances was due to an oversight in our staff training and development and our case management process. The previous program supervision did not follow the robust mechanisms in place to track and ensure timely responses to grievances.

Effect on Program:

This finding may have led to a lack of trust in our agency's grievance redressal process. It could also impact our program's reputation if not addressed promptly.

Planned Corrective Action:

We plan to implement a more robust staff training and development management system. That includes program administrators being more than reminders for pending grievances and a structured process for documenting and communicating the reasons for our decisions. We will also conduct regular training sessions for our staff to ensure they are well-versed with the new process and understand the importance of timely responses.

Completion Date:

We aim to have the new system in place and all staff trained by June 10, 2024. We will continue to monitor the effectiveness of these changes and make necessary adjustments to ensure continuous improvement.

Person Responsible:

Virginia Beach Crisis Intervention Home programing staff, program middle level management, with overview from the executive leadership team of the Tidewater Youth Services Commission.

Status on July 10, 2024: Not Determinable

Virginia Beach Crisis has not had residents since March 11, 2024.

Status on December 17, 2024: Compliance

For residents entering the program after 8/21/2024 there was only one instance where there was a written grievance. It contained all the appropriate elements showing a documented timely response and the reason for the decision.

6VAC35-41-490 (I). Emergency and evacuation procedures. Critical

- I. At least one evacuation drill (the simulation of the facility's emergency procedure) shall be conducted each month in each building occupied by residents. During any three consecutive calendar months, at least one evacuation drill shall be conducted during each shift.

Audit Finding:

No evacuation drills were conducted on the overnight shift for the months of May, June, July, August, September, October, November, and December 2023.

Program Response

Cause:

The absence of evacuation drills during the overnight shift for the specified months was due to a deficiency of clarity from the previous program director. It was also a lack of understanding and staff training for our safety protocols regarding the scheduling of drills across different shifts. The oversight led to the drills being conducted primarily during the day and evening shifts.

Effect on Program:

This could have potentially compromised the safety and preparedness of our overnight staff. In the event of an emergency, the lack of practice could lead to confusion and inefficiency in evacuation, posing a risk to the safety of our staff and residents.

Planned Corrective Action:

We will revise our training expectations of our program director to ensure that evacuation drills are conducted across all shifts, including the overnight shift. We will also schedule safety protocol training for all staff and the program director. In future mid-month inspections for drills can allow for make-up drills specifically for the overnight staff to cover any previously missed drills during the month.

Completion Date:

We aim to complete the training of the safety protocol and conduct the drills moving forwards by June 10, 2024.

Person Responsible:

Virginia Beach Crisis Intervention Home programing staff, program middle level management, with overview from the executive leadership team of the Tidewater Youth Services Commission.

Status on July 10, 2024: Not Determinable

Virginia Beach Crisis has not had residents since March 11, 2024.

Status on December 17, 2024: Compliance

Evacuation drills were reviewed for the months of August 2024, September 2024, October 2024, and November 2024. Documentation showed that evacuation drills were conducted on all three shifts each month.

6VAC35-41-860 (A). Individual service plans.

- A. An individual service plan shall be developed and placed in the resident's record within 30 days following admission and implemented immediately thereafter. The initial individual service plan shall be distributed to the resident; the resident's family, legal guardian, or legally authorized representative; the placing agency; and appropriate facility staff.

Audit Finding:

Three of six applicable cases reviewed did not have documentation of a service plan being developed.

Program Response

Cause:

The lack of service plan documentation in three of the six cases reviewed was primarily due to inadequate supervision and accountability mechanisms. The program director did not effectively enforce the requirement for proper documentation or provide the necessary training to staff. Furthermore, the absence of checks and balances allowed these oversights to go unnoticed.

Effect on Program:

This has the potential to compromise the quality of our services and could have led to inconsistencies in service delivery. It has also affected staff morale and productivity, as they may not have received the necessary guidance and support to perform their roles effectively.

Planned Corrective Action:

We will implement a comprehensive review of our supervision and accountability structures. This will include the introduction of regular audits of case files, mandatory training for all staff on documentation requirements, and the establishment of a clear accountability framework. We also have leadership changes within Crisis Intervention Home.

Completion Date:

We aim to complete the review and implement the necessary changes by June 10, 2024.

Person Responsible:

This affected the satisfaction levels of the executive level management. These concerned parties made immediate and sustained changes in training and expectations of program management. Virginia Beach Crisis Intervention Home programming staff, program middle level management, with overview from the executive leadership team of the Tidewater Youth Services Commission.

Status on July 10, 2024: Not Determinable

Virginia Beach Crisis has not had residents since March 11, 2024.

Status on December 17, 2024: Compliance

Four applicable case files for residents at the facility more than 30 days were reviewed. Service plans were developed in the proper time frames and were distributed to the appropriate parties.

6VAC35-41-1210 (A). Tuberculosis screening. CRITICAL

- A. Within seven days of placement each resident shall have had a screening assessment for tuberculosis. The screening assessment can be no older than 30 days.

Audit Finding:

One of five applicable cases reviewed did not have a tuberculosis screening within seven days.

Program Response

Cause:

The failure to conduct a tuberculosis screening within seven days in one of the five cases reviewed was due to inadequate supervision and lack of accountability mechanisms in our program. The program director did not effectively train the staff or hold them accountable for completing the necessary documentation. There were no checks and balances in place to ensure compliance with our protocols.

Effect on Program:

This lapse has potentially compromised the health and safety of our clients and staff. It also raises concerns about the overall effectiveness and credibility of our program, which could impact our reputation and trust with stakeholders.

Planned Corrective Action:

We will implement a comprehensive review and revision of our training and supervision protocols. This will include the introduction of checks and balances to ensure all necessary documentation is completed correctly and on time. We will also introduce regular audits to monitor compliance and effectiveness of these measures.

Completion Date:

We aim to complete the training of the safety protocol and conduct the drills moving forwards by June 10, 2024.

Person Responsible:

The newly appointed Program Director will be responsible for overseeing these changes and ensuring their successful implementation. Virginia Beach Crisis Intervention Home programing staff, program middle level management, with overview from the executive leadership team of the Tidewater Youth Services Commission.

Status on July 10, 2024: Not Determinable

Virginia Beach Crisis has not had residents since March 11, 2024.

Status on December 17, 2024: Compliance

In the four applicable case files reviewed there was documentation that tuberculosis screenings were completed within seven days.

6VAC35-41-1280 (H). Medication. CRITICAL

H. In the event of a medication incident or an adverse drug reaction, first aid shall be administered if indicated. Staff shall promptly contact a poison control center, pharmacist, nurse, or physician and shall take actions as directed. If the situation is not addressed in standing orders, the attending physician shall be notified as soon as possible and the actions taken by staff shall be documented. A medical incident shall mean an error made in administering a medication to a resident including the following (i) a resident is given incorrect medication; (ii) medication is administered to an incorrect resident; (iii) an incorrect dosage is administered; (iv) medication is administered at a wrong time or not at all; and (v) the medication is administered through an improper method. A medication error does not include a resident's refusal of appropriately offered medication.

Audit Finding:

Four of six applicable cases reviewed medication was not administered and there was no documentation that a medication incident had occurred.

Program Response

Cause:

In our program, the inability to provide medication in four out of the six cases examined, coupled with the lack of records for medication incidents, stemmed from insufficient oversight and an absence of responsibility systems. The program director fell short in providing effective training to the staff and enforcing their responsibility for the required paperwork. Our protocols lacked the necessary checks and balances to guarantee adherence.

Effect on Program:

This oversight may have put the health and safety of our clients and staff at risk. It also brings into question the overall efficiency and reliability of our program, potentially affecting our standing and the confidence our stakeholders have in us.

Planned Corrective Action:

We plan to carry out a thorough evaluation and modification of our training and supervision procedures. This will involve the establishment of checks and balances to guarantee the accurate and timely completion of all essential paperwork. Additionally, we will incorporate routine audits to track adherence and assess the efficacy of these initiatives.

Completion Date:

We aim to complete the training of the safety protocol and conduct the drills moving forwards by June 10, 2024.

Person Responsible:

The newly appointed program director will be responsible for overseeing these changes and ensuring their successful implementation. Virginia Beach Crisis Intervention Home programing staff, program middle level management, with overview from the executive leadership team of the Tidewater Youth Services Commission.

Status on July 10, 2024: Not Determinable

Virginia Beach Crisis has not had residents since March 11, 2024.

Status on December 17, 2024: Compliance

Two medication incidents were reviewed and contained the proper documentation of actions taken by staff.

6VAC35-41-1300 (B). Behavior support.

- I. Individual behavior support plans shall be developed in consultation with the:
 1. Resident;
 2. Legal guardian, if applicable;
 3. Resident's parents, if applicable;
 4. Program director;
 5. Placing agency staff; and
 6. Other applicable individuals.

Audit Finding:

Four of six applicable cases reviewed did not provide documentation that a behavior support plan had been developed.

Program Response

Cause:

The primary cause of the issue was a lack of emphasis on staff training and development, particularly in the areas of behavior support and individual service plans. The program director focused more on supervision and staffing, neglecting the importance of equipping staff with the necessary skills to perform the therapeutic components of their job.

Effect on Program:

The program suffered from a lack of comprehensive behavior support plans, which are crucial for the effective management and progress of cases. This has potentially compromised the quality of service provided and may have hindered the achievement of desired outcomes for the individuals served.

Planned Corrective Action:

We plan to implement a comprehensive staff training program that emphasizes the development of skills necessary for creating and implementing behavior support plans and individual service plans. We will also review and revise our supervision strategies to ensure they include a focus on staff development.

Completion Date:

We aim to complete the training of the safety protocol and conduct the drills moving forwards by June 10, 2024.

Person Responsible:

The newly appointed program director will be responsible for overseeing these changes and ensuring their successful implementation. Virginia Beach Crisis Intervention Home programing staff, program middle level management, with overview from the executive leadership team of the Tidewater Youth Services Commission.

