

## CHAPTER 1. Administration

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**JUSTICE AND PUBLIC SAFETY  
CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**  
3-JTS-1A-11, 17, 19  
3-JDF-1A-13, 21, 22  
3-JCRF-1A-03, 12, 13; 1C-01;  
3A-01  
1-JDTP-1A-10, 16  
1-JBC-1A-06, 1A-14  
2-CO-1A-05, 09, 25  
1-CTA-1A-03, 12

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Promulgation and Revision of Department  
Policy**

**POLICY NUMBER: DJJ 100.1**

**TOTAL PAGES: 6**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

A manual of uniform policies and procedures expressing Department of Juvenile Justice (DJJ) philosophy, goals, and operational procedures shall be developed and maintained. The manual of policies and procedures for the Department shall be accessible to all employees and to the public. The manual shall be reviewed at least annually and updated as needed.

**II. APPLICABILITY**

This policy shall apply to all staff, volunteers, contractors, facilities, and offices of the Department.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. The Division of Program Services shall provide oversight and coordination of the development, review, revision, and distribution of the Department of Juvenile Justice Policy and Procedures (DJJPP) manual. The agency shall establish policies and procedures for the achievement of the Department's administrative and functional goals.
- B. Staff shall be encouraged to participate actively in the development and review of policy and procedure and agency forms. Staff shall be notified of the annual review schedule by the Division of Program Services.
- C. Each DJJPP chapter shall include the following sections:
1. Section I: Policy Statement. This section shall set forth the general purpose of the policy and outline the Department's general expectations.

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2. Section II: Applicability. This section shall outline all applicable persons or programs.
  3. Section III: Definitions. This section shall refer staff to the definitions chapter that defines terms that may not be generally understood by the reader of the policy.
  4. Section IV: Procedures. This section shall outline general procedures that are to be followed by DJJ staff, volunteers, and contractors in implementing the policy and any requirements that apply to DJJ youth.
  5. Section V: Monitoring Mechanism. This section outlines the organizational units responsible for monitoring activities related to and any time frames required by the policy to ensure that the policy is being implemented.
  6. The header of each policy shall identify the Kentucky Revised Statute (KRS) which authorizes the promulgation of the policy, the American Correctional Association (ACA) accreditation standards relating to the policy, the policy chapter, subject, policy number, the name of the Commissioner under which the policy was promulgated, and effective date.
- D. Once promulgated, policy shall remain in effect until revised or deleted by action of the Commissioner or approval by the Legislative Research Commission (LRC).
- E. DJJ policy shall comply with applicable federal and state laws.
- F. Policy Review and New Policy Proposal
1. DJJPP shall be reviewed annually by chapter to ensure it remains accurate and appropriate and contributes to the effective operation of the Department.
  2. DJJ staff may submit a recommendation for new policy or revision of existing policy outside of the established policy review schedule. The recommendations and suggestions shall be forwarded through the chain of command to the Division Directors.
  3. Upon approval, the Division Director shall forward the recommendations and suggestions to the Division of Program Services
  4. A workgroup consisting of representatives designated by the Division Directors shall be convened to review respective chapters.
  5. The Commissioners office shall designate a core group of members from within the Department. The core group shall review the proposed draft revisions by the work group members and prepare the policies for submission to the Commissioner's office. The members of the core group shall include:

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- a. Office of Legal Counsel;
  - b. Quality Assurance (QA) Branch;
  - c. Residential facilities;
  - d. Community and Mental Health Services; and
  - e. Policy staff from the Division of Program Services.
6. Prior to final approval by the Commissioner, the Deputy Commissioners shall review all revised policies. The Commissioner shall be the final approval authority on all new policy development or revisions.
  7. Table 1 provides timeline guidance for the review and revision of DJJPP.

<b>ACTION</b>	<b>Days until Filing with LRC</b>
Division of Program Services shall schedule and publish review dates to ALL DJJ Staff.	Every Jan
Division Directors shall solicit comments or conduct internal meeting/discussion on section/chapters which fall under their responsibility (reminded by policy specialist)	150 Days
Division of Program Services, Policy Staff shall request nominees to be Workgroup members from Division Directors.	120 Days
Quality Assurance Branch shall be notified of start date of the revision process on Chapters/Sections.	120 Days
Workgroup members shall be notified of scheduled meetings and the required time needed for revisions for a particular Chapter/Section	112 Days
Workgroup members meetings shall be at a maximum of a 6 to 8 week period (42 - 56 day), based on budgetary constraints.	105-49 Days
Policy Staff shall edit for correct LRC formatting and electronically forward to Core Group for review	49-42 Days
Core Group shall meet as needed for editing and APPROVAL	42-28 Days
Deputy Commissioners shall review for APPROVAL	28-21 Days
Legal documents completed: Summary Sheet, Regulatory Impact Analysis and Tiering Statement, Fiscal Note on State or Local Government and dates set for the Public Hearing and Public Comment Period	28-21 Days
Commissioner shall review for FINAL APPROVAL	21-14 Days
Policies forwarded to Cabinet for REVIEW	14 Days
Filed by Noon per LRC monthly schedule (If Applicable)	0 Days

TABLE 1. Time Table Guidance.

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- G. The Director of Program Services shall forward a copy of the policies approved by the Administrative Regulation Review Subcommittee to the Executive Staff 30 days prior to the effective date for dissemination to appropriate staff to prepare for implementation.
- H. The Director of Program Services and Division Directors shall collaborate to ensure training for the respective new or revised policy occurs prior to the effective date.
- I. The Commissioner's office shall disseminate new or revised policy to all staff on the effective date. The Division Director of Program Services or designee shall ensure policies are posted for public access.

**V. MONITORING MECHANISM**

Monitoring shall be the responsibility of the Division of Program Services and the Commissioner's Office.



**JUSTICE AND PUBLIC SAFETY  
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POLICY AND PROCEDURES**

**REFERENCES:**

**1-CO-08**

**3-JTS-1A-03, 04, 07-09, 11,  
15- 20, 21, 22, 23, 24; 1B-01,  
04-06**

**3-JDF-1A-03, 04, 05, 10, 11, 18, 19,  
21, 23, 24, 27, 28, 29; 1B-01, 05-07**

**3-JCRF-1A-04-06, 09, 10, 12-  
14; 1B-01, 04, 05**

**1-JDTP-1A-03, 04, 06-08, 14-17, 19-  
21; 1B-01, 04-06**

**1-JBC-1A-03, 13-15, 17, 18, 19, 21;  
1B-01, 04-06**

**4-JCF-6A-02, 05, 08-12, 14; 6B 03,  
04; 6D-02, 09**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Administrative Responsibility of Managers**

**POLICY NUMBER: DJJ 101**

**TOTAL PAGES: 5**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

A single administrative manager to whom all employees or units of management are responsible shall manage each Department of Juvenile Justice (DJJ) organizational unit. Each administrative manager shall be responsible for implementing DJJ Policy and Procedures (DJJPP's).

**II. APPLICABILITY**

This policy shall apply to administrative managers within DJJ.

**III. DEFINITION**

Refer to Chapter 100.

**IV. PROCEDURES**

**A. Administrative Managers within Facilities**

1. Each Superintendent shall develop a statement delineating the mission of their respective facility within the context of the total system. The mission statement shall also describe the philosophy, goals, and purpose of that organizational unit. The mission statement shall be reviewed at least annually and updated if necessary.
2. Each Superintendent shall be responsible for the development of an organizational chart for their facility. The chart shall indicate that the facility and its programs are managed by the Superintendent. The chart shall place staff into related units promoting efficiency and

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provide a clear chain of command. The organizational chart shall be reviewed at least annually and updated as necessary.

3. Each Superintendent shall be responsible for fiscal management and control within their respective organizational unit. DJJ Fiscal Branch shall conduct annual budget meetings with all administrative managers.
  - a. Each administrative manager shall participate in preparing the written budget request, including the Annual Youth Activity Fund Plan when applicable, budget deliberations, and budget revisions.
  - b. The written budget request shall include at a minimum the following:
    - i. Daily operations;
    - ii. Program development;
    - iii. Staffing requirements and training;
    - iv. Equipment needs and preventive maintenance; and
    - v. Capital projects.
  - c. Annual Youth Activity Fund Plan amendments shall be submitted as needed by the Superintendent and approved by the Commissioner's Office. An amendment will be required for an event, activity, or purchase that would exceed \$500 that was not previously listed in the Annual Youth Activity Fund Plan.
4. The Superintendent, with input from staff, shall annually formulate and review goals for the facility and shall translate them into measurable objectives. These shall be made available to staff, volunteers, and the public.
5. At least quarterly, each Superintendent shall submit a written report of the facility's activities through their chain of command. These reports are to include at a minimum major developments in each department, major incidents, population data, assessment of staff and juvenile morale, and major problems and corrective action plans.
6. Each Superintendent shall establish, maintain, and make available to staff Standard Operating Procedures (SOP's) as a guideline for the implementation of DJJPP's within their specific program function.
  - a. SOP's shall be reviewed in their entirety at least annually and updated as needed.
  - b. Changes to SOP's are to be submitted through the applicable chain of command to the Division Director for approval.
  - c. If the SOP's containing the change are not currently filed through an administrative regulation, the Office of Legal Counsel shall review the change to ensure the change does not meet the definition of an administrative regulation as defined in KRS 13A.010 (2).

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7. Superintendents shall be responsible for the development of a resident orientation handbook which shall include:
    - a. Introduction to the facility and description of services and programs;
    - b. Resident rights;
    - c. Grievance procedure;
    - d. Treatment planning process;
    - e. Treatment team functioning;
    - f. Phase system;
    - g. Rules and consequences;
    - h. Dress Code;
    - i. Visitation;
    - j. Phone calls and mail procedures;
    - k. Daily schedule;
    - l. Emergency procedures; and
    - m. Other information determined by the facility or program to be needed.
    - n. This handbook shall be reviewed at least annually and updated as needed.
  8. Superintendents shall ensure that two-way communication is possible between all levels of staff and youth. Youth shall be encouraged and allowed to communicate with staff within the limits of program rules.
  9. Superintendents, with the exception of detention, shall conduct monthly Youth Council meetings with representatives from the youth population to discuss their concerns, requests, and to determine expenditure of the Youth Activity Fund.
  10. Superintendents shall receive, at a minimum, copies of shift reports and routine inspections of sanitation, fire, and safety conditions. Information from these reports shall be reviewed to ensure the optimum quality of life for DJJ youth.
- B. Administrative Managers within the Community and Mental Health Branch**
1. Each Juvenile Service District Supervisor (JSDS) shall be responsible for the development of an organizational chart for their unit. The chart shall place staff into related units promoting efficiency and provide a clear chain of command. The organizational chart shall be reviewed at least annually and updated as necessary.
  2. Each Juvenile Service Regional Manager, JSDS, and Mental Health Branch Manager shall be responsible for fiscal management and control within their respective organizational unit. DJJ Fiscal Branch shall conduct annual budget meetings with the Division Director,

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Juvenile Service Regional Managers, JSDS's, and Mental Health Branch Manager.

3. The written budget request shall include at a minimum the following:
    - a. Daily operations;
    - b. Program development;
    - c. Staffing requirements and training;
    - d. Equipment needs and preventive maintenance; and
    - e. Capital projects.
  4. At least monthly, each JSDS and Mental Health Branch Manager shall submit a written report of activities within their district or branch through their chain of command. These reports shall be compiled as directed by the Division Director of Community and Mental Health Services and submitted to the Deputy Commissioner of Community and Mental Health Services.
- C. All Administrative Managers
1. Administrative managers shall ensure that DJJPP's are reviewed and discussed with staff, interns, and volunteers within their respective organizational unit as part of their orientation training.
  2. Administrative managers shall ensure that staff complete orientation of the performance evaluation system prior to January 1 of the staff person's initial evaluation period. Refer to 101 KAR 2:180.
    - a. The performance evaluation system shall provide an annual written performance review of eligible staff that is based on defined criteria. The evaluation results shall be discussed with the staff on an annual basis.
    - b. Position descriptions for all staff shall be reviewed annually.
  3. Administrative managers shall ensure that new or revised policies and procedures are disseminated to staff, interns, volunteers, and when appropriate to juveniles and parents or guardians prior to implementation when possible.
  4. Administrative managers shall ensure that staff, interns, and volunteers sign a statement acknowledging they have reviewed DJJPP's and all subsequent changes. These acknowledgements shall remain on file at the facility or office consistent with the records retention schedule.
  5. Administrative managers shall be responsible for ensuring all manuals are up to date.
  6. Administrative managers shall ensure that copies of the Executive Branch Code of Ethics and the "Guide to the Executive Branch Code of Ethics" are given to each new staff within their organizational unit at the time of hire. These items are available at the Executive Branch Ethics Commission's website: <http://ethics.ky.gov>. Each employee

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shall sign a statement that acknowledges that they have received and read these items. Signed acknowledgements are to be maintained at the facility or office in the employee's personnel file.

7. Administrative managers shall ensure that DJJ staff, interns, and volunteers are issued an identification card (ID). ID cards shall be returned to the appropriate administrative manager upon separation from the department. When a staff person changes position, the current ID card shall be returned and a new ID card issued.
8. Each administrative manager shall establish a system of regular inspections and reviews that monitor space requirements, operations, programs, and established goals and objectives.
  - a. Space needs may be evaluated in terms of both security and program considerations. Requests to address needs may be made after each review of space requirements.
  - b. This process is reviewed at least annually and updated as needed.
9. Administrative Managers shall be responsible for inventory control within their respective programs or offices from the time an asset is received until the final disposal of the asset. The Administrative Manager may appoint an Inventory Control Officer (ICO) to facilitate the implementation of the inventory control system. The Division Director or designee shall approve the transfer of an asset to a different location and it shall be documented.
10. The Commissioner shall hold at least annual meetings with all administrative managers to facilitate communication, establish policy, and to ensure conformity to legal and fiscal requirements. Each administrative manager shall conduct regular monthly meetings with the managers under their supervision and make certain that subordinates conduct regular monthly meetings with their staff.
11. Superintendents shall ensure that two-way communication is possible between all levels of staff and youth. Youth shall be encouraged and allowed to communicate with staff within the limits of program rules.
12. Each administrative manager shall make provisions for communication and cooperation with community agencies and other components of the juvenile justice system.

## **V. MONITORING MECHANISM**

Continuous monitoring and review shall be provided through the chain of command. Regularly scheduled monitoring shall be conducted by the Division of Program Services.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES:</b> <b>3-JTS-1A-29; 1C-17, 23, 24</b> <b>3-JDF-1A-33; 1C- 15, 21, 22</b> <b>3-JCRF-1A-20, 21; 1C-05, 17</b> <b>1-JDTP-1A-26; 1C-18, 24, 25</b> <b>1-JBC-1A-25; 1C-14, 19, 20</b> <b>4-JCF-6F-01, 6G-06</b> <b>1-CO-1A-29; 1C-04, 20, 24</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Code of Ethics</b>		
<b>POLICY NUMBER: DJJ 102</b>		
<b>TOTAL PAGES: 3</b>		
<b>EFFECTIVE DATE: 12/01/2014</b>		
<b>APPROVAL: Bob D. Hayter</b>		<b>,COMMISSIONER</b>

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall expect from staff honesty, integrity, respect for the dignity and individuality of human beings, and a commitment to professional and compassionate service. The department shall require a drug-free workplace.

**II. APPLICABILITY**

This policy shall be applicable to all DJJ staff.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. Staff shall respect and protect the civil and legal rights of youth under the care, custody, and control of the department.
- B. Staff shall serve each youth with appropriate concern for their welfare and with no purpose of personal gain.
- C. Relationships with colleagues shall be of such character to promote mutual respect within the profession and improvement of its quality of service.
- D. Staff shall not influence other staff to violate the standards of ethical conduct.
- E. Staff shall respect the importance of all elements of the criminal justice system and cultivate professional cooperation with each segment.
- F. Each staff shall maintain the integrity of private or confidential information. Staff shall not seek information beyond that needed to perform their job responsibilities. Staff shall not reveal information to anyone not having professional use for such. All staff, consultants, contract personnel, interns, and volunteers shall sign a Confidentiality/Security Form as a condition of employment or service.
- G. Staff shall respect and protect the right of the public to be safeguarded from

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criminal activity.

- H. Staff shall report any corrupt, unethical behavior, or policy violations which may affect either a youth or the integrity of the organization and any abuse or neglect as required by KRS 620.030.
- I. Staff shall not discriminate against any youth, other staff, or prospective staff on the basis of religion, race, sex, age, disability, national origin, color, sexual orientation, gender identity, genetic information, political affiliation, or veteran's status.
- J. Staff shall follow the Executive Branch Ethics Code. Further, the "Guide to the Executive Branch Code of Ethics" published by the Executive Branch Ethics Commission shall provide staff additional guidance. DJJ staff shall be directed to take available and necessary action to follow these guidelines and avoid even the appearance of unethical conduct.
- K. Staff shall not use their official position to secure privileges for self or others and shall not engage in activities that constitute a conflict of interest.
- L. Staff shall not act in their official capacity in any matter in which they have personal interest that may impair objectivity and create the appearance of conflict of interest.
- M. Political activities of staff shall be in compliance with KRS 18A.140.
- N. Workplace violence shall be prohibited and constitute grounds for disciplinary action and referral for criminal prosecution.
- O. DJJ staff shall comply with the Commonwealth of Kentucky's Drug Free Workplace requirements as enacted by the Anti Drug Abuse Act (P.L. 100-690).
  - 1. DJJ staff shall not report for duty or operate a state vehicle after consuming alcohol. Possession of alcohol at the work site or the consumption of alcohol during working hours shall be prohibited.
  - 2. DJJ staff shall not report for duty or operate a state vehicle after the misuse of prescription or non-prescription drugs or use of illegal drugs. The misuse of prescription and non-prescription drugs or use of illegal drugs on state property during working hours shall be prohibited.
  - 3. Staff shall not manufacture, distribute, dispense, possess, or use any controlled substance in the workplace or on state property.
  - 4. Staff found to be in violation shall be subject to discipline up to and including dismissal.
- P. If a staff is arrested for or charged with any offense, other than a minor traffic violation, they shall notify their immediate supervisor if available or the highest level supervisor on duty. This report shall be made prior to their next scheduled shift. Staff shall not be relieved of the responsibility of providing notice or reporting to work as a result of being detained.
  - 1. Staff shall furnish the supervisor with the name of the charging authority, the city or county where the charges are filed, and the next court date assigned to

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them.

2. The supervisor upon notification of the staff arrest or charge shall by email up-line through the chain of command, to the Division Director, the details of the incident.
  3. The Division Director shall immediately notify the Director of Administrative Services, Deputy Commissioner, and the Commissioner by email.
  4. Staff shall be subject to discipline up to and including dismissal for failure to comply.
- Q. If a staff becomes aware that they are the subject of an investigation of child abuse, neglect or dependency, they shall notify their immediate supervisor if available or the highest level supervisor on duty. This report shall be made prior to their next scheduled shift.
1. Staff shall furnish the supervisor with documentation detailing the circumstances of the investigation.
  2. The supervisor upon notification of the staff's investigation shall by email up-line through the chain of command to the Division Director, the details of the incident.
  3. The Division Director shall immediately notify the Director of Administrative Services, Deputy Commissioner, and the Commissioner by email.
  4. Staff shall be subject to discipline up to and including dismissal for failure to comply.
- R. If a licensed staff has their licensure or certification under investigation, suspended, or revoked, they shall notify their immediate supervisor if available or the highest level supervisor on duty. This report shall be made prior to their next scheduled shift.
1. Staff shall furnish the supervisor with documentation detailing the circumstances of the investigation, suspension, or revocation.
  2. The supervisor upon notification of the staff's investigation, suspension, or revocation shall by email up-line through the chain of command to the Division Director, the details of the incident.
  3. The Division Director shall immediately notify the Director of Administrative Services, Deputy Commissioner, and the Commissioner by email.
  4. Staff shall be subject to discipline up to and including dismissal for failure to comply.

## **V. MONITORING MECHANISM**

Monitoring shall be done by all supervisors on an ongoing basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
9 KAR 1:050  
101 KAR 2:095(4)**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Outside Employment**

**POLICY NUMBER: DJJ 102.1**

**TOTAL PAGES: 2**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall require staff - engaged in outside employment to have the approval of the Commissioner or designee. Outside employment shall only be approved when it is not in conflict with the staff's duties consistent with the Executive Branch Code of Ethics.

**II. APPLICABILITY**

This policy shall apply to the Department of Juvenile Justice (DJJ) staff.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. The Commissioner shall appoint an agency Ethics Officer.
- B. Staff seeking outside employment shall submit a signed and notarized Outside Employment Employee Request and Agency Response Form to their immediate supervisor for review. Supervisors shall forward completed forms to the Personnel Branch Manager.
- C. The staff shall attach to the Outside Employment Employee Request and Agency Response Form a copy of the staff's current position description.
- D. Staff signing the Outside Employment Employee Request and Agency Response Form acknowledges the following:
  1. The staff shall not be involved in the department's decisions concerning the outside employer;

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2. If, in the future staff realizes that they may be involved in the department's decisions concerning the outside employer, the requesting staff shall immediately notify the department and take steps to avoid any conflict of interest;
  3. The staff understands that outside employment shall not conflict with staff's work schedule or job duties as an employee of the department; and
  4. The outside employment shall not present an actual or perceived conflict of interest with the requesting staff's work schedule and official duty for the department.
- E. The appointing authority or designee shall review the request and consider the following factors:
1. The degree of separation between the staff's agency duties and decisions concerning the outside employer;
  2. The staff's level of supervisory or administrative authority, when applicable;
  3. Whether the outside employment may create an appearance of conflict of interest with the state duties or interfere or conflict with the staff's state duties;
  4. The duration of the outside employment; and
  5. Whether the staff is an auditor, inspector, or other regulatory personnel for the agency which the staff has requested approval for outside employment.
- G. The requesting staff shall receive a decision regarding the requested outside employment.
- H. The Commissioner or designee shall file quarterly, a list of staff that have been approved for outside employment and the name of the outside employer for each staff for the preceding quarter.

## **V. MONITORING MECHANISM**

The Division of Administrative Services shall be responsible for monitoring the outside employment process.



**JUSTICE AND PUBLIC  
SAFETY CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND  
PROCEDURES**

**REFERENCES:**

1-CO-1C-02, 03, 06-08, 10, 11, 13-16, 20, 21, 25  
3-JTS-1C-01, 02, 08-14, 18, 20-22, 25  
3-JDF-1C-01, 02, 06-12, 16, 18-20, 23  
3-JCRF-1C-02, 06, 08, 09, 12-16, 18, 19  
1-JDTP-1C-01, 02, 09-15, 19, 21-23, 26  
1-JBC-1C-01, 02, 08-11, 15, 17, 18, 21  
4-JCF-6C-01, 03, 04, 07, 08, 09, 10, 11, 12; 6D-01, 02, 04, 08, 11, 12  
1-JPAS-2-7025, 7027, 7028, 7029, 7034, 7035, 7038, 7041, 7042, 7043, 7046, 7047

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Personnel Management</b>	
<b>POLICY NUMBER: DJJ 103</b>	
<b>TOTAL PAGES: 5</b>	
<b>EFFECTIVE DATE: 12/01/2014</b>	
<b>APPROVAL: Bob D. Hayter</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Personnel functions involving staff in both classified and unclassified service shall be conducted in accordance with applicable state laws and regulations.

**II. APPLICABILITY**

This policy shall apply to the Department of Juvenile Justice (DJJ) staff.

