

SUBCHAPTER 11B - INTERVENTION/PREVENTION PROGRAM FUNDING

SECTION .0100 - JUVENILE CRIME PREVENTION COUNCIL FUND

14B NCAC 11B .0101 SCOPE

The rules in this Subchapter establish the requirements for state funding to counties in order to assist in the development of residential and non-residential community based, intervention and prevention programs for delinquent youth, undisciplined youth and those youth at risk of becoming delinquent.

*History Note: Authority G.S. 143B-544; 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0101 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0102 DEFINITIONS

In this Subchapter the following terms have the listed meanings:

- (1) Juvenile Crime Prevention Council Fund (JCPC Fund). The funding account allocated by the General Assembly to the Department for the use of county government on a matching basis to establish and to maintain intervention and prevention services planned for by the Juvenile Crime Prevention Council.
- (2) Cash Match. The local funding provided by county government and other local resources and used to provide the share of a program budget proportionate to the Department funds as required by the Department.
- (3) In-Kind Match. A non-cash, local contribution to the operating costs of a Juvenile Crime Prevention Council funded program.
- (4) Youth Services Programs. Youth Services Programs are local intervention and prevention programs that provide services to the delinquent youth, undisciplined youth and those youth at risk of becoming delinquent.
- (5) Multi-County Programs. Multi-county programs are programs that are administered by a single agency with a single revenue and expenditure budget and that contract for services using Juvenile Crime Prevention Council program agreement with two or more counties. Those individual program agreements meet all requirements for county participation in the Juvenile Crime Prevention Council fund.
- (6) Discretionary Juvenile Crime Prevention Council Funds. Discretionary Juvenile Crime Prevention Council Funds are those funds allocated to counties by the Department that remain uncommitted for a period of six months or are released by the county. Those funds are released for redistribution in accordance with this Subchapter.

*History Note: Authority G.S. 143B-516(e); 143B-543; 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0102 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0103 COUNTY ELIGIBILITY

- (a) The Department shall provide to counties annual written notification of the amount of the Juvenile Crime Prevention Council funds available and the local match required to utilize these state appropriated dollars.
- (b) The Chairperson of the Board of County Commissioners, in order to indicate the desire of the county to participate in the Juvenile Crime Prevention Council fund, shall submit an annual funding plan to provide intervention and prevention funding.
- (c) Counties may withdraw from the program at any time by giving 30 days prior written notice of the withdrawal. Funds designated for a county choosing to withdraw shall be placed in the Discretionary Juvenile Crime Prevention Council Fund. Notice of withdrawal must be signed by the Chairperson of the Board of County Commissioners.

- (d) Counties shall not spend Juvenile Crime Prevention Council funds to duplicate services otherwise required by law.
- (e) Counties shall not use the Juvenile Crime Prevention Council fund to supplant existing funds for services or programs.

*History Note: Authority G.S. 143B-516; 143B-543; 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0103 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0104 FUNDING

- (a) Every participating county shall receive continuation funds in the amount of the previous fiscal year as provided by the legislature. The Department may apportion expansion funds with either:
 - (1) an equal amount per county;
 - (2) a proportionate amount per county based on the county population that is 10-17 years of age; or
 - (3) a combination of the two.
- (b) If the legislative appropriation for any fiscal year is less than that of the previous year, the Department shall calculate reductions in the county allocations using the same amount per county or the same proportionate amount as the overall state fund reduction or both.