Status on July 10, 2024: Not Determinable

Virginia Beach Crisis has not had residents since March 11, 2024.

Status on December 17, 2024: Compliance

In the four applicable cases reviewed there were behavior support plans developed in consultation with the appropriate parties.

6VAC35-41-1320 (D). Physical restraint.

- D. Each application of physical restraint shall be fully documented in the resident's record including:
1. Date and time of the incident
 2. Staff involved;
 3. Justification for the restraint;
 4. Less restrictive behavior interventions that were unsuccessfully attempted prior to using physical restraint;
 5. Duration;
 6. Description of method or methods of physical restraint techniques used;
 7. Signature of the person completing the report and date; and
 8. Reviewer's signature and date.

Audit Finding:

One of one applicable case reviewed did not have the documentation of the restraint in the resident's file.

Program Response

Cause:

The issue arose due to a lack of proper documentation procedures in place for recording restraints in the resident's file. The program director's focus on staffing and supervision, rather than on the necessary training and development of staff, is why we must ensure proper development of the new program director. This previous mis-prioritizing of duties and responsibilities resulted in staff not being adequately trained on how to document restraints in the resident's file.

Effect on Program:

The lack of proper documentation of restraints in the resident's file compromises the integrity of our records and could potentially impact the quality of care provided to the residents. It also raises concerns about compliance with regulations and standards. The absence of this crucial information in the resident's file could potentially impact the program's credibility.

Planned Corrective Action:

We will implement a comprehensive training program that includes specific training on the documentation of restraints. We will also revise our supervision strategies to ensure a balance between supervision and staff development. We will also introduce a regular internal audit of files to ensure compliance with documentation standards.

Completion Date:

We aim to complete the training of the safety protocol and conduct the drills moving forwards by June 10, 2024.

Person Responsible:

The newly appointed program director will be responsible for overseeing these changes and ensuring their successful implementation. Virginia Beach Crisis Intervention Home programing staff, program middle level management, with overview from the executive leadership team of the Tidewater Youth Services Commission.

Status on July 10, 2024: Not Determinable

Virginia Beach Crisis has not had residents since March 11, 2024.

Status on December 17, 2024: Compliance

There were no instances where physical restraint was needed. The program has developed the necessary form for use, that contained all the necessary elements.

**SUMMARY
DIRECTOR'S CERTIFICATION ACTIONS
April 30, 2025**

Certified the Roanoke Valley Juvenile Detention Center and Post-dispositional Program through February 10, 2028, with a letter of congratulations for 100% compliance. **Page 2**

Certified the Shenandoah Valley Juvenile Center to June 9, 2028, with a letter of congratulations for 100% compliance. **Page 4**

Certified Summit Transitional Living Program through April 29, 2028, with a letter of congratulations for 100% compliance.
Page 6

Certified the Tidewater Youth Services Apartment Living Program to January 20, 2028, with a letter of congratulations for 100% compliance.
Page 11

Certified Anchor House Group Home to October 14, 2027. **Page 13**

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Roanoke Valley Juvenile Detention Center
498 Coyner Springs Road
Roanoke, Virginia 24012
(540) 561-3840
Bryan Henry, Superintendent
bhenry@rvjdc.org

AUDIT DATE:

March 11, 2025

CERTIFICATION ANALYST:

Kevin T. Heller

CURRENT TERM OF CERTIFICATION:

February 11, 2022, through February 10, 2025

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS February 16, 2022:

99.44% Compliance Rating

6VAC35-101-360 (A). Equipment and systems inspections and maintenance.

6VAC35-101-1060 (G). Medication.

No repeated deficiencies from previous audit.

CURRENT AUDIT FINDINGS – March 11, 2025:

100% compliant with all applicable regulations.

DIRECTOR'S CERTIFICATION ACTION: Certified the Roanoke Valley Juvenile Detention Center and Post-dispositional Program through February 10, 2028, with a letter of congratulations for 100% compliance.

Pursuant to 6VAC-20-100C1, If the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Kevin Heller, Team Leader
Joyce Blevins, New River Valley JDH
Michelle Johnson, W.W. Moore, Jr. Detention Home
Neil Bramlette, Highlands JDC
Jay Boland, Blue Ridge JDC
Christy Brown, Shenandoah Valley JDC
Dr. Christopher Moon, Central Office

POPULATION SERVED:

Roanoke Valley Juvenile Detention Center is an 81-bed facility that houses male and female juveniles aged 12-17 years old. Five of the 81 beds are certified to provide post-dispositional programming to juveniles aged 14-17 years old. Roanoke Valley Juvenile Detention Center also provides CAP placement for committed youth as approved by The Department and the facility. The Roanoke Valley Juvenile Detention Center, which is operated by the Roanoke Valley

Detention Center Commission, serves primarily the counties of Botetourt, Franklin, and Roanoke and the cities of Roanoke and Salem.

PROGRAMS AND SERVICES PROVIDED:

The mission of the Roanoke Valley Juvenile Detention Center is to provide secure custody and care of juveniles in a safe healthy environment, giving supervision, guidance, and counseling while protecting the community and beginning the rehabilitative process by promoting personal responsibility, social accountability, and emotional growth.

RVJDC is considered a technologically advanced facility that provides high levels of security in a very sterile and clean environment. The RVJDC's programs consists of diverse offerings designed to enhance or facilitate rehabilitative efforts of the residents. Programs and services are provided based upon each youth's assessed physical, medical, mental health, academic, and safety needs. The daily schedule for youth is regimented and structured. During the audit period RVJDC has experienced multiple upgrades to the building, most recently and significantly, the HVAC system has been replaced.

Services provided include the following:

- Direct:
 - Mediation services provided by certified mediator
 - Education services provided by qualified teaching staff and administrator
 - Psycho-educational groups on independent living skills, substance abuse education, AIDS and sexually transmitted diseases, victim sensitivity, self-esteem, parenting, decision making, anger management, and more
 - Medical services are provided in house through a contracting physician and RVJDC's medical staff
 - Mental health screening is conducted by trained admissions staff and referrals are made based on need
 - Crisis intervention and counseling services
 - Video court
 - Violence prevention programs by specially trained staff
- Services accessed in the community:
 - Enrichment activities and programs—Various professional and community groups
 - Religious programs—Various local church groups
 - AIDS and sexually transmitted disease—Planned Parenthood
 - Parenting skills—Planned Parenthood
 - Dental Care—Virginia Department of Health
 - Medical Care—Carillion Healthcare.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Shenandoah Valley Juvenile Center
300 Technology Drive
Staunton, Virginia 24401
Phone: (540) 886-0729
Timothy Showalter, Executive Director
tshowalter@svjc.org

AUDIT DATE:

March 18, 2025

CERTIFICATION ANALYST:

Kevin T. Heller

CURRENT TERM OF CERTIFICATION:

June 9, 2022 - June 8, 2025

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS April 04, 2022:

100% compliant with all applicable regulations.

CURRENT AUDIT FINDINGS March 18, 2025:

100% compliant with all applicable regulations.

DIRECTOR'S CERTIFICATION ACTION April 30, 2025: Certified Shenandoah Valley Juvenile Center to June 9, 2028, with a letter of congratulations for 100% compliance.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Kevin Heller, Team Leader
Michelle Johnson, W.W. Moore, Jr. JDH
Russell Pittman, Roanoke Valley JDC
Hunter Harrison, Highlands JDC
Jay Boland, Blue Ridge JDC
Miguel Díaz Hansen, Blue Ridge JDC
Dr. Christopher Moon, Central Office

POPULATION SERVED:

Shenandoah Valley Juvenile Center (SVJC) is a 58-bed secure detention center owned and operated by the Shenandoah Valley Juvenile Center Commission. The members of the Commission include the Counties of Augusta, Rockbridge, and Rockingham and Cities of Lexington, Harrisonburg, Staunton, and Waynesboro. The facility serves male and female residents ages seven through 20. The facility serves a pre-dispositional population, post-dispositional (less than 30 days), as well as direct care CAP and Community Placement Program (CPP- ten beds) as approved by the Department and SVJC. The Shenandoah Valley Juvenile Center is designed around five ten-room pods (one pod accommodates 15-beds). Additionally, there is one three-bed pod primarily designated for female youth. The detention center has seven classrooms, a computer lab, and a gymnasium. Current admissions are by court order only. The

program offers a highly structured environment that promotes safety and accountability, while offering skill development and a wide range of services to instill positive attitudes and competencies.

Secure detention care is one of the facets used in the total treatment process for the small minority of juveniles requiring secure custody. It is a specific kind of residential care needed for those juveniles coming in conflict with the law who require secure custody for their own protection or for the protection of the community. Since the purpose and accepted philosophy of the juvenile court is the rehabilitation of juveniles, the detention process must be geared to attain a constructive experience for those detained. The social casework concept of treatment must be an integral part of all phases of living within the detention setting.

The philosophy of SVJC focuses upon providing an effective short-term intervention type of program. Detention should begin the process of rehabilitation and lay the groundwork for later treatment. Above all, the detained juvenile should feel in the staff a warm acceptance of himself or herself and rejection only of their anti-social behavior. The staff's belief in the resident must be a belief in their best characteristics and based on this belief, in their capacity for change. The staff of SVJC is responsible for providing quality services for a client population that is in a state of crisis. Staff is trained and skilled to successfully provide services to individuals and groups of residents.

The program offers a highly structured environment that promotes safety and accountability while offering skill development and a wide range of services to instill positive attitudes and competencies. The Center provides an educational program under the auspices of the Virginia Department of Education and the City of Staunton School Board. Medical assessments, mental health, and psychiatric services are available on site.

PROGRAMS AND SERVICES PROVIDED:

In addition to all mandated services, Shenandoah Valley Juvenile Center interacts with the community in obtaining such services as:

Facility Provided:

- Behavior management.
- Case management.
- Education.
- Vocation.
- Medical health services,
- Anger management,
- Substance abuse,
- Life skills,
- Mental health counseling,
- Recreation and physical education,
- Social/cultural activities; and
- Music and art therapy.