**III. DEFINITION**

Refer to Chapter 100.

**IV. PROCEDURES**

A. The Personnel Cabinet is charged by Kentucky Revised Statute (KRS) with the general responsibility and authority for all personnel matters for all state agencies with a provision allowing authority to other state agencies. The overall responsibility for personnel matters in DJJ has been assigned to the Division of Administrative Services, Personnel Branch.

B. Responsibilities of the Personnel Branch shall include:

1. Providing guidance to DJJ consistent with federal and state personnel statutes, regulations, and DJJ policies;
2. Acting as the DJJ liaison with the Personnel Cabinet;

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3. Advising and assisting staff regarding personnel matters; and
  4. Conducting annual assessments of personnel needs and assignments as well as maintaining organizational unit templates.
- C. All personnel actions for DJJ staff, including selection, appointment, probationary periods, promotion, disciplinary actions, performance evaluation, and termination shall be in compliance with KRS 18A and KAR Title 101.
1. Each facility or office shall allow staff access to [www.lrc.ky.gov](http://www.lrc.ky.gov) to review and reference personnel statutes and regulations.
  2. Staff shall be selected, retained, and promoted on the basis of merit and specified qualifications from within the agency and from outside sources within the guidelines of personnel regulations. Employment of ex-offenders shall be within existing personnel cabinet regulations and Prison Rape Elimination Act of 2003, 28 C.F.R. § 115.5.
  3. Staff with the required education, experience, and background shall be eligible for consideration for promotional opportunities within the guidelines of personnel regulations.
  4. Staff who have been appointed or promoted to a new position that are covered by the merit system shall serve a probationary period in accordance with 101 KAR 1:325, subject to the limitations of KRS 18A.111.
  5. As established in personnel regulations, involuntary termination or demotion after a probationary period shall be permitted only for cause. Such actions may be appealed to the Personnel Board and may be subject to a formal hearing conducted by an appointed representative of the Personnel Board.
- D. Education and experience qualifications for each position are established by the Personnel Cabinet in classification specifications which shall be reviewed annually by the DJJ Personnel Branch. Refer to <https://personnel.ky.gov>.
- E. Except in times of hiring freezes mandated by state law, the overall vacancy rate among staff positions authorized to work directly with juveniles shall not exceed ten (10) percent for any eighteen (18) month period.
- F. Compensation and benefit levels are set by the Personnel Cabinet and are comparable to those for similar occupational groups in the state or region.
- G. Each staff shall be responsible for reviewing and remaining current with all applicable policies, procedures, handbooks, work rules, and conditions of employment. Staff shall sign an acknowledgment that they have received and reviewed this documentation.

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- H. Staff shall have access to the Commonwealth of Kentucky Employee Handbook via hard copy or electronic means. The handbook includes the following:
1. Organizational chart;
  2. Staff development;
  3. Available programs;
  4. Recruitment and selection;
  5. Promotion;
  6. Position qualifications and descriptions;
  7. Affirmative action;
  8. Classification plan;
  9. Equal Employment Opportunity (EEO);
  10. Sexual harassment;
  11. Grievance and appeal procedures;
  12. Orientation;
  13. Employee performance evaluation;
  14. Personnel records;
  15. Employee benefits;
  16. Holidays;
  17. Leave;
  18. Work Schedules;
  19. Probationary period;
  20. Compensation;
  21. Travel;
  22. Disciplinary procedures;
  23. Termination;
  24. Resignation;
  25. KEAP;
  28. Executive Branch Code of Ethics;
  29. Conflict of interest; and
  30. Legal assistance.
- I. DJJ staff shall have access to the agency's organizational chart.
- J. The Personnel Branch shall be notified of any changes to a staff person's home address.
- K. A Position Description shall be provided to each staff prior to beginning service detailing the duties and responsibilities of the assigned position and shall be signed by the staff and their Supervisor.

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- L. Staff shall only serve as a designee to complete duties and responsibilities when policy specifically provides for designees. The designated staff shall be provided written documentation that the specific duties and responsibilities have been assigned to them and be maintained on file at the facility or office.
- M. A current, accurate, and confidential personnel record shall be maintained on each staff. Staff may request to review their personnel record.
  - 1. A staff's official personnel file, which is maintained by the Personnel Cabinet, may be inspected and copied after a written request is made under KRS 18A.020.
  - 2. Staff agency personnel files may be inspected and copied upon request to the DJJ Personnel Branch Manager.
  - 3. Other written information pertaining to the staff may be inspected and copied upon written request to the proper custodian under KRS 61.884.
  - 4. Upon review of a personnel record, a staff may challenge the information contained therein by commenting in writing. Such comments shall be a part of the file and shall be attached to the specific record or document to which they pertain.
  - 5. The agency personnel file system shall consist of a Personnel and Medical folder. Each folder shall be treated as confidential information. Information obtained as part of a required medical examination or inquiry regarding the medical condition or history of applicants and staff shall be collected and maintained on separate forms and in separate medical files.
- N. All professional specialists shall be qualified in their respective field. The Personnel Branch shall ensure licenses and certifications are current for licensed staff.
- O. The Personnel Branch shall conduct an annual verification of driver license for all staff .
- P. DJJ staff and their dependents shall be eligible for services through the Kentucky Employee Assistance Program KEAP in accordance with 101 KAR 2:160.
  - 1. A supervisor may extend to a staff an offer of assistance through KEAP if the staff's job behavior or job performance is unacceptable or deteriorating.
  - 2. There shall be no charge for information and referral services offered by KEAP.
  - 3. All contact with KEAP shall be voluntary and strictly confidential as permitted by state and federal law.

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**V. MONITORING MECHANISM**

- A. The Division Director of Administrative Services and the Personnel Branch Manager are responsible for monitoring the actions of the Personnel Branch on a continuous basis.
- B. Administrative Managers are responsible for monitoring the actions of staff within their respective organizational units for adherence to the requirements of this policy on a continuous basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
101 KAR 1:335  
101 KAR 2:095  
200 KAR 2:006  
3-JTS-1C-14  
3-JDF-1C-12  
3-JCRF-1C-18  
1-JDTP-1C-15  
4-JCF-6C-08  
2-CO-1C-16**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Staff Assignments and Reassignments</b>	
<b>POLICY NUMBER: 103.1</b>	
<b>TOTAL PAGES: 3</b>	
<b>EFFECTIVE DATE: 12/01/2014</b>	
<b>APPROVAL: Bob D. Hayter</b>	<b>, COMMISSIONER</b>

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall ensure that workstations, temporary assignments, shift, and regular day off assignments and reassignments are conducted in accordance with state law.

**II. APPLICABILITY**

This policy shall apply to DJJ staff.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. Each staff shall be assigned a workstation by the appointing authority in accordance with 101 KAR 1:335 and 101 KAR 2:095.
1. Staff shall report to their assigned workstation.
  2. The workstation may be changed by the appointing authority to meet the needs of the agency or to provide relief in an emergency.
- B. Temporary assignment shall be in accordance with 101 KAR 2:095.
1. Staff may be temporarily assigned to a different workstation in a different county.

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- a. If a staff person is temporarily assigned to a different workstation in a different county, the assignment shall not last more than sixty (60) days.
  - b. Temporary assignment may be renewed with the approval of the Secretary of the Personnel Cabinet.
  - c. Temporarily reassigned staff shall be reimbursed for travel expenses in accordance with 200 KAR 2:006 and the appointing authority shall notify the staff in writing prior to the effective day of the action.
2. Staff may be assigned by the appointing authority to work in a different site within the same work county.
- C. Staff shall be assigned or reassigned consistent with 101 KAR 2:095.
1. Staff who work in an office or facility that requires more than one (1) shift or seven (7) days a week operation may be reassigned from one shift to another or from one assignment to another or alternate days off to meet staffing requirements or to maintain security or provide essential services.
  2. Staff who work in an office or facility that requires more than one (1) shift or seven (7) days a week operation shall sign an acknowledgment that they understand that availability to work all shifts and overtime is an essential function of the job. This acknowledgment shall be maintained in the staff's personnel file in Central Office.
- D. Office or facility need shall be the primary consideration in assignment or reassignment of staff with additional consideration given to all relevant factors including the following criteria:
1. Length of service;
  2. Staff skills and experience;
  3. Staffing needs;
  4. Dependability; and
  5. Staff preference.
- E. If a staff person's preference and office or facility need conflict, then office or facility needs shall prevail.
- F. These procedures shall not be applicable if there is a legitimate business necessity of the office or facility which shall include a reason for assignments outside this policy and procedure, including Americans with Disabilities Act (ADA) accommodation, worker's compensation return to work plans, or temporary reassignment pending outcome of an investigation.
- G. Shift reassignments and regular day off reassignments may be initiated by staff, facility, or office.

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1. If the staff initiates the request for a shift or regular day off reassignment, the staff's name shall be placed on a list in the order the request was received.
  - a. The first staff on the list shall be given priority consideration if a vacancy on that shift or regular day off becomes available.
  - b. If more than one staff person requests a shift or regular day off reassignment on the same date, then the criteria set forth in IV.D shall determine who receives the requested shift or regular day off.
  - c. Staff who initiates a reassignment request shall remain on the list until the staff rescinds the request in writing or the request is approved.
2. If the office, facility, or staff initiates a shift or regular day off reassignment, the staff shall be issued written notification a minimum of fourteen (14) days prior to the effective date of an assignment or reassignment. The notification requirement may be waived if staffing needs require reassignments and do not allow for a fourteen (14) day notice.

#### **V. MONITORING MECHANISM**

Administrative Managers are responsible for monitoring the assignment and reassignments of staff.



**JUSTICE AND PUBLIC  
SAFETY CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**  
**3-JCRF-1C-04**  
**1-JDTP-1C-08**  
**1-JBC-1C-07**  
**3-JTS-1C-07-1**  
**3-JDF-1C-05-1**  
**4-JCF-3A-02; 6D-06**  
**2-CO-1C-11**  
**JPAS 2-7032-1**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Sexual Harassment and Anti-Harassment</b>	
<b>POLICY NUMBER: DJJ 103.2</b>	
<b>TOTAL PAGES: 4</b>	
<b>EFFECTIVE DATE: 12/01/2014</b>	<b>EFFECTIVE DATE</b>
<b>APPROVAL: Bob D. Hayter</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Any form of harassment shall not be tolerated by the Department of Juvenile Justice (DJJ). DJJ shall prohibit threatening, offensive, or unwelcome conduct at work and when staff is representing DJJ.

**II. APPLICABILITY**

This policy shall be applicable to DJJ staff, volunteers, interns, consultants, and contract personnel doing business with DJJ.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. Upon employment, DJJ staff shall be assigned the new staff training modules regarding sexual harassment. This training shall be completed within the first thirty (30) days of employment and advises staff to avoid offensive or inappropriate conduct or sexually harassing behavior at work.
- B. Contract personnel, interns, consultants, and volunteers shall receive harassment training and a copy of any applicable policies, these actions shall be documented.
- C. Questions about offensive or inappropriate behavior shall be referred to the designated Equal Employment Opportunities (EEO) Counselor for an office, facility, or the Department EEO Coordinator.
- D. Complaints of sexual harassment shall be investigated in a prompt, careful manner. Appropriate action shall be taken to ensure that any harassment shall not recur.
- E. In addition to the conduct prohibited by 29 C.F.R. § 1604.11 other prohibited behavior shall include:

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1. Lewd or sexual comments;
  2. Sexual innuendo, including embarrassing comments or terminology;
  3. Vulgar or indecent gestures, language, or jokes;
  4. Bringing or displaying a sexually suggestive object, book, magazine, photograph, cartoon, calendar, or picture in the workplace;
  5. Use of the computer to transmit, solicit, display, or download an obscene message or material; or
  6. Threatening, demeaning, or offensive conduct directed toward an individual.
- F. All persons believed to have been subjected to harassment or other prohibited behavior, the following steps shall be taken:
1. The person shall make it clear to the harasser that the behavior is considered threatening, offensive, or unwelcome. This notification shall be done using one of the following methods:
    - a. Verbally notify the harasser of the offensive behavior. This shall be done in front of another employee, if possible;
    - b. Provide written notice to the harasser of the offensive behavior; or
    - c. Contact the EEO Counselor within the organizational unit, or the Department EEO Coordinator. The EEO Counselor or Department EEO Coordinator will then contact the alleged harasser and provide notification of the offensive behavior.
  2. If after the notification the behavior continues, the person shall report the continued conduct to the EEO Counselor, Department EEO Coordinator, the Branch Manager of Personnel.
  3. The required notification shall not prohibit a person from reporting the alleged offensive behavior to their supervisor.
  4. Upon report of the offensive behavior, the person may be asked to put the complaint in writing. If a written complaint is requested, it shall include:
    - a. A description of the events that occurred, including the date, time, and place of the occurrence; and
    - b. The name of any witness who was present or may have seen or heard the incident.
  5. If another person member other than the EEO Counselor or Department EEO Coordinator receives a complaint of harassment, they shall immediately contact the EEO Counselor or the Department EEO Coordinator.
  6. Any supervisor receiving a complaint of harassment shall report the complaint to the EEO Coordinator. Failure to do so shall be grounds for disciplinary action.

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- G. The EEO Counselor shall, upon receipt of a complaint or report of alleged harassment or other prohibited behavior, put the specifics of the complaint in writing. The written documentation, including any action taken, shall be provided to the Department EEO Coordinator and the Branch Manager of Personnel within three (3) business days of the receipt of the complaint or report.
- H. Investigation of a complaint shall occur as follows:
1. The Department EEO Coordinator shall review all written documentation received. The responsibilities of the Department EEO Coordinator are outlined in the Commonwealth of Kentucky Affirmative Action Plan (AA Plan) which is promulgated by the Personnel Cabinet. This plan can be found on either the DJJ Portal or Personnel Cabinet website (<https://personnel.ky.gov/Pages/AffirmativeAction.aspx>).
  2. The Commissioner shall make the determination whether the complaint should be referred to the regional or institutional level or to the Justice and Public Safety Internal Investigation Branch (IIB) for investigation. If it is determined that the complaint should be referred for investigation, the Department EEO Coordinator shall notify the Branch Manager of Personnel, Office of Legal Counsel, and the Deputy Commissioners and provide each with all relevant documentation.
  3. The Department EEO Coordinator, Branch Manager of Personnel, the Office of Legal Counsel, and the appropriate Deputy Commissioner shall meet to determine whether to separate the complainant and the alleged harasser.
  4. The complainant, the alleged harasser, and any witness may be interviewed during the course of the investigation. The alleged harasser and any witness may be asked to submit a written statement.
- I. Final Action
1. Appropriate action, which may include disciplinary action up to and including dismissal, shall be taken based upon the findings of the investigation.
  2. If the findings are inconclusive but the investigation reveals potentially problematic conduct, preventative action shall be taken which may include permanent re-assignment or additional training.
  3. The victim of harassment shall be referred to appropriate resources, if necessary, to receive help in dealing with the effects of the harassment.
- J. The privacy of the complainant and the accused harasser shall be protected to the fullest extent permitted by the circumstances. An individual interviewed in the course of resolving the complaint shall be

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directed by the interviewer to treat the information as confidential.  
Breach of this confidentiality may be grounds for disciplinary action.

- K. Retaliation by or against any party involved in a complaint shall be prohibited and may be grounds for disciplinary action, up to and including dismissal.
- L. If a false complaint is filed or if any person provided false information during the course of the investigation, this may be grounds for disciplinary action.
- M. All persons who disrupts the workplace by spreading rumors about others or encourages hostility by making false or malicious statements concerning another person may be subject to disciplinary action.

**V. MONITORING MECHANISM**

Monitoring shall be the responsibility of the Deputy Commissioners, the Branch Manager of Personnel, and the Department EEO Coordinator. Supervisors shall monitor that harassment training has occurred for all persons.

	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 101 KAR 1:375 4-JCF-6D-04</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Grievance</b>		
<b>POLICY NUMBER: 103.3</b>		
<b>TOTAL PAGES: 2</b>		
<b>EFFECTIVE DATE: 12/01/2014</b>		
<b>POLICY APPROVAL: Bob D. Hayter</b>		<b>, COMMISSIONER</b>

## I. POLICY

The Department of Juvenile Justice (DJJ) shall be committed to resolving staff grievances in the most efficient and fairest possible manner. Each staff who believes they have been subjected to unfair or unjust treatment concerning their conditions of employment may file with the department a grievance in accordance with 101 KAR 1:375. A staff utilizing this procedure is entitled to file a grievance without interference, coercion, discrimination, or reprisal.

## II. APPLICABILITY

This policy shall apply to the Department of Juvenile Justice staff.

## III. DEFINITIONS

Refer to Chapter 100.

## IV. PROCEDURES

### A. Staff Responsibilities

1. A grievance shall be submitted on an official grievance form, which can be located on the DJJ Portal.
2. A grievance shall be filed for review with the staff's immediate supervisor within thirty (30) days following the occurrence of the action or the staff becoming aware of the action that is the subject of the grievance. If the action or conduct of the first line supervisor is the basis of the staff's grievance, the grievance may be for review filed with the second line supervisor.
3. Staff shall state in writing the basis of the grievance or complaint together with the corrective action desired. If a staff has additional information or documentation, it should be attached to the grievance form.
4. Staff shall have the right to have a representative present at each step of the grievance procedure.

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5. If the grievance has not been resolved to the satisfaction of the staff person, they may request additional review of the grievance. Staff shall have the responsibility of forwarding the grievance to the appropriate next level of review.
    - a. Staff shall submit the request for review of the grievance within five (5) business days of receipt of the decision.
    - b. Grievance appeal levels shall follow a chain of command.
    - c. For purposes of the grievance review process, the Superintendent shall be the second line supervisor for a youth worker and Youth Worker Supervisor (YWS).
  6. If the final supervisory review is unable to resolve the grievance to the satisfaction of the staff person, they may request review by the appointing authority for a final determination of the grievance within five (5) business days of receipt of the decision of the final supervisory review. The appointing authority shall have twenty (20) business days to issue a final determination.
- B. Supervisor Responsibilities**
1. Each office or facility shall be responsible for maintaining blank copies of the grievance form in an area easily accessible to staff that do not have access to the portal and for notifying staff of the location of the grievance documents.
  2. If a grievance is filed that alleges discrimination on the basis of race, color, religion, national origin, sex, age, disability, sexual orientation, gender identity, genetic information, political affiliation, or veteran's status, the recipient of this grievance shall immediately notify the department Equal Employment Opportunity (EEO) Coordinator to apply the affirmative action plan.
  3. The supervisor receiving the grievance shall be responsible for handling the grievance according to the instructions on the grievance form.
  4. Each supervisor responding to the grievance shall send a copy of their response with their signature to the DJJ Personnel Branch.
  5. Grievance forms may be mailed, faxed, or scanned to the DJJ Personnel Branch.
- C. Grievance Levels**
1. The timeframes outlined on the grievance form shall be followed by the grievant and supervisors.
  2. There shall be a maximum of five (5) supervisory levels of review for any grievance. The grievant may choose to accept the decision at any level of the supervisory review to resolve the grievance.

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3. The final three (3) supervisory review levels of a grievance shall include the Division Director, Deputy Commissioner, and Commissioner.
- D. The Personnel Branch may be contacted for technical assistance regarding filing grievances or grievance appeals.
- E. Interviews to evaluate or investigate a grievance outside of normal work hours, with the grievant or other staff, shall not require the use of leave time and entitles them to compensatory time.
- F. Unless the time limits have been extended by agreement of the parties, failure of supervisory or management personnel to respond within prescribed time limits shall automatically advance the grievance to the next review level.
- G. Any intermediate grievance level may be waived by written agreement of the parties.

**V. MONITORING MECHANISM**

Supervisors shall ensure compliance on an ongoing basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
101 KAR 2:034  
101 KAR 2:102  
101 KAR 3:015**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Time, Attendance, and Leave Requirements</b>	
<b>POLICY NUMBER: 103.4</b>	
<b>TOTAL PAGES: 5</b>	
<b>EFFECTIVE DATE: 4/17/2015</b>	
<b>APPROVAL: Bob D. Hayter</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Department staff shall comply with time, attendance, and specific types of leave processes and guidelines set forth in policy. Staff shall also adhere to leave types not outlined in this policy in accordance with 101 KAR 2:102.

**II. APPLICABILITY**

This policy shall apply to the Department of Juvenile Justice (DJJ) staff.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

**A. General Attendance Requirements**

1. Youth Worker (YW) I, II, III, Youth Worker Supervisor (YWS), and the Youth Services Program Supervisor (YSPS) shall work forty (40) hours per week.
2. All other staff shall work 37.5 hours per week.
3. Staff shall have five (5) workdays per week. Exception shall be for different work schedules that have been approved.
4. Staff call-in procedures shall be developed in each office and facility by the administrative manager.

<b>POLICY NUMBER</b> <b>DJJ 103.4</b>	<b>EFFECTIVE DATE</b> <b>4/17/2015</b>	<b>PAGE NUMBER</b> <b>2 of 5</b>
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## B. General Timekeeping Requirements

1. Timesheets shall be signed and dated by the staff person and supervisor.
2. A corrected timesheet shall be submitted if there are any errors found in a timesheet. The corrected timesheet shall be signed and dated by the staff person and supervisor.
3. Staff shall have five (5) workdays per calendar work week on all timesheets submitted, except for different work schedules that have been approved.
4. An employee who is directed to work, or who requests and is authorized to work, in excess of the prescribed hours of duty shall be granted compensatory leave and paid overtime. Refer to 101 KAR 2:102, Section 5, 101 KAR 2:034, and 101 KAR 3:015.
5. Leave and overtime requests and approvals shall be attached to timesheets, except in offices or facilities where such requests and approvals are documented on the schedule and shift reports.

## C. Compensatory Time

1. A staff who is directed to or who requests and is authorized to work in excess of the prescribed hours of normal duty shall accrue compensatory leave or paid overtime subject to the provisions of the Fair Labor Standards Act (FLSA) 29 U.S.C. Section 201, et seq., the Kentucky Revised Statutes, and 101 KAR 2:102.
2. Managers and Supervisors shall be responsible for considering all overtime requests and approving only those which are absolutely essential.
3. Managers and Supervisors shall ensure fair and equitable treatment with regard to compensatory time.
4. A staff deemed to be non-exempt under the provisions of the FLSA shall have the option to accumulate compensatory leave at the rate of 1.5 hours for each hour worked in excess of forty (40) hours per week in lieu of paid overtime.
5. A staff deemed to be exempt under the provisions of the FLSA shall accumulate compensatory time on an hour-for-hour basis for hours worked in excess of the regular work schedule.
6. Compensatory leave shall be accumulated or used in one-quarter (.25) hour increments.
7. Earning compensatory time for work completed at home shall be permissible at the request of the Supervisor and with prior approval of the Division Director or designee.
8. Supervisors may require a staff to use compensatory leave before annual leave if the staff has a balance of at least one-hundred (100) hours of

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compensatory leave, except if the staff's annual leave balance exceeds the maximum number of hours that may be carried forward in accordance with 101 KAR 2:102.

9. Supervisors may require a staff who has accrued in excess of two-hundred (200) hours of compensatory leave to take off work using compensatory leave in an amount sufficient to reduce the leave balance below two-hundred (200) hours in accordance with 101 KAR 2:102.

