

505 KAR 1:060. Local juvenile delinquency prevention councils: operation and duties.

RELATES TO: KRS 15A.300

STATUTORY AUTHORITY: KRS 15A.300(7)(b), (c)

CERTIFICATION STATEMENT:

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.300 requires the Department of Juvenile Justice to promulgate administrative regulations that relate to the formation, operation and duties of local juvenile delinquency prevention councils, as well as the administration and operation of the grant programs operated in conjunction with the local juvenile delinquency prevention councils. This administrative regulation relates to the operation and duties of these councils.

Section 1. The Operation of Councils.

- (1) Each council shall submit proposed by-laws to the commissioner for review and approval. The by-laws shall:
 - (a) Create offices and committees as the council deems necessary;
 - (b) Specify the qualifications, method of selection, and term for each office created; and
 - (c) Comply with state laws and local ordinances.
- (2) The council shall meet at least four (4) times each calendar year.
- (3) Meetings shall be open to the public and the council shall be subject to open meetings and open records laws.
- (4) Minutes shall be taken at council meetings, and shall be forwarded to the commissioner within thirty (30) days of the meeting date.
- (5) Each council shall submit the following to the commissioner:
 - (a) The resource identification and needs assessment and comprehensive plan, as required by Section 2 of this administrative regulation;
 - (b) By September 1 of each year, an annual report to include a review of the status of the comprehensive plan and the activities of the council for the prior fiscal year, as provided in Section 2 of this administrative regulation.

Section 2. Duties of Councils.

- (1) Each council shall:
 - (a) Conduct a resource identification and needs assessment every four (4) years. The assessment shall include the collection and analysis of data and a comprehensive review of services available to the community in order to identify local community strengths and needs. The analysis shall identify and discuss barriers to accessing services. The resource identification and needs assessment shall address the following areas:
 1. The existence of or need for alternatives to secure detention;
 2. The risk and protective factors evident in the local community;
 3. The impact of gangs on the local community;
 4. Educational and school related needs;
 5. Gender specific services available for the prevention and treatment of delinquency;
 6. Community safety needs;
 7. Substance abuse education and treatment needs;
 8. Mental health services needs;
 9. Early childhood prevention programs; and
 10. Overrepresentation of minority youth in the juvenile justice system.
 - (b) Develop a comprehensive plan based upon the resource identification and needs assessment conducted under this subsection in order to capitalize on the local community strengths identified, and to address the needs and service gaps identified.

The following information shall be included in the comprehensive plan for each identified need:

1. A statement of the identified need;
2. A proposed plan of action to address the identified need;
3. Expected outcomes; and
4. Technical assistance needed to accomplish the proposed plan.

(2) If a newly certified council is a previously existing group that already has a comprehensive plan, the council may submit the existing plan to the commissioner for review. If the commissioner determines that the existing plan adequately addresses delinquency and prevention issues, and that it provides clear goals, action plans, and measurable outcomes, the commissioner shall approve the existing plan, even though the plan does not meet the specific requirements established in subsection (1) of this section. A council submitting a plan for review under this paragraph shall also submit a status report that includes a proposed budget and funding sources for programs or plan elements already in operation. The planning cycle for an alternative plan approved by the commissioner under this subsection shall not exceed four (4) years from the time of its initial adoption by the council. Subsequent plans submitted by a council initially operating under an alternative plan shall meet the requirements established in subsection (1) of this section.

(3) If the commissioner determines that it is in the best interest of the local community, he may authorize a council, in its first year of operation, to conduct an abbreviated resource identification and needs assessment and to file a plan covering less than four (4) years. A council that receives written authorization to conduct an abbreviated assessment or file a plan covering less than four (4) years shall be eligible to apply for and receive grant funding in accordance with subsection (4) of this section.

(4) A council shall not be eligible to apply for or receive grant funding from the department until the resource identification and needs assessment and four (4) year plan or alternative plan has been filed with and approved by the commissioner. For the remaining three (3) years of each planning cycle, the council shall file an annual report with the commissioner, which shall include:

- (a) A summary of the status of each plan of action identified in the comprehensive plan;
- (b) Comprehensive plan revisions; and
- (c) Technical assistance necessary to accomplish the goals established in the comprehensive plan.

(5) Councils shall enter into written local interagency agreements as specified in KRS 15A.300(3)(b). Copies of these agreements shall be included as a part of the comprehensive plan.

(6) A council may apply for and receive public or private grants in accordance with KRS 15A.300(3)(d).

(7) Councils shall foster the sharing of information in accordance with KRS 15A.300(3)(c).

(8) Councils shall provide a forum as specified in KRS 15A.300(3)(e).

(25 Ky.R. 1488; 1875; eff. 2-18-1999; 30 Ky.R. 425; 865; eff. 10-31-2003; Crt eff. 3-13-2019; Crt eff. 3-11-2026.)