

CHILDREN'S JUSTICE ACT TASK FORCE



- OPERATING PRINCIPLES -

I. Introduction

The Department for Children and Families (DCF) and the *Children's Justice Task Force* developed these operating principles to guide the role, function and actions of the *Task Force* to carry out its mission as defined below.

The State Coordinator/Grant Manager (an employee of DCF) is responsible for administering the *Children's Justice Act Grant* funds allocated to the State of Vermont and the maintenance of this document.

The problem of child abuse and neglect requires a comprehensive approach that:

- A. integrates the work of social service, legal, health, mental health, domestic violence services, education, and substance abuse agencies and community-based organizations;
- B. strengthens coordination among all levels of government, and with private agencies, civic, religious, and professional organizations, and individual volunteers;
- C. emphasizes the need for abuse and neglect prevention, assessment, investigation, and treatment at the neighborhood level;
- D. recognizes the need for properly trained staff with the qualifications needed to carry out their child protection duties; and
- E. recognizes the diversity of ethnic, cultural, and religious beliefs and traditions that may impact child-rearing patterns, while not allowing the differences in those beliefs and traditions to enable abuse or neglect.

In an effort to support the above comprehensive approaches, this Task Force is maintained as directed through the Child Abuse Protection and Treatment Act (CAPTA).

Legal References: Section 107(a), (b), (c), (d), (e) and (f) of the Child Abuse Prevention and Treatment Act (CAPTA) (42 U.S.C. 5106c et seq.) as amended by Public Law (P.L.) 111-320 enacted December 20, 2010; and the Victims of Crime Act of 1984, as amended (42 U.S.C. 10603 et seq.)

II. Eligibility (As directed by the Administration for Children and Families annual Program Instruction)

Eligibility for a CJA grant is based on two sets of requirements:

- (1) States must be in compliance with the child abuse and neglect State Grant requirements set forth in Section 106(b) of CAPTA at the time of the CJA Award.

SEC. 106. GRANTS TO STATES FOR CHILD ABUSE OR NEGLECT PREVENTION AND TREATMENT PROGRAMS. [42 U.S.C. 5106a]

b. ELIGIBILITY REQUIREMENTS.

1. STATE PLAN.

A. IN GENERAL. To be eligible to receive a grant under this section, a State shall submit to the Secretary a State plan that specifies the areas of the child protective services system described in subsection (a) that the State will address with amounts received under the grant.

(Section 106(b) provides detailed requirements for the content of this Plan)

Linkage to the Child and Family Services Review (CFSR), Child and Family Services Plan (CFSP) and Program Improvement Plan (PIP): The Children's Bureau is focusing efforts on the Child and Family Services Review, the Child and Family Services Plan and Annual Progress & Services Report and the connection of formula grants to this work. CJA programs should be aware of State work as it engages in this process.

See Attachment A: [Vermont State Plan](#)

http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/fed/CFSP_2015-2019.pdf

See Attachment B: [VT Annual Progress & Services Report](#)

<http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/VT2016-APSR.pdf>

See Attachment C: [Federal Child & Family Services Review](#)

http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/CFSR_2007execsummary.pdf

See Attachment D: [VT Program Improvement Plan](#)

http://dcf.vermont.gov/sites/dcf/files/pdf/fsd/VT_PIP_Final_9_08__2_.pdf

CJA programs should be aware of the overall goals and strategies of the child welfare agency and will be asked to demonstrate awareness of these goals and strategies in the annual application. Additionally, when and if States develop their CFSR PIPs, CJA, as well as other Children's Bureau grantees, may be identified to participate in these program improvement efforts.

- (2) State must fulfil the CJA requirements specified in Section 107 of the Act.

Sec. 107. GRANTS TO STATES FOR PROGRAMS RELATING TO INVESTIGATION AND PROSECUTION OF CHILD ABUSE AND NEGLECT CASES. [42 U.S.C. 5106c]

A. Purpose:

The Task Force is established in accordance with the Child Abuse Prevention and Treatment Act (Section 107(a)) which authorizes grants to states to develop, establish, and operate programs designed to improve:

1. The assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner which limits additional trauma to the child and the child's family;
2. The assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;
3. The investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation; and
4. The assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of abuse or neglect.

