



# FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROCEDURE

**Title:** OJJDP Compliance Monitoring - Conflict of Interest Procedures

**Related Policy:** Contract & Grant Monitoring Policy (FDJJ – 2000)

**Related References:** Florida Department of Juvenile Justice Contract and Grant Monitoring Guidelines (December 2009)

Florida's Policy and Procedure Manual for compliance with the Federal Juvenile Justice and Delinquency Prevention Act of 2002

## I. DEFINITIONS

**OJJDP Compliance Monitoring-** The annual activity conducted by the Department to ensure the requirements and goals of the Federal Juvenile Justice and Delinquency Prevention Act of 2002 are met.

**Contracted Compliance Monitor Provider (CCMP)-** The organization selected through the competitive procurement process by the Department to conduct compliance monitoring activities related to the Federal Juvenile Justice and Delinquency Prevention Act of 2002.

**Juvenile Justice Specialist (JJS)-** The Department of Juvenile Justice employee who is responsible for ensuring the Department and the delinquency programs it operates, either directly or through a contract with a provider, are in compliance with the standards and requirements of the Juvenile Justice and Delinquency Prevention Act of 2002.

**Department Program Monitor-** The Department of Juvenile Justice employee who is the primary point of contact with the provider and is responsible for ensuring the provider's compliance with the contract terms and conditions.

## II. STANDARDS/PROCEDURES

### A. Process:

1. The Contracted Compliance Monitor Provider (CCMP) will inform the Department's Juvenile Justice Specialist (JJS) when a potential/actual conflict of interest arises.
2. The JJS shall review the CCMP program list identifying programs with potential/actual conflict of interest issues, and determine whether a potential or actual conflict of interest exists which would prohibit the CCMP from conducting the monitoring and require the Department to assume responsibility for conducting the monitoring.
3. The JJS will contact the appropriate Assistant Secretary or designee with notification of a potential or actual conflict of interest and provide recommendation(s) as to whether a potential/actual conflict of interest issue exists with the CCMP.

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4. The Assistant Secretary or designee will review the JJS's recommendation as to whether a potential/actual conflict of interest issue exists with the CCMP.
5. The Assistant Secretary or designee will notify the JJS of the decision of whether a potential/actual conflict of interest issue exists with the CCMP.
6. If the Assistant Secretary or designee concludes that a potential/actual conflict of interest issue exists with the CCMP, the Assistant Secretary will contact the Regional Director of the region where any identified programs are located and inform the Regional Director of the conflict of interest to ensure that a Department Program Monitor conducts the compliance monitoring.
7. The Regional Director shall direct the Department Program Monitor of the identified program to conduct the compliance monitoring for the program under the monitoring requirements of the Federal Juvenile Justice and Delinquency Prevention Act of 2002.
8. The Department Program Monitor shall conduct the OJJDP Compliance Monitoring at the identified program and forward findings to the JJS.
9. The JJS shall forward the completed monitoring form to the CCMP for inclusion in the monitoring report provided to the OJJDP.

### **III. RESPONSIBILITY AND DUTIES**

#### **A. Contracted Compliance Monitor Provider (CCMP)**

1. Shall report to the JJS by email and a telephone call that a potential/actual conflict of interest has been identified.
2. Shall be responsible for sending the JJS the name(s) of the programs identified as having potential/actual conflict of interest issues.
3. Shall conduct compliance monitoring training, including conflict of interest issues, as required by the Federal Juvenile Justice and Delinquency Prevention Act of 2002 for Department Program Monitors.

#### **B. Juvenile Justice Specialist (JJS)**

1. Shall review the CCMP program list identifying programs with a potential/actual conflict of interest.
2. Shall determine whether a potential/actual conflict of interest exists which would prohibit the CCMP from conducting the monitoring and require the Department to assume responsibility for conducting the monitoring.
3. Shall contact the appropriate Assistant Secretary or designee with notification of a potential/actual conflict of interest and provide recommendation(s) as to whether a conflict of interest issue exists with the CCMP.
4. If the Assistant Secretary concludes that a potential/actual conflict of interest issue exists, the JJS shall coordinate and schedule the compliance monitoring for the CCMP's programs for the Department Program Monitors with the CCMP.

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5. Shall forward the monitoring results to the CCMP for inclusion in the monitoring report provided to the OJJDP.

**C. Assistant Secretary**

1. Shall review the JJS's recommendation as to whether a potential/actual conflict of interest issue exists with the CCMP.
2. Shall notify the JJS of the decision whether a potential/actual conflict of interest issue exists with the CCMP.
3. If the Assistant Secretary or designee concludes that a conflict of interest issue exists with the CMP, the Assistant Secretary shall contact the Regional Director of the region where any identified programs are located and inform the Regional Director of the conflict of interest to ensure that a Department Program Monitor conducts the compliance monitoring.

**D. Regional Director**

1. Upon notification of a potential/actual conflict of interest issue, the Regional Director shall direct the Department Program Monitor for the identified program to conduct the compliance monitoring of the program under the monitoring requirements of the Federal Juvenile Justice and Delinquency Prevention Act of 2002.

**E. Department Program Monitor**

1. Shall monitor the identified program using the compliance monitoring tools required by the Federal Juvenile Justice and Delinquency Act of 2002.
2. Upon completion of the compliance monitoring, the Department Program Monitor shall forward the findings of the monitoring to the JJS and copy the Assistant Secretary or designee.
3. Shall notify the Regional Director that the compliance monitoring has been completed.

**IV. ATTACHMENTS**

*JJDPA Site Visit Report - Residential Programs*