Community (services offered by community agencies and resources):

- Mental health services by the Community Services Board,
- Sex education program; and
- Volunteers from various community groups.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

The Summit Transitional Living Program
3400 Newby's Bridge Road
Chesterfield, Virginia 23832
(804) 726-8690
Heather Rose, Director
hlrose@intercepthealth.com

AUDIT DATES:

March 04, 2025

CERTIFICATION ANALYST:

Kevin Heller

CURRENT TERM OF CERTIFICATION:

April 30, 2022 – April 29, 2025

REGULATIONS AUDITED:

6VAC35-41 Regulation Governing Juvenile Group Homes and Halfway Houses

PREVIOUS AUDIT FINDINGS – April 11, 2022:

99.8% Compliance Rating

No repeat deficiencies from previous audit.

6VAC35-41-180 (A). Employee and volunteer backgrounds checks. CRITICAL

CURRENT AUDIT FINDINGS – March 04, 2025:

100% compliant with all applicable regulations.

DIRECTOR'S CERTIFICATION ACTION April 30, 2025: Certified Summit Transitional Living Program through April 29, 2028, with a letter of congratulations for 100% compliance.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Kevin Heller, Team Leader
Dr. Christopher Moon, Central Office
Angie Marker, Rise Shelter Care Program
Taj Jones, Lynchburg Youth Group Home
Ricky Walker, Anchor House

POPULATION SERVED:

The Summit Transitional Living Program facility is a 3,000 square foot residential home situated on 11-acres. This two-level home includes seven (7) total bedrooms (six single and 1 double), four (4) bathrooms, kitchen, living room, dining area, recreation room, access to laundry facilities and staff office. The property also has an additional 2,000 square foot building, which is used as a career/resource room with a computer lab, space for family visitation and multi-use area for recreation and community meetings.

The Summit Transitional Living Program accepts males, ages 17.5 to 21 with a minimum IQ of 65, who are being discharged from a Department of Juvenile Justice commitment. Youth referred to and placed at Summit Transitional Living home will demonstrate various levels of risk to

reoffend and commonly display the following behaviors and criminogenic and non-criminogenic needs:

1. Criminal history and propensity to commit crimes
2. History of running away from home, foster care, and/or residential placements
3. History of association with anti-social companions
4. Pro-criminal (risky thinking)
5. Antisocial personality such as impulsivity, poor emotional regulation and inadequate decision-making skills
6. Limited coping skills and low frustration toleration
7. Low educational achievement and history of poor school performance
8. History of low family affection/history of poor supervision
9. History of substance abuse
10. History of self-destructive behavior
11. History of mental health diagnoses (such as post-traumatic stress disorder, depression, Oppositional Defiance Disorder, and attention deficit hyperactivity disorder)
12. Low or limited functioning youth with a minimum IQ of 65
13. Lower levels of job readiness and independent living skills
14. Need for focused intensive transition and community reintegration services
15. History of trauma and exposure to violence
16. Impaired social functioning

PROGRAMS AND SERVICES PROVIDED:

The Summit Transitional Living Program provides the following services to the residents:

FACILITY

All residents receive psychiatric services through Intercept Health's True North Health Clinic. Residents receive an initial assessment and follow-up as needed by a Physician Assistant. Practitioners see all residents utilizing Telehealth technology. True North is very responsive to the needs of residential services and provide same day appointments. Upon discharge, residents are offered the opportunity to continue services based on service location, while transitioning to a local practitioner in their community. True North is an effective and available resource to medically manage psychiatric needs.

Each resident meets minimally once per week for individual therapy with an LMHP/LMHP-E. The psychotherapy is guided by Trauma Informed Care Principles and Motivational Interviewing. The LMHP/LMHP-E also provides minimally 90 minutes of group therapy interventions each week. The group therapy uses skills training from Dialectic Behavior Therapies and Trauma Focused Cognitive Behavioral Therapy. Note, therapeutic interventions are meant to decrease as residents increase independence and are working/attending school.

A Residential Specialist conducts psychoeducational groups, daily, on day/evening shift. The group's topics may include anger management, relationship skill building, emotional regulation, mindfulness, rational emotive behavior therapy, etc.

A Residential Specialist works with residents to improve their activities of daily living skills. All residents follow a schedule that includes times for waking, completing personal hygiene, ensuring cleanliness of their room and unit, mealtimes, treatment (individual/group/psych-ed), visitation, recreation, community engagement and structured leisure. The schedule is flexible to ensure all employment, education and vocational instruction will be included.

The Life Skills Administrator works collaboratively with each resident to assess vocational aptitude, interests, and develop goals to be included in their Transitional Employment Plan. Residents learn job placement skills like developing a resume, conducting a job search, the basics of applying for employment, interviewing skills, and determining if the position is the right fit for them. Residents learn the soft skills associated with work-readiness such as employer expectations, cooperating with others, appropriate hygiene and dress, importance of arriving to work on time, being productive at work, maintaining a positive attitude, how to interact with supervisors, and effective communication skills.

As residents identify areas of strength and interest related to a specific employment field, some residents may find they need to continue their education to meet the qualifications. Developed in conjunction with the Personal Transition Plan, these residents will have measurable goals and objectives focused on supporting their entrance into the desired field of interest. The Life Skills staff will work side-by-side with the residents and the DJJ Workforce Development team, as applicable, to learn how to identify the appropriate educational setting, enrollment process, and necessary items/funding needed to participate and complete/graduate in that respective setting.

The Life Skills Administrator serves as the liaison between the program and the educational/vocational institution. All residents are strongly encouraged to pursue educational and vocational development through Public Schools programs, Vocational/Technical Centers, Advanced Career Education Centers, Community Colleges, and other local educational and vocational providers.

A Residential Specialist works collaboratively with residents on all aspects of being a part of both their own community and society. Residents gain increased understanding of how to identify prosocial activities to promote their successful reintegration into the community. Furthermore, residents will discuss their own interests, research local community activities and organizations that align with those interests and attend the events. Residents are exposed to varied types of positive activities such as community events, as well as have opportunities to volunteer with local organizations.

The Life Skills Administrator works with residents to identify appropriate housing, money management, nutrition, developing healthy social relationships and interpersonal communication. Housing, Education, Employment, Community Engagement and Transportation are included in the CISP.

Discharge Planning:

Effective discharge planning begins at admission. The team works collaboratively with the resident, their family/natural supports, and agency supports to develop a transitional plan individualized to the resident's needs. Upon identifying the planned stepdown placement, the treatment team incorporates information from the clinical and vocational/educational assessments into the resident's goals to work towards achieving throughout their admission to the program. Targeted interventions and experiential learning objectives are implemented to support the discharge plan. Residents are identified as meeting the discharge criteria when they consistently demonstrate mastery of their identified goals in their CISP and have met targeted milestones contained within the program's Journey Model. The Clinical Manager serves as lead on all discharge planning activities, collaborating with all members of the treatment team to ensure a seamless transition. The resident's Transitional Living Discharge Plan identifies services and supports along with the person/agency responsible to meet the following key areas: Housing, Clinical, Family, Education, Employment, Community Engagement, Transportation and Natural Supports.

Family engagement and identifying natural supports is a vital component within the program. Emphasis is placed on this area as family and natural supports are key to the residents' successful reintegration into the community. The program offers residents numerous methods for staying connected with their family and friends. Family members are strongly encouraged to participate in person, by phone, or via video conference for family visitation, therapies, and treatment team meetings. All parties are encouraged to maintain daily contact, as therapeutically appropriate and allowed by the courts. In some instances, the CISP may include participation in family therapy. The Clinical Manager is responsible for implementing any treatment goals including family therapy. The Clinical Manager coordinates and schedules family therapy sessions via face to face, phone, or video conferencing. Family members may visit residents at any time if it does not interfere with program activities and has been approved by the Treatment Team. When visiting, family members check in with program staff upon arrival. If the resident is a minor, the parent or legal guardian is required to list the visitor's name on a Contact List. All visitors are expected to follow the same rules as the residents. Staff are responsible for the visit and may terminate the visit if safety or appropriateness of behavior is in question.

The Residential Services Division has a fleet of automobiles which includes cars, minivans, and 15 passenger vans. The program has two vehicles assigned to transport residents to medical appointments, education/vocational activities, recreation, etc. As the goal of the program is self-sufficiency and independence, the staff engage residents to research, discover, and practice utilizing diverse types of public transportation available in the community. The Life Skills Administrator offers experiential opportunities for residents to practice using the various forms of transportation (bus, bike, walking, ridesharing, etc.). Skills taught include learning how to access public transportation, reading and understanding schedules, money management, and time management. Residents will also be offered the opportunity to obtain driver's education as well as assistance with obtaining their license. Supplemental skills building includes budgeting (for type of cost-effective vehicle), money management (saving for vehicle), and planning for unseen costs (maintenance and repairs). Staff ensure residents have transportation to all required appointments, including court hearings and medical appointments.

The TLP behavioral management system incentivizes appropriate behavior and applies consequences, ideally natural consequences, for disruptive or noncompliant behavior. The program encourages and guides the residents' opportunities to practice self-management and experience self-sufficient conditions of living. The Program does not limit or restrict activities more than is necessary to achieve a reasonable supportive benefit, maintain a safe and orderly environment, and/or to reduce a foreseeable risk of harm to themselves, other residents, or staff. Appropriate resident behavior is rewarded through a system of rewards, including, but not limited to special activities, incentives, and independent skill mastery awards. Program staff identify any potential crisis situations and employ accepted methods for reducing agitated and aggressive behavior. All behavioral interventions are documented according to the program policies and procedures. The Program employs alternatives to implementing restrictions of normal activities and conditions of living. Certain restrictions may be imposed when justified and implemented in accordance with this plan. Inappropriate behavior is responded to through a system of consequences, including verbal redirection, prompts to remind residents to use skillful behavior, penalties, and behavior contracts. The program does not use time-out procedures, seclusion, or chemical restraints. The program utilizes the Ukeru and Crisis Wave protocols for safety.

