

**Child Abuse Treatment (CHAT)  
Program Guidelines**

**Program Funded by  
Federal Victims of Crime Act**

*Governor's Office of Emergency Services  
Law Enforcement and Criminal Justice Programs Division  
Children's Section*

# **Child Abuse Treatment (CHAT) Program Guidelines**

**Program Funded by  
Federal Victims of Crime Act**



**2006**

*Governor Arnold Schwarzenegger*



**GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

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# CHILD ABUSE TREATMENT (CHAT) PROGRAM GUIDELINES

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# **I. INTRODUCTION AND BACKGROUND**

## **A. THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES**

The Governor's Office of Emergency Services (OES) is the lead agency responsible for implementing the Governor's Public Safety Plan for California. This plan is a comprehensive system-wide approach designed to support criminal and juvenile justice agencies, local victim services programs, schools, community-based organizations, community crime prevention programs, and training programs for prosecutors and public defenders.

OES, through the Law Enforcement and Criminal Justice Programs Division, Children's Section, implements the plan by:

- Providing grant funding to state and local units of government and private nonprofit organizations;
- Supporting the development of the state-of-the-art approaches for the justice system and victim services programs;
- Providing technical assistance to ensure effective program management;
- Disseminating information on successful program models and current and emerging research;
- Promoting inter-disciplinary information exchange and support between criminal and juvenile justice agencies and public and private organizations; and
- Developing publications on crime prevention, crime suppression, and victim's services for statewide distribution.

Additional information about OES is available at <http://www.oes.ca.gov>.

## **B. CHILD ABUSE TREATMENT PROGRAM DESCRIPTION**

### **1. Overview**

The Child Abuse Treatment (CHAT) Program provides comprehensive treatment services to children under the age of 18 who are victims of physical abuse, sexual abuse, sexual exploitation, financial exploitation, emotional abuse, neglect, domestic violence, parental substance abuse such as drug endangered children, school violence, community violence, abduction, child victims of federal crimes, and child victims of terrorist acts. These are children who do not have access to treatment services due to non-availability of services, lack of resources, and/or non-eligibility for other program or services. The CHAT Program is designed to meet the needs of underserved children to include children: who are dependents of the court; in the child welfare system; who are non-English speaking; with disabilities; of racial or ethnic minorities; and residing in remote rural areas or crime-ridden poverty stricken inter city areas.

Agencies implementing the CHAT Program must provide direct comprehensive treatment services in a culturally sensitive and competent manner to children who are victims of:

- Physical abuse; sexual abuse; sexual exploitation; emotional abuse; neglect; domestic violence and/or witness to violence in the home; parental chemical substance abuse; child abduction by a family member or a non-family member; exposure to violence in the school or community; child victims of federal crimes; child victims of terrorist acts.

Special outreach services are to be provided to youth/adolescents victims of:

- Statutory rape; sexual exploitation; dating violence; runaways; homelessness; substance abuse; and other problems experienced by these young people.

The necessary efforts must be made to accommodate and facilitate access to services for children with disabilities.

Comprehensive treatment services include but are not limited to:

- Outreach; crisis intervention and stabilization; intake and screening; information and referral; standardized assessments and treatment plan for individual/child psychotherapy and adjunct group/children psychotherapy when appropriate; case management, advocacy, and supportive services; and **referral** to the local Victim/Witness Assistance Center for the staff at the centers to assist in filing for compensation of services and preparation for participating in judicial proceedings.

## 2. **Legislative Authority**

The legal authority is vested in the Federal Victims of Crime Act (VOCA) of 1984, Public Law 98-473, as amended, codified at 42 U.S.C. 10603. The source of revenue for this fund is generated from the collection of fines and restitution levied under federal law against individuals and organizations convicted of federal crimes. OES has State statutory authority over these funds, which are subject to federal appropriation and annual approval in the State Budget Act. Funds supporting the CHAT Program are restricted to the provision of direct services to child victims.

## 3. **Statutory Mandates**

The statutory authority over the selection criteria and funding decisions for the federal VOCA funds is vested with the Executive Director of OES.

#### 4. **Administrative Authority**

OES, through the Law Enforcement and Criminal Justice Programs Division, Children's Section, is the administrative agency for the CHAT Program. The role of the Law Enforcement and Criminal Justice Programs Division, Children's Section, is to develop, implement, oversee and monitor the CHAT Program. These activities include: establishing policies dealing with the operation and direction of the program; overseeing the compliance as the results of monitoring the subrecipient agencies selected for funding; evaluating program effectiveness; and reporting the program's progress and accomplishments to the federal funder.

#### 5. **Funding Cycle and Duration**

The CHAT Program will be funded for an indefinite period of time based conditionally on the availability of VOCA funds. Furthermore, continuation of subrecipient funding will strictly be based upon satisfactory performance and compliance with grant requirements by the subrecipient agency implementing the CHAT Program.

Through a Request for Proposal (RFP) process, the initial 12-month period commenced on October 1, 2004, and ended on September 30, 2005. Each subsequent 12-month grant award period has been renewed each October 1<sup>st</sup> via a Request for Application (RFA) process which is made available by OES to the subrecipient agency approximately 90 days prior to the end of the grant period. The funding will always be contingent on the availability of VOCA funds in the State Budget Act each state fiscal year.

Unless otherwise stated in the Grant Award Agreement, grant awards cover a twelve (12) month period. Grant award period extensions and grant award reductions may be necessary and must be made with prior written notification and approval by OES. Subrecipients selected for funding are expected to begin implementing program services within 90 days of the grant period's starting date. If project commencement does not occur within this time frame, OES may terminate the project and redistribute the funds.