Limitations. As per the Federal Program Instruction: Supporting child abuse prevention programs or treatment services are **not** appropriate uses of CJA funds.

Definition of prevention programs as stated in the Child Abuse and Treatment Act (CAPTA):

TITLE II—COMMUNITY-BASED GRANTS FOR THE PREVENTION OF CHILD ABUSE AND NEGLECT

Sec. 201. PURPOSE AND AUTHORITY. [42 U.S.C. 5116]

a. PURPOSE.—It is the purpose of this title—

1. to support community-based efforts to develop, operate, expand, enhance, and coordinate initiatives, programs, and activities to prevent child abuse and neglect and to support the coordination of resources and activities, to better strengthen and support families to reduce the likelihood of child abuse and neglect; and
2. to foster an understanding, appreciation, and knowledge of diverse populations in order to be effective in preventing and treating child abuse and neglect.

b. AUTHORITY.—The Secretary shall make grants under this title on a formula basis to the entity designated by the State as the lead entity (referred to in this title as the “lead entity”) under section 202(1) for the purpose of—

- 1 developing, operating, expanding, and enhancing community-based and prevention-focused programs and activities designed to strengthen and support families to prevent child abuse and neglect that are accessible, effective, culturally appropriate, and build on existing strengths that—
 - 1.1 offer assistance to families;
 - 1.2 provide early, comprehensive support for parents;
 - 1.3 promote the development of parenting skills, especially in young parents and parents with very young children;
 - 1.4 increase family stability;

- 1.5 improve family access to other formal and informal resources and opportunities for assistance available within communities, including access to such resources and opportunities for unaccompanied homeless youth;
- 1.6 support the additional needs of families with children with disabilities through respite care and other services;
- 1.7 demonstrate a commitment to involving parents in the planning and program implementation of the lead agency and entities carrying out local programs funding under this title, including involvement of parents of children with disabilities, parents who are individuals with disabilities, racial and ethnic minorities, and members of other underrepresented or underserved groups; and;
- 1.8 provide referrals to early health and developmental services;

B. Establish a Task Force (Section 107(c)):

1. Maintain a multidisciplinary task force on children's justice composed of the professional with knowledge and experience relating to the criminal justice system and issues of child physical abuse, child neglect, child sexual abuse and exploitation, and child maltreatment related fatalities. The State Task Force shall include:
 - Law Enforcement Community
 - Criminal Court Judge
 - Civil Court Judge
 - Defense Attorney experienced in cases related to child abuse and neglect
 - Prosecution Attorney experienced in cases related to child abuse and neglect
 - Child Advocate(s) (Attorney(s) for children)
 - Court Appointed Special Advocate Representative(s)
 - Health Professional(s)
 - Mental Health Professional(s)
 - Child Protective Service Agencies
 - Individual(s) experienced in working with children with disabilities
 - Parents and Representative of Parents' Groups
 - Adult former victims of child abuse and or neglect
 - Individual experienced in working with homeless children and youth
2. All annual applications are required to be accompanied by a letter from the Governor stating:
 - a. the state has a 5 year plan according to Section 106(b) of CAPTA
 - b. a multidisciplinary task force is maintained
 - c. the State has adopted or continues to progress in adopting the recommendations of the State Task Force
 - d. State will provide access to all CJA Task Force records
 - e. State will participate in the Annual Federal meeting

C. Three Year Assessment - State Task Force Study:

Section 107, subsection (d) of the Act requires that State Task Force to undertake a comprehensive review and evaluation of the investigative, administrative and judicial handling of cases of child abuse and neglect and to make training and policy recommendation in each of the three categories (107(e)(1)):

