

**CHAPTER 35****ALTERNATIVES TO JUVENILE INCARCERATION  
GRANT PROGRAM****Authority**

N.J.S.A. 30:1B-6 and 30:1B-10; N.J.S.A. 30:1B-26  
through 32 and 30:1B-3a(2) and (3).

**Source and Effective Date**

R.1991 d.192, effective April 15, 1991.  
See: 23 N.J.R. 156(b), 23 N.J.R. 1129(a).

**Executive Order No. 66(1978) Expiration Date**

Chapter 35, Alternatives to Juvenile Incarceration Grant Program,  
expires on April 15, 1996.

**Historical Note**

The original text of this chapter (Standards of the Division of Correction and Parole) was adopted pursuant to authority of N.J.S.A. 30:1-1 et seq., and was filed on December 12, 1973 as R.1973 d.349. See: 6 N.J.R. 15(c). Revisions to the original rules were filed and became effective on September 30, 1974 as R.1974 d.273. See: 6 N.J.R. 432(b). Revisions were also filed and became effective on December 27, 1974 as R.1974 d.356. See: 7 N.J.R. 59(b). Further revisions were filed and became effective on April 24, 1975 as R.1975 d.108. See: 7 N.J.R. 272(a). Codified as N.J.A.C. 10:35, the chapter was later to be cited as N.J.A.C. 10A:35. On September 1, 1980 the entire text was repealed by R.1980 d.367. See: 12 N.J.R. 600(e). Parole rules are now codified at N.J.A.C. 10A:70 and 10A:71.

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**SUBCHAPTER 1. INTRODUCTION****10A:35-1.1 Purpose**

(a) Pursuant to N.J.S.A. 30:1B-26 et seq., the purpose of this chapter is to:

1. Establish guidelines for the development of community based programs for the placement of juveniles who have been adjudicated as delinquent or who are awaiting delinquency adjudication;
2. Specify the types of agencies and organizations that are eligible to submit proposals to the Department of Corrections for funding to provide placement for juveniles who have been adjudicated as delinquent or who are awaiting delinquency adjudication;
3. Specify the types of information which must be included in proposals that are submitted to the Department of Corrections;
4. Establish the process for the submission, evaluation and awarding of funding for the placement of juveniles who have been adjudicated as delinquent or who are awaiting delinquency adjudication;
5. Specify that funds shall not be awarded for the operation or expansion of secured facilities for juveniles;
6. Establish the requirement of ongoing evaluation and monitoring of the agencies that are awarded contracts for the provision of placement of juveniles who have been adjudicated as delinquent or who are awaiting delinquency adjudication; and
7. Establish the requirement that agencies that have been awarded contracts must prepare and submit quarterly reports to the Division of Juvenile Services Project Coordinator and Contract Administrator as well as the Human Services Evaluation and Monitoring Unit of the specific county program.

**10A:35-1.2 Scope**

This chapter is applicable to the New Jersey Department of Corrections and the community agencies which provide placement for juveniles awaiting delinquency adjudication or who have been adjudicated delinquent.

**10A:35-1.3 Definitions**

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

"Delinquency" means the commission of an act by a juvenile which, if committed by an adult, would constitute:

1. A crime;
2. A disorderly persons offense, or petty disorderly persons offense; or
3. A violation of any other penal statute, ordinance or regulation.

"Department" means the New Jersey Department of Corrections.

"Human Service Evaluation and Monitoring Unit" means a unit established in each county by the Human Service Advisory Council to monitor, evaluate and prepare ongoing reports, for submission to the Council, on the delivery of services by county human service agencies.

"Juvenile" means an individual who is under the age of 18 years pursuant to N.J.S.A. 2A:4-43(a).

#### 10A:35-1.4 Forms

(a) The following forms related to the Alternatives to Juveniles Incarceration Grant Program may be obtained by each agency by contacting the Assistant Commissioner, Division of Juvenile Services, New Jersey Department of Corrections:

1. A-1 FUNDING PROPOSAL COVER SHEET;
2. A-2 BUDGET INFORMATION FORM;
3. A-3 STATE AGENCY CONTRACT INFORMATION FORM;
4. AA302 AFFIRMATIVE ACTION EMPLOYEE INFORMATION SHEET; and
5. AR 50/54 STATE OF NEW JERSEY INVOICE.