**Subrecipient agencies must expeditiously submit all documentation requested by OES program staff. A Grant Award Agreement and other binding documents will not be processed until these are completed correctly by the subrecipient agency; therefore, payments to subrecipient agencies will not be made until required OES staff approves documents.**

## II. ORGANIZATIONAL REQUIREMENTS

### A. IMPLEMENTING AGENCIES

Agencies implementing the CHAT Program are governmental, private nonprofit community organizations, or American Indian tribes/organizations in California, selected through a competitive Request for Proposal (RFP) process. (For clarification, a separate RFP was released to the field simultaneously with the CHAT Program RFP for the American Indian CHAT (AICHAT) Program. The reason for this was the AICHAT Program RFP's focus was designed to take into account American cultural issues and relevant cultural treatment modalities within this population. The agencies eligible to apply under the AICHAT Program were American Indian tribes/organizations on the reservation or a consortium of tribes, and urban American Indian agencies.)

### B. FEDERAL VICTIMS OF CRIME ACT (VOCA) COMPLIANCE

CHAT Program subrecipient agencies are funded by Federal VOCA victim assistance funds. Through OES, the State of California administers these funds to local subrecipient agencies; OES is required to ensure the fund's usage is in compliance with Federal VOCA Guidelines and solely for VOCA allowable services, activities, and costs. Subrecipient agencies accepting VOCA funds must implement the CHAT Program projects in accordance with the Federal VOCA Guidelines in this document delineating statutory mandates and requirements.

Following are services, activities, and costs allowable under the Federal VOCA Guidelines:

**(Please note: Under the CHAT Program, the victims of crime are only the child victims under the age of 18 years. Additionally, program requirements such as plan and implementation and mandated objectives and activities, are specifically tailored for the program and follow the strict services, activities, and costs allowable under the Federal VOCA Guidelines.)**

#### 1. Immediate Health and Safety

Services which respond to the immediate emotional and physical needs (excluding medical care) of crime victims such as crisis intervention; accompaniment to hospitals for medical examinations; hotline counseling; emergency food, clothing, transportation, and shelter (including emergency, short-term nursing home shelter for elder abuse victims for whom no other safe, short-term residence is available); and other emergency services intended to restore the victim's sense of security such as services offering an immediate measure of safety to crime victims such as boarding-up broken windows and replacing or repairing locks.

Emergency legal actions such as filing restraining orders and obtaining emergency custody/visitation rights when such actions are directly

connected to family violence cases and are taken to ensure the health and safety of the victim, are allowable.

## **2. Mental Health Assistance**

Services and activities assisting the primary and secondary victims of crime in understanding the dynamics of victimization and in stabilizing their lives after a victimization such as counseling, group treatment, and psychotherapy. "Psychotherapy" refers to intensive professional psychotherapy/psychiatric treatment services for individuals, couples, and family members related to counseling to provide emotional support in crises arising from the occurrence of crime. This includes the evaluation of mental health needs, as well as the actual delivery of psychotherapy.

**(Under the CHAT Program, "psychotherapy" refers to intensive professional psychological/psychiatric treatment for child victims of crimes, which can be implemented via a treatment plan of individual/child psychotherapy with adjunct group/children psychotherapy when appropriate.)**

## **3. Assistance with Participation in Criminal Justice Proceedings**

In addition to the cost of emergency legal services noted in section II.B.1, "Immediate Health and Safety," there are other allowable costs associated with supporting victims' participation in the criminal justice system. These services include advocacy on behalf of crime victims; accompaniment to criminal justice offices and court; transportation to court; child care or respite care to enable a victim to attend court; notification of victims regarding trial dates, case disposition information, and parole consideration procedures; and assistance with victim impact statements.

VOCA funds cannot be used to pay for non-emergency legal services such as divorces or civil restitution recovery efforts.

## **4. Forensic Examinations**

For sexual assault victims, forensic examinations are allowable costs **only** to the extent other funding sources (such as state compensation, private insurance, or public benefits) are unavailable or insufficient and such exams conform with state evidentiary collection requirements.

## **5. Costs Necessary and Essential to Providing Direct Services**

Prorated costs of rent, telephone service, cost of transportation for victims to receive services, emergency transportation costs enabling a victim to participate in the criminal justice system, and local travel expenses for service providers.

## 6. **Special Services**

Services to assist crime victims with managing practical problems created by the victimization such as acting on behalf of the victim with other service providers, creditors, or employers; assisting the victim to recover property retained as evidence; assisting in filing for compensation benefits; and helping to apply for public assistance.

## 7. **Personnel Costs**

Costs directly related to providing direct services, such as staff salaries and fringe benefits, including malpractice insurance; the cost of advertising to recruit VOCA-funded personnel; and the cost of training paid and volunteer staff.

## 8. **Restorative Justice**

Facilitate opportunities for crime victims to meet with perpetrators - when such meetings are requested or voluntarily agreed to by the victim and have possible beneficial or therapeutic value to crime victims.

At a minimum, the following should be considered: (1) the safety and security of the victim; (2) the benefit or therapeutic value to the victim; (3) the procedures for ensuring participation of the victim and offender are voluntary and everyone understands the nature of the meeting; (4) the provision of appropriate support and accompaniment for the victim; (5) appropriate "debriefing" opportunities for the victim after the meeting or panel; (6) the credentials of the facilitators; and (7) the opportunity for the victim to withdraw from the process at any time. VOCA assistance funds cannot be used for victim-offender meetings, which serve to replace criminal justice proceedings.

**(CHAT Program subrecipient agencies planning to fund this type of service should closely review the criteria for conducting these meetings and receive prior approval from OES.)**

## C. **OTHER ALLOWABLE COSTS AND SERVICES**

The services, activities, and costs listed below are not generally considered direct crime victim services, but are often a necessary and essential activity to ensure quality direct services are provided. Before these costs can be supported with VOCA funds, the state grantee and subrecipient must agree direct services to crime victims cannot be offered without support for these expenses; the recipient has no other source of support for them; and only limited amounts of VOCA funds will be used for these purposes. The following provides examples of such items:

## **1. Skills Training for Staff**

VOCA funds designated for training are to be used exclusively for developing the skills of direct service providers, including paid staff and volunteers, so they are better able to offer quality services to crime victims. An example of skills development is training focused on how to respond to a victim in crisis.