CJA funds are to be primarily focused on the front end, intake and investigative piece of child welfare. Projects selected by this Task Force will be mindful that funds are spent to support efforts at this point in a child welfare case. Children's Justice Act grants shall be used to implement Task Force recommendations in the following three categories:

1. **Assessment and Investigation of cases of child abuse and neglect.** Investigative, administrative, and judicial handling of cases of child abuse and neglect, including child sexual abuse and exploitation, as well as cases involving suspected child-maltreatment-related fatalities and cases involving a potential combination of jurisdictions, such as interstate, federal-state, and state-tribal, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused;
2. **Innovative approaches.** Experimental, model, and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases and cases involving children with disabilities or serious health-related problems, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused; and
3. **Process improvement.** Reform of state laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, including sexual abuse and exploitation, while ensuring fairness to all affected persons.

Examples of CJA-supported Activities Include:

Developing curricula and conducting training for personnel in law enforcement and child protective services, as well as health and mental health professionals, prosecutors and judges. This may include attention to issues of trafficking and exploitation within child welfare.

Establishing or enhancing child advocacy centers and other multidisciplinary programs to serve child victims and their families in order to minimize trauma.

Establishing and supporting local and/or State child fatality review teams, including multidisciplinary training, team development, and annual reporting.

Supporting the enactment of laws to improve system response, including allowing the admission of indirect testimony of children into evidence, making the courtroom setting less intimidating to children, increasing the penalties for sexual offenses against children, requiring mandatory sentencing, shortening the trial process and permitting victims to make statements prior to sentencing.

The on-going activities of a State Task Force in monitoring implementation of its recommendations and continuing interagency collaboration in carrying out the intent of the Act may be supported with these funds.

The current Administration has increased its attention on the issue of Human Trafficking. The Children's Bureau, along with the Administration on Children, Youth and Families (ACYF), continues to focus efforts at the intersection of trafficking and child welfare.

- D. Annual Application:** As directed by the annual Federal Administration for Children and Families Program Instruction
- E. Annual Report** on the manner in which assistance received under this program was expended throughout the state, with particular attention focused on:
1. The assessment and investigation of suspected child abuse and neglect cases, including cases of suspected child sexual abuse and exploitation, in a manner which limits additional trauma to the child and the child's family;
 2. The assessment and investigation of cases of suspected child abuse-related fatalities and suspected child neglect-related fatalities;
 3. The investigation and prosecution of cases of child abuse and neglect, including child sexual abuse and exploitation
- F. Annual Meeting:** The Task Force will participate in at least one Federally-initiated CJA meeting each year and is authorized to use grant funds to cover travel and per diem expenses for at least two CJA representatives (State Coordinator and Chairperson) to attend the meeting.

III. Purpose

The purpose of the CJA Task Force is to oversee the appropriation of Vermont CJA funds to support the improvement and strengthening of the front end, intake and investigative piece of child welfare. This mission requires a spirit of collaboration and a positive working relationship between the Department for Children and Families and the Children's Justice Act Task Force. As such, each party in the collaboration has a specific role to play. The respective roles are:

1. The role of The Department for Children and Families is to:
 - a. Administer the CJA Grant and assign the function of Grant Manager to a position within the Department for Children and Families.
 - b. Facilitate the appropriate business office process of grant funding allocation, based on recommendations it receives from the CJTF.
2. The Role of Task Force members:

- a. Act with regard for the well-being and welfare of children and youth.
- b. Contribute to the review of applications for funding
- c. Contribute to the Three Year Assessment review and evaluation process in his/her specific area of expertise.
- d. Adhere to state confidentiality requirements
- e. Regularly attend and fully participate in all scheduled meetings.
 - 1. If any member does not attend three consecutive, regularly scheduled meetings of the Task Force, the State Coordinator will contact that individual and request they respond with a notice of their commitment to the Task Force or desire to be replaced.
 - 2. Meeting Facilitation: The Meeting Facilitator shall preside at the CJTF meetings and perform duties as appropriate to the mission of the CJTF. Each meeting agenda will contain a standing time to appoint a member for facilitation of the meeting. Members will volunteer to act as the facilitator and be noted in the meeting minutes.
- 3. The role of the State Coordinator/Grant Manager:
 - a. Administer the CJA funds.
 - b. Serve as grant administrator on CJA funded projects.
 - c. Provide advice, guidance, technical assistance, and information regarding the expected role and function of the CJTF as mandated by the requirements of the CJA Program Instruction.
 - d. Attend all CJTF meetings.
 - e. Keep CJTF members apprised of the meeting schedules and distribute minutes and other pertinent mailings necessary for Task Force members to fulfill their responsibilities.
 - f. Act as liaison between CJTF and the Federal Administration for Children and Families to facilitate communication.
 - g. Act as liaison between CJTF and the Vermont Department for Children and Families to facilitate communication.
 - g. Present financial reports to task force members' status of CJA funds available for allocation to future projects.

IV. Membership

This section addresses how membership of the CJTF is established and maintained. It defines the process for appointment and resignation of members to the Task Force as well as the composition and term of CJTF membership.

A. Appointment

- 1. The Task Force members will make recommendations and assist in recruiting from relevant federal, state and county associations, coalitions, or professional organizations.
- 2. Task Force members and the State Coordinator will make initial contact requesting interest of an individual to serve on the TF. The State Coordinator will provide the following information:
- 3. The prospective or new member shall receive a copy of:
 - A. Operating Principles
 - B. Current Three Year review and evaluation
 - C. Task Force Membership List

B. Term

On a by-annual basis, the Task Force Coordinator will send letters of intent to the current members. This letter will request their continued participation. If members request to be removed from the Task Force they may make recommendations for a replacement from their agency or department.

C. Resignation

Members should submit resignations in writing via the CJA State Coordinator. When possible, resignations should allow at least thirty days prior to the effective date of the resignation with recommendation for replacement.

D. Composition

1. The CJTF shall be composed of representatives of the disciplines specified in Section 109 (c)(1) of the CJAG, and consist of at least 14, but not more than 16 members.
2. Membership shall be reflective of the state's geographic and cultural/ethnic diversity. The Task Force will review the composition of the membership on at least an annual basis.

V. Task Force Business

The CJTF will conduct business through convening meetings and voting to reach decisions on recommendations or other business actions. This section outlines the principles for these methods of carrying out the assigned role of the Task Force.

A. Meetings

1. CJTF meetings will occur on a by-monthly basis during the months of January, March, May, July, September and November. The May meeting of each year will be dedicated to Task Force business, such as the Three Year Plan, and may not provide time for review of funding applications. To begin January 2015.
2. The State Coordinator/Grant Manager, in consultation with the Task Force, may schedule special meetings.
3. The Task Force sets the agenda for the regular and special meetings as a standing agenda item at each meeting.
4. The Grant Manager shall document in minutes all regularly scheduled and special CJTF meetings, including any major decisions, action items, recommendations from the CJTF to The Department for Children and Families, and responses from the Department for Children and Families regarding recommendations previously submitted.
5. Upon their approval by a majority of a quorum vote at the next scheduled CJTF meeting, the CJTF minutes will be made a permanent record and maintained by the State Coordinator/Grant Manager.

B. Voting

1. Each member of the CJTF shall have one vote.
2. Voting will take place in person at the meetings, phone in attendance, or electronic communication with a response time set by the coordinator.
3. A quorum for the transaction of business shall consist of one more than half of the current membership of the CJTF. The members in attendance at a meeting where a quorum is not present, may elect (by majority vote), to proceed with the business of the meeting subject to ratification when a quorum is present at the next meeting.
4. Any member who directly or individually may benefit from a grant application before the CJTF shall abstain from discussion and voting on the matter.

5. Any member with a conflict of interest in an issue being considered by the CJTF, shall make a declaration to that effect and abstain from further discussion and voting on that issue.

