CHAPTER 471. FIRST CHANCE TRUST FUND—STATEMENT OF POLICY

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Authority
The provisions of Chapter 471 issued under section 12.1 of the act of October 30, 2017 (P.L. 725, No. 44), unless otherwise noted.

Source
The provisions of Chapter 471 adopted January 26, 2018, effective January 27, 2018, 48 Pa.B. 608, unless otherwise noted.

§ 471.101. Purpose.
This chapter is adopted to administer the Fund.

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

Child—An individual under 18 years of age who resides in this Commonwealth.

Department—The Department of Corrections of the Commonwealth.

Fund—The First Chance Trust Fund established under section 1753-a.1 of The Fiscal Code (72 P.S. § 1753-a.1).

Program—An evidence-based or outcome-based program for children who meet the eligibility requirements determined by the Commission aimed at reducing risk factors and producing positive outcomes, which may include mentoring, individual counseling and therapeutic services, and family-strengthening activities.

Scholarship program—A program which assists students in obtaining education or other vocational training that meets all of the following criteria:

(i) The student resides in this Commonwealth and attends an educational or vocational training institution in this Commonwealth.

(ii) The student is 24 years of age or younger.

(iii) The student meets other eligibility requirements as determined by the Commission in accordance with section 1753-a.1 of The Fiscal Code.

§ 471.103. Risk factors.
The Commission is required under the act of October 30, 2017 (P.L. 725, No. 44) to identify risk factors that lead to criminal behavior for children and students in regions of this Commonwealth which have statistically higher high school
dropout rates, high incarceration rates or are in areas of high crime, which shall be used by the Commission in determining eligibility for allocation of funds. Research has identified risk factors that are known to predict increased likelihood of delinquency and violent behavior among youth. The Risk and Protective Framework, which is utilized to implement the Communities-That-Care model, and the Pennsylvania Youth Survey, identifies these risk factors as follows:

- **Community**
  - Low neighborhood attachment
  - Perceived availability of drugs (risk factor for violence only)
  - Perceived availability of handguns
  - Community laws and norms favorable toward drug use, firearms and crime
- **Family**
  - Family history of antisocial behavior
  - Poor family management
  - Family conflict
  - Parental attitudes favorable toward drugs and antisocial behavior
- **School**
  - Academic failure
  - Low commitment to school
- **Peer and Individual**
  - Rebelliousness
  - Gang involvement
  - Perceived risk of drug use
  - Attitudes favorable toward antisocial behavior and drug use
  - Friend’s use of drugs
  - Interaction with antisocial peers


§ 471.104. Maintenance and use of the Fund.

(a) The Commission will allocate revenues from the Fund for the following purposes:

1. Establishing and operating a scholarship program for students in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission.
2. Providing grants to programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission.

(b) Students and programs that benefit children in those regions of this Commonwealth which have statistically higher high school dropout rates, incarceration rates or high crime rates as determined by the Commission shall be eligible for participation in the grant and scholarship programs as provided for in this chapter. The Commission will utilize data provided by the Department of Educa-
tion to determine regions of this Commonwealth having statistically higher high
school dropout rates, data provided by the Department to determine regions of
this Commonwealth having statistically higher incarceration rates and data pro-
vided by the State Police to determine regions of this Commonwealth having sta-
tistically higher crime rates.

(c) The Juvenile Justice and Delinquency Prevention Committee (JJDPC)
shall establish the application process for the scholarship program and grants to
programs. Recommendations to the Commission regarding scholarship and grant
awards shall be made by the JJDPC in consultation with the Victims Services
Advisory Committee.

(d) Within 15 days of the last day of each month, the Commission and the
Office of the Budget, in consultation with the State Treasurer, will compute the
total amount of revenue from all sources received by the Commonwealth during
the immediately preceding month which will be deposited into the Fund by the
State Treasurer in accordance this chapter. By December 1 of each year in which
the balance of the Fund contains at least $100,000, the Commission will
announce the availability of grant or scholarship opportunities, or both.