VOCA funds may be used for training both VOCA-funded and non-VOCA-funded service providers who work within a VOCA subrecipient agency, but VOCA funds cannot be used for management and administrative training for executive directors, board members, and other individuals who do not provide direct services.

## **2. Training Materials**

VOCA funds may be used to purchase materials such as books, training manuals, and videos for direct service providers within the VOCA-funded organization, and can support the costs of a trainer for in-service staff development. Staff from other organizations can attend in-service training activities held for the subrecipients' staff.

## **3. Training Related to Travel**

VOCA funds may support costs such as travel, meals (per diem), lodging, and registration fees to attend training within the state or a similar geographic area. This limitation encourages state grantees and subrecipients to first look for available training within their immediate geographical area, as travel costs will be minimal. However, when needed training is unavailable within the immediate geographical area, state recipients may authorize using VOCA funds to support training outside of the geographical area. For example, VOCA subrecipients may benefit by attending national conferences offering skills building training workshops for victim assistance providers.

## **4. Equipment and Furniture**

VOCA funds may be used to purchase furniture and equipment, which provides or enhances direct services to crime victims as demonstrated by the VOCA subrecipient. VOCA funds cannot support the entire cost of an item not used exclusively for victim-related activities.

However, VOCA funds can support a prorated share of such an item. In addition, subrecipients cannot use VOCA funds to purchase equipment for another organization or individual to perform a victim-related service. Examples of allowable costs may include beepers; typewriters and word processors; videotape cameras and players for interviewing children; two-way mirrors; and equipment and furniture for shelters, work spaces, victim waiting rooms, and children's play area.

The costs of furniture, equipment such as Braille equipment or TTY/TTD machines for the deaf or minor building alterations/improvements, which make victim services more accessible to persons with disabilities, are allowable.

**5. Purchasing or Leasing Vehicles**

VOCA funds may be used to purchase or lease vehicles if it can demonstrate to the state VOCA administrator it is essential for delivering services to crime victims.

**(Approval must be obtained from OES prior to purchasing or leasing.)**

**6. Advanced Technologies**

VOCA funds may be used to purchase computers if such equipment increases a subrecipient's ability to reach and serve crime victims. For example, automated victim notification systems have dramatically improved the efficiency of victim notification and enhanced victim security.

Subrecipients must describe how the computer equipment will enhance services to crime victims; how it will be integrated into and/or enhance the subrecipient's current system; the cost of installation; the cost of training staff to use the computer equipment; the ongoing operational costs, such as maintenance agreements, supplies; and how these additional costs will be supported. Property insurance is an allowable expense as long as VOCA funds support a prorated share of the cost of the insurance payments.

**7. Contracts for Professional Services**

VOCA funds generally should not be used to support contract services. At times, however, it may be necessary for VOCA subrecipients to use a portion of the VOCA grant to contract for specialized services. Examples of these services include assistance in filing restraining orders or establishing emergency custody/visitation rights (the provider must have a demonstrated history of advocacy on behalf of domestic violence victims); forensic examinations on a sexual assault victim to the extent other funding sources are unavailable or insufficient; emergency psychological or psychiatric services; or sign and/or interpretation for the deaf or for crime victims whose primary language is not English. Subrecipients are prohibited from using a majority of VOCA funds for contracted services which contain administrative, overhead, and other indirect costs included in the hourly or daily rate.

## **8. Operating Costs**

VOCA funds may be used to purchase supplies necessary for the provision of direct services such as equipment use fees when supported by usage logs; printing, photocopying, postage; brochures which describe available services; and books and other victim-related materials.

VOCA funds may be used to support administrative time to complete VOCA required time and attendance sheets and programmatic documentation, reports, and statistics; administrative time to maintain crime victims' records; and the prorated share of audit costs.

## **9. Supervision of Direct Service Providers**

VOCA funds may be used for supervision of direct service providers when subrecipient determines such supervision is necessary and essential to providing direct services to crime victims. For example, VOCA funds used to support a coordinator of volunteers or interns is a cost-effective way of serving more crime victims.

## **10. Repair and/or Replacement of Essential Items**

VOCA funds may be used for repair or replacement of items contributing to maintaining a healthy and/or safe environment for crime victims, such as a furnace in a shelter. In the event a vehicle is purchased with VOCA funds, related items such as routine maintenance and repair costs and automobile insurance are allowable. Recipients must ensure the following: (1) the building or vehicle is owned by the recipient organization and not rented or leased; (2) all other sources of funding have been exhausted; (3) there is no available option for providing the service in another location; (4) the cost of the repair or replacement is reasonable considering the value of the building or vehicle; and (5) the cost of the repair or replacement is prorated among all sources of income.

## **11. Public Presentations**

VOCA funds may be used to support presentations made in schools, community centers, or other public forums designed to identify crime victims and provide or refer them to needed services. Specifically, activities and costs related to such programs including presentation materials, brochures, and newspaper notices can be supported by VOCA funds.

## D. NON-ALLOWABLE COSTS AND ACTIVITIES

The following services, activities, and costs, although not exhaustive, cannot be supported with VOCA funds:

### 1. Lobbying and Administrative

VOCA funds cannot support victim legislation or administrative reform, whether conducted directly or indirectly.

### 2. Perpetrator Rehabilitation and Counseling

VOCA funds cannot be used to offer rehabilitative services to offenders. Likewise, VOCA funds cannot support services to incarcerated individuals, even when the service pertains to the victimization of that individual.