The program provides nutritionally adequate, varied, and appetizing meals prepared and served under sanitary conditions. The Program Manager conspicuously posts meal and snack times, kitchen hours, weekly menus, kitchen rules and guidelines, nutrition guidelines, meal preparation steps, and grocery shopping times. Mealtimes correspond closely with kitchen hours. Program

staff are present when residents are preparing food. Residents are engaged by program staff to learn about nutrition, meal planning, and sanitary meal preparation and clean up. Each resident assists with cooking under staff supervision. Menus are maintained by staff for at least six months. Weekly shopping lists are created by the Program Manager, the Life Skills Coach, and residents. Residents have the opportunity to assist with grocery shopping to practice the skills of meal planning, nutritional health and wellness, money management and transportation. All Program Staff honor dietary practices requested by the residents as premised on ethics, health, religion, preference, etc.

Community: (Services offered by community agencies and resources)

Residents have a variety of cultural, recreational and community options to choose from, both on-site and in the community. Health and Wellness is a key component for residents both mentally and physically. While the program offers residents numerous indoor and outdoor recreational activities, residents also have membership, during their stay, at the YMCA or other local gym/fitness club. The Life Skills Administrator utilizes activities offered by the local Parks and Recreation Department along with traditional community recreational activities such as bowling, attending movies, and swimming to name a few. The team supports each resident's right to participate in activities that will enhance their spiritual growth and development. Upon admission and during their stay, staff ensure residents can observe any religious traditions holidays within the facility. Whenever possible, residents attend public services. Attendance must be coordinated with the treatment team and/or Clinical or Program Managers to ensure transportation while maintaining the required resident-to-staff ratios.

Education/Vocation Opportunities: Chesterfield is home to several educational institutions that offer a diverse range of post-secondary education opportunities. Residents have attended Brightpoint Community College, Adult Education and Learning Center through Chesterfield County Public Schools, Centrua Community College, and have taken online classes through various educational platforms.

Transportation: Public transportation options, include the GRTC bus system, Greyhound, and Amtrak. Uber/Lyft provides additional convenience for transportation in and out of the neighborhood.

Employment: The area surrounding these sites features a variety of commercial and retail establishments that offer opportunities for entry level employment and training. You can find shopping centers, grocery stores, restaurants, and other amenities in this vicinity.

Other Community Providers: Medical providers such as dental, vision, emergency, or specialty providers are utilized, as needed.

Outpatient Clinical Services, as contracted with EBA for S/A Relapse treatment, S/O Relapse treatment

Mentoring, as contracted with EBA

DARS, as needed

GPS Monitoring, as contracted by EBA

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Tidewater Youth Services Apartment Living Program
714 20th Street
Virginia Beach, Virginia 23451
(757) 965-4551
Amanda Cassimore, Program Director
Acassimore@tyscommission.org

AUDIT DATES:

March 18, 2025

CERTIFICATION ANALYST:

Sherron L. Key

CURRENT TERM OF CERTIFICATION:

July 20, 2022 – January 21, 2025

REGULATIONS AUDITED:

6VAC35-41 Regulation Governing Juvenile Group Homes

PREVIOUS AUDIT FINDINGS – February 24, 2022:

100% Compliance Rating

CURRENT AUDIT FINDINGS – March 18, 2025:

100% Compliance Rating

DIRECTOR'S CERTIFICATION ACTION April 30, 2025: Certified Tidewater Youth Services Apartment Living Program to January 20, 2028, with a letter of congratulations for 100% compliance.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Sherron Key, Team Leader
Ken Bailey, Central Office
Wanda Parris-Flanagan, Central Office
Angela Rice (Nurse), Norfolk JDC

POPULATION SERVED:

The Apartment Living Program is an eight-bed facility for males being released from direct care placement or who are on parole supervision between the ages of 17.6 and 20.6. The service area includes Virginia Beach, Chesapeake, Portsmouth, Suffolk, Isle of Wight, Franklin, South Hampton County, Hampton, Norfolk, and Newport News. If needed, the program can provide services to other localities upon request from DJJ. The program provides a supervised apartment setting 24 hours a day, individualized case planning, vocational training, a complete array of independent living training/experiences, support with educational opportunities, employment opportunities and family engagement.

The Apartment Living Program consists of five two-bedroom apartments located in a local community apartment complex on 714 20th Street, Apt# 101(Staff Office), 712 20th Street, Apt #101, 102, 201, 202, VA Beach VA, 23451. Each apartment has two bedrooms, a living area, a dining area, and a kitchen and bathroom. Each apartment is fully furnished. Security cameras are located in hallways of the building as well as in the front and back of the building. The apartments

Tidewater Youth Services Apartment Living Program

are located in close proximity to public transportation, schools, libraries, police department, hospitals, etc.

PROGRAMS AND SERVICES PROVIDED:

The Apartment Living Program provides the following services to the residents:

Direct:

- Individual Counseling, Assessments
- Individualized Service Plans
- Independent Living Workshop Groups
- Educational Placement Support
- Vocational/Employment Placement Support
- Money Management
- 24-hour Supervision/Case Management
- Aggression Replacement Training (ART)
- Recreational Opportunities
- Family Engagement/Involvement Groups (if applicable)
- Comprehensive Discharge Planning

The Apartment Living Program provides the following services in the community:

- Virginia Employment Commission
- Workforce Development Sites (One-Stop)
- Narcotic Anonymous/Alcoholic Anonymous Locations
- Local Libraries
- City Recreational Centers
- Community Service Board (CSB)
- Human Services

SIGNIFICANT CHANGES SINCE LAST AUDIT:

- In October 2023 ALP transitioned into the Regional Service Coordinator Model and was listed as a vendor with AMIKids and Evidenced Based Associates (EBA). AMIKids contract with DJJ ended on July 31, 2024.
- On August 1, 2024, ALP maintained the Regional Service Coordinator Model with Evidenced Based Associates (EBA).
- On October 1, 2024, ALP transitioned into a direct contract with DJJ.
- The apartment complex management team, that leases the space used by the Apartment Living Program, has undergone several management changes and buyouts since the last audit period.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Anchor House
312 Brown Street
Martinsville, VA 24112
Phone: (276) 634-2910
Ricky Walker, Program Director
ricky.walker@anchor-services.org

AUDIT DATES:

12/09/2024

CERTIFICATION ANALYST:

Wanda Parris-Flanagan
Kevin Heller

CURRENT TERM OF CERTIFICATION:

October 14, 2021 – October 13, 2024

REGULATIONS AUDITED:

6VAC35-41 Regulation Governing Juvenile Group Homes

PREVIOUS AUDIT FINDINGS – August 10, 2021:

99.32% Compliance Rating

6VAC35-41-110 (A). Grievance procedure.

6VAC35-41-490 (I). Emergency and evacuation procedures. CRITICAL

CURRENT AUDIT FINDINGS – August 10, 2021:

99.64% Compliance Rating

6VAC35-41-1280 (H). Medication CRITICAL

RECOMMENDED DIRECTOR'S CERTIFICATION ACTION: Certified Anchor House Group Home to October 14, 2027.

Pursuant to 6VAC35-20-100C.2, if the certification audit finds the program or facility in less than 100% compliance with all regulatory requirements and a subsequent status report, completed prior to the certification action, finds 100% compliance on all regulatory requirements, the director or designee shall certify the facility for a specific period of time, up to three years.

TEAM MEMBERS:

Wanda Parris-Flanagan, Team Leader
Kasey France, Roanoke Valley Juvenile Detention Center
Taj Jones, Lynchburg Group Home
Sherron Key, Certification
Kevin Heller, Certification

POPULATION SERVED:

Anchor House is a community-based group home for at-risk adolescent males between the ages of 12 and 17. It has a capacity of ten residents. The facility is operated by Anchor Commission and serves residents and families from the City of Martinsville and the counties of Henry and Patrick.

PROGRAMS AND SERVICES PROVIDED:

There are some adolescents who will not be able to function in their family environment and will need a community residential placement. The Anchor House Group Home and Shelter Care Program is designed to give 12–17-year-old adolescent males a chance for success without having to leave this locality.

The program is designed with a variety of components aimed at different aspects of treatment. These components all revolve around the following basic concepts: (1) community safety as the primary concern; (2) a change of the resident's thinking process which involves learning to get needs met within structure (self-discipline and accountability); (3) a positive environment where there is a balance between imposed structure and elements of resident autonomy; and (4) a group approach with individualized counseling based on the resident's needs. Anchor House has designed the specific components of this program based on these tenets, to meet the complex needs of this population. The solution-focused approach, which forms the therapeutic basis of this program, can be seen in the programmatic flow from admission to completion.

In addition to all mandated services Anchor House provides the following at the facility:

- Community Service Opportunities
 - Individual counseling
 - Group counseling
 - Outdoor experimental education
 - Socialization skills
 - Daily structure and supervision
 - Recreation services.
 - Anchor House Group Home residents attend local schools according to their home address and their educational needs. When services are needed that Anchor does not provide, the resident is referred to Piedmont Community Services or a private provider to get them the help that they need.
-

**CORRECTIVE ACTION PLAN
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

FACILITY/PROGRAM: Anchor House Group Home

SUBMITTED BY: Ricky Walker, Executive Director

CERTIFICATION AUDIT DATES: December 09, 2024

CERTIFICATION ANALYST: Wanda Parris-Flanagan
Kevin Heller

Under Planned Corrective Action indicate: 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.

6VAC35-41-1280 (H). Medication CRITICAL

H. In the event of a medication incident or an adverse drug reaction, first aid shall be administered if indicated. Staff shall promptly contact a poison control center, pharmacist, nurse, or physician and shall take actions as directed. If the situation is not addressed in standing orders, the attending physician shall be notified as soon as possible and the actions taken by staff shall be documented. A medical incident shall mean an error made in administering a medication to a resident including the following: (iv) medication is administered at a wrong time or not at all.