*History Note: Authority G.S. 143B-516(b)(9); 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0104 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0105 LOCAL MATCH

- (a) Local match required for the expenditure of Juvenile Crime Prevention Council funds allocated for each county during any fiscal year may include either cash or in-kind contributions, except that capital expenditures shall require a cash match.
- (b) Cash used as a required match may include any local general revenue funds collected by the local government and included in the current fiscal year budget.
 - (1) For purposes of this Rule, cash match may not include any state or federal monies; however, Juvenile Crime Prevention Council program funds may be used as a match for federal grants. Juvenile Crime Prevention Council administrative funds may be used as match for federal funds only if approved by the Department in the certification budget.
 - (2) Cash used as a required match may also include any private foundation grant or individual contribution so long as such grant or contribution is made a part of the operating budget of the local program and is reported to the County Finance Officer on the Program Agreement and Accounting forms.
- (c) In-kind contributions may include non-cash goods or services within a county's current assets or operation that is used to support the operation of any new or continuing program for which Juvenile Crime Prevention Council funds are requested.
- (d) In documenting the value of an in-kind contribution, the county will:
 - (1) Use the value of goods or services that directly benefits and is specifically identifiable to the program's activities; and
 - (2) Provide justification to the Department of the value claimed.

*History Note: Authority G.S. 143B-516(b)(11);
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0105 Eff. June 1, 2013;*

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.

14B NCAC 11B .0106 BUDGET AND BUDGET AMENDMENTS

- (a) A Program Agreement Form including a line item budget shall be required for each program receiving Juvenile Crime Prevention Council funds.
- (b) Juvenile Crime Prevention Council funds shall be administered by county governments in accordance with the provisions of G.S. 159-15.
- (c) Audits shall be submitted to the county and to the Department as required by law.
- (d) The county shall receive from the program and shall submit a line item budget amendment with the Department in accordance with G.S. 159-15 when there is an adjustment in the revenues or in the cost center expenditures. Notice to the Department of any budget amendment shall be made by submission of a program agreement revision prior to June 30 of the fiscal year of operation.
- (e) Prior to the expenditure of funds, a county shall receive from a program and shall submit a program agreement revision for approval when a budget change within a program will result in a change in the overall impact of service delivery capability. Such changes include:
 - (1) Eliminating a staff member or function in the program;
 - (2) Assigning a staff member to a service delivery function not included in the approved Program Agreement;
 - (3) Shifting Juvenile Crime Prevention Council funds from one currently funded program to another within the same county; and
 - (4) Any request for Discretionary Funds.
- (f) Counties shall use funds only for the purposes approved by the Department in a program agreement or revision.

*History Note: Authority G.S. 143B-516;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0106 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0107 DISCRETIONARY FUNDS

- (a) Discretionary funds shall be treated as additional state funds over and above the annual allotment to a county and shall not be available for more than one year. Discretionary Funds may not be expended on routine operations of a local program that causes increased recurring cost to the state.
- (b) In order to receive discretionary funds, the program must:
 - (1) Be a program funded by the department, which is in danger of closing or reducing its level of service and shall submit a statement of projected future funding sources documenting how the program plans to continue in operation during the next year; or
 - (2) Be a currently operating departmentally funded program in need of equipment, materials, renovations, or staff development, which will expand or enhance the service capability of the program on a continuing basis. A program shall show a measurable expansion of services, which may include:
 - (A) More youth physically served in the renovated facility;
 - (B) Additional staff training that will add a new treatment dimension to the ongoing program;
 - or
 - (C) Equipment or materials directly relating to improved treatment.
- (c) Discretionary Funds may be used for emergency placement of youth for whom all local resources have been exhausted but where Department placement is inappropriate.
- (d) Juvenile Crime Prevention Council funds that remain uncommitted for six consecutive months, that are released by the withdrawal of a county from the Juvenile Crime Prevention Council fund and that are released with the third quarter accounting shall be transferred to the discretionary fund and made available to participating counties.