### 3. Needs, Assessments, Surveys, Evaluations, Studies

VOCA funds cannot be used to pay for efforts conducted by individuals, organizations, task forces, or special commissions to study and/or research particular crime victim issues.

### 4. Prosecution Activities

VOCA funds cannot be used to pay for activities directed at prosecuting an offender and/or improving the criminal justice system's effectiveness and efficiency, such as witness notification, management activities, and expert testimony at a trial. In addition, victim witness protection costs and subsequent lodging and meal expenses are considered part of the criminal justice agency's responsibility and cannot be supported with VOCA funds.

### 5. Fundraising Activities

VOCA funds cannot be used for fundraising.

### 6. Indirect Organizational Costs

VOCA funds cannot be used to pay for the costs of liability insurance on buildings, capital improvements, security guards and bodyguards, property losses and expenses, real estate purchases, mortgage payments, and construction.

### 7. Property Loss

VOCA funds cannot be used for reimbursing crime victims for expenses incurred as a result of a crime such as insurance deductibles, replacement of stolen property, funeral expenses, lost wages, and medical bills.

**8. Most Medical Costs**

VOCA funds cannot pay for nursing home care (emergency short-term nursing home shelter as described in section II.B.1 “Immediate Health and Safety” is allowable), home healthcare costs, inpatient treatment costs, hospital care, and other types of emergency and non-emergency medical and/or dental treatment. VOCA victim assistance grant funds cannot support medical costs resulting from an incident of victimization, except for forensic medical examinations for sexual assault victims.

**9. Relocation Expenses**

VOCA funds cannot support relocation expenses for crime victims such as moving expenses, security deposits on housing, ongoing rent, and mortgage payments. However, VOCA funds may be used to support staff time in locating resources to assist victims with these expenses.

**10. Administrative Staff Expenses**

Salaries, fees, and reimbursable expenses associated with administrators, board members, executive directors, consultants, coordinators, and other individuals unless these expenses are incurred while providing direct services to crime victims, are not allowable costs.

**11. Development of Protocols, Interagency Agreements, and Other Working Agreements**

VOCA funds cannot support these activities although these benefit crime victims. These activities are considered examples of the types of activities subrecipients undertake as part of their role as victim services organizations, which in turn qualifies them as eligible VOCA subrecipients.

**12. Costs of Sending Individual Crime Victims to Conferences**

VOCA funds cannot be used to send crime victims to conferences.

**13. Activities Exclusively Related to Crime Prevention**

VOCA funds cannot be used for activities exclusively related to crime prevention.

**E. PROMOTE COMMUNITY EFFORTS TO AID CRIME VICTIMS**

The subrecipient agency must promote coordinated public and private efforts to aid child victims within the community served by the CHAT Program project. Since the various types of services needed by child victims of crimes are usually provided by a variety of agencies, it is essential these services be coordinated ensuring continuity of support to the child victims and avoid duplication of effort. Although coordinating efforts qualifies an organization to

receive VOCA funds, these activities are not activities supported with VOCA funds.

## **F. REQUIRED MATCH**

Subrecipient agencies funded with VOCA funds must contribute matching funds.

### **1. General VOCA Match Requirements**

The purpose of the match requirement is to increase the amount of resources available to the subrecipients supported by VOCA grant funds. VOCA match requirements are as follows:

- a. Federal funds must not be used as a source for the match. Federal funds include, but are not limited to, Medi-Cal, Office of Juvenile Justice and Prevention funding to Court Appointed Special Advocates (CASA) Programs, Victim/Witness Compensation (Administered by the California Victim Compensation and Government Claims Board), County Victim/Witness Assistance Centers, Child Abuse Prevention and Treatment Act (CAPTA), California Safe and Healthy Families (Cal-SAFE), Cal-Works, Community Based Family Resource and Support (CBFRS), Family Prevention and Support Program (FPSP).
- b. State funds may be used as a match only if the funding source and programmatic requirements does not prohibit this practice.
- c. Funds designated as match are restricted to the same use as VOCA funds and must be used within the grant period.
- d. Match may be cash or in-kind contributions and includes, but is not limited to:
  - 1) Paid personnel performing VOCA allowable project related duties;
  - 2) Benefits for paid personnel performing VOCA allowable project related duties;
  - 3) Volunteers' time performing VOCA allowable project related duties;
  - 4) Travel of staff or volunteers performing VOCA allowable project related duties;
  - 5) VOCA allowable project related operating expenses; and/or
  - 6) Equipment used in implementing project objectives and activities.
- e. The twenty percent (20%) match is based on the "total project cost" method. Instructions regarding calculation of the VOCA match are included in the *Grant Recipient Handbook*.

## **2. Native American (American Indian) Match Required – Five Percent or Twenty Percent**

A Native American organization (\*American Indian) is defined as any tribe, band, nation, or other organized group or community, which is recognized as eligible for the special programs and services provided by the United States to Native Americans due to their status as Native Americans. A reservation is defined as a tract of land set aside for use of, and occupancy of, Native Americans.

The match for new or existing VOCA subrecipient Native American tribes/organizations located on reservations or a consortium of tribes is five percent (5%) (cash or in-kind) of the total project cost.

Otherwise, the match required is twenty percent (20%); for example, Native American organizations located in the city and/or metropolitan area are subject to a twenty percent (20%) match.

\*The former Governor's Office of Criminal Justice Planning (OCJP), Children's Branch (now Children's Section), which had previous administrative oversight of the American Indian Child Abuse Treatment (AICHAT) Program, sent an informal survey to the Children's Branch's AICHAT Program projects requesting their preference in reference to being called Native American(s) or American Indian(s). The majority responded a preference to American Indian(s). Although the Federal VOCA guidelines refers to this population as Native Americans, the former OCJP's, and now OES' Children's Section staff - respecting its subrecipient AICHAT Program project preference - refers to this population as American Indian(s).