Audit Finding:

In two of six applicable cases reviewed the medication was administered at the wrong time or not at all.

Program Response

Cause:

ANCHOR staff did not follow policy and proper procedure in administering medications and recording those actions.

Effect on Program:

Not properly administering medications can have adverse effects on the residents and their health.

Planned Corrective Action:

To ensure compliance and improve the quality of medication administration, we are taking the following steps:

1. **Training:** Our medication administration trainer will conduct repeat training sessions for all staff. This ensures a consistent understanding of procedures and reinforces best practices.
2. **Employee Feedback:** The Executive Director will meet individually with all employees involved in the identified incidents to review and address deficiencies in documentation. During these meetings, the Executive Director will emphasize the critical importance of accurate medication administration and the potential impact on our residents' well-being.
3. **Ongoing Review:** Moving forward, the trainer will review Medication Administration Records (MARs) for all files monthly. If issues are identified, reviews will be conducted more frequently until the problems are resolved.
4. **Targeted Support:** Employees identified with recurring issues will undergo additional remedial training. In cases of persistent non-compliance, disciplinary action will be taken as necessary.

These measures aim to foster accountability, ensure compliance, and safeguard the health of our residents.

Completion Date:

January 31, 2025

Person Responsible:

Ricky Walker, Executive Director

Current Status April 15, 2025: Compliant

One of five medical files reviewed documented a medication event (a dose of nighttime medication was not provided to one resident at the prescribed time). The file contained a form documenting the program response once the error had been identified. Staff contacted a pharmacist and resumed the medication schedule as directed. The appropriate notifications were documented.

Additionally, while on site the Executive Director provided confirmation to the Certification Analyst the medication administration trainer provided repeat medication documentation training sessions for all staff. The sessions were conducted over two dates, 02/13/2025 and 02/25/2025.

The Executive Director reported he has met individually with all employees involved in the identified incidents to review and address deficiencies in documentation. During these meetings, the Executive Director emphasized the critical importance of accurate medication administration and the potential impact on their residents' well-being.

Lastly, the medication administration trainer has also conducted Medication Administration Record (MARs) reviews monthly. These have been completed on 01/28/2025, 02/07/2025, and 03/26/2025.

SUMMARY
DIRECTOR'S CERTIFICATION ACTIONS
July 8, 2025

Certified the 4th District Court Service Unit (Norfolk) to December 1, 2028, with a letter of congratulations for 100% compliance. **Page 2**

Certified the Fairfax Shelter Care II Program to May 9, 2028, with a letter of congratulations for 100% compliance. **Page 5**

Certified Chesapeake Juvenile Services to November 8, 2027, with a letter of congratulations for 100% compliance. Establish the certified capacity at 48. **Page 7**

Attachment for Chesapeake Juvenile Services waiver notification. **Page 11**

Certified the New River Valley Juvenile Detention Home to June 11, 2028. **Page 13**

Certified the Prince William County Juvenile Detention Center to April 12, 2028, with a letter of congratulations for 100% compliance. **Page 19**

Certified the 15th District Court Service Unit until September 20, 2026, with continued compliance monitoring by the Regional Program Manager and a full Certification Audit by the Certification Unit prior to that date. **Page 22**

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

4th District Court Service Unit (Norfolk)
150 St. Paul's Blvd, 2nd Floor
Norfolk, Virginia 23510
(757) 664-7601
Mark Wood, Director
mark.wood@djj.virginia.gov

AUDIT DATES:

May 13, 2025

CERTIFICATION ANALYST:

Sherron Key

CURRENT TERM OF CERTIFICATION:

December 1, 2022 – November 30, 2025

REGULATIONS AUDITED:

6VAC35-150 Regulations for Nonresidential Services Available to Juvenile and Domestic Relations District Courts

PREVIOUS AUDIT FINDINGS – August 20, 2022:

100% Compliance Rating

CURRENT AUDIT FINDINGS – May 13, 2025:

100% Compliance Rating

DIRECTOR'S CERTIFICATION ACTION July 8, 2025: Certified the 4th District Court Service Unit to December 1, 2028, with a letter of congratulations for 100% compliance.
Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Sherron Key, Team Leader
Wanda Parris-Flanagan, Certification
Kevin Heller, Certification

POPULATION SERVED:

The 4th District Court Service Unit serves the City of Norfolk.

SERVICES PROVIDED:

- Mandated Services:

Intake: Intake receives complaints or requests concerning child custody, delinquency, status offenses, child support, abuse and neglect, spousal abuse and other miscellaneous issues involving youth and families in the City of Norfolk. Decisions are made at Intake pursuant to the provisions of Section 16.1 of the Code of Virginia to determine which situations will be referred to the court for formal adjudication and disposition by the judge and which will be diverted to other Court Service Units or community services to address youth needs. Detention decisions include reference to the DAI score that is determined for each youth along with any mitigating or overriding circumstances. Intake's primary objective is to protect the public while minimizing the need for

judicial intervention. Intake Officers are available 24 hours a day, seven days a week, to respond to the needs of law enforcement and the community.

Investigations: The Investigations Unit conducts most of the background investigations on juveniles who have been adjudicated delinquent by the court. Court reports involving youth already assigned to probation supervision will be referred to the current probation officer. The Investigations Probation Officers conduct all detention, jail and group home visitation for youth adjudicated and ordered into pre-disposition placements that are not currently under court-ordered supervision. They also provide interim monitoring of behavior and informal supervision while the case is pending; complete a YASI assessment to determine risk and needs for the juvenile; gather additional assessment information on the juvenile and family; coordinate resources needed by the child and family; and make recommendations to the court regarding a disposition which can best assist and protect the child, family and community. This Unit makes every attempt to put services in place immediately following an assessment that identifies specific needs of the child and family. The Unit prepares various types of juvenile reports, which include Social History investigations, Certification or Pre-hearing investigations and Updated Social Histories. To enhance the investigatory process, drug screens and drug assessments (when needed) are also utilized. This unit completes the mapping (behavioral) analyses of the YASI for youth placed on probation.

Probation and Parole Supervision: Probation supervision is a community-based sanction available to the Norfolk Juvenile Court Judges for youth who have been adjudicated delinquent or in need of services. The goal of probation is to develop a plan of action that addresses the nature of the offense, youth needs, family needs and public safety issues. An individualized case plan is developed from a community and family perspective. The Case Plans are based on the YASI Mapping (Behavioral Analysis) and address (at a minimum) the highest criminogenic needs. Youth are supervised in accordance with their YASI risk level.

Parole Supervision begins at the time of commitment to the Department of Juvenile Justice. Once the commitment packet is completed and sent to the Central Admissions Placement (CAP) unit, the case is transferred to a parole unit. The assigned parole officer begins collaboration with CAP and follows the youth through the diagnostic and assignment phase and throughout the youth's treatment and confinement. Norfolk Parole Officers visit the youth at the facility every two months and are intricately involved in the treatment and transition planning for committed youth. A Comprehensive Reentry Case Plan, based on the YASI, is developed; and Mental Health Transition Plan, when warranted, is developed prior to direct care release. The Parole Officer stays connected to and engaged the parents while the youth is away. Activities include arranging services for the family as well as assisting parents with facility visits through the CSU Buddies on the Road project. The Parole Officers assist the youth and family with implementing the reentry plan and provide community-based supervision upon release. Supervision levels are driven by the youth's risk.

Probation and Parole Officers operate from a community-based approach, visiting youth in their homes, schools, jobs, office and in the community. Officers are required to be proactive in their service provision. They utilize a number of community services and must collaborate with the Community Assessment Teams, the VJCCCA Coordinator and / or the CSB / VICAP screener to arrange services. They utilize a level system along with graduated sanctions and incentives in an effort to deal appropriately with technical violations and prepare youth for progressive responsibility and freedom in the community.

Primary Community Referrals: The Norfolk CSU utilizes VJCCCA and EBA as primary referrals. These services support youth and families that come before the CSU by providing supervision, education, and/or skill development. The services are as follows:

- Substance assessments and treatment
 - BSFT -Brief Strategic Family Therapy
 - Shelter Care
 - Post Dispositional group home placements
 - GPS monitoring
 - Mentoring
 - GREAT program services
 - Outreach detention
 - MST- Multisystemic Therapy
 - Intensive In-home counseling
 - FFT-Functional Family Therapy
 - Outpatient therapy
 - Life Skills coaching
 - Reentry services
 - Psychological
-

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Fairfax Shelter Care II Program
10670 Page Avenue
Fairfax, Virginia 22030
(703) 246-2900
Edward Ryan, Director
edward.ryan@fairfaxcounty.gov

AUDIT DATE:

May 8, 2025

CERTIFICATION ANALYST:

Wanda Parris-Flanagan

CURRENT TERM OF CERTIFICATION:

May 10, 2022 -- May 9, 2025

REGULATIONS AUDITED:

6VAC35-41 Regulation Governing Juvenile Group Homes

PREVIOUS AUDIT FINDINGS May 9, 2022:

100% Compliance Rating

CURRENT AUDIT FINDINGS – May 8, 2025:

100% Compliance Rating

DIRECTOR'S CERTIFICATION ACTION July 8, 2025: Certified the Fairfax Shelter Care II Program to May 9, 2028, with a letter of congratulations for 100% compliance.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Wanda Parris-Flanagan, Team Leader
Ronnie Moore, Certification
Emily Anne Reiney, Northern Virginia Shelter Care Program
Jessica Cabrera, Argus House
Kheena Smith, Rappahannock JDC

POPULATION SERVED:

Fairfax Shelter Care II is a co-ed residential group home under the administration of the Fairfax County Juvenile and Domestic Relations District Court, serving juveniles between the ages of 12 and 17. It has a capacity of 12 residents. All youth are placed in the facility by order of the court.