D. Staff shall follow guidelines for leave consistent with the following:

1. Adverse Weather Leave

- a. Facilities shall identify all Youth Workers, Youth Worker Supervisors, Youth Services Program Supervisors, and Food Services as essential staff for mandatory operations. Refer to 101 KAR 2:102, Section 11.
- b. Absences due to adverse weather shall not be authorized for essential staff.
- c. The use of adverse weather leave shall not be approved for staff who work a forty (40) hour work week. Staff assigned to a Day Treatment Program or the Transportation Branch shall utilize accrued leave or report to the closest Facility as identified by the Division Director.
- d. Essential staff that are on pre-arranged approved compensatory time, annual, or sick leave shall be charged leave as originally requested.
- e. Essential staff who calls in sick during adverse weather may be required to furnish a medical statement.
- f. Non-essential staff shall be authorized to utilize adverse weather leave. Refer to 101 KAR 2:102, Section 11.
- g. Essential staff shall be charged leave without pay for failure to report to their facility during or adverse weather.

2. Military Leave

- a. Pursuant to 101 KAR 2:102 Section 6, a copy of the orders shall be submitted to the appropriate Supervisor and Personnel Branch prior to leave or immediately upon return from duty.
- b. The staff shall be charged with annual leave, compensatory leave, or leave without pay if a copy of the orders is not received immediately upon return.
- c. A mobilization packet shall be provided for those staff mobilized or on long-term tour orders.
- d. Staff shall complete the Personnel Cabinet's Military Leave Designation Form prior to departure.

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3. Sick Leave Without Pay by Personnel Action Notification (PAN)
  - a. Staff who are unable to return to work and have exhausted all accumulated leave, sick leave sharing, and family medical leave entitlement shall be placed on PAN leave without pay.
  - b. The Personnel Branch shall provide the staff written notification of the effective date of the PAN leave without pay.
  - c. PAN leave shall not exceed one (1) calendar year.
  - d. Staff may be required to provide medical statements during the year from an appropriate medical professional attesting to their inability to perform the essential functions of their job with or without reasonable accommodations.
  - e. The Personnel Branch shall continue to assist the staff by reviewing vacant positions within the department for which they qualify, and assisting in the submission of updated applications to the Personnel Cabinet so the staff can be placed on qualifying registers for consideration.
  - f. If the staff is able to return to work they shall provide medical documentation certifying their ability to perform the essential functions of the job.
  - g. The staff shall be deemed resigned if they are unable to return to work and perform the essential functions of the job after one (1) calendar year of PAN leave without pay consistent with 101 KAR 2:102. The Personnel Branch shall notify the staff at least ten (10) days prior to the expiration of the one (1) year entitlement.
4. Leave for Seeking and Applying for Other Employment
  - a. If a staff person interviews for another position within DJJ, they shall not be required to use accrued leave for the purpose of attending the interview if the interview is during normal working hours.
  - b. This shall be recorded on the supporting documentation for the timesheet as “for interview” and shall be charged to regular time.
  - c. If a staff person interviews for a position outside of DJJ, accrued annual or compensatory leave shall be used for the amount of time absent from the job.
  - d. Travel expense reimbursement for mileage or the use of state vehicle shall not be permitted for any of the above.
5. Special Leave With Pay

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- a. Pursuant to 101 KAR 2:102, a staff may be placed on special leave with pay for investigative purposes pending an investigation of an allegation of staff misconduct.
- b. Administrative Managers shall send a written request to place a staff on special leave to the Commissioner's office and Office of General Counsel for consideration. Upon approval the request shall be forwarded to the Personnel Branch for processing.
- c. The Personnel Branch shall contact the Personnel Cabinet's Office of Legal Services for final approval and disposition.
- d. When a staff is placed on special investigative leave, the Personnel Branch shall be responsible for preparing a notification letter to the staff informing them of placement on special investigative leave, along with any agency requirements for the staff.
- e. The appropriate Division Director, Assistant Director, Facilities Regional Administrator (FRA), or Branch Manager, along with another Supervisor as witness, shall hand-deliver the notification letter to the staff.
- f. The Supervisor delivering the notification letter shall verbally explain the contents of the letter to the staff being placed on leave and answer any questions.
- g. The Supervisor delivering the notification letter shall have the receiving staff sign a confirmation sheet provided with the letter and return the signed confirmation sheet to the Personnel Branch. If the receiving staff refuses to sign, this shall be noted on the confirmation sheet, along with the signatures of the delivering Supervisor and the witness.

## **V. MONITORING MECHANISM**

- A. Administrative Managers and the Personnel Branch shall be responsible for monitoring the guidelines set forth in the policy.
- B. The Personnel Branch shall audit 3% of the total staff complement on a quarterly basis to monitor compliance with this policy, consisting of review of the timesheet and supporting documentation, and report any non-compliance to the appropriate Deputy Commissioner.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
3-JTS-1B-21  
3-JDF-1B-21  
3-JCRF-1B-17  
1-JDTP-1B-19  
1-JBC-1B-19  
4-JCF-6D-06**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Code of Conduct</b>	
<b>POLICY NUMBER: DJJ 104</b>	
<b>TOTAL PAGES: 4</b>	
<b>EFFECTIVE DATE: 12/01/2014</b>	
<b>APPROVAL: Bob D. Hayter</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Staff, volunteers, interns, and contract personnel shall conduct themselves in a professional manner. All persons shall be aware that their personal conduct reflects upon the integrity of the agency and its ability to provide services to youth.

**II. APPLICABILITY**

This policy shall apply to all staff, volunteers, interns, and contract personnel of the Department of Juvenile Justice. This policy shall apply to contract facilities and programs.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. Staff shall arrive and leave work at scheduled times as determined by their supervisor.
- B. Staff shall perform their work assignments competently and in a professional manner. It is the responsibility of each staff to know and act in accordance with department policy and procedures.
- C. Staff are required to obey the lawful order or directive of a supervisor. If the order or directive conflicts with an order or directive previously issued by another supervisor, the staff shall make the supervisor aware of the conflict. If the supervisor does not alter the order or directive, the most recent order shall stand and the responsibility shall be assigned to the supervisor issuing the most recent order.
- D. Staff shall remain in their assigned working areas during working hours. Staff shall not disturb or interrupt others at their working areas or prevent other staff from carrying out their duties.

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- E. Staff are prohibited from entertaining friends or family on the premises of any DJJ office or program except during appropriate scheduled and approved events.
- F. Loud, abusive, or profane language and boisterous and unprofessional conduct shall not be tolerated. Staff shall refrain from making comments that are critical of colleagues or the agency.
- G. State property and resources or items purchased with Youth Activities Funds shall not be utilized by staff or others for personal use.
- H. Staff shall be prohibited from purchasing products for personal use from the agency's contracted vendors at the reduced agency rate.
- I. Staff shall also be prohibited from using the DJJ procurement card to make purchases of any kind for personal use.
- J. Staff shall only accept gifts that are allowable under the Executive Branch Ethics Code of Ethics.
- K. Donations made to offices or programs, including money, property, or material goods shall not be accepted by individual staff without authorization of the superintendent or district supervisors. Donations of money, property, and material goods shall be properly recorded.
- L. All shall be truthful in correspondence and interactions with other DJJ staff, youth, parents, outside agencies, investigators, and in the completion of any type of work-related written documentation (computer-based, hand-written, or typed).
- M. Items deemed to be contraband shall be prohibited in DJJ facilities and offices. No one shall transport contraband of any kind into a DJJ facility.
- N. Theft of any state property, including, linens, clothing, supplies, or equipment is prohibited.
- O. Cell phones shall be prohibited in areas of programs occupied by youth. All persons are prohibited from allowing youth to use a personal cell phone in any part of the facility. In areas where cell phones are allowed, the use shall not disturb or interrupt staff at their working areas or prevent staff from carrying out their duties.
- P. Staff are prohibited from sleeping, or giving an appearance of sleeping, while on duty. Sleeping on duty may result in disciplinary action up to, and including dismissal. Exception, staff assisting in emergency situations and unable to return home shall be provided sleeping and leisure areas separate from youth residential areas.
- Q. Staff shall not be on the premises except during working hours unless approved by their immediate supervisor.
- R. All persons shall be prohibited from having sexual or intimate contact while on department owned or leased property, or in a state vehicle..
- S. In accordance with KRS 237.110(13), KRS 237.110(14) and KRS 237.115(1), staff are prohibited from possession of firearms, or any other

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deadly weapon as defined in KRS 500.080(4), at any program which houses delinquent youth and in any state vehicle or while transporting DJJ youth.

- T. All persons are prohibited from engaging in unwelcome written, verbal, or physical conduct that either degrades, shows hostility, or aversion towards a youth on the basis of race, color, national origin, age, sex, religion, disability, gender identity, sexual orientation, or genetic information.
- U. Staff shall protect the individual safety of youth and themselves through the use of approved controlling techniques utilizing no more than the absolute amount of force necessary to diffuse a confrontational situation. Staff shall only use controlling techniques in which they have been certified by the Division of Professional Development.
- V. All persons shall take appropriate precautions in dealing with youth to prevent allegations of inappropriate verbal communication, written communications, sexual contact or abuse of any type.
- W. Abuse or other mistreatment of youth in the care or custody of the department shall not be tolerated. Staff abusing youth shall be subject to disciplinary action up to and including dismissal under 101 KAR 1:345. All persons suspected of abuse are subject to investigation and prosecution under all applicable laws.
- X. All persons shall act in a manner that provides youth with a positive role model.
- Y. All persons shall be expected to maintain a professional relationship with youth at all times. The following rules help delineate this relationship and prevent complications in treatment of youth.
- Z. All staff are prohibited from the following actions:
  1. Selling or loaning personal belongings to youth or youth's representative;
  2. Entering into a business relationship or financial transaction with youth or the representatives of a youth;
  3. Giving special privileges to a youth, unless privileges are earned by the youth as part of the treatment plan;
  4. Accepting a bribe or payment from a youth or the representatives of a youth for special services rendered to them;
  5. Lending money to a youth or the representatives of a youth;
  6. Entering into an intimate or romantic relationship or having sexual contact with an individual who is currently under the custody, care, or supervision of DJJ. (reference KRS 510.020 (3)(e) regarding consent); or
  7. Having an intimate or romantic relationship with a juvenile that has been in the direct custody, care, and supervision of that employee or

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in a facility where the employee worked while the juvenile was in custody, for a minimum of ten (10) years after the juvenile has been officially released from DJJ.

- AA. DJJ staff are persons holding a position of authority and special trust as defined in KRS 532.045. DJJ prohibits any staff, regardless of his or her age, from subjecting anyone under the custody, care, or supervision of DJJ, with whom he or she comes into contact as a result of his or her position, to sexual contact.
- BB. Staff shall fully cooperate with and shall not interfere with any investigation conducted by the Internal Investigation Branch (IIB), a DJJ Supervisor, or Ombudsman, subject to Federal and State constitutional protections.
1. Staff shall provide a written or verbal statement in a departmental investigation or when directed by a supervisor. Failure to provide a written statement as requested shall result in a disciplinary action, up to and including dismissal.
  2. Staff shall not discuss any active or inactive investigation with anyone other than IIB staff or a DJJ Ombudsman. Exceptions to this may be made under the direct authorization of the DJJ Commissioner's Office.

#### **V. MONITORING MECHANISM**

Administrative Managers and supervisors shall monitor staff conduct for adherence to this policy on a day-to-day basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Management Response to  
Work Guideline Violations**

**POLICY NUMBER: 105**

**TOTAL PAGES: 4**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

Department staff are expected to comply with all work guidelines that are applicable to their respective job duties. Management staff are expected to teach and train their subordinate staff on relevant work guidelines and how to implement them.

**II. APPLICABILITY**

This policy shall apply to the Department of Juvenile Justice (DJJ) staff.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

A. Department staff shall adhere to all work guidelines. Work guidelines shall include:

1. The Code of Federal Regulations (CFR);
2. Kentucky Revised Statutes (KRS);
3. Kentucky Administrative Regulations (KAR);
4. Department of Juvenile Justice Policies and Procedures (DJJPP);
5. General Directives (GD); and
6. Other management directives.

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B. Professional guidelines shall be considered work guidelines only when they are a part of professional licensure or certification that is required to perform a staff's assigned job duties.

C. General Guidelines for Management Responses to Work Guideline Violations

1. Supervisors shall conduct themselves with professionalism, integrity, and consistency.
  - a. Supervisors shall not accept gifts or favors from subordinate staff, except in situations involving holiday exchanges, retirement, and in celebration of life events (e.g., birthday, marriage, new child).
  - b. Supervisors shall not engage in romantic or sexual relationships with subordinate staff.
  - c. Supervisors shall make decisions without consideration of personal relationships or other non-work-related factors including race, color, religion, national origin, sex, age, disability, political affiliation, sexual orientation, gender identity, genetic information, or veteran's status.
2. A management response to work guideline violations shall be given only after deliberation, consultation with the next line supervisor, and with consideration of the following:
  - a. Severity of the offense;
  - b. Staff's level of experience;
  - c. Staff's previous work history;
  - d. Staff's capabilities and limitations; and
  - e. Whether or not the offense resulted in harm to youth, another staff, or the general public.
3. Management responses shall be fair and consistent with the ultimate goal of helping the violating staff improve their work performance and avoiding a repetition of the violation. Coaching and verbal conferences shall be used, when appropriate, to provide positive feedback and assistance to staff.
4. Supervisors shall be responsible for teaching and training their subordinate staff regarding relevant work guidelines and how these guidelines impact their specific job duties. Supervisors shall request assistance from their next line supervisor and from the Training Branch Manager regarding this training, as needed.
5. Performance Improvement Plans (PIP) and verbal conferences shall not be used as disciplinary actions.
6. PIP's may be developed as a management tool for the following situations:
  - a. Communicating expectations clearly;

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- b. Communicating to staff when they are not meeting performance expectations;
- c. As a result of a work guideline violation; and
- d. Giving positive feedback to staff.

**D. Request for Disciplinary Action Guidelines**

1. Requests for Disciplinary Action shall be completed according to a format established by the Personnel Branch and approved by the Division Director of Administrative Services.
2. All Requests for Disciplinary Action shall:
  - a. Include a detailed account of each work guideline violation;
  - b. Contain all supporting documentation that supports the management contention that work guideline violations occurred;
  - c. Include a complete listing of any previous disciplinary actions that have been taken against the staff;
  - d. Include a complete listing of any current or completed documented verbal conferences and PIPs for the violating staff; and
  - e. Include a written statement provided by the violating staff regarding the request for discipline. The written statement shall be signed by the violating staff and requesting Supervisor. If the violating staff fails to comply with the requirement of providing a written statement, the requesting supervisor shall note the failure to comply in the written request for discipline. A written statement shall be obtained from violating staff on leave immediately upon their return, if applicable.
3. The Supervisor requesting disciplinary action shall provide the violating staff a copy of the request and all supporting documentation at the time of the submission.
4. Supervisors may seek advice and counsel from management within their chain of command, the Office of Legal Counsel, Director of Administrative Services Division, or the Personnel Branch Manager.
5. Supervisors shall only discuss the details of a Request for Disciplinary Action within their chain of command, with the Personnel Branch, with the Director of Administrative Services Division, or with the Office of Legal Counsel.
6. Requests for Disciplinary Action shall be submitted through the chain of command to the Commissioner.
  - a. Each request should be reviewed and approved by each level of management. Supervisors and each level of management may provide a

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recommendation regarding the recommended level of discipline to be issued based upon the submitted request.

- b. A request may be returned at any level of management:
  - i. If the reviewer believes that the guidelines of this policy or other disciplinary trainings have not been followed;
  - ii. If the supporting documentation provided does not support the request; or
  - iii. If the subject of the request has not been treated in a fair and consistent manner.
- 7. A Request for Disciplinary Action shall not be considered pending discipline once the request has been approved by all levels of management.

#### **V. MONITORING MECHANISM**

Monitoring shall be done by all Supervisors and the Personnel Branch Manager on an ongoing basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Emergency and Staff Coverage**

**POLICY NUMBER: DJJ 106**

**TOTAL PAGES: 3**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**,COMMISSIONER**

**I. POLICY**

Emergencies may necessitate that staff be required to report for, or remain on, duty beyond their normal work hours.

**II. APPLICABILITY**

This policy shall apply to all Department of Juvenile Justice offices and facilities.

**III. DEFINITION**

Refer to Chapter 100.

**IV. PROCEDURES**

**A. Emergencies**

1. Emergencies shall be the occurrence, or the imminent threat of occurrence, of the situations listed below:
  - a. Escape from a facility;
  - b. Death;
  - c. Serious Assault or Injury;
  - d. Major fire or disturbance;
  - e. Community placement disruptions;
  - f. Other matters considered to be of a serious nature.
2. On-duty staff may be required to work beyond their normal work hours until an emergency is resolved.

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- a. Staff may use the telephone to notify their families
- b. Staff shall take a fifteen (15) minute break after each additional 2.5 hours worked and a thirty (30) minute break for meals every four (4) hours.
- c. Staff shall be provided sleeping and leisure area separate from youth residential areas if they are unable to return home during emergencies.
3. Staff who are required to work during an emergency shall be compensated in accordance with 101 KAR 2:102 and the Fair Labor Standard Act.
4. Staff shall be charged leave without pay for failure to report during an emergency.

**B. Maintenance On-Call Staff**

The maintenance on-call staff shall be contacted for matters considered serious in nature and requiring the services of a maintenance employee. The maintenance on-call staff shall, after receiving a description of the incident, decide whether to report to the institution or contact another maintenance employee or vendor to resolve the problem.

**C. Mental Health and Nursing On-Call Staff**

The mental health and nursing on-call staff shall be contacted on weekends, holidays, and any other time not on-site if staff determines a youth's complaint to be serious in nature or consultation is necessary in order to carry out a youth's health care plan. The mental health or nursing on-call staff shall, after receiving a description of the complaint, decide whether to report to the institution or if it shall be necessary to direct the staff to seek treatment for the youth at an emergency care provider.

- D. On-call staff may be required to carry a cell phone if they are in an area where telephone access is readily available.
- E. The on-call staff shall have no more than 60-minute response time when called, unless policy requires a quicker response time for the position.
- F. Off-duty staff may be required to be available or "on-call".
  1. Staff shall receive compensatory time for phone calls and time spent at the office or facility.
  2. Travel time to and from the office or facility shall be compensatory time earned except for those trips that a staff would normally incur in relation to their scheduled shift.
  3. In a situation requiring the physical presence of the staff within the office or facility, mileage shall be reimbursed pursuant to Finance and Administration regulations if a state vehicle is not used.

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**V. MONITORING MECHANISM**

This activity shall be monitored by supervisory personnel and Administrative Managers.



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POLICY AND PROCEDURES**

**REFERENCES:**  
ACA 3-JTS-1D-14  
ACA 3-JCRF-1D-08  
ACA 1-JDTP-1D-12  
ACA 3-JDF-1D-14  
JPAS-2-7058, 7059

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Attendance at Professional Meetings**

**POLICY NUMBER: DJJ 106.1**

**TOTAL PAGES: 2**

**DATE ISSUED: 02/15/04**

**EFFECTIVE DATE: 04/15/04**

**APPROVAL: Ronald L. Bishop**

**, COMMISSIONER**

**I. POLICY**

The Department supports the professional development of employees by encouraging employee attendance at professional job related meetings, workshops and conferences.

**II. APPLICABILITY**

This policy shall apply to all employees of the Department of Juvenile Justice.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

**A. Request for Time to Attend Professional Meetings**

1. Any employee may request prior approval from their immediate supervisor for time away from their regular duties to attend professional job related meetings, workshops and conferences. The employee may be required to pay any fees and travel expenses.
2. Each request shall be submitted to the immediate supervisor in writing at least 30 days prior to the meeting, if possible, and shall include registration materials and related documents to justify the job related nature of the meeting and the time required.
3. Approved requests shall be recorded as time worked on the employee's timesheet, unless otherwise directed or authorized by the Department.
4. Requests for other paid leave for professional meetings shall be approved in advance by the Appointing Authority.

<b>POLICY NUMBER</b> <b>DJJ 106.1</b>	<b>ISSUE DATE</b> <b>02/15/04</b>	<b>EFFECTIVE DATE</b> <b>04/15/04</b>	<b>PAGE NUMBER</b> <b>2 of 2</b>
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**B. Requests for Funds to Attend Professional Meetings**

1. For purpose of this policy, no distinction shall be made between the sources of funds.
2. Advance approval shall be obtained for payment or reimbursement of fees and travel expenses for participation in meetings and activities of professional organizations. Travel requests shall be initiated as soon as possible and no later than one month before travel is to start. Any exceptions shall be supported by a valid reason acceptable to the supervisor.
3. Requests shall be submitted and follow the approved format to the immediate supervisor. If approved at this level, the request shall be forwarded through the appropriate chain of command.

**C. Holding Office in a Professional Organization**

1. Employees shall be encouraged to take leadership roles and serve as officers or committee members in recognized national, regional or state professional organizations.
2. Before accepting an office in an organization involving time away from normal working hours, employees shall determine jointly with their supervisor that both Department and organizational duties can be performed without detriment to either.

**V. MONITORING MECHANISM**

Supervisors shall be responsible for insuring the procedures are followed.



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POLICY AND PROCEDURES**

**REFERENCES:**  
3-JTS-1C-15  
3-JDF-1C-13  
3-JCRF-1C-10  
1-JDTP-1C-16  
1-JBC-1C-12  
2-CO-1C-10, 18  
4-JCF-6C-05

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Background Checks**

**POLICY NUMBER: DJJ 106.3**

**TOTAL PAGES: 2**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**,COMMISSIONER**

**I. POLICY**

The department shall require that background checks be conducted for all Department of Juvenile Justice (DJJ) staff, applicants, volunteers, interns, and contractors having contact with DJJ youth.

**II. APPLICABILITY**

This policy shall apply to all Department of Juvenile Justice (DJJ) staff, applicants, interns, contracted staff, and volunteers.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. DJJ shall conduct background checks on all DJJ staff, volunteers, interns and contractors every five (5) years, or sooner, if DJJ is made aware of a criminal offense that may have been committed by an employee.
- B. During initial interviews, prospective employees, interns, and volunteers shall be informed of the background check procedure.
- C. DJJ shall require the following background checks on all DJJ staff, volunteers, interns, and contractors and any applicant that is being considered for employment or promotion with DJJ:
  1. Criminal background or records check;
  2. Sexual offender registry check; and

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3. Child abuse and neglect registry check.
  - D. DJJ shall require a check of licenses and certifications on all staff who are required by the classification specification to have or maintain a license or certification.
  - E. The Personnel Branch shall complete a background check on each staff, intern, contracted staff, and volunteer prior to the completion of the first thirty (30) days of duty or, in the case of Youth Worker (YW) staff, prior to the completion of the Training Academy.
  - F. The Commissioner shall make the final decision on all positive results from the background check.

**V. MONITORING MECHANISM**

Administrative Managers and the, Personnel Branch shall monitor this policy.



**JUSTICE CABINET  
DEPARTMENT OF  
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POLICY AND PROCEDURES**

**REFERENCES:  
3-JTS-1C-20  
3-JDF-1C-18  
1-JDTP-1C-21**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Replacement of Damaged or Destroyed  
Staff Personal Property**

**POLICY NUMBER: DJJ 106.4**

**TOTAL PAGES: 2**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**,COMMISSIONER**

**I. POLICY**

Staff in the Department of Juvenile Justice (DJJ) operated programs shall be compensated for personal property which is damaged or destroyed as a result of youth activity. The department shall not be liable or responsible for staff's personal property which has been lost or stolen.

**II. APPLICABILITY**

This policy shall apply to all staff of DJJ.

**III. DEFINITION**

Refer to Chapter 100.

**IV. PROCEDURES**

A. Any staff who suffers damage to personal property as a direct result of youth activity, may be compensated for the cost of repair or replacement of the damaged articles.