## SUBCHAPTER 2. AGENCY AND ORGANIZATION ELIGIBILITY

### 10A:35-2.1 Types of agencies and organizations

(a) Agencies and organizations that are eligible to submit proposals to provide placement for juveniles who have been adjudicated as delinquent or who are awaiting delinquency adjudication, include the following:

1. Public entities, except administrative units and ongoing programs of the New Jersey Department of Corrections;
2. Non-profit community organizations;
3. Non-profit social service organizations;
4. Non-profit religious organizations; and

### 5. Civic organizations.

(b) The types of agencies and organizations listed in (a) above must be located and/or operated within the State of New Jersey.

(c) An agency or organization may be county-wide or regional in scope.

(d) A joint proposal from two or more agencies or organizations is encouraged where the joint contribution makes for a stronger, more coordinated and comprehensive project than a single agency or organization project.

(e) Proposals must offer new services or expand existing funded resources.

(f) Proposals to replace funds for an existing program shall not be approved.

## SUBCHAPTER 3. PROPOSAL DEVELOPMENT

### 10A:35-3.1 Content of proposals

(a) The following information must be submitted within proposals in order to be considered eligible for funding of an Alternatives to Juvenile Incarceration Grant Program:

1. A completed Form A-1 Funding Proposal Cover Sheet;
2. A project abstract of 300 words or less that states the objectives and summarizes the operation of the proposed project;
3. A project narrative not to exceed 20 double spaced typewritten pages;
4. A completed Form A-2 Budget Information Form;
5. A completed Form A-3 State Agency Contract Information Form, if applicable;
6. A copy of the most recent Table of Organization;
7. Resumes of principal staff involved in the project;
8. A copy of the most recent organization wide audit report, or other sources which indicate the fiscal viability of the organization;
9. A completed Form AA302 Affirmative Action Employee Information Sheet; and
10. Letters of support (no more than 10) from the community.

### 10A:35-3.2 Program goals

(a) The project proposals should specifically address the objectives stated below:

1. The reduction of the rate of incarceration from the county in which the Alternatives to Juvenile Incarceration Grant Program is located;
2. The reduction of the overcrowding of county detention centers by reducing the utilization of secure detention through alternatives;
3. The provision of community based alternatives to secure detention and incarceration for juveniles especially between the ages of 12 and 15; and
4. The provision of community based alternatives to detention and incarceration which represent a collaboration of services with the following:
  - i. The New Jersey Department of Corrections;
  - ii. The Division of Juvenile Services, New Jersey Department of Corrections;
  - iii. The Family Court Judges;
  - iv. The County Probation Office;
  - v. The New Jersey Division of Youth and Family Services (D.Y.F.S.); and
  - vi. Other social service and community agencies.

#### 10A:35-3.3 Project narrative

- (a) The project narrative shall provide information which shall include a brief description of the provider agency's history, purpose, goals, and objectives.
- (b) The project narrative shall provide a need justification which shall state the basis for the provider agency's conclusion that each of the proposed services is needed in the community, and the factors that make the agency the most capable to provide these services. The need justification shall include, but is not limited to:
1. The nature of the problem;
  2. The existing services;
  3. Relevant statistical data;
  4. Relevant discussions or studies within the community;
  5. The provider agency's capability to successfully provide the appropriate services;
  6. The target population and characteristics; and
  7. The geographic areas to be served.
- (c) The project narrative shall specify the service goals and objectives of the provider agency including the impact on the target populations to be served and how the services will affect the nature of the problem.
- (d) The project narrative shall provide information regarding the accessibility of services which shall:

1. Explain referral mechanisms and processes (formal and informal) and community outreach procedures;
2. Describe the priorities for accepting clients into the program and the procedure(s) to be followed to ensure that all clients meet the eligibility requirements for admission;
3. Explain intake procedures;
4. Describe the hours and days that each service will be available to clients and identify how emergencies are handled; for example, closing crisis, after hours contacts, etc.;
5. List and describe the location(s) where each service will be provided to clients, including in-home provision, if that is an option;
6. Describe transportation options for clients in obtaining each service; and
7. Describe client and program initiated termination procedures and follow-up services, as appropriate, and list the various reasons for termination.