*History Note: Authority G.S. 143B-516; 143B-512;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;*

*Transferred from 28 NCAC 02A .0107 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0108 DISBURSEMENT, REVERSIONS AND FINAL ACCOUNTING

- (a) Funds approved for Juvenile Crime Prevention Council programs shall be disbursed monthly, except for seasonal programs. Seasonal program funds shall be disbursed as determined by the Department.
- (b) The county shall submit the third quarter accounting forms for the Juvenile Crime Prevention Council and all funded programs to the Department at the end of the ninth month of the fiscal year unless otherwise required by the Department. This statement shall be prepared jointly by the program director, program fiscal officer and the county finance officer.
- (c) A Final Accounting Form must be submitted not later than August 1 of each fiscal year to the Department unless otherwise directed by the Department.
- (1) If a reversion is indicated from the Final Accounting Form, the Department shall notify the county finance officer of the reversion and the county shall refund all reverted funds to the Department within 45 days of notification.
 - (2) Reversion identified in the multi-county programs shall be billed to the program with notification to the participating counties. This direct billing is for the purpose of facilitating reversion and does not eliminate the responsibility of each participating county for the proper use and accounting of the funds received by the county for the program and for any requested reversion of those funds.

*History Note: Authority G.S. 143B-516(a); 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0108 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0109 THIRD PARTY PAYMENTS

- (a) Client fees may not be required by programs which receive Juvenile Crime Prevention Council funds.
- (b) When third party payments are billed on behalf of youth served in Juvenile Crime Prevention Council programs, the revenue generated shall be used only for authorized expenses, and documented through a program agreement revision approved by the Department during the fiscal year in which the payment is received by the program. Authorized expenses include:
- (1) Expansion of services;
 - (2) Purchase or replacement of supplies or equipment, or to make other one-time expenditures that will directly enhance the effectiveness of the program; or
 - (3) Reduction of the amount of Juvenile Crime Prevention Council funds necessary to meet the program's obligations during the fiscal year. Notification to the Juvenile Crime Prevention Council is required so that Juvenile Crime Prevention Council funds may be reallocated to meet other needs within the county or released to the Department.
- (c) Third party payments shall not be used as local match funds. Third party payments shall be treated as other revenue and the amount and the source of funds must be included in the final accounting report.

*History Note: Authority G.S. 143B-516; 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0109 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0110 CAPITAL EXPENDITURES

- (a) Capital expenditures include equipment valued in accordance with Office of State Budget policy and with a useful life of more than one year. Equipment expenses incurred by programs where Juvenile Crime Prevention Council funds constitute the major funding source shall be subject to the following:

- (1) Inventory control shall be maintained by placing all equipment purchased by funded programs on the local equipment inventory.
- (2) Equipment purchased by such programs shall, for the life of that equipment, be used solely for the purpose stipulated in the Program Agreement.
- (3) The disposal of such equipment shall be in accordance with the county's surplus equipment policy and any revenue realized by the county shall be returned to the program for which the equipment was purchased.
- (4) Should the program cease operation during the useful life of the equipment, the county may, with the approval of the Department, transfer the equipment to another youth services program within the county.
- (5) If the property cannot be transferred to another youth services program, the county in agreement with the Department may reimburse the program at the fair market value of the property and transfer the property.
- (6) The county, in agreement with the Department, may sell property and transfer revenue to any youth services program.

(b) All Juvenile Crime Prevention Council funded programs shall abide by the administering agency's policy for capital expenditures. If no administering agency policy exists, then the county government shall establish a policy. The program shall abide by the county government policy.

*History Note: Authority G.S. 143B-516; 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0110 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

SECTION .0200 - DIVISION OF RESPONSIBILITIES

14B NCAC 11B .0201 RESPONSIBILITIES OF COUNTY GOVERNMENT

Each county desiring to receive funding from the Juvenile Crime Prevention Council fund shall:

- (1) Notify the Department of the establishment of the Juvenile Crime Prevention Council;
- (2) Ensure that Juvenile Crime Prevention Council funds are used exclusively for programs that provide direct services to juveniles who have either been adjudicated delinquent or undisciplined, petitioned for delinquent acts or undisciplined behavior, diverted from intake, or at-risk of becoming delinquent;
- (3) Determine whether or not it is in its best interests to collaborate with other counties for the development of programs to address their juvenile needs;
- (4) Utilize generally accepted accounting procedures that guarantee the integrity of the expenditure of Juvenile Crime Prevention Council funds in local programs;
- (5) Report to the North Carolina Department of Juvenile Justice and Delinquency Prevention at or about the end of the third quarter of each year the anticipated balance of unexpended funds and to report program expenditures at the end of the fiscal year;
- (6) Provide the North Carolina Department of Juvenile Justice and Delinquency Prevention with an annual risk and needs based plan for the provision of services to address the local juvenile justice need; and
- (7) Ensure that programs receiving state funds are public agencies or private non-profit organizations and that they are appropriately licensed.