## **G. ADMINISTRATIVE REQUIREMENTS**

Subrecipient agencies must adhere to: additional state and federal requirements such as compliance with civil rights, equal employment opportunity, and drug free workplace policies; *Grant Recipient Handbook* requirements which outlines the terms and conditions of grant funded subrecipient agencies such as maintaining written personnel policies; and the laws and regulations applicable to clinicians licensed by the Board of Behavioral Sciences or the Board of Psychology such as, what constitutes unprofessional conduct, and updates of license requirements, etc.

## **H. CHILD ABUSE AND NEGLECT REPORTING ACT REQUIREMENTS**

The following information is provided to assist subrecipients find the codes and sections where information may be obtained. The information is only a description of what the codes and sections contain. For detailed information, please refer to the codes and sections illustrated.

## **Mandated Reporting Law in California**

Staff at the agency must comply with the requirements of the Child Abuse and Neglect Reporting Act (CANRA) found at *Penal Code Sections 11164 – 11174.3*. (Please refer to Attachment C.)

### **a. CANRA Obligations of the Agency Employing Mandated Reporters**

Employees of public and private organizations identified as mandated reporters must comply with the mandated reporting requirements of CANRA.

The agency must provide to employees, who are defined to be mandated reporters, a written statement which informs them of their status as mandated reporters, their reporting obligations and their confidentiality rights.

### **b. Suspected Child Abuse Report Form**

The Suspected Child Abuse Report Form SS-8572 is available from:

California Department of Justice  
Bureau of Criminal Information and Analysis  
Child Protection Program  
P.O. Box 903387  
Sacramento, CA 94203-3070  
(916) 227-3285

Forms may be downloaded by accessing the following website:  
[www.caag.state.ca.us](http://www.caag.state.ca.us); **Child Protection Program; Forms; Suspected Child Abuse Report Form SS-8572.**

The California Child Abuse and Neglect Reporting Law – Condensed Version (2003) is available at [www.safestate.org](http://www.safestate.org) by selecting **Focus Areas – Child Abuse – Resources.**

The California Penal Code Sections 11164 – 11174.4, known as CANRA, is available on [www.leginfo.ca.gov](http://www.leginfo.ca.gov) by selecting **California Laws.**

## **III. PROGRAMMATIC REQUIREMENTS**

### **A. PROGRAM OBJECTIVES**

Subrecipient agencies must incorporate into the CHAT Program the following primary objectives:

1. **Provide Psychotherapy (Treatment) Services**

Agencies are to provide psychotherapy treatment services to the child client. For the purpose of the CHAT Program, this means intensive psychotherapy provided on an outpatient basis to child victims by psychotherapists. Psychotherapy includes individual treatment with adjunct group treatment when appropriate.

Psychotherapy should be center-based as opposed to home-based due to issues related to psychological boundary and liability. However, there are situations where treatment services at home are appropriate; for example, when treatment is for a child with disabilities with limited mobility. In this case, subrecipient agencies should have a plan addressing accessibility concerns for children with disabilities and children residing in remote areas.

2. **Assistance in Providing Information on Crime Victim Compensation Services**

Assistance is to be provided by subrecipient agency staff to child victims who may be eligible to seek victim compensation benefits. Staff should provide information on the availability of the Victim Compensation Program (VCP), explaining the procedure, and referring the child client to the local Victim/Witness Assistance Center. It is not the subrecipient agency's responsibility to determine eligibility.

**NOTE: Victims are not eligible to submit claims for reimbursement of psychotherapy services received under the CHAT Program. If a child victim is approved for VCP benefits for therapy, the child victim may no longer receive therapeutic services provided by the CHAT Program and funded by VOCA. However, other supportive services under the CHAT Program are still available to the child victim. Once the VCP benefits are exhausted, the child victim may once again receive psychotherapy services under the CHAT Program.**

3. **Assistance in Understanding and Participating in the Criminal Justice System**

Assistance is to be provided by subrecipient agency staff to child victims who are involved in the judicial proceedings as the result of a crime committed against the child.

As a way for the subrecipient agency to meet Objectives 2 and 3, subrecipient staff must refer the child victim to the local Victim/Witness Assistance Center for the staff at the center to assist the child victim in understanding and in participation in the criminal justice system.

As part of the required RFA CHAT Program documentation, the subrecipient agency must submit to OES the fully executed Operational

Agreement (OA) with its local Victim/Witness Assistance Center (Attachment D). The OA must have original signatures from the subrecipient agency's authorized person to sign the CHAT Program Grant Award Agreement and by the Victim/Witness Assistance Center person authorized to sign as designated by the center.

#### 4. **Use of Volunteers**

The agency **must** utilize volunteers in the CHAT Program who are trained in working with child victims of abuse and neglect unless there is a compelling reason to waive this requirement. Written waiver requests documenting the basis for the waiver must be submitted to OES for prior approval; in turn, OES must also receive approval by the U.S. Department of Justice, Office for Victims of Crime prior to granting the waiver.

Volunteers may provide support and advocacy services by working increments of time to add up to at least one full-time equivalent (FTE).

**The Court Appointed Special Advocates (CASA) volunteers cannot be used to fulfill the volunteer requirement, the match requirement, or other staff requirement of the CHAT Program project.**

### **B. PROVISION OF DIRECT SERVICES**

The initial Child Abuse Treatment (CHAT) Request for Proposal (RFP) and subsequent Request for Application (RFA) contains the definitions of provision of direct services. CHAT Program project staff must provide comprehensive direct services to child victims in compliance with VOCA requirements without charging a fee for these services.

### **C. INDIVIDUALS INELIGIBLE FOR SERVICES**

Agencies cannot provide services under the CHAT Program to offending parents and/or caregivers, siblings, or other family members who have taken action or inaction leading to the victimization of the child.