PROGRAMS AND SERVICES PROVIDED:

The Fairfax Shelter Care II Program provides crisis intervention and stabilization in a safe environment to court involved juveniles awaiting their next court hearing, to return home or transfer to another placement. The pre-dispositional youth are usually in the program for no longer than 30 days. In addition to all mandated services, Fairfax Shelter Care II provides the following at the facility:

- Individual and group counseling

- Nutrition/wellness group
- Recreation/therapeutic recreation
- Cultural activities
- Life skills
- Drug/alcohol education group
- Parent group
- Psycho-educational groups

Fairfax Shelter Care II interacts with the community in providing such services as:

- Community service work
 - Meals prepared by the food service staff of the Juvenile Detention Center
 - On-site education through Fairfax County Public Schools
 - Religious services
 - Medical services
 - Psychiatric services
-

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Chesapeake Juvenile Services
420 Albemarle Drive
Chesapeake, Virginia 23320
(757) 382-8748
Jameka P. Jackson, Superintendent
jpjackson@cityofchesapeake.net

AUDIT DATES:

May 29, 2025

CERTIFICATION ANALYST:

Sherron Key

CURRENT TERM OF CERTIFICATION:

November 9, 2021 – November 8, 2024

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Detention Centers

PREVIOUS AUDIT FINDINGS November 23, 2021:

99.11% Compliance Rating

6VAC35-101-350 (C). Buildings and Inspections

6VAC35-101-510 (I). Emergency and evacuation procedures. CRITICAL

6VAC35-101-700 (D). Personal necessities.

6VAC35-101-700 (E). Personal necessities.

No repeated deficiencies from previous audit.

CURRENT AUDIT FINDINGS – May 29, 2025:

100% compliance rating

DIRECTOR'S CERTIFICATION ACTION July 8, 2025: Chesapeake Juvenile Services to November 8, 2027, with a letter of congratulations Certified for 100% compliance. **Establish the certified capacity at 48.**

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

This audit report documents a verbal waiver authorized by Director Floriano on June 2, 2025, to Chesapeake Juvenile Services noted in correspondence to Mr. Chris Price, Chesapeake City Manager. This is found in the attachment on page 22, and it is verified by Kenneth Bailey, Certification Manager, that the information is included in the DJJ Certification Folder for Chesapeake Juvenile Services to address any subsequent regulatory issues.

TEAM MEMBERS:

Sherron Key, Team Leader
Kenneth Bailey, Certification
Ronnie Moore, Certification
Gina Mingee, Merrimac Juvenile Detention Center
Wendy Feldman, James River Juvenile Detention Center
Brittany Silva, Newport News Juvenile Detention Center
Angela Rice FNP.C (Nurse), Norfolk Juvenile Detention Center

POPULATION SERVED

Chesapeake Juvenile Services (CJS) is a 48-bed regional facility located at 420 Albemarle Drive, Chesapeake, Virginia 23322 and is a division of Chesapeake Human Services. The population served consists of male and female residents ranging from the ages of 9-17. The facility currently serves the city of Chesapeake; as prior agreements with neighboring jurisdictions of Portsmouth, Suffolk, Franklin and the counties of Isle of Wight and Southampton have been terminated. CJS provides services to residents in the following program: Pre-Disposition. CJS previously provided services for a Post-Disposition, Detention Reentry, and Community Placement Program but has since discontinued all three programs.

PROGRAM DESCRIPTION

According to their mission statement "Chesapeake Juvenile Services provides quality, secure and safe detention services to juveniles who are Court ordered into our care. We aim to inspire and motivate the juveniles that we serve to reach their full potential as productive, caring, responsible citizens." Chesapeake Juvenile Services provides a comprehensive range of services, including:

- Education: Ensuring continued academic progress.
- Counseling: Addressing individual and group needs.
- Medical Services: Providing necessary healthcare.
- Mental Health Assessments: Identifying and addressing mental health concerns.
- Behavior Management: Developing positive behavioral strategies.
- Job Readiness & Life Skills: Preparing youth for successful reintegration into the community.
- Recreational Activities: Providing opportunities for physical and social development.

This multifaceted approach aims to not only provide a secure environment but also to address the underlying issues that may have contributed to juvenile delinquency and to prepare youth for a successful transition back into the community.

Since the last audit, there has been a decrease in staffing levels at CJS in conjunction with a reduction in the service area; terminating agreements with neighboring cities, focusing change to serving only Chesapeake residents or youth who committed crimes in the city, and capacity reduction from 100 bed spaces to 35 spaces. CJS current staffing complement consists of four juvenile services supervisors, one team leader, 26 juvenile services specialist positions, three cooks, one food service supervisor, one maintenance technician, one accountant, one training coordinator, one housekeeper, one account specialist, one licensed clinician, one assistant superintendent and one superintendent: for a total staff complement of 44.

SERVICES PROVIDED

Facility: Pre-Disposition residents receive secure residential services within a restricted living environment. CJS staff conducts daily psychoeducational groups with all the residents. The licensed clinician provides individual counselling and mental health assessments, crisis intervention and referrals as deemed necessary.

Education programming provided by Chesapeake Public Schools (CPS), State-Operated Programs, offers a comprehensive range of services, including both standard and special education classes on-site, as well as GED preparation and testing. Currently, CPS employs a dedicated team comprising one school administrator, six full-time teachers, a part-time art teacher, and one full-time special education assistant. Classes are held for residents from 8:30 AM to 2:45 PM, Monday through Friday, excluding school holidays and staff development days.

The food service teams provide three nutritionally balanced meals and a healthy snack daily.

CJS has a medical contract with Vital Core Health Strategies. Vital Core is committed to delivering comprehensive medical services to the residents of CJS. Their team includes one full-time Registered Nurse, three Licensed Practical Nurses, eight PRN staff members, and one medical provider. A doctor visits the facility weekly and is also accessible 24/7, ensuring continuous medical support. The Registered Nurse is available around the clock. CJS uses mobile x-ray services as needed. Lab work is processed through LabCorp, while Boyce Family Dentistry is utilized for emergency dental services and Chesapeake Regional Medical Center addresses emergency medical needs.

All residents admitted to CJS receive essential medical services. A physical assessment is conducted for each resident within five days of their admission, which includes screenings for vision, hearing, and communicable diseases. Minor medical concerns are evaluated and treated by the medical staff under the guidance of the contract medical provider. The contract physician conducts weekly rounds to see residents referred through a sick call slip completed by either the resident or staff members. Vital Core medical personnel are responsible for medication administration, scheduling medical and mental health appointments, and monitoring necessary medication refills.

Community: (Services offered by community agencies and resources)

- Chesapeake Sheriff's Department-weekly mentors
- Chesapeake Sheriff's Department Jail Ministry-weekly religious services
- Chesapeake Public Library-monthly groups
- Virginia League for Planned Parenthood-medically accurate, developmentally appropriate and inclusive sex education
- Chesapeake Integrated Behavioral Healthcare (CIBH)-psychoeducational groups and individual counseling as needed
- YWCA-PREA supportive services
- Eastern Virginia Medical School-Art therapy
- Healthy Chesapeake-culinary arts program

SIGNIFICANT CHANGES SINCE LAST AUDIT: (Include significant events, changes in mission, client population, programs or staff)

As noted throughout the report, there have been significant changes at Chesapeake Juvenile Services (CJS) since the last certification audit. Below is a quick reference providing those updates:

- **Program Terminations:** Both the Community Placement Program and Post-Dispositional Program have been discontinued.
- **Focus Change:** CJS has narrowed its focus to serving only residents who live in Chesapeake or committed crimes within the city.
- **Reduced Service Area:** Agreements with neighboring jurisdictions (Portsmouth, Suffolk, Isle of Wight, Franklin, and Southampton County) have been terminated.
- **Staff Reductions:** The changes in service scope have resulted in a decrease in staffing levels at CJS.
- **Capacity Reduction:** The facility's funding capacity has been significantly reduced from 100 beds to 35 beds.

- **New Capacity Request:** Increase the capacity to 48 beds. This recommended increase has been assessed and approved by the Certification Manager.



Amy M. Floriano
Director

Dale L. Holden, Jr.
Chief Deputy Director

COMMONWEALTH OF VIRGINIA
Department of Juvenile Justice

P.O. Box 1110
Richmond, VA 23218
(804) 371 0700
Fax: (804) 371 6497
www.djj.virginia.gov

June 2, 2025

Mr. Chris Price
City Manager
City of Chesapeake
Chesapeake Municipal Center
306 Cedar Road
Chesapeake, VA 23322

Re: Chesapeake Juvenile Services Certification

Dear Mr. Price:

I hope this correspondence finds you well. I am writing as confirmation of our previous discussion reference the 2025 Certification of Chesapeake Juvenile services.

On or about April 22, 2025, Defendant D.S. was sentenced in Chesapeake Circuit Court to seventy (70) years in the Department of Corrections, with twenty (20) years suspended on a first-degree murder charge. The defendant was previously housed in Chesapeake Juvenile Services due to his age. When sentenced by the Circuit Court, the youth was ordered into the custody of Sheriff Rosado, Chesapeake Sheriff's Office. Subsequent to the Court issuing its ruling, Sheriff Rosado refused to take custody of the youth. It is my understanding that the refusal to follow the order was a result of Chesapeake City Jail allowing their PREA certification to house juveniles to lapse. Without that certification, the accepted procedure would be for the Sheriff's Office to follow the court order, accept the youth, and place him with a locality that maintains that certification and pay the per diem. The Sheriff also did not follow this procedure.

As a result of the refusal from the Chesapeake Sheriff, Chesapeake Juvenile Services was placed in a situation where they had to accept the youth, legally an adult, otherwise the youth would continue to be held in a holding cell. The Department of Juvenile Justice, who did not have authority over the youth, was contacted regarding potential issues caused by housing the youth in the juvenile facility. The team at Chesapeake Juvenile Services provided a very thorough problem-solving response, ensuring that the defendant was separated from the remaining population at the juvenile center. The Department of Juvenile Justice provided a verbal waiver of any potential regulatory or certification concerns that would potentially fall within the Department to monitor. Please receive this as written confirmation of that verbal waiver of any concerns from the Department. By way of

Mr. Chris Price
June 2, 2025
Page Two

copy of this letter, I am notifying my team of same and directing appropriate filing of this documentation for the ongoing certification.