1. An Incident Report describing the incident shall be completed. The report shall state the details of the incident, the items damaged, and the degree of damage.
2. If damage or replacement request is approved by the supervisor and Superintendent, the documentation shall be forwarded to the facility Fiscal Officer.
3. The replacement or repair of the item shall be arranged by the staff.

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4. A copy of this incident report, original receipt, and approved replacement request shall be attached to the Travel Voucher and shall be submitted to the Fiscal Branch for processing. The cost of replacing or repairing damaged items shall be limited to the following:
  - a. Clothing

1. Blouse or Shirt	\$30.00
2. Skirt or Trousers	\$40.00
3. Sweater	\$40.00
4. T-shirt	\$15.00
5. Dress	\$60.00
6. Coat or jacket	\$100.00
7. Other items of clothing shall be evaluated on a per item basis.	
  - b. Jewelry

1. Watch, repair or replace up to	\$75.00
2. Repair; replace watchband up to	\$15.00
3. Other items of jewelry shall be evaluated on a per item basis.	
  - c. The maximum allowable payment for prescription eyeglasses and contact lens shall be \$350.00 and shall not include payment for an eye examination.

**V. MONITORING MECHANISM**

The Fiscal Branch shall monitor this policy.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Administrative Duty Officer**

**POLICY NUMBER: 106.5**

**TOTAL PAGES: 2**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

Each Superintendent shall appoint an Administrative Duty Officer (ADO) responsible for operations and management in their absence.

**II. APPLICABILITY**

This policy shall apply to Department of Juvenile Justice (DJJ) facilities.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

A. The ADO for a regional juvenile detention center (RJDC), youth development center (YDC), group home, or day treatment program shall be an Assistant Superintendent, Youth Service Program Supervisor (YSPS), or Treatment Director.

1. A Counselor in a YDC or RJDC may be selected as ADO upon the approval of the Facilities Regional Administrator (FRA).
2. A Youth Worker Supervisor (YWS), Counselor, or Youth Worker III may be selected as an ADO group homes and day treatment centers upon the approval of the Facilities Regional Administrator (FRA).

B. The staff member selected as ADO for a community services district shall be a Social Service Specialist or Social Services Clinician.

C. In a YDC and RJDC

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1. The ADO shall be required to be on-site until 8:00 p.m. on weekdays; and
  2. The ADO shall make contact with the facility by phone at least once on Saturdays, Sundays, and holidays.
- D. The ADO shall have on-site administrative authority.
- E. The ADO shall be on twenty-four (24) hour call.
- F. When serving as the ADO, staff shall have no more than remain within a sixty (60) minute response time.
- G. The assignment of ADO shall be rotated and an assignment schedule provided to staff. Community services ADO rotation and assignment schedule of assignment shall be shared with Court Designated Workers (CDW's) and local law enforcement agencies, as needed.
- H. The ADO shall be contacted in matters considered to be of a serious nature as stipulated in the Standard Operating Procedures (SOPs) and shall up-line through the chain of command. Message services or voice mail shall not be utilized, contact is required.
- I. The following expectations shall be adhered to during the period a staff member serves as ADO:
1. No use of alcohol or intoxicants.
  2. Provision of an accurate description of the situation when reporting incidents through the chain of command.
  3. Accessibility by telephone at all times.
- J. The ADO shall receive compensatory time for all ADO related work including phone calls and time spent at the office or facility. Travel time to and from the office or facility shall be compensatory time earned except for those trips that a staff would normally incur in relation to their scheduled shift. In a situation requiring the physical presence of the ADO within the office or facility, mileage shall be reimbursed pursuant to Finance and Administration regulations if a state vehicle is not used.

**V. MONITORING MECHANISM**

Monitoring shall be the responsibility of the Regional Managers and FRAs.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 3-JTS-1C-07 3-JDF-1C-05 3-JCRF-1C-03 1-JDTP-1C-07 1-JBC-1C-06</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Equal Employment Opportunity</b>		
<b>POLICY NUMBER: DJJ 106.6</b>		
<b>TOTAL PAGES: 2</b>		
<b>EFFECTIVE DATE: 12/01/2014</b>		
<b>APPROVAL: Bob D. Hayter</b>		<b>,COMMISSIONER</b>

## **I. POLICY**

The Department is committed to affirmative action to assure equal employment opportunity for all citizens. The Department shall comply with the Commonwealth of Kentucky Executive Branch Affirmative Action Plan and develop an agency Affirmative Action Plan.

## **II. APPLICABILITY**

This policy shall apply to all staff and applicants of the Department of Juvenile Justice.

## **III. DEFINITIONS**

Refer to Chapter 100.

## **IV. PROCEDURES**

- A. The Commonwealth of Kentucky Equal Employment Opportunity Policy Statements and the Justice and Public Safety Cabinet Policy Statements shall be posted conspicuously at each Department of Juvenile Justice office and facility.
- B. Equal Employment Opportunity (EEO), as well as opportunities for professional growth, shall be available to all applicants and employees regardless of race, color, sex, disability, age, national origin, religion, sexual orientation, gender identity, genetic information, political affiliation, or veteran status.
- C. In accordance with Commonwealth of Kentucky Executive Branch Affirmative Action Plan, all administrative managers and supervisors shall:
  1. Communicate the plan to all appropriate persons;

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2. Ensure compliance with the plan;
  3. Support the objectives and initiatives of the Commonwealth of Kentucky Executive Branch Affirmative Action Plan;
  4. Attend EEO Training and ensure staff EEO Training requirements are met; and
  5. Comply with EEO investigations.
- D. In accordance with the Commonwealth of Kentucky Executive Branch Affirmative Action Plan, staff shall follow and support the guidelines for EEO in the work place and participate with any EEO investigations.
- E. The Department shall appoint an EEO and ADA Coordinators. The EEO and ADA Coordinator shall manage the Department's compliance with the Commonwealth of Kentucky Executive Branch Affirmative Action Plan.
- F. Each office or facility shall have a designated EEO Counselor.
1. EEO Counselors shall attend EEO related trainings annually conducted through the Office of Diversity and Equality and the Department.
  2. The EEO Counselor shall provide assistance to the Department's EEO Coordinator in complaint resolution.
- F. All Department staff shall be advised of the name of the Department EEO Coordinator and the respective office or facility EEO Counselor.
- G. A staff who suspects or believes that they have been subject to EEO violation shall consult with the appropriate EEO Counselor or the Department EEO Coordinator.
- H. The Employee Grievance Procedure, as detailed in 101 KAR 1:375, may be used for the purpose of seeking internal resolution of EEO complaints. Copies of any grievances filed alleging discrimination shall be immediately forwarded by the recipient to the DJJ EEO Coordinator for tracking.
- I. Staff shall be notified of the right to pursue resolution of their EEO complaints with agencies outside of DJJ, irrespective of whether they have made use of internal procedures.
- J. Individuals filing an EEO complaint or assisting in an EEO investigation shall not be subject to retaliation in any manner.

**V. MONITORING MECHANISM**

The EEO Coordinator shall review the agency's annually plan for changes within the state and federal guidelines. Supervisors shall ensure compliance on an on-going basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
200 KAR 2:006  
4-JCF-6B-15  
3-JCRF-1D-08  
3-JDF-1C-18  
1-JDTP-1C-21  
3-JTS-1C-20**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Travel</b>	
<b>POLICY NUMBER: 106.10</b>	
<b>TOTAL PAGES: 3</b>	
<b>EFFECTIVE DATE: 12/01/2014</b>	
<b>APPROVAL: Bob D. Hayter</b>	<b>, COMMISSIONER</b>

## **I. POLICY**

All official travel shall be approved in advance by the staff's supervisor. Out-of-state travel shall be approved by the Commissioner of the Department of Juvenile Justice (DJJ) and the Finance and Administration Cabinet. The Commissioner's out-of-state travel shall be approved by the Secretary of the Justice and Public Safety Cabinet.

## **II. APPLICABILITY**

This policy shall apply to any individual authorized to travel by DJJ.

## **III. DEFINITIONS**

Refer to Chapter 100.

## **IV. PROCEDURES**

- A. Individuals traveling on DJJ official business shall be familiar with and follow all guidelines of the Employee Travel Regulations, 200 KAR 2:006. These regulations are available at <http://finance.ky.gov/services/statewideacct/Pages/travel.aspx>.
- B. Prior to signing a Travel Voucher, the authorizing supervisor shall audit the travel voucher data to ensure it is true and correct as well as in compliance with this policy. Travel vouchers found out of compliance may be returned to the supervisor unprocessed.
- C. Travel expenses shall only be reimbursed for travel for official DJJ business. Travel vouchers shall be submitted at least once per month unless the travel is for an amount less than ten (10) dollars.

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- D. All travel vouchers shall be submitted on the appropriate form. Mileage claims shall be calculated based on the “Kentucky Official Map”, mileage software , or MapQuest® website and may be attached to the Travel Voucher as supporting documentation.
- E. Persons authorized to travel shall use the most economical, standard transportation available, and the most direct and usually-traveled routes. Exception may be made with approval of the agency head if other arrangements will be in the best interest of the Commonwealth.
- F. Vicinity travel shall be claimed on a separate line of the Travel Voucher. Multiple stops within the same city may be combined on a single line.
- G. State vehicles shall be used for travel if available and feasible.
- H. Mileage shall only be claimed for the shorter of the distance between the staff’s official workstation and destination or the staff’s home and destination, whichever is less.
- I. Per diem for meals shall only be paid for overnight travel. Staff shall be in travel status for the entire meal period to claim per diem. Per diem may not be paid when a full meal is provided by conference or lodging.
- J. Per diem for dinner may be paid without an overnight stay if the staff is at a location more than forty (40) miles from their work station and is in travel status between 5:00 pm and 9:00 pm. Per diem for dinner without an overnight stay shall be W-2 reportable and treated as income for staff.
- K. State-owned facilities shall be used for meetings and lodging if available, practicable and economical.
- L. Group lodging with direct billing to DJJ shall only be established by the department if four (4) or more staff requires overnight lodging. The direct bill account shall be established by the Fiscal Branch.
- M. Receipts are required for all lodging. Parking and other expenses shall also require a receipt for reimbursement over ten (10) dollars. All receipts over ten (10) dollars shall be attached to travel voucher. The travel voucher is available from Kentucky Finance and Administration Cabinet at <http://finance.ky.gov/services/forms/Pages/default.aspx>
- N. Out-of-State
  - 1. A written request for Out-of-State travel shall be submitted to the Commissioner a minimum of thirty (30) days prior to the requested trip. The request shall be submitted to the appropriate Deputy Commissioner, Division Director, and Regional or Branch Manager.
  - 2. If the request is not received minimum of thirty (30) days prior to the departure date, there shall be no assurance that the approval process will be completed in time for the staff to attend.

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3. Upon approval by the Commissioner, the Fiscal Branch shall submit the written request to the Finance and Administration Cabinet for final approval.
4. Reservations for air travel shall not be made prior to receipt of approval from the Finance and Administration Cabinet.
5. Reservations for air travel made through the state-approved travel agency per direction of the Division of Administrative Services shall be charged to the department's Business Travel Account (BTA).
6. Staff may be required to purchase their own airfare. Staff shall submit the original invoice with their out-of-state travel voucher for reimbursement. Airfare shall be the most economical for the state.
7. Travel vouchers submitted for reimbursement for out-of-state travel shall not include any in-state travel that is not associated with the trip.
8. If a rental car is required while out-of-state, a request shall be submitted in advance to the Commissioner. The justification shall include the reasons that public transportation will not suffice, along with the dates required and the cost. The approved request shall be attached to the travel voucher when submitted for reimbursement.

#### O. Outside Training Request

1. The DJJ-40 Outside Training Request Form shall include a description of the trip, the benefit for the agency, and an estimate of the costs to include registration fee, airfare, per diem, rental car, ground transportation, lodging, parking, tolls, mileage, and miscellaneous, as well as the source of funds, whether general or federal. Estimates shall include a contingency amount up to \$200 for any unanticipated costs.
2. When registration for conference or training is necessary:
  - a. Approved training requests shall be submitted to the Fiscal Branch.
  - b. If the DJJ-40 is not received a minimum of 30 days prior to the conference, the Fiscal Branch shall not guarantee that the Finance and Administration Cabinet can process a check for the registration. In those instances, staff may be required to pay for the registration personally, and obtain reimbursement through the travel voucher process.

#### V. MONITORING MECHANISM

The Division of Administrative Services shall monitor this policy.

	<p align="center"><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<p><b>REFERENCES:</b>  <b>3-JTS-1D-14</b>  <b>3-JDF-1D-14</b>  <b>3-JCRF-1D-08</b>  <b>1-JDTP-1D-12</b>  <b>1-SJD-1D-07</b></p>
<p><b>CHAPTER: Administration</b></p>		<p><b>AUTHORITY: KRS 15A.065</b></p>
<p><b>SUBJECT: DJJ Sponsored Training with University Credit</b></p>		
<p><b>POLICY NUMBER: DJJ 106.12</b></p>		
<p><b>TOTAL PAGES: 4</b></p>		
<p><b>DATE ISSUED: 02/15/04</b></p>		<p><b>EFFECTIVE DATE: 04/15/04</b></p>
<p><b>APPROVAL: Ronald L. Bishop</b></p>		<p><b>COMMISSIONER</b></p>

## **I. POLICY**

The Department supports continuing training for all permanent employees and shall offer training opportunities that may provide post secondary credits toward under-graduate, master's or post master's programs. These trainings shall be offered through other accredited providers whenever feasible to increase their job skills and provide for individual career development. Training opportunities offered by the Department are a benefit provided to eligible employees and are not a right.

## **II. APPLICABILITY**

This policy shall apply to all permanent full-time employees of the Department of Juvenile Justice who request Department sponsored training.

## **III. DEFINITIONS**

- A. "Active Work Status" means that the employee, at the time of application and approval, is performing their job assignments.
- B. "DJJ Sponsored Training Programs or Other Approved Programs" means trainings or training tracks developed for Department employees to increase job skills and provide for individual career development.
- C. "Eligible Employee" means permanent full-time employee in active work status at the time of application and approval.
- D. "Satisfactory Grade" means a "C" in undergraduate studies, a "B" in graduate studies or a professional degree program, or "Pass" for courses designated as pass or fail. A grade of "I" or "incomplete" shall not be a satisfactory grade.
- E. "Training Advisory Committee" (TAC) means a group, appointed by the Commissioner, to review requests for tuition for any DJJ sponsored training programs or other approved programs. The Committee shall include, but not be limited to, the Personnel Branch Manager, all Division Directors, Training Branch Manager(s), or their designee.

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#### **IV. FUNDING**

The Commissioner, upon the recommendation of the Director of Administrative Services and Staff Development Branches, shall determine an amount of funds to be made available each fiscal year to support the DJJ sponsored training programs or other approved programs and provide for a fair distribution of these funds within DJJ. Funds designated for the DJJ sponsored training programs or other approved programs, except those previously committed, may be reduced or eliminated as the needs of DJJ dictate.

##### **A. Source of Funds**

The source of funds may be general fund dollars, federal fund dollars, grant funds or any other available funds or combination thereof. Any funds designated for a program area, i.e. residential, community, central office, etc., and not applied for by the cut off date, may, unless otherwise prohibited, be reassigned to another program area for use as needed.

##### **B. Payment of Funds**

1. Payment of funds shall be made directly to the provider after the employee has met all the requirements for the DJJ sponsored training or other approved programs and has received approval for the program(s).
2. If the employee does not receive a satisfactory grade or if the employee drops the course(s), fails to complete the course(s), withdraws from the program, or otherwise alters the approved application without the prior written approval of the Personnel Branch Manager, then that employee shall immediately reimburse DJJ all funds expended for that course(s).

#### **V. PROCEDURES**

- A. Employees shall be notified of the offering of DJJ sponsored training programs or other approved programs and registration requirements through the Pre-Service or In-Service Training Branches.
- B. Each DJJ sponsored training program or other approved programs shall require applicants to acknowledge that unsatisfactory completion will result in employees being responsible for reimbursing the Department for the full cost of the program.
- C. The employee shall complete all requirements for training registration and enrollment in the designated program. No employee shall be allowed to enroll in training for which funding is available if they have not completed all the requirements for enrollment.
- D. The supervisor shall review and approve the application for registration in the DJJ sponsored training program or other approved programs within five (5) calendar days of receipt and then shall forward the application packet to Program Services Director located at central office.
- E. The Program Services Director shall determine if the application is in compliance with this policy and refer to the TAC. The Director shall convene

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a meeting of the Committee which shall review and make recommendations regarding appropriateness of the staff to participate in these programs or other approved programs.

- F. Any employee who is denied DJJ sponsored training program or other approved programs shall receive a written explanation of the denial.

## **VI. EMPLOYEE'S OBLIGATION**

- A. An employee who has approval for, and receives funding for a DJJ sponsored training program or training, shall be obligated to complete the course(s) for which assistance has been provided and receive a satisfactory grade(s).
- B. If the employee does not receive a satisfactory grade or if the employee drops the course(s), fails to complete the course, withdraws from the program or otherwise alters the approved application without the prior written approval of the Personnel Branch Manager, then that employee shall immediately reimburse DJJ all funds expended for that course(s).
- C. The employee shall provide proof of a satisfactory grade and performance and an evaluation of the program within thirty (30) calendar days after the scheduled course completion date. If the employee does not submit the required documentation within the allotted time frame then the employee shall immediately reimburse DJJ all funds expended for the course(s).
- D. Employees who failed to satisfactorily complete a program course for which funding was provided shall not be eligible for further assistance until the course is completed, unless the employee has reimbursed the Department for the amount of the expended program.
- E. An employee who has received financial assistance shall continue to work for the Commonwealth of Kentucky for a period of time as described in the individual employment contract following completion of the course for which financial assistance has been provided. Any employee who leaves state employment for any reason, voluntary or involuntary, prior to the completion of the contractual work agreement shall immediately reimburse DJJ a pro rata portion, to be determined by the Fiscal Branch, of the funds expended by DJJ. This provision shall not apply to employees who do not meet the service requirement because of layoffs or reductions in force mandates.

## **VII. TIME AND TRAVEL**

- A. Supervisors shall be encouraged, to the extent feasible for safe and efficient operations, to be flexible in the work scheduling of employees participating in the DJJ sponsored training program or other approved programs.
- B. Continuing training is voluntary and employees shall not be permitted to travel, attend classes, or conduct any school related study or projects in an on-duty status unless otherwise specified in the training program requirements.

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C. Employees shall not be permitted to utilize state equipment or vehicles in pursuit of their continuing education.

**VIII. EQUAL OPPORTUNITY**

The Department of Juvenile Justice shall ensure that race, color, religion, national origin, sex, handicap, or age is not a factor in approving training assistance monies for its employees.

**IX. MONITORING MECHANISM**

The Regional Division Directors and the Director of Administrative Services shall ensure compliance with this policy on an ongoing basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**3-JTS-1B-01, 03-08, 13, 15, 17, 19  
3-JDF-1B-01, 03, 05-09, 12, 16, 18, 19  
3-JCRF-1B-01-06, 11, 13, 14  
1-JDTP-1B-01, 03-08, 11, 13, 15  
1-JBC-01, 03, 04, 05, 06, 10, 13, 14, 16  
4-JCF-6B-02, 04-06, 08-10**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Fiscal Management**

**POLICY NUMBER: DJJ 107**

**TOTAL PAGES: 5**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

The Finance and Administration Cabinet is charged by Kentucky Revised Statute (KRS) 45A.045 with the general responsibility and authority for all fiscal matters for all state agencies with a provision allowing authority to other state agencies. The Department of Juvenile Justice (DJJ) shall comply with budget and accounting regulations as outlined in KRS and Kentucky Administrative Regulations (KAR).

**II. APPLICABILITY**

This policy shall apply to all DJJ staff.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. The Commissioner shall review and monitor the expenditure of funds. The Commissioner shall delegate the overall responsibility for fiscal matters to the Division of Administrative Services, Fiscal Branch.
- B. Responsibilities of the Fiscal Branch shall include:
  1. Providing guidance to the department consistent with fiscal state statutes, regulations, and policies;

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2. Acting as the DJJ liaison with the Finance and Administration Cabinet; and
  3. Advising and assisting staff regarding fiscal matters.
- C. The Division of Administrative Services, Fiscal Branch shall oversee the distribution of revenue, budgeting for position allocations, and budget authorization to address:
1. Expenditure and audit reports;
  2. Internal controls of monies;
  3. Accounting practices for canteen funds, Youth Activity Funds, and interest-bearing accounts;
  4. Purchasing;
  5. Inventory and replacement of equipment;
  6. Property insurance;
  7. Payroll; and
  8. Staff travel voucher reimbursement.
- D. Director of Administrative Services, Fiscal Branch Manager, and Agency Budget Analyst shall be on the Central Office Budget Committee. The committee shall participate in the formulation of the department's budget. The committee shall participate in the oral and written budget deliberations and present a biennial budget request to the Commissioner. The biennial budget request shall include:
1. The maintenance of operations;
  2. The identification of capital construction needs; and
  3. The identification of program objectives and development.
- E. The Fiscal Branch Manager and Agency Budget Analyst shall make annual allocations, prior to the start of each fiscal year, consistent with the Executive Budget, or as amended with the approval of the Governor's Office for Policy and Management.
- F. The Central Office Budget Committee shall conduct quarterly budget meetings with the Commissioner's office to review the status of department budget and budget projections.
- G. The Central Office Budget Committee may, with the approval of the Commissioner, request budget revisions that appear to be justifiable or necessary. The revisions shall be subject to the approval of the Governor's Office for Policy and Management.
- H. The Fiscal Branch shall be responsible for generating a management budget for each organizational unit. An annual meeting shall be held with the Fiscal

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Manager and Administrative Manager responsible for each organizational unit to review the management budget.

- I. The Agency Budget Analyst shall provide a monthly expenditure report to the Fiscal Manager and Administrative Manager for each organizational unit. The organizational unit shall verify expenditures monthly and report any discrepancies or concerns to the Agency Budget Analyst.
- J. Inventory Control and Surplus Property
  1. The Property Officer shall be responsible for DJJ inventory. Each facility and office Administrative Manager shall designate an Inventory Coordinator that is responsible for control and record keeping at that budget unit.
  2. Property Officer shall:
    - a. Perform as the property officer for central office property.
    - b. Maintain communication between Inventory Coordinator.
    - c. Review with Inventory Coordinator the duties and responsibilities concerning inventory within the system.
    - d. Monitor and review all changes on inventory policy and procedure with Inventory Coordinator.
    - f. Assigns, records, and issues property number tags to the budget units.
    - h. Assist the Inventory Coordinator in reconciliation of recorded and actual physical inventory.
    - i. Make periodic reports to the Finance and Administration Cabinet, federal agencies, and the department as required.
  3. The Inventory Coordinator shall:
    - a. Be responsible for the custody and safekeeping of all nonexpendable property at facilities and offices.
    - b. Responsible for tracking movement of nonexpendable property between facilities and offices.
    - c. Conduct the physical inventory and generate a report to be submitted to the Property Officer.
    - d. Affix assigned property numbers, as issued by the Property Officer to property in their area of accountability.
- K. Non-expendable Property System Input
 

The Property Officer is responsible for the input of all non-expendable property additions, transfers, and deletions. All additions, transfers, and deletions of equipment affecting the accuracy of the inventory listing shall be reported to the

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Property Officer by the Inventory Coordinator. The Property Officer shall enter this data into the system.