Non-offending family members and/or caregivers may need to attend several sessions during the counseling sessions of their child victim regarding the child's victimization. The focus must be on effective ways to help the victimized child in order to facilitate the treatment plan.

Services cannot be provided to the non-offending family members and/or caregiver unless it is documented the services have an inextricable link and are the direct result of providing services to the child victim.

### **D. STANDARDS FOR THE PROVISION OF SERVICES**

The CHAT Program is designed with the goal of standards for mental health services in the treatment of child victims using the most effective practices for

addressing the effects of emotional trauma in child victims of crimes. In accomplishing this goal, the following criteria must be part on the subrecipient agencies' CHAT Program plan:

**1. Accessibility and Outreach**

Sub recipient agencies must make reasonable efforts to ensure CHAT Program services are accessible to eligible child victims and their appropriate non-offending family members and/or caregivers in order to support the child victim's services. Barriers to child client's ability to participate in services must be identified and solutions to eliminate those barriers must be implemented, such as lack of/to:

- Awareness of the services;
- Of transportation to the services;
- Childcare;
- Trust in the service provider to ensure private, confidential, and emotionally safe services;
- Coordination with area schools;
- Services available in client's language;
- Available age-appropriate services; and
- Agency's hours conflicting with school schedules.

CHAT Program subrecipient must:

- Provide comprehensive direct services to child victims in compliance with Federal VOCA requirements, following the strict guidance to allowable and nonallowable costs, without charging a fee for these services.
- Comply with the Americans with Disabilities Act (ADA) of 1990, *42 U.S.C., 12101, et seq*, and *Title 28 of the Code of Federal Regulations, Part 35*. The subrecipient shall operate so each service is accessible to and usable by individuals with disabilities. The agency may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignments of aides to child clients and/or to non offending family member, home visits only when the agency has comprehensive delivery of services, delivery of services at alternative accessible sites, alteration of existing facilities, and construction of new facilities.
- Ensure communication with individuals with disabilities is as effective as communication with others without disabilities. This includes the use of telecommunications systems for communications by telephone and appropriate signage. Subrecipients must also ensure individuals with impaired vision or hearing can obtain information as to the existence and location of accessible services, activities, and facilities.

## 2. Client Documentation

Agencies must maintain a record for each child client. When there is a sibling group, each child must have an individual client record with a cross reference to each sibling. Records must be maintained in a secure storage area.

Children's records should be retained up to three years following the child's 18<sup>th</sup> birthday.

**NOTE: Record retention laws and regulations vary greatly as do the ethical guidelines within various specialties. It is the responsibility of the subrecipient to be aware of the latest guidelines and the state laws, which apply to record retention.**

At a minimum, the child client clinical documentation record should include the following items:

- Intake information;
- Standardized assessments;
- Mental health assessments;
- Documentation of collateral interviews;
- Treatment notes;
- Informed consent from the child client's parent(s) having legal custody of the child or guardian authorized to consent to mental health care;
- In the absence of parental consent for a child dependent of the juvenile court, a juvenile court order authorizing treatment and dispensing with parental consent;
- Consent from minor who is 12 years of age or older (*Family Code Section 6924*);
- Informed consent from emancipated minors (*Family Code Sections 7000-7002 and Sections 7050-7052*);
- Informed consent from the child client (regardless of age);
- Proof of advisement of limitations of confidentiality;
- Authorization to release information;
- Documentation of collateral contacts;
- Materials regarding the child received from outside sources;
- Summary of services provided;
- Child treatment (individual or group) notes to facilitate the evaluation of the effectiveness of the treatment; and
- Process for obtaining release of information for review of clinical files by OES program and monitoring staff for grant monitoring, technical assistance, and sit visits. **Based on federal confidentiality laws, it is recommended client files to be reviewed be redacted by subrecipient agency prior to the monitoring, technical assistance, and/or site visits.**

### 3. Confidentiality

The ethical obligation to protect confidentiality applies regardless of age to child clients. Confidential information cannot be revealed to outsiders unless written consent is obtained or there is a judicial order for disclosure of client information. California's child abuse reporting law overrides privilege and the ethical duty to maintain confidentiality; however, when complying with the reporting law, disclose only the confidential information needed to comply with the reporting obligation.

The California Confidentiality of Medical Information Act (CMIA), found at *Civil Code Section 56*, applies to mental health records; professionals may not disclose information regarding clients without properly signed and dated authorization. When the client is a minor, parents usually have authority to consent to release of information. In circumstances where a minor has legal authority to consent to care, the minor has legal authority to consent to disclosure of information.

Agencies must have a confidentiality policy and provide a copy to each staff member and volunteer. Staff members and volunteers must sign a confidentiality agreement; the agency must retain a signed copy in their personnel file.

## IV. CHAT PROGRAM STAFFING REQUIREMENTS

### A. PROJECT STAFF AND VOLUNTEERS SELECTION

The CHAT Program must have at a minimum a licensed psychologist, clinical social worker, and/or marriage and family therapist responsible for providing psychotherapy services. Clinical support may include interns such as associate clinical social workers registered with the California Board of Behavioral Sciences.

#### 1. Written Application and Reference Checks

A formal application, including three references checked by subrecipient program administrators or designated personnel, must be completed.

#### 2. Criminal Background Checks

A criminal background check on all staff and volunteers must be completed prior to any contact with children receiving services. The criminal background check includes fingerprinting and processing through the Department of Justice. If staff, volunteers, or trainees have resided in California less than three years, out-of-state criminal history checks are also required. For information on guidelines please go to the Attorney General's website at [//caag.state.ca.us/fingerprints/agencies.htm](http://caag.state.ca.us/fingerprints/agencies.htm).