The matter was placed upon the Court docket on April 24, 2025, for the Court to be advised of the refusal by the Sheriff and determine housing. The Director of the Department of Corrections was notified and agreed to retrieve the youth as quickly as possible. The youth was subsequently transferred to Sussex State Prison. The Commonwealth's Attorney indicated to this Department that a follow up meeting between the Commonwealth and the Sheriff would take place to increase awareness of the accepted processes. By way of copy of this letter, I am requesting confirmation that this conversation has occurred.

While situations such as this should not occur in the future, I did want to take a moment to commend the team at Chesapeake Juvenile Services for the attention they provided the defendant, and the extra hours and strain they underwent in providing a solution to this problem. They truly went above and beyond to meet the challenge thrust upon them. Their quick thinking and flexibility ensured that the youth was properly and respectfully treated. The dedicated team at Chesapeake Juvenile Services truly upheld the values of the City of Chesapeake. You should be proud.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy M. Floriano". The signature is fluid and cursive, with a long horizontal stroke at the end.

Amy M. Floriano

cc: Pamela Little-Hill, Chesapeake Juvenile Services
Ken Bailey, Department of Juvenile Justice
Stephanie Pass, Chesapeake Commonwealth's Attorney

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

New River Valley Juvenile Detention Home
650 Wades Lane
Christiansburg, Va. 24073
(540) 381-0097
Joseph W. Young, Jr., Superintendent
joe.young@nrvidh.org

AUDIT DATES:

April 01, 2025

CERTIFICATION ANALYST:

Kevin T. Heller

CURRENT TERM OF CERTIFICATION:

June 11, 2022 – June 10, 2025

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS May 03, 2022:

100% Compliance Rating

CURRENT AUDIT FINDINGS – April 01, 2025:

99.67% Compliance Rating

6VAC35-101-90 (C). Suspected child abuse or neglect.

DIRECTOR'S CERTIFICATION ACTION July 8, 2025: Certified the New River Valley Juvenile Detention Home and Post-dispositional Detention Program to June 11, 2028.

Pursuant to 6VAC35-20-100C.3, if the certification audit finds the program or facility in less than 100% compliance with all critical regulatory requirements or less than 90% on all noncritical regulatory requirements or both, and a subsequent status report, completed prior to the certification action, finds 100% compliance on all critical regulatory requirements and 90% or greater compliance on all noncritical regulatory requirements, the program or facility shall be certified for a specified period of time, up to three years.

TEAM MEMBERS:

Kevin T. Heller, Team Leader
Miguel Diaz Hansen, Blue Ridge Juvenile Detention
Timothy J. Showalter, Shenandoah Valley Juvenile Center
Michelle Johnson, W.W. Moore Juvenile Detention Center
Bryan Henry, Roanoke Valley Juvenile Detention Center
Faith Sullins, Highlands Juvenile Detention Center
Pedro Godinez, Northwestern Regional Juvenile Detention Center

POPULATION SERVED:

New River Valley Juvenile Detention Home (NRVJDH), licensed as a 24-bed secure facility located in Christiansburg, VA, detains male and female residents, ages seven through seventeen. The facility is owned and operated by a Commission whose members are appointed by the governing bodies of Giles County, Montgomery County, Pulaski County and the City of Radford.

Admissions are also accepted from other non-member localities as needed and as bed space is available.

The New River Valley Juvenile Detention Home celebrated its 50th Anniversary in August 2024. Since its opening in 1974, there have been two substantial additions of classrooms and a gymnasium. There are two dormitory wings located on either side of a central day room. All rooms are single occupancy. Door flaps are used to ensure privacy for both genders. The building itself is well maintained and very clean.

The facility has two classrooms located off the dayroom. A third multipurpose room is used as a class lab for a driving simulator, welding simulator, GED testing, and library. Remedial instruction and library time occurs in the cafeteria section of the dayroom.

NRVJDH's mission and philosophy is to provide secure custody and care for juveniles in a safe healthy environment, while protecting the community. As an integral part of the rehabilitation process, supervision, guidance, and counseling are used to control and prevent delinquency by promoting personal responsibility, social accountability, and emotional growth.

Staff strive to provide short-term physical care, custody, and control of all juveniles placed in this facility by court order with the intent that all children will exit the facility better mentally and physically than when placed. Through proper supervision, guidance, counseling, based on a direct care model, staff deliver services designed to promote personal responsibility, social accountability, and emotional growth. To achieve this philosophy, the following objectives have been established:

- To provide secure custody in as unobtrusive a manner as possible to ensure the security and control of a juvenile until authorized release by the Court.
- To provide basic physical needs, such as food, shelter, clothing, and medical care.
- To provide a constructive and balanced program that includes psycho-educational groups, victim sensitivity, substance abuse awareness, recreation, mediation, religious programs, social skills, education, etc.
- To assist in the social and emotional adjustment of the detained juvenile.
- To provide observation and evaluation of the detained juvenile.
- Services will be delivered without regard to race, national origin, color, creed, sex or sexual orientation, physical, mental or emotional handicaps/disabilities.
- Males and females in coeducational programs will have equal access to programs and activities.
- Reasonable accommodation shall be made to integrate juvenile with disabilities with the general population, granting them access to program and service areas, provided that the safety and security within the facility can be maintained.
- Detainees shall not be subjected to corporal punishment, aversive stimuli, humiliation, unsanitary living conditions, mental abuse, nor denied access to staff, deprived of food, water, bathing facilities, or sleep.
- The Superintendent shall cooperate with the Interstate Compact Administrator as provided by Section 16.1-323 of the Code of Virginia.
- The Superintendent shall work with community agencies to develop and/or provide services as required or appropriate for the use of detention services.

PROGRAMS AND SERVICES PROVIDED:

Post-Dispositional Program

The G.O.A.L.S. Program (Goal setting; Occupational opportunities; Academics; Living independently; Self-awareness) provides the court service unit and judges an alternative to state placement for those juveniles that are deemed appropriate for intervention through a prescriptive and rehabilitative model. Juveniles typically leave the program in a better mental and physical condition than they exhibited upon entering and more able to live appropriately in their community.

Program Summary:

- The youth is deemed eligible for participation in the PD program according to VA Code 16.1-284.1.
- Placement is for 31 to 180 days depending on the court's ruling.
- A Service Plan is created with input from the court service unit, parents/guardians, the PD Coordinator and school Principal.
- Monthly progress reviews are held.
- Career assessments are completed.
- Other assessments determine personal resources and barriers to employment.
- Educational and career goals are clarified.
- Available resources are matched with youth's goals.
- Career and educational goals are narrowed and researched.
- Job readiness skills are emphasized.
- A plan of action is developed for school and community re-entry.
- Short-term and long-term goals are determined, and a written follow-up plan is created.
- Implementation of program objectives are determined by the capabilities of the facility.

In addition to other facility programs and services, youth in the GOALS program complete the Cell Dreamer curriculum. Cell Dreamer is designed for detained youth and those awaiting sentencing. The eight-week program empowers youth to overcome mistakes through reflection and learning new coping skills. Youth learn what led them to a detention center and how they can create the life they want when released.

School Program

The education program at NRVJDH is operated by Montgomery County Public schools. School staff consists of a Principal, Administrative Assistant, and six teaching positions. The Principal and Administrative Assistant are 30 hours per week employees. All teachers are full-time employees however the gym teacher is a shared position with a local middle school, and the art teacher is a shared position with the Roanoke Valley Juvenile Detention Center. The mission of the education program is to provide appropriate educational services to children and youth who are residing in this facility. The education program is tailored to the individual student's needs and focuses on establishing a positive academic experience. The program utilizes sound research-based instructional practices that foster individual learning and self-confidence.

The education program at the NRVJDH offers all course and grade levels in the four content areas of English, Math, Science and Social Studies. Art, Physical Education, Health and GED classes are also offered. Other courses and electives may be facilitated in collaboration with the NRVJDH staff, the student and the student's home school. Ongoing communication with the students' home school is an essential part of the success of the program. All credits, graduation recognition and diplomas are awarded by the students' school divisions of legal residence.

NRVJDH offers an enrichment program during the last two weeks of each school year. These programs offer students the opportunity to participate in thematic units and special activities. Enrichment activities are provided through the support and assistance of the NRVJDH staff and are not solely a part of the school's educational program.

Mental Health Services

Mental health services are provided by New River Valley Community Services (NRVCS). NRVCS dedicates a full-time clinician to NRVJDH. At the time of the certification audit, the position was vacant however it is anticipated to be filled in the coming weeks. Services provided are not billed. A variety of services are delivered and are differentiated by the youth's length of stay at the facility.

Short length of stay services include:

- Intake and Orientation to Services
- Weekly Psychological Education groups
- Emergency Detention Home Services

Long length of stay services include:

- Individual Sessions
- Anger Management/Conflict Resolution
- Substance Abuse Education Group or Individual Meetings
- Sessions with parents/guardians
- Transition Planning
- Psychiatric services
- Community Service Opportunities

The Intake and Orientation services include administering the MAYSI-2 (Massachusetts Youth Screening Instrument). The MAYSI-2 is a brief, 52-question self-report screening tool designed to identify potential mental health needs in youth aged 12-17, particularly within juvenile justice programs and facilities. It's used to assess various areas like alcohol/drug use, anger, depression, anxiety, somatic complaints, and suicide ideation. Also, an orientation meeting with Mental Health providers usually takes place within 72 hours of intake. Mental Health services suited for the youth's length of stay and needs are discussed. If the youth is a client of NRVCS, their community counselor is notified. Community based counselors can work with probation officers to arrange professional visits.

Emergency detention home services include individual meetings with Mental Health providers and possible referrals for additional services when released. Opening a youth to these services is based on their length of stay and level of need. Meetings with the psychiatrist may be available for these clients.

Psycho-Education groups occur during school hours once a week. Topics include self-care, family dynamics, substance abuse, conflict resolution, impulse control, skill building, and taking responsibility/self-awareness.