(e) The narrative shall provide information regarding the coordination of services by:

1. Indicating other relevant services and ancillary agencies that will be frequently utilized in combination with the service being proposed for funding;
2. Indicating and describing existing relationships with these services and agencies;
3. Listing agencies which will be referral sources for services to be provided; and
4. Indicating how formal coordination and referral agreements with other community agencies will be accomplished.

(f) When volunteers are used by the provider agency, the project narrative shall:

1. Describe how volunteers are recruited and screened to determine suitability for use in the agency;
2. Describe how volunteers will be used in the agency;
3. Describe how community members and clients will participate in the functioning of the agency including:
  - i. The delivery of services;
  - ii. The planning for service provisions; and
  - iii. The evaluation of services.

(g) The project narrative shall indicate the timetable for the initiation of program activities and implementation of services.

(h) The project narrative shall identify current programs managed by the provider agency, the funding sources uti-

lized and whether the agency is currently receiving, or has in the past received, state contracts. In addition to the narrative, Form A-3 shall be utilized for this information if the provider agency is currently receiving or has in the past received State contracts.

(i) The project narrative shall list the name and address of those entities providing support and/or money to help fund the program for which the proposal is being made.

(j) The project narrative shall include a program summary which describes how the services will be implemented and the time frames involved. The program summary shall:

1. Clearly identify the client population to be served;
2. Clearly identify the geographic area to be served;
3. Define each service to be provided and include the purpose and goal of each;
4. Indicate the number of staff positions created for each service provided;
5. Describe the service activities or methods that staff will employ to achieve the service objectives;
6. Describe the established personnel policy which requires staff to disclose other employment or interests which have the potential for creating a conflict of interest;
7. Indicate the number, qualification and skills of the staff that will perform the above service activities and include a table of organization for administration and personnel;
8. Describe the management and supervision methods that will be utilized in the operation of programs and the monitoring of the service activities; and
9. Indicate the methods to be used to measure and evaluate the quality of services.

#### SUBCHAPTER 4. PROPOSAL SUBMISSION, EVALUATION AND AWARD

##### 10A:35-4.1 Proposal submission

(a) The Commissioner, New Jersey Department of Corrections, shall select an advisory group, chaired by the Assistant Commissioner, Division of Juvenile Services, to evaluate proposals.

(b) Eight single sided copies of each proposal shall be submitted to:

Assistant Commissioner, Division of Juvenile Services  
New Jersey Department of Corrections  
Whittlesey Road  
CN 863  
Trenton, NJ 08625

Attention: Alternatives to Juvenile Incarceration Grant Program.

(c) An additional copy of each proposal should be submitted to the appropriate County Youth Services Commission.

##### 10A:35-4.2 Proposal evaluation

(a) The advisory group shall evaluate proposals in accordance with the criteria set forth in N.J.A.C. 10A:35-4.3 and make a recommendation to the Commissioner, New Jersey Department of Corrections.

(b) Final decisions to fund proposals shall be made by the Commissioner, New Jersey Department of Corrections.

##### 10A:35-4.3 Criteria for proposal evaluation

(a) The proposal will be evaluated and judged by its responsiveness to the following criteria:

1. The potential of the grant recipient to implement a successful Alternatives to Juvenile Incarceration Grant Program for the placement of pre-adjudicated delinquents into non-secure settings which will ensure the pre-adjudicated delinquents' presence at the next court proceeding;
2. The potential of the grant recipient to implement a successful Program for adjudicated delinquents which will prevent further involvement into the juvenile justice system;
3. The financial and managerial capability of the grant recipient to accomplish the development of a successful Program;
4. Demonstrations of the agency's ability and willingness to comprehensively address the multi-problem needs of the juveniles in the population within the time frame of the proposal;
5. The potential for the project staff to work collaboratively with:
  - i. The New Jersey Department of Corrections;
  - ii. The Division of Juvenile Services, New Jersey Department of Corrections;
  - iii. The Family Court;
  - iv. Judges;
  - v. The Probation Department;
  - vi. The New Jersey Division of Youth and Family Services (D.Y.F.S.);
  - vii. Other social service and community agencies; and
  - viii. Community residents;

6. The cost efficiency of the project budget plan based on the number of juveniles to be served and kinds of services rendered; and

7. The intended immediate outcome and long range outcome for the population to be served.

#### 10A:35-4.4 Notification of award

(a) The Division of Juvenile Services, New Jersey Department of Corrections, shall notify the applicants, in writing, of the Commissioner's decision to award or reject a proposal within one month from the applicant's deadline, whenever feasible.

(b) The New Jersey Department of Corrections reserves the right to reject any and all proposals or to negotiate separately in any matter necessary to serve the best interests of the Division of Juvenile Services and the objectives of the Alternative to Juvenile Incarceration Grant Program.

### SUBCHAPTER 5. CONTRACT INFORMATION

#### 10A:35-5.1 Funding policies

(a) Agencies seeking the award of a contract from the Alternative to Juvenile Incarceration Grant Program should contact the New Jersey Department of Corrections to ascertain the availability of funds.

(b) No funds shall be disbursed pursuant to a proposal which has been approved, until the parties have entered into a formal contract.

(c) No funds shall be awarded for the operation or expansion of secured facilities for juveniles.

(d) All contracts shall provide for a term of up to one year, subject to renegotiations and renewal depending on availability of funds.

(e) If, at anytime, it is found that the provider agency awarded the contract is incapable of providing the necessary services or has misrepresented its ability to provide services, the award may be rescinded.

(f) A contract shall be awarded within 30 to 45 days prior to the effective date of the contract.

(g) Counties awarded contracts from the Alternatives to Juvenile Incarceration Grant Program shall conduct their intra-county request for proposal (R.F.P.) process and report back within 60 days to the New Jersey Department of Corrections the names of those agencies awarded subcontracts.

(h) Payment will be made as follows:

1. Agencies awarded contracts will receive start-up costs equal to one-quarter of the total agreement approved budget; and

2. After the initial award, the provider agency shall be required to submit quarterly vouchers on Invoice AR 50/54 as well as quarterly budget expenditure reports to receive continued payment.

(i) Agencies awarded contracts shall obtain an audit by an independent Certified Public Accountant (C.P.A.) within 30 days after the contract period expires. The audit shall be forwarded directly to the New Jersey Department of Corrections.

### SUBCHAPTER 6. EVALUATION AND MONITORING

#### 10A:35-6.1 State and county evaluation and monitoring

(a) Program agencies awarded contracts shall be monitored and evaluated on site by both the Human Services Evaluation and Monitoring Unit and the New Jersey Department of Corrections Evaluation and Monitoring Team.

(b) All evaluation and monitoring shall be performed under policies and guidelines established by the New Jersey Department of Corrections.

#### 10A:35-6.2 Quarterly reports

(a) The contracting agency shall provide quarterly reports to the Human Services Evaluation and Monitoring Unit and the New Jersey Department of Corrections Project Coordinator and Contract Administrator on the effectiveness of the Alternative to Juvenile Incarceration Grant Program. These reports shall include the following statistical information:

1. The number of youths detained in the juvenile detention center;
2. The number of county juveniles incarcerated or pending transfer to State juvenile correctional institutions;
3. The number of juveniles receiving services from the Grant Program and the level of service;
4. The number of juveniles successfully completing the Grant Program;
5. The transitional or aftercare services the juveniles received upon completion of the Grant Program;
6. The number of juveniles terminated from the Grant Program and reasons for termination;
7. The court disposition of the juveniles negatively terminated from the Grant Program; and
8. The budget expenditure for the period.