CHAT Program staff and volunteers cannot have contact with child victims and their non-offending family members and/or caregivers until a complete background check and reference check has been completed and the individual designated by the agency has reviewed the results and makes the determination to hire.

### 3. Department of Motor Vehicles Checks

A check of the Department of Motor Vehicles records must be completed for all staff who will drive a car where CHAT Program clients are being transported.

## B. STAFF QUALIFICATIONS AND SUPERVISION

### 1. Psychotherapists

Individuals providing mental health treatment or counseling services or intensive psychotherapy including, but not limited to, individual and group psychotherapy on an outpatient basis to child victims, must be licensed clinicians.

Qualified licensed clinicians include:

- A licensed physician certified in psychiatry by the American Board of Psychiatry and Neurology;
- Psychologist, licensed by the Board of Psychology;
- Licensed Clinical Social Worker, licensed by the Board of Behavioral Sciences; and
- Marriage and Family Therapist, licensed by the Board of Behavioral Sciences.

The above licensed clinicians must abide by their respective professional association's code of ethics, *California's Business and Professional Code Sections*, and be in good standing with the respective licensing board governing their license.

The clinicians must provide documentation demonstrating two years of experience or training in working with child abuse victims.

### 2. License-Eligible Interns

Persons who are license-eligible in one of the fields listed above, who are **post-master's level** and are seeking qualifying hours for licensure, must be supervised by a licensed mental health professional acceptable to their respective licensing board who, at the time of supervision, possessed for at least two years a valid clinical license. An additional requirement for the CHAT Program is the supervisor must be knowledgeable in the dynamics of child abuse and neglect. Weekly-documented supervision sessions by the licensed mental

health professional must be maintained over the license-eligible clinician.

Qualified license eligible-interns include:

- Psychological Assistant, registered with the Board of Psychology and under the supervision of a licensed psychologist or board certified psychiatrist;
- Associate Clinical Social Worker, registered with the Board of Behavioral Sciences and under the supervision of a licensed clinician;
- Marriage and Family Therapist Intern, registered with the Board of Behavioral Sciences and under the supervision of a licensed clinician; and
- Registered Psychiatric Nurse who is experienced and trained in working with child abuse victims.

The license-eligible clinician must have two years of experience or training in working with child abuse victims and be registered with their respective licensing board.

Licensed mental health professionals providing supervision to registered Associate Clinical Social Workers or Marriage, Family Therapist Interns, must check with the California Board of Behavioral Sciences at [www.bbs.ca.gov](http://www.bbs.ca.gov) or by telephone at (916) 445-4933, for additional intern supervisory requirements.

### **3. Graduate School Trainees**

Graduate school trainees are those persons who have not yet received a master's degree in one of the behavioral science fields. **These trainees cannot provide psychosocial treatment services.**

#### **a. Services Provided by Graduate School Trainees**

Graduate school trainees may provide client-related services such as:

- Information and referral;
- Assistance in providing information on crime victim compensation services;
- Assistance in understanding and participating in the criminal justice system;
- 
- 
- Facilitate children's therapeutic treatment groups; and
- Other advocacy and support services.

Graduate school trainees may meet the program objective of the Use of Volunteers.

**b. Graduate School Trainee Training Required Prior to Client Contact**

Graduate school trainees who do not have up to two years experience or training in working with child abuse victims and their families are required to complete at least 40 hours of training including, but not limited to:

- Crisis intervention;
- Assessment and treatment issues related to neglect, abuse, and domestic violence;
- Assessment of substance abuse and family dynamics;
- Issues related to child abduction;
- The child abuse reporting laws and procedures;
- Sexual abuse of children;
- Psychological maltreatment;
- Psychotherapeutic treatment models for abused children; and
- Adolescents and children with disabilities who have been abused.

**4. Volunteers**

Volunteers shall not provide direct services to clients until all the requirements have been met.

**a. Provision of Psychotherapy Services by Volunteers**

Volunteers who provide psychotherapy must meet the above definition of qualified clinicians as set forth in these guidelines.

**b. Provision of Other Services by Volunteers**

Volunteers may provide services such as:

- Information and referral;
- Assistance in providing information on crime victim compensation services;
- Assistance in understanding and participating in the criminal justice system;
- Emergency services under the emergency service procedure (i.e., transportation, food, clothing, shelter, etc.) related to the victimization; and
- On-site supervision (child care) for CHAT Program child clients' siblings in order for parents or care providers to attend services with the child client.

### c. Training Required Prior to Client Contact

Volunteers who do not have up to two years of experience or training in working with child abuse victims and their families are required to complete at least 40 hours of training which includes but is not limited to:

- Crisis intervention;
- Behavioral issues of children exposed to violence and those who have experienced abuse and/or neglect;
- Identifying and reporting child abuse and neglect; and
- Children with disabilities who have been abused.

### d. Supervision of Volunteers

Direct supervision by a professional staff with expertise in the delivery of direct services to child victims is required.

## C. PROJECT STAFF TRAINING OR SPECIFIC QUALIFICATION WAIVERS

Waivers of OES-mandated staff training or for a specific staff qualification, or disqualification such as findings resulting from background checks, must be obtained from the OES Children's Section Chief. **A written waiver from OES must be obtained prior to the staff performing duties for the grant.**

To request a waiver, the following items must be submitted to the OES Children's Section Chief:

1. A letter requesting a waiver on behalf of the individual;
2. A detailed explanation of the reason a waiver is needed, such as a finding on the background check, short training hours, or lack of a specific qualification;
3. Justification for the waiver, including the individual's resume; and
4. A description of recruitment efforts and the results when a specific staff cannot be recruited to hire.

While OES will make every effort to accommodate the staffing needs of the CHAT Program project, OES reserves the right to deny a waiver in order to maintain treatment and other client services delivery standards, as well as safety guidelines.