**L. Physical Inventory**

The Property Officer shall ensure that the information produced and maintained by the system remains accurate and a physical inventory is completed at least annually. The physical inventory shall be conducted and hard copies sent to the Property Officer on a designated date. The Inventory Coordinator shall submit two lists of non-expendable property to the Property Officer. One list shall contain non-expendable property valued from \$500.00 to \$4999.99. The second list shall contain non-expendable property valued at \$5000.00 or more.

**M. Disposal of Inventory**

1. Non-expendable property shall not be disposed without prior written authorization. Documentation shall be completed by the Inventory Coordinator and forwarded for approval by the:
  - a. Property Officer; and
  - b. Finance & Administration Cabinet Surplus Property.
2. Under no circumstances shall action be taken to dispose, destroy, or surplus any state property without formal approval by both the Finance & Administration Cabinet and Property Officer.
3. Any non-expendable property that is accidentally destroyed, damaged beyond repair, lost, or stolen, shall be immediately reported to the Inventory Coordinator and Property Officer in writing. An investigation may be conducted to determine whether the loss was due to theft, negligence, or by a legitimate loss. The Property Officer shall advise the Commissioner or designee who shall determine if an investigation is warranted. The Property Officer shall notify the Finance & Administration Cabinet in that instance requiring advisement and ensure the inventory system is adjusted.
4. Any non-expendable property that alters its original identity for a different use shall be immediately reported to the Inventory Coordinator. The Property Officer shall be notified and make appropriate changes regarding alteration of the item in the inventory system. If the converted item meets the criteria for inventory purposes, a new property number shall be issued and entered into the system with new description given.
5. The property tag for any non-expendable property being traded in shall be listed on the appropriate form. The Property Officer shall remove that item from the inventory system.
6. In accordance with the procedures for the disposal of non-expendable property, any non-expendable property being donated to an approved

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nonprofit organization shall have written approval of the Property Officer on the appropriate form.

**N. Vehicle Inventory**

All department owned vehicles shall be reported separately from all other non-expendable property with a report sent to the Property Officer at the end of each fiscal year ending June 30th. A request to dispose, destroy or surplus a motor vehicle shall be coordinated with the Property Officer and the Finance and Administration Cabinet.

**V. MONITORING MECHANISM**

- A. The Director of Administrative Services and Fiscal Branch Manager shall monitor these activities.
- B. The department shall be subject to audits conducted by the Auditor of Public Accounts (APA).



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
2-CO-1B-09  
1-JBC-1B-12  
4-JCF-6B-09  
3-JCRF-1B-11  
3-JDF-1B-15  
1-JDTP-1B-15  
3-JTS-1B-14**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Procurement and Expenditures</b>	
<b>POLICY NUMBER: DJJ 107.1</b>	
<b>TOTAL PAGES: 4</b>	
<b>EFFECTIVE DATE: 4/17/2015</b>	
<b>APPROVAL: Bob D. Hayter</b>	<b>, COMMISSIONER</b>

**I. POLICY**

The Finance and Administration Cabinet, Office of Procurement Services shall be charged by Kentucky Revised Statute (KRS) 45A.045 with the general responsibility and authority for procurement of items for all state agencies with a provision allowing for the delegation of purchasing authority to other state agencies. The overall authority and responsibility for the procurement function in the Department of Juvenile Justice (DJJ) shall be assigned to the Division of Administrative Services, Fiscal Branch.

**II. APPLICABILITY**

This policy shall apply to DJJ staff.

**III. DEFINITION**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. The procurement of goods and services for the department from vendors offering the best value to the Commonwealth. This objective shall include the following components:
1. To oversee prompt delivery of commodities;
  2. To enforce contractual obligations of persons or agencies having contracts with DJJ;
  3. To interpret procurement policies and procedures; and
  4. To review and process purchase requests submitted by DJJ staff.
- B. The small purchase authority limit for DJJ shall be \$5000 and shall be in accordance with FAP-111-55-00.
1. One (1) written price quote shall be required for purchase requests up to \$3000 and shall be kept on file.

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2. Additional price quotes may be required by the Fiscal Branch upon review of the justifications and initial price quote.
  3. Three (3) written price quotes are required for purchase requests between \$3000 and \$5000 and shall be kept on file.
  4. When a vendor with the lowest quote is not chosen, documentation of the selection and reasoning for the selection shall be kept on file.
- C. The small purchase authority limit for DJJ Capital Construction and Real Properties shall be \$20,000 and shall be in accordance with FAP-111-55-00.
1. One (1) written price quote shall be required for purchase requests up to \$10,000 and shall be kept on file.
  2. Additional price quotes may be required upon review of the justification and initial price quote.
  3. Three (3) written quotes shall be required for purchase requests between \$10,000 and \$20,000 and shall be kept on file.
  4. When a vendor with the lowest quote is not chosen, documentation of the selection and reasoning for the selection shall be kept on file.
- D. Purchases shall be made from the Catalog Master Agreement if an agreement exists for goods or services. If no Catalog Master Agreement exists for the goods or services, the procurement methods outlined in this policy shall be followed. Goods or services on a Catalog Master Agreement may be purchased from an alternative vender as stated in FAP-111-37-00.
- E. Goods or services that exceed the small purchase authority of DJJ and are not on a Catalog Master Agreement shall be issued for solicitation by the Finance and Administration Cabinet through an eMARS RQS document created by the Fiscal Branch.
- F. Sole source purchases shall be documented and require Finance and Administration Cabinet approval if the purchase exceeds the small purchase authority of \$5000 per FAP-111-10-00.
- G. An Executive Order (EO1) or EO1 blanket waiver shall be approved by either the Fiscal Branch or EO1 Review Committee dependent on the type or cost of the goods or service purchased.
1. EO1 or EO1 blanket waiver approvals shall not replace or exempt the purchasing guidelines of the FAP's or KRS 45A.
  2. EO1 and EO1 blanket waivers shall be in effect for one (1) year from the date of issuance.
- H. An approved EO1 shall be attached to the purchase of goods or services exceeding \$1000.
- I. An affidavit shall be mandatory for all purchases over \$1000 from vendors not on a Catalog Master Agreement.
- J. DJJ shall be exempt from state sales tax and federal excise tax.

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- K. A filing system shall provide reference to all purchasing documents and readily accessible and available for audit purposes per FAP 111-28-00. These files shall contain, at a minimum, the following documentation:
1. Copies of purchase requests and expenditures with required documentation;
  2. Copies of receiving reports and invoices;
  3. Copies of reports, price quotes and bids, and any correspondence relating to the purchasing transaction, including vendor complaints relating to the performance or quality of goods; and
  4. Copies of all equipment guarantees or warranties including the expiration dates.
- L. Personal Service Contracts (PSC) for professional services shall be bid out and awarded by the Fiscal Branch. Documentation for the Request for Proposal (RFP) shall be maintained by the Fiscal Branch.
- M. A Memorandum of Agreement (MOA) shall only be entered into with other state agencies, quasi-state agencies, and universities to provide professional services for the department. All MOAs are maintained by the Fiscal Branch.
- N. Expenditures: Purchases and Payments
1. All purchase requests shall be made by employee through supervisory chain to the Administrative Manager (Superintendent/Branch Manager/Juvenile Services District Supervisor). Once approval is received from the Administrative Manager (Superintendent/Branch Manager/Juvenile Services District Supervisor), the approved purchase request that is \$1000 or greater shall be forwarded to the Division Director for approval then to the Fiscal Branch for purchase, if amount is less than \$1000 then purchase shall be made by the fiscal manager or fiscal officer. See attached flowchart.
  2. No purchase request shall be submitted to the Fiscal Branch until the originator of the request has reviewed and confirmed availability of funds in the budget.
  3. The Fiscal Branch may determine that due to departmental budgetary restraints, only expenditures essential for the operation of the facilities and programs shall be processed at that time. If this situation occurs, purchase requests shall be kept on file until funds become available.
  4. Payments and purchases deemed routine or prudent do not require the request for purchase and are exempted from the approval process outlined in the paragraphs above. The following is a list of routine or prudent payments:
    - a. monthly utility payments,
    - b. monthly cable service payments,

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- c. monthly shredding service payments,
  - d. monthly pest control service payments,
  - e. monthly garbage service payments,
  - f. food/drink for youth at Youth Development Centers and Regional Juvenile Detention Centers,
  - g. youth allowance and youth work experience,
  - h. youth haircuts, and
  - i. emergency repairs not to exceed \$1000.
- O. Any unauthorized or irregular transaction with a vendor shall not be valid or binding upon the state. Any DJJ staff making such a transaction shall be held personally liable for the amount of the purchase. A Superintendent shall be held accountable for all delegated purchases and expenditures for the program. No purchase shall be split or parceled out over a period of time to evade procurement regulations. Any staff making a split transaction shall be personally liable for the amount expended in excess of the authorized amount.

**V. MONITORING MECHANISM**

The Administrative Services and Fiscal Branch shall monitor these activities.

Exceptions: See DJJ Policy 107.1 and 107.2

Purchase Request Emailed to Supervisor with Justification

Supervisor Approves-Forwards to Superintendent -Administrative Manager

OR

If Purchased Denied



Purchases < \$1,000 Superintendent-Administrative Manager Approves

OR

If Purchased Denied



Purchased by Fiscal Manger

Purchases >\$1,000 Division Director Approves forwards as amount indicates or **STOP** if denied

For Purchases \$1,000 and OVER

For Purchases \$5000 and OVER

Forward to Agency Budget Analyst IPA IV for Funding

Forward to Agency Budget Analyst IPA IV for Funding

Funds Available

Funds NOT available



Funds NOT available

Funds Available

Forwards to Fiscal Branch Manager/ Admin Services Director

Forwards to Fiscal Branch Manager/ Admin Services Director

Forward to Procurement Officer for Purchase

FBM forwards to Commissioner

Commissioner Approves

Commissioner Denies



Forwards to Fiscal Branch Manger

Forward to Procurement Officer for Purchase

\*\*\*REMINDER\*\*\*  
\*\*\*Up to \$2,999 = 1 Quote\*\*\*  
\*\*\*\$3,000—\$5,000 = 3 Quotes\*\*\*



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND  
PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY: 200 KAR 5:021**

**SUBJECT: Procurement Card**

**POLICY NUMBER: DJJ 107.2**

**TOTAL PAGES: 6**

**EFFECTIVE DATE: 4/17/2015**

**APPROVAL: Bob D. Hayter, COMMISSIONER**

**I. POLICY**

The Procurement Card Program (ProCard) is set forth in Finance and Administrative Cabinet Policies and Procedures (FAP) 111-58-00 and shall be used by the Department of Juvenile Justice (DJJ) to support an efficient method for making small purchases and processing timely payments.

**II. APPLICABILITY**

This policy shall apply to all DJJ staff.

**III. DEFINITION**

Refer to Chapter 100.

**IV. PROCEDURES**

**A. ProCard Issuance and Security**

1. The cardholder shall:
  - a. Sign the procurement card agreement.
  - b. Have exclusive use of the issued card.
  - c. Authorize all purchase transactions processed against the issued ProCard and follow the monetary approval procedures outlined in Policy 107.1 (Procurement and Expenditures) and set forth in the flowchart therein.
  - d. Obtain the prior written approval of the supervisor for all purchases, with exemptions outlined below.
    - i. The following are exemptions to supervisor approval for each Procard use or purchase:
      - a) monthly utility payments,
      - b) monthly cable service payments,
      - c) monthly shredding service payments,
      - d) monthly pest control service payments,
      - e) monthly garbage service payments, and

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- f) emergency repairs not to exceed \$1000.
      - ii. Procard approver shall provide prior written approval at the beginning of each fiscal year for the items listed above as exemptions, if the cardholder makes these types purchases or payments. The written approval shall be maintained in the Pro-Card holder's file in the Fiscal Branch of Central Office.
    - e. Notify the Procurement Card Administrator of their intent to leave their position, return the issued card, and submit any outstanding documentation prior to leaving that position.
    - f. Be responsible for minimizing the risk of fraud and comply with the following requirements:
      - i. Keep the card in a safe location;
      - ii. Ensure written documentation, including forms, reports, statements, and receipts, containing card numbers is stored in a safe location; and
      - iii. Destroy written documentation containing card numbers that is not needed.
  - 2. Reporting a Lost or Stolen Procurement Card
    - a. The cardholder shall be responsible for immediately reporting a stolen or lost procurement card to the issuing bank.
    - b. Once the bank has been notified, the cardholder shall immediately report the lost or stolen card to the Agency Procurement Card Administrator and supervisor.
- B. Allowable and Non-Allowable Purchases**
- 1. Purchases shall be for the use and benefit of the Commonwealth.
    - a. No personal purchases shall be allowed.
    - b. Unauthorized use of the Procurement Card may result in disciplinary action up to and including dismissal.
  - 2. ProCards may be used to purchase the following:
    - a. Office supplies;
    - b. Janitorial supplies;
    - c. Registration fees with prior approval;
    - d. First aid supplies and non-prescription drugs;
    - e. Groceries, household, and hygiene items;
    - f. Services not provided under contract; and
    - g. Services or goods provided under contract that are not prohibited by FAP-11-58-00 or the terms and conditions of the Catalog Master Agreement.
  - 3. A ProCard may be used for 1099 reportable services in accordance with FAP-111-58-00. The vendor's Federal Tax Identification number

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shall be included on the original receipt or invoice when submitted to the Procurement Card Administrator. Services, which are 1099 reportable, shall include the following:

- a. Purchased labor associated with maintenance and repairs. Supplies or parts for repairs shall not be included;
  - b. Lawn care and snow removal;
  - c. Elevator maintenance;
  - d. Fire extinguisher service;
  - e. Advertising;
  - f. Pest control;
  - g. Laundry and linen services;
  - h. Bottled water;
  - i. Cable TV and satellite TV services;
  - j. Garbage and sanitation services; and
  - k. Veterinary services.
4. Cardholders shall not make purchases with suppliers in the Merchant Category Code (MCC) group 86. Specifically, if a cardholder attempts to use the procurement card with a supplier of any of the following, the transaction will be denied immediately:
- a. Airlines;
  - b. Automobile rental;
  - c. Hotels and motels;
  - d. Eating places and restaurants;
  - e. Bars, cocktail lounges, discotheques, nightclubs, and taverns;
  - f. Quick payment service, for example fast food restaurants;
  - g. Package stores, beer, wine, liquor; and
  - h. Financial institutions, cash advances, travelers cheques, securities, and insurance.
5. Cardholders shall request approval from the Agency Procurement Card Administrator prior to a transaction from a supplier in the MCC group 5.
6. DJJ ProCards shall not be used for the following items:
- a. Travel expenses;
  - b. Entertainment expenses;
  - c. Alcoholic beverages;
  - d. Tobacco products;
  - e. Automotive gasoline;
  - f. Automotive car washes;
  - g. Cash advances;

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- h. Salaries and wages;
  - i. Legal services;
  - j. Lease purchases;
  - k. Insurance premiums and bonds;
  - l. Personal service contract payments;
  - m. Printing services, except copying costs may be paid by use of the card, if the cardholders workstation is outside of Franklin County; and
  - n. Medical expenses.
7. No hardware or software purchases shall be made using the procurement card.
- a. Computer accessories may be purchased with prior approval from the Information Systems Branch Manager.
  - b. The approval shall be attached to the itemized invoice when submitted to the Procurement Card Administrator.
8. DJJ Procards may be used in an emergency. The cardholder shall provide description of purchased items and detailed justification for the purchase to the approver. Approver must determine whether the use was authorized or unauthorized.
- E. Cardholder Responsibilities
- 1. Each cardholder shall be assigned single purchase and cycle limits per the Cardholder Agreement. Single purchase amounts shall include the costs of delivery, shipping, and handling.
  - 2. Procurement transactions shall not be split, parceled, or divided over a period of time in order to avoid exceeding the cardholder limit. A split purchase exists when there is intent to purchase items at any time interval to avoid the cardholder's single purchase limit.
  - 3. Cardholders shall inform all vendors that the Commonwealth of Kentucky is a tax-exempt institution. The Kentucky tax-exempt number is on the card.
    - a. Cardholders are responsible for ensuring sales tax is not charged on procurement card purchases.
    - b. Transactions shall not be made with vendors that refuse to exempt a purchase from sales tax.
    - c. Cardholders shall obtain a copy of the Kentucky and the DJJ sales tax exemption letter from the Fiscal Branch and can provide a copy to a vendor upon request.
  - 4. Cardholder shall be responsible for inspecting all items purchased. If items are returned, the cardholder shall be responsible for coordinating the return directly with the supplier and contacting the

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Agency Procurement Card Administrator with any unresolved issues.  
Returns for cash shall not be permitted.

5. Documentation Regarding Procurement Card Transactions
  - a. Each purchase shall have prior written approval.
  - b. Each purchase shall have an itemized receipt or invoice and all supporting documentation.
  - c. The cardholder shall forward original itemized receipts and supporting documentation for transactions to the Procurement Card Administrator, weekly. Additionally, the transaction list shall be signed by the cardholder and supervisor and accompany the itemized receipts.
  - d. Itemized receipts shall contain the following information:
    - i. Minor object codes (e codes) for all purchases, if there are multiple items, total each minor object code separately;
    - ii. Signature of cardholder; and
    - iii. Federal tax identification number, if applicable.
  - e. The cardholder shall be responsible for maintaining copies of receipts or invoices and any supporting documentation. Supporting documentation may include any of the following items:
    - i. Cashier's receipt or vendor invoice identifying the items purchased;
    - ii. Receipts for credit transaction;
    - iii. Packing slip for goods received or service report for any service performed, when agency required;
    - iv. Order form or application, when agency required; or
    - v. Internal order form.
6. Cardholders shall receive a monthly statement from the card issuing bank.
  - a. Cardholders shall reconcile the transactions monthly using the statement received and the receipt or invoice copies maintained by the cardholder.
  - b. If fraudulent charges appear against a card, the cardholder shall complete the following steps:
    - i. Report the charges to issuing bank immediately; and
    - ii. Report the charges to your Agency Procurement Card Program Administrator and Procurement Card Administrator.
7. If a charge receipt cannot be produced and the charge cannot be substantiated as a legitimate governmental expense by the end of the second billing cycle following the purchase, the card shall be revoked and the cardholder shall be held personally liable for the charge and subject to disciplinary action.

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8. The cardholder shall be responsible for reporting all inventory items purchased (equipment \$500 or over) to the department property officer via e-mail or fax.
  - a. The e-mail shall include the date the item is received, the purchase amount, the serial number, and the inventory tag number.
  - b. The serial number and inventory tag number shall be submitted to the Procurement Card Administrator.
- F. Supervisors shall be responsible for the following:
  1. Providing written approval for each purchase made by the Cardholder.
  2. Signing the Cardholders weekly transaction list.
  3. Approving the Cardholders transactions through the issuing banks online system.
- G. ProCard Administrator shall be responsible for the following:
  1. Ensuring receipts are collected for every transaction and reconciled to transactions within eMARS;
  2. Verifying that each Cardholder and their respective supervisor have electronically signed the Cardholders transactions on the issuing banks online system;
  3. Coordinating the payment process to ensure a complete timely remittance;
  4. Ensuring items purchased, which are required to be documented on the fixed asset inventory, are included and submitted to the Property Officer;
  5. Reconciling the monthly billing statement; and
  6. Extracting transactions from the issuing bank's online system.

**V. MONITORING MECHANISM**

All Administrative Managers, the Director of Administrative Services, and Fiscal Branch Manager shall monitor these activities.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Professional Fees and Dues</b>	
<b>POLICY NUMBER: DJJ 108</b>	
<b>TOTAL PAGES: 2</b>	
<b>EFFECTIVE DATE: 12/08 /2014</b>	
<b>APPROVAL: Bob D. Hayter</b>	<b>,COMMISSIONER</b>

**I. POLICY**

Staff shall be reimbursed for the cost of professional licenses, certifications, professional insurance, and organizational affiliations required as a condition of employment.

**II. APPLICABILITY**

This policy shall apply to Department of Juvenile Justice (DJJ) staff. Contract programs shall adhere to their parent agency's policy governing staff reimbursement for professional fees and dues.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. The Commissioner may, on a case-by-case basis, approve exceptions to this policy when specific justification exists if it is in the best interest of the department and the Commonwealth.
- B. The Commissioner may, on a case-by-case basis, approve the payment or reimbursement of professional licenses, certifications, professional insurance, and organizational affiliations when not required as a condition of employment. These requests shall include a justification outlining the clear and direct relationship to the work of the agency and to the staff's job effectiveness in their present position. All other requirements of this policy shall apply to these payments or reimbursements.

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- C. Staff shall submit a written request, including the invoice for payment or a travel voucher with the invoice attached for reimbursement and the Commissioner's approval when applicable, through their chain of command to the Fiscal Branch.
- D. Payment or reimbursement shall not be granted for late fees, unless incurred due to inaction by the department.
- E. Staff who have received payment or reimbursement of a professional license, certification, professional insurance, or organizational membership shall be required to sign a promissory note and shall be obligated to continue to work for DJJ for the number of months covered by the license, certification, insurance, or organizational membership.
- F. Staff receiving payment or reimbursement of licenses, certifications, insurance, or organizational membership shall sign a promissory note acknowledging all obligations and authorizing the department to recover all of the cost of dues and fees paid if:
  - 1. Staff have received duplicate reimbursement for the dues or fees from some other source; or
  - 2. Staff have been dismissed or voluntarily terminated prior to the time limit specified in the promissory note with the department.
- G. The requirements of this section shall not apply to staff who do not meet the service requirement because of layoffs, reduction of work force, or actions resulting from internal mobility programs or transfer to another state agency.
- H. Offices and facilities of the department shall ensure that race, color, religion, national origin, sex, disability, sexual orientation, gender identity, genetic information, veteran's status, or age shall not be factors in approval for payment or reimbursement of professional license and certification fees, professional insurance premiums, and dues for memberships in professional organizations.

**V. MONITORING MECHANISM**

Monitoring shall be the responsibility of the Fiscal Branch.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Employee Exit Interview**

**POLICY NUMBER: 109**

**TOTAL PAGES: 2**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**,COMMISSIONER**

**I. POLICY**

Staff exit interviews shall be conducted prior to staff leaving the agency.

**II. APPLICABILITY**

This policy shall apply to staff leaving the Department of Juvenile Justice (DJJ) due to resignation, retirement, or transfer out of DJJ.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. Staff voluntarily leaving DJJ are encouraged to complete the Employee Exit Interview Form located on the DJJ Portal.
- B. This form shall become a part of the staff's agency personnel file.
- C Staff may elect to return the completed Employee Exit Interview Form to the supervisor for forwarding to the Personnel Branch or elect to mail the document to the Personnel Branch.
- D. Supervisors shall ensure the return of all property of the Commonwealth entrusted to the staff prior to separation from the department.
- E. The Personnel Branch Manager or designee shall provide to the Commissioner's office information gained from the Employee Exit Interview Forms for the purpose of enhancing recruitment and retention efforts annually.

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**V. MONITORING MECHANISM**

Supervisors shall ensure compliance on an ongoing basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**3-JTS-1A-30; 3A-01, 02, 04, 05,  
06, 08, 10, 11, 13, 22, 30  
3-JDF-1A-34; 3A-01, 02, 04, 05,  
06, 08, 10, 11, 13, 14, 22, 29  
3-JCRF-2G-01, 3A-01, 04, 05, 07,  
09, 13  
1-JDTP-1A-27; 3E-12, 13  
11-JBC-3A-01, 02, 03, 04, 05, 08,  
11, 12, 15, 25, 29  
4-JCF-2A-01-05, 07, 11, 12, 23, 26  
2-CO-3A-01**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: General Security Guidelines in Facilities and Programs</b>	
<b>POLICY NUMBER: 110</b>	
<b>TOTAL PAGES: 3</b>	
<b>EFFECTIVE DATE: 9/15/2016</b>	
<b>APPROVAL: LaDonna L. Koebel</b>	<b>,ACTING COMMISSIONER</b>

**I. POLICY**

Staff supervision and security measures shall be provided to ensure a secure and safe environment.