*History Note: Authority G.S. 143B-516; 143B-517; 143B-544; 143B-549; 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0201 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0202 JUVENILE CRIME PREVENTION COUNCIL RESPONSIBILITIES

In implementing the planning requirements of G.S. 143B-543, the Juvenile Crime Prevention Council's shall:

- (1) Monitor currently funded Juvenile Crime Prevention Council programs and evaluate the availability of intermediate and community level sanctions;
- (2) Maintain a current and ongoing assessment of the needs of children involved or potentially involved in the juvenile justice system;
- (3) Submit to the county commissioners an annual plan for the provision of intervention/prevention services which shall include:
 - (a) A list of services which prioritizes funding for intermediate and community level sanction programs and may include prevention programs;
 - (b) A statement from the Juvenile Crime Prevention Council, verifying the existence of adequate intermediate and community level sanctions if prevention programs are included in the funding recommendations;
 - (c) Verification of the request for proposal process ensuring public notification of available funding; and
 - (d) Program proposals that are recommended for funding;
- (4) Explore alternative funding sources, including other state and federal funds and private corporations and foundations; and
- (5) Promote public awareness of delinquency, risk factors, and prevention strategies.

*History Note: Authority G.S. 143B-549; 143B-550;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0202 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0203 JUVENILE CRIME PREVENTION COUNCIL CERTIFICATION

- (a) In order to receive funds from the Department, each Juvenile Crime Prevention Council shall satisfy the following:
 - (1) Have membership appointed by the Board of County Commissioners;
 - (2) Have written bylaws that ensure open meetings, recorded minutes, notice of meetings and distribution of minutes prior to or during subsequent meetings;
 - (3) Have established external communication requirements as follows:
 - (A) The Juvenile Crime Prevention Council shall communicate through the media and by written Request for Proposals the availability of funding to all public and private non-profit agencies and interested community members, that serve at risk children, and their families;
 - (B) The Juvenile Crime Prevention Council shall make annual needs assessment information available to all non-profit agencies and interested community members that serve at risk children and their families; and
 - (C) The Juvenile Crime Prevention Council shall inform its members and other interested members of the community about full Council meetings.
- (b) To apply for certification, each Juvenile Crime Prevention Council shall complete an Application for Certification, which is available through the Department.
- (c) The completed Application for Certification shall be signed by the Juvenile Crime Prevention Councils Chairperson, the Chairperson of the Board of County Commissioners or county manager and forwarded to the Department not later than June 30 of each year.

*History Note: Authority G.S. 143B-516; 143B-544;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0203 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*

14B NCAC 11B .0204 JUVENILE CRIME PREVENTION COUNCIL ADMINISTRATIVE GRANTS

- (a) The Department shall allow administrative grants as approved for each county Juvenile Crime Prevention Council certified under these Rules to fund administrative expenses.
- (b) This administrative grant shall be deducted from the regular Juvenile Crime Prevention Council fund allocation set forth in Rule .0103 of this Subchapter.
- (c) Administrative grants shall be used only for reasonable expenses incurred by or in support of the Juvenile Crime Prevention Council including but not necessarily limited to operating expenses, per diem expenses, and training.
- (d) No local match shall be required for administrative grants. The Department shall request refunds of unexpended funds or unapproved expenditures.

*History Note: Authority G.S. 143B-516; 143B-544; 143B-545; 143B-546; 143B-547; 143B-548;
Temporary Adoption Eff. July 15, 2002;
Eff. April 1, 2003;
Transferred from 28 NCAC 02A .0204 Eff. June 1, 2013;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,
2018.*