Youth receiving emergency services or who have completed a full intake will meet with one or both Mental Health Providers weekly or bi-weekly based on level of need. Individual meetings will address issues related to family dynamics, skill building, peer interactions, stress and anxiety, anger and impulse control, substance abuse, crisis prevention, and oppositional behaviors. Family counseling sessions are also provided as necessary and appropriate. Parents/guardians can call to set up appointments to meet with their child and Mental Health providers. These sessions are solution focused and attempt to resolve conflicts, build positive relationships, and

plan transitions back into the community. Spaces are limited and priority is given to clients with longer lengths of stay. Clients have the right to refuse meetings.

An NRVCS Child-Psychiatrist comes to the detention home once a month. Youth must be receiving emergency services or have completed a full intake with the mental health providers to be eligible. Spaces are very limited, and first priority is given to clients in the GOALS program and with the greatest mental health needs. Guardians/parents are notified of psychiatrist's recommendations and expected to assist with medication management.

Referrals for mental health and other services are made as the clients prepare to re-enter the community. Youth in the GOALS program who are sentenced to 6 months receive a 90-day transition plan meeting and a follow up meeting 30 days before release. Transition plan meetings can include probation officers, detention home teachers, detention home staff, parents/guardians, and the youth.

**CORRECTIVE ACTION PLAN
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

FACILITY/PROGRAM: New River Valley Juvenile Detention Home

SUBMITTED BY: Joseph W. Young, Jr., Superintendent

CERTIFICATION AUDIT DATES: April 01, 2025

CERTIFICATION ANALYST: Kevin T. Heller

Under Planned Corrective Action indicate; 1) The cause of the identified area of non-compliance. 2) The effect on the program. 3) Action that has been taken/will be taken to correct the standard cited. 4) Action that will be taken to ensure that the problem does not recur.

6VAC35-101-90 (C). Suspected child abuse or neglect

C. Any case of suspected child abuse or neglect shall be reported and documented as required in 6VAC35-101-80 (serious incident reports). The resident's record shall contain a written reference that a report was made.

Audit Finding:

One of one case reviewed did not contain documentation the applicable court service unit or the parent or legal guardian was notified of a suspected case of child abuse or neglect at the detention center as required in 6VAC35-101-80.

Program Response

Cause:
Oversight

Effect on Program:
None.

Planned Corrective Action:

All suspected child abuse or neglect reports will be reported via our internal form that includes all necessary contacts, and this information will be used to complete the BADGE SIR.

Completion Date:
April 1, 2025

Person Responsible:
Joseph W. Young, Jr., Superintendent

Current Status May 07, 2025: Not Determinable

There have been no suspected cases of child abuse or neglect at NRVJDH since the audit on 04.01.2025. As such, compliance with **6VAC35-101-90 (C). Suspected child abuse or neglect** presently is not determinable.

**CERTIFICATION AUDIT REPORT
TO THE
DEPARTMENT OF JUVENILE JUSTICE**

PROGRAM AUDITED:

Prince William County Juvenile Detention Center
14873 Dumfries Road
Manassas, Virginia 20112
(703) 792-8300
(703) 791-3958 FAX
John T. Dowdy, Superintendent
jdowdy@pwcgov.org

AUDIT DATES:

April 29, 2025

CERTIFICATION ANALYST:

Wanda Parris-Flanagan

CURRENT TERM OF CERTIFICATION:

April 12, 2022 — April 13, 2025

REGULATIONS AUDITED:

6VAC35-101 Regulation Governing Juvenile Secure Detention Centers

PREVIOUS AUDIT FINDINGS – March 22, 2022:

99.65% Compliance Rating
No repeat deficiencies from previous audit.
6VACC35-101-800 (B) Admission and orientation.

CURRENT AUDIT FINDINGS – April 29, 2025:

100% Compliance Rating

DIRECTOR'S CERTIFICATION ACTION July 8, 2025: Certified the Prince William County Juvenile Detention Center to April 12, 2028, with a letter of congratulations for 100% compliance.

Pursuant to 6VAC35-20-100C.1, if the certification audit finds the program or facility in 100% compliance with all regulatory requirements, the director or designee shall certify the facility for three years.

TEAM MEMBERS:

Wanda Parris-Flanagan, Team Leader
Ronnie Moore, Central Office
Reginald Garnett, Rappahannock JDC
Angie Marker, Loudoun Shelter care
Miguel Hansen Diaz, Blue Ridge JDC
Dr. Christopher Moon, Central Office

PROGRAM DESCRIPTION

Prince William Juvenile Detention Center ("PWCJDC") opened for operation in 1979. They are a 72-bed co-ed facility designed and licensed to secure detention for juveniles ages 10 thru 17. The facility is located in the hub of Prince William County, Virginia.

PWCJDC is a part of the Prince William County Office of Youth Services. The facility provides services to the 31st Court Service Unit/Judicial District which includes the localities of Prince William County, Manassas City and Manassas Park.

It is the mission of PWCJDC to protect the community, the staff and youth we serve; provide quality structured programs in a humane environment and promote healthy emotional, educational, social and physical development.

It is the vision of the PWCJDC to protect, restore and improve public safety through a continuum of services and programs that: effectively supervise juvenile offenders, promote offender accountability to victims and communities, and build skills and competencies of youth to become responsible citizens.

Staffing

- Administrative: one Superintendent, three Assistant Superintendents.
- Management: two Detention Supervisors and six Senior Detention Specialists, one Nurse Manager.
- Supervision/Security: 29 Detention Specialist, two Detention Specialist/Perm PT's, four Security Assistants/Control Room Operators.
- Support: one and a half Administrative Assistants, six Kitchen staff, one and a half Nurses, one and a half Custodial staff, one contractual Mental Health Therapist.

SERVICES PROVIDED:

Education

The Education Department at the PWCJDC is operated by the Virginia Department of Education, (State Operated Programs), but locally contracted through Prince William County Public Schools, and staffed by certified secondary Prince William County public school teachers. Our staff consists of; a principal, administrative assistant, core content area teachers, a Health and Physical Education teacher, special education teachers, an ESOL teacher, Literacy Coach, and a GED teacher. We offer both traditional and computer-based instruction, for those students who are already placed in the computer-based instruction program, as well as a 16/17-year-old GED program. Students detained at the juvenile detention center are afforded the opportunity to continue their education while detained, including special education and ESOL services, as well as access to SOL testing. In addition, we are a certified testing site for the GED test by Pearson VUE.

Mental Health

PWCJDC's licensed Clinical Supervisor provides on-site supervision to a full-time Region Ten CSB Mental Health Case Manager/Clinician. The Region Ten CSB Mental Health Case Manager/Clinician position is dedicated to and located at PWC JDC.

Medical

PWCJDC employs nurses, physician assistants and a physician to monitor and address the medical needs of residents. The medical clinic currently operates several days a week and has an on-call nurse to address all medical issues and unforeseen events.

Community Volunteers

PWCJDC has a great relationship with the local community. Volunteers provide weekly arts and crafts, girl scouts, yoga, life skills and religious activities for the youth.

Recreation

Each youth is given an opportunity for structured large muscle activity daily and receives additional physical activity during their daily physical education class. The recreation program also provides leisure activities during evening and weekend hours.

Community Placement Program (CPP)

In effort to place residents close to their home community to promote community re-entry and family engagement, the Prince William County Community Placement Program ("PWCCPP") provides a highly structured, disciplined residential program for juvenile offenders committed to the Department of Juvenile Justice. PWCCPP utilizes a blended behavioral modification approach with positive peer culture and community treatment model elements to help residents learn empathy, accountability, and personal responsibility through evidence-based cognitive behavioral techniques. Programming focuses on skill development, with the aim of improving positive, prosocial decision-making and building competencies in the areas of education, job readiness and social skills. Services are provided in the areas of anger management, substance abuse, life skills, post-graduate education, job and employability skills, community service and recreation.

STATUS CERTIFICATION AUDIT REPORT

April 30, 2025

PROGRAM AUDITED:

15th District Court Service Unit
Natasha Cheek, Director

AUDIT DATES:

Original Audit October 3, 2023

REGIONAL PROGRAM MANAGER:

Stephanie C. Garrison

In a status report on December 16, 2024, the Regional Manager identified several areas where compliance could not be determined. The certification status of the 15th District CSU was continued until June 16, 2025, with another status report on those areas to determine the current compliance status. Below are the current findings indicating that 6VAC35-15- 350A remains noncompliant.

DIRECTOR'S CERTIFICATION ACTION July 8, 2025: Certified the 15th District Court Service Unit until September 20, 2026, with continued compliance monitoring by the Regional Program Manager and a full Certification Audit by the Certification Unit prior to that date.

Audit Areas:

6VAC35-150-350 (A) Supervision plans for juveniles. (9324)

To provide for the public safety and address the needs of a juvenile and that juvenile's family, a juvenile shall be supervised according to a written individual supervision plan, developed in accordance with approved procedures and timeframes, that describes the range and nature of field and office contact with the juvenile, with the parents or guardians of the juvenile, and with other agencies or providers providing treatment or services.

Status on April 30, 2025: Non-compliant

Three of Six applicable case plans reviewed did not document in the case narrative that the case plan was signed by all parties.

6VAC35-150-410. Commitment Information

When a juvenile is committed to the Department, the juvenile may not be transported to the Reception and Diagnostic Center (RDC) until (i) the items and information required by the Code of Virginia and approved procedures have been received by RDC and (ii) the case is accepted by RDC (RDC refers to the CAP Unit).

Initial Family Meeting

Status on April 30, 2025: Compliant

Two of two applicable cases reviewed did have juvenile signatures.

6VAC35-150-420. Contacts during juvenile's commitment

Community Supervision Phase/Supervisor responsibilities

Status on April 30, 2025: Compliant

One applicable case reviewed did have documentation of the case staffing for level three and level four cases at least every thirty (30) days with the probation officer and supervision.