**II. APPLICABILITY**

This policy shall apply to each Department of Juvenile Justice (DJJ) operated day treatment program, group home, youth development center (YDC), and regional juvenile detention center (RJDC).

**III. DEFINITION**

Refer to Chapter 100.

**IV. PROCEDURES**

A. Each program or facility shall have written Standard Operating Procedures (SOPs) for security and control which shall be made available to staff. SOPs shall include:

1. A system for communication between the control center and youth activity and living areas. Facilities with a twenty-four (24) hour manned control center shall have:
  - a. Sufficient space for a 24-hour control center for monitoring and coordinating the facility's internal and external security system, communications systems, safety alarms and detection systems, and other mechanical and electrical systems.

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- b. Communication system that includes alternate communication systems to supplement direct staff supervision activities between the control center and, the juvenile living areas.
  - c. Access to a washbasin and toilet.
- 2. A key control system, including the use of an automated key exchange system if available. This system shall:
  - a. Account for vehicle and facility keys;
  - b. Require that keys be individually numbered or labeled according to a system that is clearly explained in facility SOPs;
  - c. Require that keys permanently assigned to individual staff be signed for and kept secure;
  - d. Prohibit youth access to keys;
  - e. Require the use of soldered or safety key rings, in YDCs and RJDCs, that do not allow keys to be removed from rings without special tools not available to youth;
  - f. Include signing in and out documentation of the removal and return of keys each time keys are removed from a key box; and
  - g. Require a quarterly inventory of facility keys that includes a physical check of each key. The inventory shall be documented on a form that lists all keys by number or label and includes the date that each key was checked. The inventory documentation shall be signed by two (2) staff, one of which shall be the Superintendent, Assistant Superintendent, or youth services program supervisor (YSPS);
- 3. A system for logging youth head counts during the following times: shift change, after visitation, before and after activities conducted outside the facility area, after evacuations, or other times as needed;
- 4. Means of reporting to the Superintendent any increase or decrease in the population on a shift-by-shift basis;
- 5. Duty assignments for the disbursement of staff;
- 6. Observation/Bed checks;
  - a. Staff shall observe residents and conduct bed checks at random, staggered intervals not to exceed 15 minutes during sleep hours and anytime a youth is secured in a cell / room for any reason, including but not limited to, intake, isolation, time-out, room restriction, sick-call, bed rest, or known AWOL risk. Precise 15 minute checks are not acceptable since such checks allow youth to predict and monitor the movements of staff.
  - b. Staff shall accurately document all observations / bed checks, including actual time the staff conducted the check on resident.

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- c. Superintendents are responsible for ensuring that the facility has adequate staffing to ensure that bed checks can be completed on all youth. Conducting bed checks shall be the priority to ensure that youth are adequately monitored.
  - d. If an extraordinary circumstance results in staff missing a bed check within 15 minutes, the responsible staff shall document the justification for the missed check on the shift log or unit log. Shift supervisors shall be responsible for reviewing logs to evaluate the reason for the missed check to ensure that it does not occur except in extraordinary circumstances. The failure to conduct timely bed checks without adequate justification shall result in major corrective action.
  - e. All documentation regarding youth observations / bed checks shall accurately reflect the monitoring of the staff who conducted the check. Staff shall not document a bed check on behalf of another staff.
  - f. Every resident observation / bed check shall be conducted to ensure resident health and welfare, and shall at a minimum include observations for the following:
    - i. The resident's presence is known, not AWOL;
    - ii. The resident's head is uncovered;
    - iii. No items are around the resident's neck;
    - iv. The resident is in no apparent distress;
    - v. There is no visual contraband in the youth's room; and
    - vi. Any other observations that raise concern.
  - g. If the youth appears to be in any apparent distress, staff shall immediately follow all emergency protocols, including rendering aid, providing immediate notification to the facility nurse, shift supervisor, or emergency medical personnel, as appropriate.
7. Security checks of all areas occupied by youth at the beginning and end of each shift, including the reporting and follow-up of any necessary corrective action. Unoccupied areas shall be inspected weekly;
  8. Weekly visits to the facility's living and activity areas by the Superintendent or designee and designated department heads;
  9. Securing of staff's personal belonging and keys, staff and facility vehicles, and program buildings and appropriate internal areas when not in use or when vacant due to off-ground or on-ground activities.
  10. Restrictions on youth in residential programs driving motor vehicles;
  11. Monitoring of the facility perimeter to restrict youth within that perimeter as well as to prevent access by the general public without authorization. Requiring pedestrians and vehicles to enter and leave at designated points within the perimeter;
  12. Procedures for direct and continuous supervision of service personnel

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other than facility staff performing work in those areas permitting contact with youth;

13. Restrictions on possession of firearms, including by law enforcement personnel except as permitted by law, within the confines of a day treatment, group home, YDC, and RJDC;
  14. Facilities equipped with audio or video recording devices for security purposes shall develop operational procedures to include:
    - a. Appropriate use of audio or video recording equipment;
    - b. Staff training in regards to utilization and maintenance of the equipment;
    - c. Proper disposition and security of audio or video recording;
    - d. Chain of custody of audio or video recording that may be introduced as evidence in court;
  15. Means for responding to incidents of escape, riots, hunger strikes, disturbances, or the taking of hostages; and
  16. SOP's shall be reviewed at least annually and updated if necessary.
- B. Group homes, YDC's, and RJDC's shall have written shift assignment descriptions that specifically state the duties and responsibilities for each shift in relation to youth worker supervisor (YWS) and youth worker positions assigned to the facility.
1. These shift assignment descriptions shall be reviewed at least annually and updated if needed.
  2. Each staff member shall read, sign, and date the appropriate shift assignment description each time a new position is assumed.
  3. Shift assignment descriptions shall be located in an accessible location, for the benefit of new staff, staff not working their usual shift, or emergency staff who have been called in to ensure adequate coverage.

## **V. MONITORING MECHANISM**

These activities shall be supervised by the Superintendent and monitored by the Facility Residential Administrator (FRAs). The Division of Program Services shall conduct annual program audits.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
3-JTS-3A-24, 25  
3-JDF-3A-24, 25  
3-JCRF-3B-11; 4C-14  
1-JDTP-2C-09, 10, 11  
1-JBC-3A-30, 31  
NCCHC Y- 43**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Use of Vehicles</b>	
<b>POLICY NUMBER: DJJ 111</b>	
<b>TOTAL PAGES: 3</b>	
<b>EFFECTIVE DATE: 12/01/2014</b>	
<b>APPROVAL: Bob D. Hayter , COMMISSIONER</b>	

**I. POLICY**

Staff shall operate motor vehicles in a safe and lawful manner during the course of their employment. Staff shall utilize and maintain state vehicles in accordance with 200 KAR 40:020.

**II. APPLICABILITY**

This policy shall apply to the all Department of Juvenile Justice (DJJ) staff.

**III. DEFINITIONS**

Refer in Chapter 100.

**IV. PROCEDURES**

- A. Staff shall comply with Finance and Administration Cabinet's *Guide for Drivers of the Commonwealth's Vehicles*. DJJ shall comply with the Finance and Administration Cabinet's *Agency Guide for the Commonwealth's Vehicles*.
- B. Staff operating vehicles shall be properly licensed. Documentation of appropriate licensure shall be maintained in the staff's personnel file. Staff shall be obligated to report a suspension or loss of driving privileges to their immediate supervisor within twenty-four (24) hours. Failure to do so may result in disciplinary action.
- C. Each facility or office shall designate one staff to oversee vehicle control.
- D. In a facility, a qualified staff member shall conduct and document weekly safety inspections. Mechanical and safety defects shall be promptly reported and repaired.

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- E. The Vehicle Mileage Log shall be maintained on each state vehicle. The information shall be recorded and signed for as indicated on the Vehicle Mileage Log including receipts and maintained at the office or facility.
- F. All vehicle maintenance, to include cleaning, on Kentucky Transportation Cabinet (KYTC) leased vehicles shall be coordinated with KYTC. An authorization number shall be received from KYTC by calling (800) 928-4649 prior to maintenance being performed. The authorization number shall be included on the invoice submitted by the vendor to KYTC.
- G. All accidents shall be reported to KYTC by calling (800) 928-4649 and immediate Supervisor as soon as possible.
- H. Mileage reports on all KYTC vehicles shall be completed for each calendar month and submitted to the Division of Administrative Services, Fiscal Branch by the 10<sup>th</sup> day of the following month.
- I. Fuel cards shall be controlled by the Administrative Manager or designee. Vehicle assigned fuel cards shall remain with the vehicle keys at all times.
- K. Under no circumstances shall a resident of a residential program or detention facility be permitted to operate a facility or privately owned vehicle.
- L. Residents shall not be left unattended with facility or privately owned vehicle keys.
- M. Residents under proper supervision of an authorized staff member may be permitted to clean the interior and exterior of state owned vehicles, and wax the exterior.
- O. Staff, while on duty and operating a state or privately owned vehicle, shall operate that vehicle in a safe and lawful manner and shall comply with all posted speed limits and all traffic control signs and signals.
- P. Staff shall use the seat belts in vehicles so equipped in performance of their official duties. All passengers shall be required to use the seat belts of vehicles so equipped when riding in any vehicle whether state or privately owned.
- Q. Facilities and offices are responsible for maintaining the safety equipment and safety system, including seat belts, brakes and steering in good operating condition. An annual inspection by a qualified individual shall be documented in each vehicle's service log.
- R. At least one state vehicle shall be kept on grounds at all times in areas where ambulance service is not readily available for the transfer of a resident for medical care. Reference Chapter 4 (Emergency Medical Services).

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**V. MONITORING MECHANISM**

Administrative Managers shall monitor these procedures.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**  
**3-JTS-1G-01—09**  
**3-JDF-1G-01—09**  
**3-JCRF-1G-01—09**  
**1-JDTP-1G-01—09**  
**1-JBC-1G-01—09**  
**4-JCF-6G-09-14**  
**2-CO-1G-01-10**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Volunteers and Student Interns**

**POLICY NUMBER: DJJ 112**

**TOTAL PAGES: 4**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall utilize and support a volunteer and student intern program where feasible to serve as a link between the department and community and expand services offered to DJJ youth. DJJ shall offer practicum and cooperative educational experience for undergraduate or graduate college students who are pursuing degrees in related fields of study.

**II. APPLICABILITY**

This policy shall apply to all DJJ program and offices.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

A. The Commissioner shall appoint a Department Volunteer Administrator. The Department Volunteer Administrator has required duties shall be documented on the staff's position description and employee's performance evaluation. The Department Volunteer Administrator's responsibilities shall include:

1. Development and implementation of the agencies volunteer program;
2. Development and oversight of agency volunteer training process;
3. Compiling background check documentation and forwarding to the Personnel Branch for processing and historical record;
4. Shall maintain a list of active and inactive volunteers and student interns;

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4. Receive suggestions regarding the development, including from volunteers, and review of volunteer program policy and procedure; and
  5. Meet with Volunteer Coordinators annually to review volunteer program protocol.
- B. Administrative Managers shall appoint a Volunteer Coordinator. The Volunteer Coordinator responsibilities shall include:
1. Development of a recruiting program to establish procedures for contacting civic organizations, appropriate education institutions, and individuals. Recruitment efforts shall focus on all cultural and socio-economic segments of the community.
  2. Use agency eligibility requirements to determine suitable candidates.
  3. Establish orientation and required training.
  4. Shall maintain a current list of volunteers to be used for admittance in facilities.
- C. Eligibility for Volunteer or Student Intern:
1. Shall be at least eighteen (18) years of age and successfully complete the initial interview process.
  2. Relatives of a youth may not serve as a volunteer or student intern.
  3. Student Intern shall enter into a student intern agreement with DJJ.
  4. Graduate students shall receive first priority for student intern assignments with the department.
  5. Student Interns shall interview with the Administrative Managers.
  6. All volunteers or student interns' status must successfully complete a criminal background or records check, sexual offender registry check, and child abuse and neglect registry check.
- D. Student Intern Process:
1. DJJ and the accredited college or university shall sign a Memorandum of Understanding (MOU) for the student intern program.
  2. The MOU shall outline the school, student, and DJJ responsibilities.
  3. The MOU shall specify that the department shall not assume liability for injury to students or Faculty Advisor.
  4. DJJ staff shall provide supervision to students and assign tasks.
- E. Application Process:
1. All volunteers and student intern candidates shall apply with the Volunteer Coordinator at the desired location.
  2. Volunteers and student interns shall complete an agency volunteer application and sign a Confidentiality/Security Form and an agreement to abide by agency

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policies. Applications and authorizations shall be forward to the Department Volunteer Administrator for processing.

3. Volunteers and student interns may apply to a geographical area. The Volunteer Coordinator shall forward such request to the Division Director of the desired area for approval. Student Intern requests shall indicate the desired geographical area of placement, length of placement, and educational needs of the student intern.
4. Student interns shall submit for approval a written outline containing the learning objectives to the Administrative Manager and the Faculty Advisor.

**F. Orientation and Training**

1. Administrative Managers shall ensure the volunteer or student intern is oriented to policies and procedures.
2. The training plan for volunteers and student interns shall be appropriate to their assigned responsibilities and approved by the Administrative Managers. DJJPP Chapter 5 shall be referenced for training requirements.
3. Periodic meetings of volunteers shall be conducted to identify and resolve any ongoing concerns.

**G. Volunteer and Student Intern Identification and Control:**

1. Volunteers and student interns shall be issued identification cards. The Administrative Manager or designee shall make arrangements for return of the identification card upon completion internship or services.
2. Volunteers and student interns shall follow established entry and exit procedures.
3. Volunteers and student interns shall observe DJJ code of conduct. Sexual misconduct with youth and DJJ staff is prohibited.

**H. General Guidelines for Volunteer and Student Intern Program**

1. Contact with youth shall be made in the presence of a DJJ staff assigned to work with the individual.
2. Volunteers and student interns shall not be permitted access to youth records.
3. Volunteer and student interns shall not function as an employee of DJJ. Volunteers and student interns shall not make decisions or supervise youth under the custody, care, or supervision of DJJ.
4. Volunteer and student interns shall not be permitted to transport youth under the custody, care, or supervision of DJJ.
5. Student interns shall not conduct research projects, except for those initiated by DJJ.
6. Volunteer and student intern tasks and responsibilities shall be documented and provided to the individual by the Department Volunteer Administrator or Volunteer Coordinator.

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7. Volunteers may perform professional services only when they are certified or licensed to do so.
  8. Administrative Managers may limit, postpone, or terminate the services or participation of a volunteer or student intern when substantial reasons for doing so exist. Reasons for doing so may include:
    - a. Breach of confidentiality;
    - b. Unlawful conduct or breach of program rules and regulations;
    - c. Physical or emotional illness;
    - d. Inability to cooperate with the staff;
    - e. Activities that threaten the order or security of the program or the safety of the volunteer;
    - f. Unreliable attendance;
    - g. Unsatisfactory service; or
    - h. The service is no longer needed.
- I. Evaluation and Reports for Student Interns

DJJ staff who supervise student interns shall be responsible for reporting the progress to the Faculty Advisor. The student intern supervisor shall report any concerns regarding the placement to the Administrative Manager. Upon conclusion of the internship, DJJ staff shall prepare a written evaluation of the student intern's progress towards the learning objectives.

## **V. MONITORING MECHANISM**

Administrative Managers and the Agency Volunteer Administrator shall be responsible for monitoring this procedure. The Quality Assurance Branch shall also monitor this policy through scheduled monitoring visits.



**JUSTICE AND PUBLIC SAFETY  
CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
3-JTS-1A-10  
3-JDF-1A-12  
4-JCRF-1A-11  
1-JDTP-1A-09  
1-JBC-1A-17  
4-JCF-6G-01**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Citizen Advisory Committees**

**POLICY NUMBER: DJJ 113**

**TOTAL PAGES: 3**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

A Citizen Advisory Committee (CAC) shall be established to serve as a link between the program and the community. The makeup of the committee shall be representative of a cross-section of the community.

**II. APPLICABILITY**

This policy shall apply to all DJJ operated Youth Development Centers, Detention Centers, Group Homes, and Day Treatment Programs.

**III. DEFINITION**

Refer to Chapter 200.

**IV. PROCEDURES**

- A. Members of advisory committees shall be recruited from all cultural and socioeconomic segments of the community.
- B. Individuals recruited or requesting to act in the capacity of advisory committee membership, shall not be required to complete the full volunteer application process but shall have identifying data on file with the Volunteer Coordinator. Reference Chapter 1 Volunteers and Student Interns.
- C. Potential members shall be informed that criminal history checks shall be completed. The Volunteer Coordinator shall be responsible for initiating a criminal history check.
- D. Potential members shall be interviewed by the Superintendent. Following the interview, appropriate notes and recommendations shall be made and forwarded to the Regional Facilities Administrator/Regional Manager.
- E. Final screening shall be completed by the Superintendent. If rejected, an applicant shall be informed of the reason.
- F. Members shall be issued identification cards. The Superintendent or designee shall make arrangements for return of the identification card upon resignation

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or termination of services. Members shall follow sign-in and sign-out procedures when on facility grounds.

- G. The Superintendent or designee shall provide an orientation for members. Members shall agree in writing to abide by facility policies relating to confidentiality of information.
- H. The Citizens Advisory Committee shall:
1. Meet at least annually;
  2. Establish bylaws for operations that are approved by the Superintendent and the respective Regional Facilities Administrator or Regional Manager. The by-laws of the Citizens Advisory Committee shall include provisions for the selection, training, term of service, and the termination of service for members. A definition of tasks, responsibilities, and authority for members shall be provided.
  3. Not be charged for meals served during committee meetings;
  4. Have the Superintendent or designee in attendance at each meeting to answer questions and provide technical assistance.
  5. Encourage communication between residents, staff, and committee members.
  6. Elect a chairman and other officers in accordance with the established bylaws; however, officers serving on the committee may not be employees of the DJJ.
  7. Submit minutes for each meeting with a copy to the appropriate Branch Manager and a copy kept on file at the program. The Superintendent shall maintain documentation of responses, actions, or lack thereof, to the committee's recommendations.
  8. Insure that any monies under the responsibility of the CAC be controlled in accordance with DJJ Policy and Procedures. When all funds are kept in one (1) Youth Activity Fund bank account, the facility shall maintain separate ledgers to document records of receipts, disbursements, and balances to each fund. Funds shall be expended in the manner outlined in the Youth Activity Fund account charter. If the facility maintains a CAC Fund account separate from the Youth Activity Fund, a written charter shall be established that outlines the following:
    - a. Definition and purpose of the fund.
    - b. Goals and objectives of the fund.
    - c. Specific accounting procedures, including the approval levels for contributions and disbursements to the fund, record keeping procedures and periodic internal and external auditing of accounts.
    - d. Checks written from accounts shall require double endorsements from the trustees.

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- e. The Superintendent and Regional Facilities Administrator or Regional Manager shall approve the written charter. The charter shall remain in effect until it is amended, in which case, a new charter shall be issued.
  - f. Residents shall not engage in any fund raising activity without approval from the Superintendent and Regional Facilities Administrator or Regional Manager.
  - g. If for any reason the facility discontinues operation or discontinues a fund, the assets of the fund shall be frozen with no new activity obligations. The Superintendent or secondary trustee of the fund shall notify the bank and ask for an ending statement within 45 days of the closure date. All records concerning the fund shall be forwarded to the Director of Administrative Services. Upon receipt of this material, the Director of Administrative Services shall issue specific instructions for the disposition of all cash and properties belonging to the fund.
9. Reporting of CAC funds shall be included within the Quarterly Report entitled "Youth Activity Fund Account" in accordance with the requirements of DJJ Policy and Procedures.

**I. Termination of Committee Membership or Services**

- 1. Each Superintendent may limit, postpone, or terminate the services of a committee member when substantial reasons for doing so exist. Any of the following reasons may warrant this action:
  - a. Breach of confidentiality;
  - b. Unlawful conduct or breach of program rules and regulations;
  - c. Physical or emotional illness;
  - d. Inability to cooperate with the staff;
  - e. Activities which threaten the order or security of the program or the safety of the volunteer;
  - f. Erratic, unreliable attendance;
  - g. Unsatisfactory service; or
  - h. Need for service or service is no longer warranted.
- 2. Reasons for curtailment of individual services and termination of services shall be explained and documented.

**V. MONITORING MECHANISM**

Superintendents, Regional Facilities Administrators, or Regional Managers shall be responsible for monitoring this procedure. The Division of Program Services shall monitor annually.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Staff and Visitor Meals**

**POLICY NUMBER: DJJ 114**

**TOTAL PAGES: 2**

**EFFECTIVE DATE: 10/26/2016**

**APPROVAL: Carey D. Cockerell**

**, COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall establish meal guidelines for staff and visitors. Staff and visitors shall be served the same food as that served to the resident population.

**II. APPLICABILITY**

This policy shall apply to each Department of Juvenile Justice (DJJ) program.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. All youth worker series staff shall be permitted, free of charge, one meal while on duty during regularly scheduled meal times. If that staff member works an extended shift or overtime, the staff member shall be permitted an additional meal, at no charge, if that meal falls within a regularly scheduled mealtime.
- B. All staff, excluding youth worker series staff, and visitors shall be required to pay a \$2.00 meal charge for each meal eaten in a DJJ facility.
  1. Each Superintendent shall appoint a person in charge of collecting money at the point of sale for each meal.
  2. The money collected shall be placed and kept in a secured, locked box. The box shall be affixed to the wall or maintained by the appointed staff person.

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3. The money shall be transferred to the Fiscal Manager or Fiscal Officer each business day and kept in a secured, locked box or safe until it is deposited or forwarded to the Fiscal Branch.
  4. The Fiscal Manager or Fiscal Officer shall forward a check or money order and a copy of the supporting meal log to the Fiscal Branch at least monthly. The check or money order shall be made payable to the Kentucky State Treasurer.
  5. Any youth worker series staff that would like to purchase an additional meal, outside of what is designated as a free meal, shall be required to pay a \$2.00 meal charge for each additional meal requested.
- C. Each facility shall maintain a daily meal log of staff and visitors eating meals.
1. When purchasing a meal, each staff or visitor shall sign the daily meal log at the point of sale.
  2. The daily meal log shall designate the date and the specific meal. (Breakfast, Lunch, or Dinner).
  3. The daily meal log shall be submitted to the Fiscal Manager or Fiscal Officer daily with the meal money receipts.
  4. At the end of the month the log shall be submitted to the designated person to be kept as records for meals purchased.

**V. MONITORING MECHANISM**

This activity shall be monitored by the Superintendent or designee. Meal charge receipts shall be monitored by the Fiscal Branch.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
CIO-060**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Email and Internet Access**

**POLICY NUMBER: DJJ 115**

**TOTAL PAGES: 6**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**,COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall adhere to the Office of the Chief Information Officer Enterprise Policy, CIO-060, Kentucky Revised Statute (KRS), and all other applicable laws, regulations, and directives of the Commonwealth in the use of E-mail and Internet services.

