

4.2. Scope of Pool Funds

4.2.1. Eligible Population

"In order to be eligible for funding for services through the state pool of funds, a youth, or family with a child, shall meet one or more of the criteria specified in subdivisions 1 through 4 and shall be determined through the use of a uniform assessment instrument and process and by policies of the community policy and management team to have access to these funds." [COV § 2.2-5212 A.](#)

1. "The child or youth has emotional or behavior problems that:"
 - a. "Have persisted over a significant period of time or, though only in evidence for a short period of time, are of such a critical nature that intervention is warranted;"
 - b. "Are significantly disabling and are present in several community settings such as at home, in school or with peers; and"
 - c. "Require services or resources that are unavailable or inaccessible or that are beyond normal agency services or routine collaborative processes across agencies or require coordinated interventions by at least two agencies."
2. "The child or youth has emotional or behavior problems, or both, and currently is in, or is at imminent risk of entering, purchased residential care. In addition, the child or youth requires services or resources that are beyond normal agency services or routine collaborative processes across agencies, and requires coordinated services by at least two agencies."
3. "The child or youth requires placement for purposes of special education in approved private school educational programs." [See "DOE Appendix B" for further information](#)
4. "The child or youth requires foster care services as defined in [§ 63.2-905.](#)" ([Code Of Virginia § 2.2-5212](#)).

"For purposes of determining eligibility for the state pool of funds, "child" or "youth" means (i) a person less than eighteen years of age and (ii) any individual through twenty-one years of age who is otherwise eligible for mandated services of the participating state agencies including special education and foster care services." [COV § 2.2-5212 B.](#)

4.2.2. Targeted Population and Mandated Service Population

"The state pool shall consist of funds that serve the target populations identified in subdivisions 1 through 5 of this subsection in the purchase of residential and nonresidential services for children. References to funding sources and current placement authority for the targeted populations of children are for the purpose of accounting for the funds in the pool. It is not intended that children be categorized by individual funding streams in order to access services." [COV § 2.2-5211 B.](#)

"The target population shall be the following:"

1. "Children placed for purposes of special education in approved private school education programs, previously funded by the Department of Education through private tuition assistance;" [See "DOE Appendix B" for further information](#)
2. "Children with disabilities placed by local social services agencies or the Department of Juvenile Justice in private residential facilities or across jurisdictional lines in private, special education day schools, if the individualized education program indicates such school is the appropriate placement while living in foster homes or child-caring facilities, previously funded by the Department of Education through the Interagency Assistance Fund for Non-educational Placements of Handicapped Children;"
3. "Children and youth for whom foster care services, as defined by [§ 63.2-905](#);"are being provided;
4. "Children placed by a juvenile and domestic relations district court, in accordance with the provisions of [§16.1-286](#), in a private or locally operated public facility or nonresidential program; or in a community or facility-based treatment program in accordance with the provisions of subsections B or C of [§ 16.1-284.1](#)" [See "DJJ Appendix C" Toolkit regarding non-mandated youth](#)
5. "Children committed to the Department of Juvenile Justice and placed by it in a private home or in a public or private facility in accordance [§ 66-14](#) ." [COV § 2.2-5211 B.](#)