## D. PERSONNEL RECORDS

The subrecipient agency must have personnel records on all paid staff, trainees, and volunteers providing project services, which include:

1. Copies of licenses and degrees;
2. Documentation of special training specific to the services performed on this grant;

3. Documentation of supervision hours as required;
4. Substantiation of what makes the supervisor knowledgeable in the dynamics of child abuse; and
5. Documentation of the completion of background checks/clearances including the results and applicable waivers such as:
  - Written application and reference checks;
  - Department of Justice Criminal History Check and Clearance;
  - Child Abuse Central Index Check;
  - Department of Motor Vehicles Clearance;
  - OES approved waivers;
  - Copy of signed mandated reporter;
  - Copy of the signed confidentiality agreement.

Personnel files must be made available for review for the CHAT Program to OES Criminal Justice Program Division and Monitoring and Audits Branch staff upon request during site and monitoring visits. However, OES staff does not have the legal authority to review the criminal clearances, child abuse central index check, and DMV results. OES staff may only ask if these were completed and take the response of the subrecipient agency's project director or other authorized staff as being in compliance or not.

## **V. OES ADMINISTRATIVE REQUIREMENTS**

The following requirements apply to agencies receiving funds to establish a CHAT Program:

### **A. OES GRANT RECIPIENT HANDBOOK**

The *Grant Recipient Handbook* outlines the terms and conditions required from subrecipient/recipient agencies. Funded subrecipient agencies must administer grants in accordance with these administrative and fiscal conditions. Signing the Grant Award Agreement certifies the agency awarded the grant funds will comply with the required administrative and fiscal conditions contained in the *Grant Recipient Handbook*. OES may modify and/or impose additional conditions not outlined in this handbook should it deem it appropriate. Failure to comply with these requirements can result in the withholding and/or termination of the Grant Award Agreement.

Subrecipient agencies receiving grant funds for the implementation of the CHAT Program must also comply with the Child Abuse Treatment (CHAT) Program Guidelines (here within) and the instructions in the initial RFP and subsequent RFAs. In the event these are inconsistent with the provisions of the *Grant Recipient Handbook*, the CHAT Program Guidelines or RFP/RFA shall be interpreted and construed as superseding the provisions of the *Grant Recipient Handbook*.

The *Grant Recipient Handbook* is accessible at <http://www/oes.ca.gov>. Select "Plans and Publications, RFA/RFP *Grant Recipient Handbook*."

## **B. INTERNET ACCESS**

Subrecipient agencies must maintain Internet access with an established e-mail address. A portion of grant funds may be used for this purpose.

## **C. TECHNICAL ASSISTANCE/SITE VISITS**

Subrecipient agencies of the CHAT Program are assigned an OES program specialist to oversee the progress of the projects in achieving goals, objectives, and compliance with the Grant Award Agreement. Program specialists are technical experts on the criminal justice system and in the administrative execution of Grant Award Agreements, and are available to assist the projects in the successful implementation of the projects and in meeting the administrative requirements of the Grant Award Agreement. Subrecipient agencies should expect a site visit from the assigned program specialist within the first six months of the grant period or soon thereafter. Follow-up site visits will be conducted periodically throughout the life of the grant.

Subrecipient agencies may request a site visit to obtain technical assistance; subrecipient agencies are encouraged to request such visits when their project staff determines they need hands-on assistance.

## **D. MONITORING REQUIREMENTS**

A monitoring visit is an onsite assessment by the OES Monitoring and Audits Branch staff to determine if the project is in compliance with the Grant Award Agreement, the CHAT Program Guidelines, the RFP/RFA, and the *Grant Recipient Handbook*. The goal of the monitoring process is to support OES Program sections in helping subrecipient agencies achieve their goals. Subrecipient agencies will be monitored on a random or as-needed basis. The monitoring staff conducting the visit will review areas of project operation and project's source documentation as substantiation for project goals, objectives, and activities.

## **E. TRAINING REQUIREMENTS**

Subrecipient agencies are required to attend OES-sponsored or approved training sessions during the grant year. Use of Federal VOCA funds for training is allowable to ensure CHAT Program staff receives appropriate training to enable them to offer quality direct services to child victims. The purpose of the training must be solely to enhance the skills of those individuals (paid and volunteer) who provide direct services to child victim. Federal VOCA funds cannot support training of an organization's directors and other individuals whose primary functions are other than to provide direct services.

At least two CHAT Program staff members must attend the OES-sponsored regional CHAT Program Project Director's meeting which provides an

orientation and program overview. OES Program staff will inform subrecipient agencies in advance whether to budget funds for such meeting during a specific grant year.

## **F. PROGRESS REPORTS AND DATA COLLECTION**

Subrecipient agencies are required to complete data collection and to submit progress reports required by the assigned OES program specialist or other OES program staff. Subrecipient agencies staff are required to keep accurate records to document their progress in achieving the objectives and activities of the CHAT Program. These records must be kept by the subrecipient agencies for a period of three (3) years. During monitoring or site visits, OES staff will review these records for accuracy and compare them with the reported data submitted on the progress reports.

The Child Abuse Treatment (CHAT) Progress Report and detailed Instructions for Completing the Progress Report are found in **Part 3 Additional Information** of the CHAT Program RFP or RFA.

## **G. OES Reporting Standards**

Recipients must meet OES reporting standards for timely and accurate reporting. Each report is due 30 days after the end of the report period. For example, a report for the period October 1 through March 31 is due by April 30. During each grant program year, the following three (occasionally four) reports are required:

- 6-Month Progress Report: Progress Report Narrative and Statistics for the first six months of operation.
- Year-End (FINAL) Progress Report (12 months): Final Progress Report Narrative, Statistics, and Project Summary for the entire current grant year.
- Other: To cover the extension period of a project – beyond a regular grant year period.