**II. APPLICABILITY**

This policy shall apply to all (DJJ) offices, programs, and staff.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. Technology applications for the implementation of all aspects of this policy shall be the responsibility of the Commonwealth Office of Technology.
- B. The Proxy Server shall be configured to deny all Internet sites in DJJ facility classrooms. Access to Internet sites shall be granted by the Information Systems Branch.
- C. Staff shall adhere to the set of rules and guidelines set forth in this policy when using the Kentucky Information Highway (KIH) or any other network that is used as a result of its KIH connection, including Internet and E-mail.
  1. Internet and E-mail resources, services, and accounts shall be the property of the Commonwealth of Kentucky.

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2. These resources shall be used for state business purposes in serving the interests of state government, citizens, and customers in the course of normal business operations.
  3. Intentional, inappropriate use of Internet and E-mail resources may result in disciplinary action pursuant to KRS 18A up to and including dismissal.
- D. DJJ staff shall use the Internet and E-mail to accomplish job responsibilities more effectively and to enrich their performance skills.
1. The acceptable use of Internet and E-mail represents the proper management of a state business resource.
  2. The ability to connect with a specific Internet site shall not in itself imply that staff are permitted to visit that site.
  3. Monitoring tools shall be in place to monitor staffs use of E-mail and the Internet.
  4. Staff shall have no expectation of privacy associated with E-mail transmissions and the information they publish, store, or access on the Internet using the Commonwealth's resources.
    - a. E-mail may be subject to an open records request under KRS Chapter 61; therefore, any request for inspecting a transmission or obtaining a copy shall be subject to the procedures of DJJPP Chapter 1, Open Records, and the requirements and protections of KRS Chapter 61, KRS 197.025 and KRS 439.510.
    - b. If a subpoena for E-mail is received, the Office of General Counsel shall be contacted immediately.
  5. Incidental personal uses of Internet and E-mail resources shall be permissible, but not encouraged. Excessive personal use shall lead to loss of the resource privileges and may result in disciplinary action pursuant to KRS 18.A, up to and including dismissal. Staff shall be responsible for exercising good judgment regarding incidental personal use. Any incidental personal use of Internet or E-mail resources shall adhere to the following limitations:
    - a. It shall not cause any additional expense to the Commonwealth or the staff's agency;
    - b. It shall be infrequent and brief;
    - c. It shall not have any negative impact on the staff's overall productivity;
    - d. It shall not interfere with the normal operation of the staff's agency or work unit;
    - e. It shall not compromise the staff's agency or the Commonwealth in any way; and

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f. It shall be ethical and responsible.

**E. Staff and User Responsibilities**

1. Staff and users shall read, acknowledge, and sign an agency acceptable use policy statement before using these resources.
2. Staff and users shall use their access to the Internet and E-mail in a responsible and informed way, conforming to network etiquette, customs, courtesies, and any or all applicable laws or regulations.
3. As with other forms of publications, copyright restrictions and regulations shall be observed.
4. Staff and users shall be aware that their conduct or information they publish could reflect on the reputation of the Commonwealth. Therefore, professionalism in all communications shall be of the utmost importance.
5. Staff and users who choose to use E-mail to transmit sensitive or confidential information or attachments shall encrypt such communications using the Enterprise Standards (X.509 certificates) and approved product for secure electronic messaging services. E-mail of a sensitive nature or that is confidential shall contain a confidentiality statement.
6. Staff and users shall represent themselves, their agency, or any other state agency accurately and honestly through electronic information or service content.

**F. Supervisor Responsibilities**

1. Administrative Managers and Supervisors shall be required to identify Internet and E-mail training needs and resources, to encourage use of the Internet and E-mail to improve job performance, to support staff attendance at training sessions, and to permit use of official time for maintaining skills, as appropriate.
2. Administrative Managers and Supervisors shall be expected to work with staff to determine the appropriateness of using the Internet and E-mail for professional activities and career development, while ensuring that staff shall not violate the general provisions of this policy, which prohibit using the Internet and E-mail for personal gain.
3. Administrative Managers and Supervisors who suspect that a staff is using E-mail inappropriately shall examine procedures defined in CIO-084, E-mail Review Request, for reviewing the staff's E-mail account. The COT-F084, E-mail Review Request Form, should be utilized.

**G. Agency Responsibilities**

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1. DJJ shall be responsible for the content of any published information and the actions of staff, including the proper retention and disposal of E-mail records. Enterprise Standard 4060: Recordkeeping- Electronic Mail shall be observed.
  2. Any commercial use of Internet connections by the Department shall be approved by COT to make certain it does not violate the terms of COT's agreement with the Commonwealth's Internet provider. No reselling of access shall be allowed.
  3. DJJ shall not accept commercial advertising or vendor-hosted website advertising for which the agency receives compensation. As a general practice, state agencies shall avoid endorsing or promoting a specific product or company from agency websites, however the placement of acknowledgements, accessibility, and certification logos shall be acceptable.
- H. Use of Internet and E-mail resources shall be a privilege that may be revoked at any time for unacceptable use or inappropriate conduct. Any abuse of acceptable use policies may result in notification of agency management, revocation of access, and disciplinary action up to and including dismissal (Refer to CIO-090, Information Security Incident Response Policy). The following activities shall be prohibited, except with approval due to job responsibilities, legitimate state, or government business:
1. Violating the rights of any person or company protected by copyright, trade secret, patent, or other intellectual property, including the downloading, installation or distribution of pirated software, digital music, and video files.
  2. Engaging in illegal activities or using the Internet or E-mail for any illegal purposes, including initiating or receiving communications that violate any state, federal, or local laws and regulations, including KRS 434.840-434.860 (Unlawful Access to a Computer) and KRS 512.020 (Criminal Damage to Property Law). This shall include malicious use, spreading of viruses, and hacking.
  3. Using the Internet and E-mail for personal business activities in a commercial manner such as buying or selling of commodities or services with a profit motive.
  4. Using resources to actively engage in procuring or transmitting material that is in violation of sexual harassment or hostile workplace laws, whether through language, frequency, or size of messages. This shall include statements, language, images, E-mail signatures, or other materials that are reasonably likely to be perceived as offensive or disparaging of others based on the basis of religion, race, sex, age, disability, national

<b>POLICY NUMBER</b> <b>DJJ 115</b>	<b>EFFECTIVE DATE</b> <b>12/01/2014</b>	<b>PAGE NUMBER</b> <b>5 of 6</b>
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origin, color, sexual orientation, gender identity, genetic information, or veteran's status.

5. Using abusive or objectionable language in either public or private messages.
6. Knowingly accessing pornographic sites on the Internet and disseminating, soliciting, or storing sexually oriented messages or images.
7. Misrepresenting, obscuring, suppressing, or replacing a user's identity on the Internet or E-mail. This shall include the use of false or misleading subject headers and presentation of information in the distribution of E-mail.
8. Using the E-mail account of another staff without receiving written authorization or delegated permission to do so.
9. Forging E-mail headers to make it appear as though an E-mail came from someone else.
10. Sending or forwarding chain letters or other pyramid schemes of any type.
11. Sending or forwarding unsolicited commercial E-mail (spam) including jokes.
12. Soliciting money for religious or political causes, advocating religious or political opinions, and endorsing political candidates.
13. Making fraudulent offers of products, items, or services originating from any Commonwealth account.
14. Using official resources to distribute personal information that constitutes an unwarranted invasion of personal privacy as defined in the Kentucky Open Records Act, KRS 61.870.
15. Online investing, stock trading, and auction services such as eBay unless the activity is for Commonwealth business.
16. Developing or maintaining a personal web page on or from a Commonwealth device.
17. Using peer-to-peer (referred to as P2P) networks such as Napster, Kazaa, Gnutella, Grokster, Limewire, and similar services.
18. Any other non-business related activities that will cause congestion, disruption of networks or systems including Internet games, online gaming, unnecessary Listserve subscriptions, and E-mail attachments; and chat rooms and messaging services such as Internet Relay Chat (IRC), I SeeK You (ICQ), AOL Instant Messenger, MSN Messenger and similar Internet-based collaborative services.

<b>POLICY NUMBER</b> <b>DJJ 115</b>	<b>EFFECTIVE DATE</b> <b>12/01/2014</b>	<b>PAGE NUMBER</b> <b>6 of 6</b>
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**I. YOUTH ACCESS TO EMAIL AND INTERNET SERVICES**

1. Youth shall not be permitted access to e-mail.
2. Through use of the Proxy Server, the Information Systems (IS) Branch shall ensure that sexually explicit materials shall not be available via any video or computer system, software or hardware product, or internet service in any classroom setting or areas where youth are present within the offices and programs of the Department.
3. Internet access shall occur only with a Proxy Server in place. Internet access shall be supervised and purposeful for the completion of academic and vocational learning objectives.

**J. ATTORNEY-CLIENT PRIVILEGE**

1. Attorney-client privilege shall be construed and shall not be used to protect a transmission or document which fails to meet the criteria set forth below.
2. A message or transmission shall be subject to the attorney-client privilege if the Communication is made:
  - a. In confidence to the DJJ, Office of General Counsel;
  - b. By a DJJ staff; or
  - c. For the purpose of obtaining legal advice from a staff attorney acting in his professional capacity as legal counsel.
3. A transmission which is prepared in anticipation or during the course of litigation shall be designated as “work product” for purposes of safeguarding the document or information from improper disclosure and applying the appropriate records retention schedule.

**V. MONITORING MECHANISM**

Monitoring shall be conducted on an on-going basis by supervisory staff and IS Branch staff.



**JUSTICE AND PUBLIC SAFETY  
CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY:**

**SUBJECT: Staff Dress and Appearance**

**KRS 15A.065**

**POLICY NUMBER: DJJ116**

**TOTAL PAGES: 4**

**EFFECTIVE DATE: 10/24/2016**

**APPROVAL: Carey D. Cockerell**

**, COMMISSIONER**

**I. POLICY**

Department of Juvenile Justice (DJJ) staff shall establish and adhere to specific written guidelines regarding dress and appearance while on duty.

**II. APPLICABILITY**

This policy shall apply to all DJJ staff.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

**A. General Guidelines for Staff**

**1. Male and Female Dress and Appearance**

- a. DJJ staff shall adhere to Business Casual attire during business hours. Professional attire may be required for meetings when representing the department in a professional capacity at the discretion of the Administrative Manager.
- b. Attire shall fit properly, shall not be worn, torn, frayed, or have holes. No article of clothing with oversized or large commercial logos, offensive language, or images shall be worn.
- c. Professional attire for male employees includes:
  1. Business Suits;
  2. Slacks and coordinated sport jacket; and
  3. Dress shirt and tie.
- d. Business Casual attire for male employees includes:
  1. Dress slacks;
  2. Khaki style slacks;
  3. Polo style shirts or button down shirts; and
  4. Tie (optional).

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- e. Professional attire for female employees includes:
    - 1. Business Suits, Dresses, Skirts, or Slacks; and
    - 2. Blouse or Sweater.
  - f. Business Casual attire for female employees includes:
    - 1. Khaki style Slacks and Skirts;
    - 2. Shirts Polo or Blouse;
    - 3. Dresses; and
    - 4. Capri or Cropped Pants (Mid-calf or below).
  - g. Revealing clothing shall not be permitted. Clothing shall not expose the midriff.
  - h. Spandex and form-fitting pants such as biking or yoga pants shall be prohibited.
  - i. Leggings and jeggings may be worn with a tunic, top, or sweater that falls to the knee.
2. Shoes shall be clean and neat, and worn at all times while on duty. Flip-flops shall be prohibited in the workplace.
  3. Hair will be clean, combed, and neatly trimmed or styled. The hair style should be appropriate to the work setting and should not interfere with the work to be performed, create a safety hazard, or cause distraction in the work place.
  4. Fingernails shall be clean and neatly trimmed and shall not be of a length that interferes with performance of duties.
  5. A male or female shall not display any type of visible body piercings, other than earrings or small nose stud.
  6. An employee shall present and maintain the highest level of personal grooming and hygiene in the workplace.
- B. Community and Mental Health Branch staff shall adhere to professional or business casual attire when representing the division of community and mental health services. If Community and Mental Health Branch staff are conducting home visits or field visits jeans are permitted. Jeans must be free from holes and frays. Jeans shall be worn around the waist and underwear shall not show. Sagging jeans are prohibited. Under no circumstances are jeans to be worn to court, outside trainings, or community meetings. It is the supervisor's responsibility to assure that staff are dressed in accordance with the dress code, and enforce dress code standards.
- C. Youth Worker and Youth Worker Supervisors.
1. Clothing shall be clean, maintained in good order, and reflect a professional appearance. Clothing shall be properly sized and not over revealing or a distraction to residents and co-workers.
  2. These guidelines shall be followed:
    - a. No flip-flops, house slippers, open toe, sandals, or other similar footwear shall be worn. Shoestrings shall be tied.

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- b. State issued polo style shirts shall be worn.
  - c. Pants may be khaki or cargo type worn over footwear, with the exception of the Cadet Leadership Education Program (CLEP) which follows the CLEP Standard Operating Procedure regarding dress code. Pants shall be worn at the waist.
  - d. Shorts and capris may be worn. Shorts shall be khaki or cargo type. Shorts shall be worn at the waist. The length of shorts shall not be shorter than the “fingertip rule”. Shorts shall not extend beyond the top of the knee.
  - e. During cool weather, personnel may wear plain sweaters and crew neck sweatshirts. Hooded clothing items shall be prohibited.
  - f. During inclement weather, personnel assigned outside duties may wear articles of clothing to protect them from the elements, such as toboggans. However, staff shall not wear an article of clothing which may create a safety risk. These articles shall be approved by the facility superintendent or designee and shall be furnished by the employee.
3. The following personal accessories may be worn:
- a. Two rings may be worn; a wedding ring shall count as one ring. Rings shall not be bulky or have jagged edges.
  - b. Medical alert bracelets or necklaces (worn inside the neckline) may be worn to indicate medical conditions.
  - c. One religious medallion may be worn inside the neckline.
  - d. An employee may wear one pair of stud type earrings, post, or clasp style. Other visible body piercings are prohibited.
  - e. A wristwatch may be worn.
4. Ball style caps that have approved DJJ logos may be worn inside facilities. No other type of hat shall be permitted.
5. Neck scarves shall not be worn while supervising youth.
- D. Allowance for reasonable accommodations based on the medical or disability-related needs of the employees shall be permitted. Refer to Chapter 1 (DJJ Americans with Disabilities Amendments Act and Reasonable Accommodations Protocol).
- E. Kitchen, Medical, Institutional Recreation Leader, IT, CaRP, or Maintenance staff shall dress appropriately as it relates to specific job duties. Attire shall be approved by the Administrative Manager.
- F. Supervisors are responsible for enforcing the dress code and personal hygiene requirements of employees. Any employee found in violation of this policy, shall be required to take corrective action immediately which may include leaving the work premises and may result in disciplinary action.
- G. Staff shall carry or wear employee identification badges or other agency-identifying clothing. At the discretion of the superintendents, the employee's identification card may be required to be visible while on duty.
- H. All state issued clothing and equipment shall be returned to the appropriate

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supervisor upon separation from the department, and prior to receiving a last paycheck.

- I. Allowance for reasonable accommodation based on religious practice or need shall be permitted.

**V. MONITORING MECHANISM**

The policy shall be monitored by the Administrative Managers.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**  
**3-JTS-1B-16**  
**3-JDF-1B-17; 3A-25**  
**4-JCRF-1B-15;**  
**4-JCF-6B-02**  
**1-JDTP-1B-16**  
**1-JBC-1B-15**  
**2-CO-1B-11**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Insurance**

**POLICY NUMBER: DJJ 118**

**TOTAL PAGES: 2**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**,COMMISSIONER**

**I. POLICY**

The Department for Juvenile Justice shall provide Worker's Compensation for all employees. A public employee blanket bond shall cover all employees. Liability coverage shall be provided for all official vehicles. The Department of Juvenile Justice shall also provide insurance on physical properties and the contents of those properties.

**II. APPLICABILITY**

This policy shall apply to all DJJ employees, offices, and programs.

**III. DEFINITIONS**

Not Applicable

**IV. PROCEDURES**

- A. Worker's Compensation: Claims for benefits shall be forwarded to the Department of Personnel, Division of Employee benefits, and Workers' Compensation Branch. Claims shall be processed and reviewed by the State Workers' Compensation Administrator along with the third party administrator.
- B. Building and Contents Coverage: Coverage for losses to the building and its contents shall be covered by a private insurance carrier selected by the Department of Insurance (State Fire and Tornado Insurance Fund). In the event of loss to the buildings or their contents, immediately notify the DJJ Central Office Insurance Representative for additional claim reporting requirements.
- C. Blanket Bond: The blanket bond shall cover all losses resulting from crime or dishonesty by a state employee. The Finance and Administration Cabinet shall set the limits of coverage.

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- D. State Vehicles: Employees driving state vehicles shall be covered by liability insurance secured for the Commonwealth by the Finance and Administration Cabinet. The Finance and Administration Cabinet shall set the limits of coverage. A Department of Transportation (DOT) Vehicle Operator's Handbook and insurance card shall be kept in the glove compartment of all vehicles; if missing, call 1-800-435-0714. In case of accident, the DJJ Central Office Insurance Representative shall be notified as soon as possible; also call the (DOT) Accident Hot Line (1-800-435-0714).
- E. Civil Liability: The Commonwealth of Kentucky preserves the sovereign, qualified, and official immunity on behalf of the Department of Juvenile Justice, any of its officers, agents, or employees while acting in the scope of their employment with the department, except where sovereign immunity is specifically and expressly waived as set forth by statute. No action for negligence may be brought in any court or forum other than the Kentucky Board of Claims. In accordance with KRS 44.070 to 44.165, the Board of Claims has exclusive jurisdiction to hear claims and to award compensation for damages sustained to either person or property.

**V. MONITORING MECHANISM**

The Director of Administrative Services and Fiscal Branch Manager shall monitor these activities.



**JUSTICE AND PUBLIC SAFETY  
CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**  
3-JTS-1A-25, 27  
3-JDF-1A-30, 31; 3D-05  
3-JCRF-1A-16-18  
1-JDTP-1A-22, 24  
1-JBC-1A-20, 22, 23  
4-JCF-6G-02-4  
2-JPAS-2-7020, 7020-1  
2-CO-1A-27, 27-1

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: News Media Contacts**

**POLICY NUMBER: DJJ 119**

**TOTAL PAGES: 3**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**,COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall be committed to keeping the public and media informed of events and information that occur within the Department. Information shall be released in an organized, professional manner that ensures the public's right to have certain information and also protects the confidentiality of youth under DJJ supervision.

**II. APPLICABILITY**

This policy shall apply to DJJ staff, offices, and programs and shall govern the policy of contract programs and agencies with regard to news media contacts regarding DJJ youth.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

A. The Commissioner shall designate a Public Information Officer (PIO) for the Department who shall have authority for all public information and media relations. The Commissioner's Office shall inform all staff of who the PIO is on at least an annual basis or any time the PIO changes.

B. Dissemination of Information

1. The PIO shall be informed of all correspondence from representatives of the media directly after the correspondence is received.
2. Except as discussed in Section IV.E below, the PIO shall be informed of all correspondence to representatives of the media and shall approve all outgoing correspondence prior to its release.

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3. Notifications may be done via email or phone contact, with the appropriate members of the staff's supervisory chain copied or verbally briefed regarding the notification and any direction received from the PIO.
4. Interview requests from the media shall be made in writing and consent to interview DJJ youth shall be provided to the requestor in writing including, parent or legal guardian consent where applicable.
5. The PIO may, upon approval of the Commissioner, designate individual staff whom are authorized to speak to the media without prior approval or notification to the PIO. These individuals shall be notified in writing by the PIO of this status, with the notification copied to all members of their supervisory chain up to and including the Commissioner.
6. All staff with permission to speak to the media shall restrict their comments to DJJ representation only, omitting personal views or opinions. Staff shall direct any questions or information requests that go beyond their area of expertise or authority to the PIO.
7. Staff without permission to speak to the media shall refer representatives of the media to the PIO. Staff shall inform their immediate supervisor of any media contact.

C. Media Visits to Facilities or DJJ Offices

1. Requests for interviews and facility or office visits by representatives of the media shall be referred to the PIO for approval. A request shall be required to be made in advance and have a specific goal in mind. The PIO shall notify the appropriate Regional Division Director, Facilities Regional Administrator (FRA) or Community Regional Manager, and Superintendent or Juvenile Services District Supervisor (JSDS) of all facility or community office visits that are approved.
2. Each facility and office shall identify areas of the facility or office that are accessible to media representatives.
3. Each facility and office shall protect the confidentiality of youth according to DJJ Policy during media visits.
4. Each facility and office shall notify the PIO in advance of any special events that could result in media coverage. The PIO shall evaluate the situation and determine the appropriate strategy for dealing with the media coverage.
5. If the FRA or Branch Manager, after consultation with the Superintendent or JSDS, determines that a media visit may constitute a disruption of the treatment program or violate the rights of the residents, the PIO, Deputy Commissioners, and the Commissioner shall be advised through the appropriate chain of

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command. The final decision on denying the visit shall be made by the Commissioner.

- D. Press releases shall only be released by the PIO. Staff may request a press release by contacting the PIO directly.
- E. All data or information that is requested by the media pursuant to the Kentucky Open Records Act shall be processed pursuant to DJJPP Chapter 1 to insure that information protected by federal or state privacy and freedom of information statutes is released in the appropriate manner. In this case, the Ombudsman shall allow the PIO to review and have input into the agency response to the record request.
- F. The PIO shall communicate with the Ombudsman on any media requests for records that is not submitted as an Open Records Request to determine if the records request falls under the Kentucky Open Records Act. If so, the response shall be handled pursuant to DJJPP Chapter 1.

**V. MONITORING MECHANISM**

Compliance with this policy shall be monitored by all supervisory personnel on an ongoing basis.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
3-JTS-3D-01, 02  
3-JDF-3D-01, 02  
3-JCRF-3D-01, 02  
1-JDTP-3D-26  
1-SJD-3D-01, 02  
1-JBC-3D-01, 02**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Youth Access to Courts, Attorneys and Law  
Enforcement Officials**

**POLICY NUMBER: DJJ 121**

**TOTAL PAGES: 3**

**DATE ISSUED: 03/01/01**

**EFFECTIVE DATE: 03/15/01**

**APPROVAL: Ralph E. Kelly, Ed.D.**

**, COMMISSIONER**

## **I. POLICY**

Youth have the right of access to the courts. All youth in a DJJ operated program shall have access to legal representation. Interviews between youth and their attorneys and law enforcement officials shall be permitted.

## **II. APPLICABILITY**

This policy shall apply to all state operated and contracted programs and to all youth in the care and custody of the Department of Juvenile Justice.

## **III. DEFINITIONS**

1. "Blanket Interview" is defined as an interview with all youth at a facility.
2. "Legal Representative" means an assigned or retained attorney, or a paralegal who assists an assigned attorney.

## **IV. PROCEDURES**

A. Youth shall have uncensored, confidential contact by telephone, in writing, or in person with their legal representative(s). The youth shall have the right to contact and visit with counsel at any reasonable time. Program staff shall assist youth in making confidential contact with attorneys and authorized representatives. Such contact includes, but is not limited to, telephone communications, uncensored correspondence, and visits.

B. Accessing the Department's Contract Legal Service Provider

1. Upon admission to a 24-hour residential Youth Development or Treatment

<b>POLICY NUMBER</b> <b>DJJ 121</b>	<b>ISSUE DATE</b> <b>03/01/01</b>	<b>EFFECTIVE DATE</b> <b>03/15/01</b>	<b>PAGE NUMBER</b> <b>2 of 3</b>
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Center, youth shall be informed both verbally and in writing of the method by which they may access a Department of Public Advocacy attorney. This information shall also be contained in the youth's orientation handbook. Youth shall sign an acknowledgement form indicating receipt of this information.