C. Application for Funding Process – See Attachment E – Grant Application

1. Requests for Applications will go out at least bi-annually in January and May
2. Application due dates shall be one month prior to scheduled meetings
3. State Coordinator will send electronic copies of applications two weeks prior to the next scheduled meeting for TF review.
4. Task Force members will review applications and send any questions or concerns to the Coordinator in preparation for the meeting.
5. Coordinator will forward questions or concerns to applicant prior to review meeting.
6. Applicants must agree to have a representative available by phone during the scheduled TF review meeting to discuss their application, answer questions and address concerns of the TF.
7. To approve and award funding requests there must be a quorum.
Members will make a motion to Approve/Disapprove and second that motion
Members will vote and the number of votes/abstentions recorded in the minutes.
8. State Coordinator will be responsible for notification of approval or denial for funding.
9. State Coordinator will initiate the grant process within the Family Services Revenue Enhancement Unit.
10. State Coordinator will ensure grant award payments.

D. Operating Principles

1. The Task Force will review the Operating Principles every three years on the same schedule as the federal review and evaluation to ensure they are effective and up to date. The CJTF will allow changes before this time if deemed necessary.

REVIEWED AND APPROVED: September 18, 2015

Children's Justice Act Grant Application Federal Grant Year 2015-2017

DCF Program Code 40560 / Account 603030



Katherine Arthaud
Guardian ad Litem

Dear Applicant,

Randy Coble
DOC

Thank you for your work to improve Vermont's system of response to child abuse and neglect.

Thomas Devine
Court Judge

Federal requirements for Children's Justice Act (CJA) Funding mandate that these funds are **not** allocated for prevention or direct service activities. The Child Abuse Prevention and Treatment Act (CAPTA) funding is available for these efforts.

James Forbes
DCF/Family Services

Cynthia Franz
Defense Attorney

CJA funds should be used for programs to reform state systems and improve the process by which Vermont responds to cases of child abuse and neglect, including child sexual abuse and exploitation and cases of suspected child abuse or neglect related fatalities. Projects should focus on creating more effective responses for both the child victim and the offender and to limit additional trauma to the child victim.

Betty Lavoie
Franklin Co. Home Health

Marc Metayer
SIU Programs

This funding is awarded through the Federal Administration for Children and Families. To be eligible to receive these funds Vermont is required to maintain a Task Force to oversee the allocation of the money.

Mary Morrissey
VT State's Attorney

Gene Nelson
VT Ctr. For Crime Victims Services

Applications for funding are considered by the Task Force. Each Task Force member provides outreach to their colleagues and professional community to recruit applications. You should feel free to share this application with others. The Task Force requires that a minimum of 51% of the members approve grants that are awarded.

Jennifer Poehlmann
VT Children's Alliance

Bob Sheil
Juvenile Defender

Applications will be reviewed at the following CJA Task Force Meetings with due dates of:

Calvin Smith
VT Coalition for Runaway &
Homeless Youth

Due Date:

For Review at:

September 4, 2015

September 18, 2015

November 6, 2015

November 20, 2015

Priscilla White
DCF

Often the Task Force has additional questions or concerns that need clarification. A representative of your agency must be available between 9:00 AM and 11:30 AM, by phone to answer questions on the date of the review.

Kelly Woodward
State's Attorney's Office

Sandi Yandow
VT FACES Network

Thank you for your submission. We look forward to reviewing your request.

Children's Justice Act Grant Application Federal Grant Year 2015-2017

DCF Program Code 40560 / Account 603030

Date:

Name of Agency or Organization

Applicant/Grant Contact Name:

If awarded grant, make check payable to:

Organization / Agency:

Address:

Attention:

Agency Fed. ID / SS #:

DUNS #:

Phone:

Email:

The following questions are required by Federal Regulation:

1. Type of accounting system used: Automated Manual Combination-Auto/Manual

2. Org./Agency has policies to assure compliance with the terms of contract: Yes No

3. Accounting system will track receipt & distribution of this grant award: Yes No

4. If staff is required to track time specific to this project/grant,

does tracking system account for 100% of employee's time? Yes No

5. Did last single audit have one or more findings regarding non-compliance? Yes No

6. Did last single audit have one or more findings regarding internal control? Yes No

7. Other issues we should be aware of from you as an organization:

Other issues include but are not limited to: (1) having new or substantially changed systems (2) having new compliance personnel (3) external risks including; economic conditions, political conditions, regulatory changes & unreliable information (4) loss of license or accreditation to operate program (5) rapid growth (6) new activities, products, or services (7) organizational restructuring (8) where indirect costs are included, does the organization have adequate systems to segregate indirect from direct costs?

Response: (may leave blank if not relevant to your organization)

Title of Project award will fund:

If this is a training/conference event what is the planned date it will take place:

Brief Description of Project:

Population & County (ies) to be served (please include an approximate number):

Project Dates: Start: End:

5. Requested Funding Amount: \$

Please answer the following questions in the space provided. Please do not attach additional pages.

Please describe the current need/problem.

What category best describes your project? (Please check one):

- ☐ Investigative, administrative, and judicial handling of cases of child abuse & neglect, including child sexual abuse and exploitation, as well as, cases involving suspected child maltreatment related fatalities and cases involving a potential combination of jurisdictions, in a manner which reduces the additional trauma to the child victim and the victim's family and which also ensures procedural fairness to the accused:
- ☐ Experimental, model, and demonstration programs for testing innovative approaches and techniques which may improve the prompt and successful resolution of civil and criminal court proceedings or enhance the effectiveness of judicial and administrative action in child abuse and neglect cases, particularly child sexual abuse and exploitation cases, including the enhancement of performance of court-appointed attorneys and guardians ad litem for children, and which also ensure procedural fairness to the accused;
- ☐ Reform of State laws, ordinances, regulations, protocols and procedures to provide comprehensive protection for children from abuse, particularly child sexual abuse and exploitation, while ensuring fairness to all affected persons.
- ☐ Improve the assessment and investigation of cases involving children with disabilities or serious health-related problems who are suspected victims of child abuse or neglect.

What are the goals and the objectives of your project?

How will you evaluate whether your objectives are being met?

Will there be an end product?

*****PLEASE ATTACH A BROCHURE, PAMPHLET, OR OTHER WRITTEN MATERIAL, IF APPLICABLE**

As a result of this project, how are people better off; how do Vermont's children benefit and/or our state's response to child abuse & neglect improve? :

Help the Task Force understand your future funding plan for sustainability:

- if this is an ongoing project; how will you fund in the future?
- if this is a single event or training; is it part of a broader, strategic plan?

Please complete the following Project Budget Summary:

1. Indirect Rate 10% (Federal requirement)
2. Consultant/Trainer Fees
3. Staff Development: (registration fees etc.)
4. Travel, Meals, Lodging
 - A. Airfare
 - B. Registration
 - C. Meals
 - D. Lodging
 - E. Other (parking, taxi etc.)...
5. Facilities
6. Office Expenses & Supplies.....
7. Equipment.....
8. Other (please describe)

Total.....

Please list other sources of funding obtained for this project.

Please list other Community Agencies you will partner with to achieve your goals and objectives:

Letters of support from your Community Partners and a plan to disseminate lessons learned through your project build a stronger application.

Please advise us of any training interests/needs you may have for future trainings indicate the name(s) of speakers who you would recommend for those topics.

TOPIC

SPEAKER

Plases return CJA Application and W-9 Form by the above due date prior to the meeting for distribution to Task Force Members and direct all related inquiries to:

Priscilla.White@vermont.gov or by mail:

Priscilla White
[VT DCF/Family Services](#)
[Center for the Prevention & Treatment of Sexual Abuse](#)
280 State Drive
Waterbury, VT 05671-2401
(802) 769-6329 (phone) (802) 760-8574 (cell)
(802) 769-2122 (fax)
www.protectkids.vt.gov