2. A sign-up system shall be implemented in each Youth Development or Treatment Center for youth who desire to speak with an attorney from the Department of Public Advocacy.
3. A record shall be kept of all youth signed-up to speak to the attorneys from the Department of Public Advocacy.
4. The Superintendent of each youth development and treatment center shall designate a staff member responsible to ensure that the above procedures are implemented and conducted on a continuous basis. The assigned counselor shall monitor procedures and attempt to ensure that the youth, and parent or guardian, understand the right to counsel.

**C. Accessing Other Attorneys**

1. Youth in DJJ facilities, group homes and day treatment centers have a right to consult with an attorney of their choice at a time reasonably convenient for all parties concerned, including management of the facility. Program staff shall assist youth in making confidential contact with attorneys and their authorized representatives. Such contact includes, but is not limited to telephone communication, uncensored correspondence, and visits. The assigned counselor shall attempt to ensure that the youth, and parent or guardian, understand the right to counsel.
2. Blanket interviews by attorneys shall not be granted.

**D. Interviews by Law Enforcement Officials**

1. The Regional Director or designee shall notify the General Counsel if a committed youth placed in a residential facility or group home is to be interviewed by a law enforcement officer in an official investigation.
2. Youth shall not be subject to interviews against their desires and shall be informed of their right to refuse and have an attorney of their choice present during questioning.
3. There may be exceptional cases involving children who are emotionally disturbed, mentally retarded, or who, for some other reason, may not be able to give a coherent, meaningful statement. For this reason, a staff member familiar with Department policy and the youth's specific needs

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shall be present during such interviews with law enforcement officials. Staff may tape the conversation and the tape should be kept in a locked location until the case has been resolved. When the youth does not wish to talk to law enforcement personnel, a staff member shall advise the law enforcement official of the youth's refusal and document the refusal. This shall not be done in the presence of the youth in question.

**V. MONITORING MECHANISM**

This policy will be monitored by the Superintendent and the Residential Facilities Administrator or Branch Manager on a continual basis.



**JUSTICE AND PUBLIC  
SAFETY CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
3-JTS-1A-28  
3-JDF-1A-32  
3-JCRF-1A-19  
1-JDTP-1A-25  
1-JPAS-2-7022**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Legal Assistance for Department of  
Juvenile Justice Staff**

**POLICY NUMBER: DJJ 122**

**TOTAL PAGES: 3**

**DATE ISSUED: 09/13/10**

**EFFECTIVE DATE: 09/13/10**

**APPROVAL: J. Ronald Haws**

**COMMISSIONER**

## **I. POLICY**

Employees of the Department of Juvenile Justice shall be provided with adequate and appropriate legal advice and assistance in the performance of their duties and with legal representation in all civil actions arising from legitimate performance of those duties.

## **II. APPLICABILITY**

This policy shall apply to all DJJ employees.

## **III. DEFINITIONS**

- A. "Administrative Manager" means an employee within an organizational unit of the Department of Juvenile Justice (DJJ) with supervisory responsibility for carrying out the mission and policies of the Department within that unit. This term shall include Division Director, Assistant Director, Facilities Regional Administrator, Juvenile Services Regional Manager, Branch Manager, Justice Program Supervisor, Superintendent and Juvenile Services District Supervisor.
- B. "Counsel" means a legal advisor, lawyer, or counselor-at-law.
- C. "Legal Performance" means actions conforming to the positive rules of law or permitted by law.
- D. "Statute" means a law passed by a legislative body and set forth in a formal document.

## **IV. PROCEDURES**

### **A. Counsel Availability**

- 1. The Office of General Counsel shall be available for advice, consultation and representation of employees of the Department for the following:

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- a. Legal actions against the agency or institution;
  - b. Court decisions;
  - c. Youth rights;
  - d. Civil legal actions against Department employees for actions taken during the legal performance of their duties;
  - e. Personnel actions;
  - f. Administrative hearings.
2. The Office of General Counsel shall not be available for advice, consultation or representation of Department employees when the defense of the employee creates a conflict of interest between the Department and the employee or former employee or for criminal action taken against them.

**B. Legal Advice**

Consultation shall be available to provide advice on policy information, court requirements, and operational matters.

**C. Requests for Legal Assistance**

1. Requests for advice or representation shall be directed to the Administrative Manager.
  - a. The Administrative Manager shall forward the request with any comments or recommendations through channels to the appropriate Deputy Commissioner, who shall review the request and forward it to the Office of General Counsel.
  - b. Adequate background information and the reason for the request shall also be forwarded to the Office of General Counsel.
2. Department employees may make inquiries for legal advice directly to the Office of General Counsel when situations arise which require immediate legal counsel.
  - a. When making such requests, reasons for the assistance requested and the advice given shall be documented in writing by the employee or his supervisor.
  - b. A copy shall be forwarded to the Office of General Counsel.

**D. Evaluation of Requests for Legal Assistance**

1. The Department shall provide appropriate representation to all Department employees legitimately conducting their duty.

<b>POLICY NUMBER</b> <b>DJJ 122</b>	<b>ISSUE DATE</b> <b>09/13/10</b>	<b>EFFECTIVE DATE</b> <b>09/13/10</b>	<b>PAGE NUMBER</b> <b>3 of 3</b>
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2. If evidence indicates the employee's conduct was negligent, illegal or outside his scope of authority, legal representation may be denied as per KRS 12.212.
3. Upon the denial of legal representation, the Office of General Counsel shall provide the employee a written decision outlining the reason for the denial.

**E. Routing of Summons or Law Suits**

1. Upon receipt of a summons or law suit, Department employees shall adhere to the following procedure:
  - a. The staff member against whom the summons or lawsuit is directed shall sign the receipt and place the date, time of receipt and signature on the document.
  - b. Immediately upon receipt of the summons or lawsuit, copies shall be made with the original being mailed to the Office of General Counsel and, at facilities, notice given to the Superintendent or designee.
2. The Office of General Counsel or a designated staff person may receive a summons or lawsuit for an employee of the Department. In those instances the following procedure shall be used:
  - a. The staff member who receives the summons or lawsuit shall sign the receipt and place the date, time of receipt and sign name on the front of the document.
  - b. Immediately upon receipt of the summons or lawsuit, copies shall be made with the original mailed to the Office of General Counsel and a copy forwarded to the staff member to whom the summons or lawsuit is directed.

**V. MONITORING MECHANISM**

The activities of the Office of General Counsel shall be monitored by the Commissioner.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: JTS-2B-06 JDF-2B-04 SJD-2B-04</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Construction, Expansion or Renovation of Physical Properties</b>		
<b>POLICY NUMBER: DJJ 126</b>		
<b>TOTAL PAGES: 2</b>		
<b>DATE ISSUED: 02/15/04</b>		<b>EFFECTIVE DATE: 04/15/04</b>
<b>APPROVAL: Ronald L. Bishop</b>		<b>, COMMISSIONER</b>

## **I. POLICY**

The Department of Juvenile Justice shall provide for the construction of new facilities and for the major repair, expansion and/or renovation of existing properties.

## **II. APPLICABILITY**

This policy shall apply to physical properties planned, owned, or leased by the Department of Juvenile Justice.

## **III. DEFINITION**

“Major Construction” means any single project with an estimated cost of \$2,000 or more.

## **IV. PROCEDURES**

- A. Requests for major new construction, repair, expansion and / or renovation of physical plants shall be forwarded from the facility superintendent to the Capital Construction Branch Manager with copy sent to the appropriate Regional Manager, Regional Facilities Administrator, and Division Director.
- B. The Capital Construction Branch Manager shall have the appropriate staff review the request and consider all relevant factors, including, but not limited to alternatives considered, scope of need, population to be served, and availability of funding.
- C. When approved, the Division of Administrative Services, Capital Construction and Real Properties Branch, shall assist and

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monitor the implementation of construction projects that are charged to the facility's operating budget.

- D. When a separate Capital Construction Account is established and the project is paid for from funds placed in this account, the Division of Administrative Services, Capital Construction and Real Properties Branch, shall be responsible for implementation and monitoring of the project.

**V. MONITORING MECHANISM**

Monitoring shall be the responsibility of the respective Regional Division Directors and the Division of Administrative Services.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**  
3-JTS-2B-01, 02, 03, 10; 2C-01—12; 2D-01—05; 2E-01—12; 2F-01, 02; 2G-01—04  
3-JDF-2B-01, 02; 2C-01—12; 2D-01—03; 2E-01—13; 2F-2F-01, 02; 2G-01, 02  
3-JCRF-2B-01; 2C-01, 02, 04—08; 2D-01, 02 2E-01—09; 2F-01, 02; 2G-01  
1-JDTP-2A-04—08  
1-JBC-2B-01, 02; 2C-01—09; 2D-01—04; 2E- 01—12; 2F-01, 02; 2G-01—04  
1-SJD-2B-07; 2C-01—11; 2D-01—03; 2E-01—13; 2F-01, 02; 2G-01, 02

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Facility Physical Plant Requirements</b>	
<b>POLICY NUMBER: 126.1</b>	
<b>TOTAL PAGES: 2</b>	
<b>DATE ISSUED: January 18, 2006</b>	<b>EFFECTIVE DATE: 01/18/06</b>
<b>APPROVAL: Bridget Skaggs Brown</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Department of Juvenile Justice (DJJ) programs shall be in compliance with recognized national standards for space, design and environmental accommodations.

**II. APPLICABILITY**

This policy shall apply to all DJJ operated Youth Development Centers, Detention Centers, Group Homes and Day Treatment Programs.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

A. Documentation in the form of floor plans shall be maintained at the facility, reviewed annually and revised as necessary. Floor plans shall indicate space

<b>POLICY NUMBER</b> <b>DJJ 126.1</b>	<b>ISSUE DATE</b> <b>01/18/06</b>	<b>EFFECTIVE DATE</b> <b>01/18/06</b>	<b>PAGE NUMBER</b> <b>2 of 2</b>
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for all program functions. The facility operates with living units of no more than rated capacity.

- B. Documentation in the form of test reports of the levels of lighting and air quality shall be maintained at the facility. These tests shall be by an independent qualified source and shall be conducted on an annual basis. At any time there has been a change or modification to the physical plant which may in some way affect or change the existing conditions, another report shall be obtained.
- C. Documentation of test reports of noise levels shall be maintained at the facility. Decibel readings shall be taken using a sound level meter. Noise levels shall be monitored and recorded annually.
- D. Documentation in the form of periodic temperature checks of hot water for showers, laundry and dishwashing facilities shall be maintained at the facility.
- E. Preventative maintenance and monitoring of the facility's HVAC system shall be performed according to a prescribed schedule, and should be checked no less than once per accreditation cycle. (Reference DJJPP 427.) Additionally, all facilities shall record the temperatures of a sampling of youth and staff areas on no less than a semi-annual basis. This sampling shall be comprehensive and provide an overall documentation of the performance of the heating and cooling system. Any discrepancies observed shall be reported to maintenance staff or personnel responsible for mechanical systems.
- F. Superintendents shall submit a plan-of-action through the appropriate chain of command to the Manager of the Quality Assurance Branch for physical plant requirements found in noncompliance with accepted national standards during accreditation audits.
- G. Superintendents may submit a plan-of-action waiver request through the appropriate chain of command to the Manager of the Quality Assurance Branch after accreditation audits for one or more physical plant requirements, provided that overall programming compensates for lack of compliance. The waiver request shall be accompanied by a clear explanation of such compensating conditions. Waivers may be applied for only when the totality of conditions safeguards the life, health and safety of youth and staff.

## **V. MONITORING MECHANISM**

The facility superintendent or designee and the Quality Assurance Branch shall monitor compliance with this policy.



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**REFERENCES:  
3-JTS-1F-02-06; 4C-45, 46  
3-JDF-1F-03-08; 4C-43, 44  
3-JCRF-1F-05-09; 4C-26  
1-JDTP-1F-04-08; 3B-14  
1-JBC-1F-03-06; 4C-40, 41  
1-SJD-1F-02-07; 4C-36, 37  
NCCHC Y-71**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Research Projects</b>	
<b>POLICY NUMBER: DJJ 127</b>	
<b>TOTAL PAGES: 6</b>	
<b>DATE ISSUED: 08/01/02</b>	<b>EFFECTIVE DATE: 08/15/02</b>
<b>APPROVAL: Ralph E. Kelly, Ed.D.</b>	<b>, COMMISSIONER</b>

**I. POLICY**

It shall be the policy of the Department that research involving its activities or programs be conducted in a responsible manner which insures the confidentiality of youth.

**II. APPLICABILITY**

This policy shall apply to all Department of Juvenile Justice programs and offices.

**III. DEFINITIONS**

As used in this document, the following definitions shall apply:

- A. Agency Research: Studies conducted by employees of the Department usually by, or in conjunction with, the Division of Program Services.
- B. Cooperative Research: Any research which involves the collection of information pertaining to youth under the jurisdiction of the Department of Juvenile Justice or to employees of the Department of Juvenile justice which is conducted by non-Department persons or by Department personnel outside the normal duties of their job.
- C. Medical Research: Includes, but is not limited to, medical experiments and pharmaceutical studies using clients of the Department as subjects.
- D. Research Activities: The application of procedures for solving a problem or testing a hypothesis.

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#### **IV. PROCEDURES**

##### **A. Cooperative Research**

###### Application to Conduct Cooperative Research

1. All research requests shall be answered in a timely manner. Every application to conduct cooperative research shall be directed to the staff in the Division of Program Services.

a. A research proposal must meet the following criteria:

- i. The researcher and/or the sponsoring organization have professional standing in juvenile justice education or a related field.
- ii. The design of the research proposal is of sufficient quality to predict the results will be reliable and valid.
- iii. The project has identifiable benefits for the Department, particularly those projects which are compatible with efforts or include information which may be utilized by the Department.
- iv. The research is non-medical and is not of an experimental behavioral nature. "Experimental" medical treatment shall be permitted only when standard treatments of a life-threatening illness have been ineffective and the juvenile may benefit from "experimental" treatment as recommended by the treating physician and approved by the primary physician, the DJJ Medical Director and the youth's parent or guardian.
- v. The researcher agrees to abide by the conditions of participation specified herein.

b. A research proposal shall contain the following:

- i. Full name of the researcher, researcher's qualifications, and sponsoring organization, if any.
- ii. Statement of the purpose of the research.
- iii. Description of the methodology.
- iv. Specification of the information to be obtained and sources.

If information is obtained directly from subjects a copy of any questionnaires, tests or interviews to be used on subjects, as well as a copy of the Research Consent Form.

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- v. If identifiable information is to be obtained, the specific procedure to be utilized in order to comply with the conditions stated herein.
- vi. A signed statement of agreement to abide by the conditions of participation.
- c. In addition, the research staff may also request full documentation of any aspect of the research prior to a decision to approve or reject a cooperative research project.

## 2. Conditions of Participation

The researcher shall assume the responsibility for ensuring the protection of the rights and well being of the individuals involved in the study. Therefore, prior to receiving the Department's approval, the researcher shall agree to abide by the following conditions of participation:

- a. Information which identifies an individual may be used only for research or statistical purposes. Therefore, identifiable information shall not be revealed for any purpose other than approved research; shall not be included in reports or publications; and shall be maintained under physically secure conditions. At the termination of the project, identifying information, specifically name and identifying numbers shall be destroyed or otherwise separated from the data.
- b. Information may be collected directly from the research subject only with informed and voluntary consent of the youth and parent or guardian. The researcher is responsible for retaining a signed consent form which clearly states the purpose of the project and the activities in which the subject will be involved.
- c. Information designated as privileged in statutes shall not be disclosed by the researcher subject to the penalties specified.
- d. All information or data obtained under the auspices of a cooperative research project shall be made available to the Department upon request. This may include, but is not limited to, all raw data stored on electronic data processing equipment. Full documentation shall be required, including a comprehensive code listing as well as all computer programs, statistical techniques, etc. which were used to collect, analyze, or store the data. Data, when requested, shall be made available upon completion of the project. The researcher shall furnish the Department with a copy of the completed research, unless prior arrangements have been made to the contrary.

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- e. Information collected or obtained through cooperative research shall not be transferred to a third party without the approval of the Department. Recipients of transferred data are subject to the same conditions of participation stated herein.
- f. The offering of incentives to youth or employees for participation in research shall not be approved, unless in unusual and highly justifiable circumstances.

### 3. Processing of Proposed Cooperative Research

#### a. Review

Upon receipt of a request for approval of a cooperative research project, the Division of Program Services staff shall review the document to determine if it meets the guidelines specified herein. If the research staff finds the request unacceptable, it shall be returned to the researcher with a statement of additional information needed or a statement of why the proposal was not approved. If the proposal is acceptable, and involves facility or community services personnel or youth, the proposal shall be forwarded to the Regional Director. The Regional Director shall be responsible for discussing the proposal with the supervisor to evaluate the impact on programs and/or operations and communicating any concerns to research staff.

#### b. Approval

The Regional Director shall make the final recommendation for appropriate approval or rejection to the Program Services Director, Deputy Commissioner, and Commissioner.

#### c. Notification

The Program Services staff shall notify the researcher in writing of approval or disapproval within four weeks of receiving all the necessary information. The appropriate superintendent or supervisor shall be notified of approved cooperative research projects in a timely manner by the Director of Program Services.

### 4. Publication Rights

All publications shall contain a statement which acknowledges Department of Juvenile Justice participation in the project, but disclaims approval or endorsement of the findings. In the case of films, manuals,

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books, articles, or other copyright material, the Department reserves a royalty-free, non-exclusive and irrevocable license to reproduce and use such materials.

5. Medical Experimentation Upon Youth

No youth under the jurisdiction of the Department shall be the subject of medical, pharmaceutical or experimental behavior modification research. "Experimental" medical treatment shall be permitted only when standard treatments of a life-threatening illness have been ineffective and the juvenile may benefit from "experimental" treatment as recommended by the treating physician and approved by the primary physician, the DJJ Medical Director and the youth's parent or guardian. Youth shall not be asked to participate in research which, in the opinion of the Department, may result in undue physical or emotional stress.

6. Non-Compliance

Failure to comply with any of the policies or procedure stated herein shall constitute grounds for termination of the project and may result in denial of approval for future research proposals by the researcher and the sponsoring agency or institution.

B. Agency Research

The Program Services staff shall discuss the Department requirements regarding the use of research data with all persons who are authorized to conduct research projects. This information shall include at least the following:

1. Responsibility

As a general rule, research findings shall be disseminated regardless of the nature of the findings. Their publication may avoid duplication of effort elsewhere and provide for the sharing of knowledge and experience throughout the juvenile justice field.

2. Goal Measurement

A distinction is made between system review and program review. In a system review, overall performance of the entire field organization in achieving its goals and objectives is the object of measurement. In a program review, effectiveness of a particular program in the achievement of an immediate objective is the object of measurement.

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3. Distribution of Findings

Research results shall be given first to the requester for review, comment and/or changes. Within two weeks of receipt, the requester shall submit changes and/or comments to the research staff. The report shall then be disseminated to the management team for review and comment. If after one week no changes are requested, copies of the report shall be made available to interested person(s).

**V. MONITORING MECHANISM**

The Division of Program Services shall monitor this policy.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 3-JTS-1F-07 3-JDF-1A-26 3-JCRF-1A-10; 1F-02; 5B-06; 5C-04 1-JDTP-3D-20 1-SJD-1A-19</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Cooperation with Community Agencies and Educational Institutions</b>		
<b>POLICY NUMBER: DJJ 130</b>		
<b>TOTAL PAGES: 2</b>		
<b>DATE ISSUED: 02/15/04</b>		<b>EFFECTIVE DATE: 04/15/04</b>
<b>APPROVAL: Ronald L. Bishop</b>		<b>, COMMISSIONER</b>

## **I. POLICY**

DJJ shall cooperate with all elements of the criminal justice system in the delivery of services to youth, including coordinating delinquency prevention and planning.

## **II. APPLICABILITY**

This policy shall apply to all DJJ offices and programs.

## **III. DEFINITION**

“Planning” means a scheme of action or procedure which, within the greater juvenile justice field, shall make more effective or more efficient the task of delinquency prevention, detection and intervention.

## **IV. PROCEDURES**

A. DJJ shall be represented in state, regional or national planning efforts that may effect the design, administration, or delivery of juvenile justice programs. This may be achieved by:

1. Membership for appropriate agency officials in the state, local and national juvenile justice associations;
2. Involvement with legislative leaders, community leaders and consumers;
3. Cooperation with local juvenile justice agencies; and
4. Cooperation with colleges and universities

<b>POLICYNUMBER</b> <b>DJJ 130</b>	<b>ISSUE DATE</b> <b>02/15/04</b>	<b>EFFECTIVE DATE</b> <b>04/15/04</b>	<b>PAGE NUMBER</b> <b>2 of 2</b>
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**B. Community Planning Efforts**

1. The Department shall facilitate and support the establishment of local Juvenile Delinquency Prevention Councils in designated counties to reduce the incidence of delinquency in those communities. The Councils shall be governed by statute under KRS 15A.300, 505 KAR 1:010, 1:050, 1:060 and 1:070.
2. The Department shall identify and remain informed as to all community planning efforts related to the Councils which directly or indirectly effect DJJ mission and programs.

**V. MONITORING MECHANISM**

This activity shall be monitored by the Office of the Commissioner, Division Directors and the Division of Program Services.



**JUSTICE CABINET  
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POLICY AND PROCEDURES**

**REFERENCES:**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Light Duty Assignment</b>	
<b>POLICY NUMBER: 131</b>	
<b>TOTAL PAGES: 2</b>	
<b>EFFECTIVE DATE: 12/01/2014</b>	
<b>APPROVAL: Bob D. Hayter , COMMISSIONER</b>	

**I. POLICY**

Requests made by a Department of Juvenile Justice (DJJ) staff for light duty assignment shall be made through their supervisor.

**II. APPLICABILITY**

This policy shall apply to all staff of the Department of Juvenile Justice.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. Staff requesting light duty assignment shall submit a written request to their supervisor along with supporting documentation from an appropriate medical professional.
- B. The Supervisor shall forward the request to the Division Director and a copy to the Personnel Branch.
- C. DJJ shall have the option to request staff to submit a completed Medical Status Report (MSR).
- D. The Division Director shall consult with the Supervisor and Personnel Branch, if necessary.
- E. The Division Director shall provide a written response to the staff, with a copy to the staff's chain of command and Personnel Branch.
- F. Light duty assignments shall be approved only in circumstances where there are light duties available and shall not exceed twelve (12) weeks.

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G. Staff shall submit requests for extensions through their chain of command to the Commissioner's Office for disposition.

**V. MONITORING MECHANISM**

This policy shall be reviewed annually by the Commissioner's Office and Administrative Services, Personnel Branch.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
42 U.S.C.A. § 12111  
KRS Chapter 344  
101 KAR 2:020  
101 KAR 2:102(2)(f)  
101 KAR 2:076  
4-JCF-6D-07  
3-JDF-1C-05-2  
3-JTS-1C-07-2  
2-CO-2C-09-1  
1-JDTP-1C-07-1  
3-JCRF-1C-03-1  
JPAS 2-7030-1**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: DJJ Americans With Disabilities  
Amendments Act and Reasonable  
Accommodations Protocol**

**POLICY NUMBER: 131.1**

**TOTAL PAGES: 3**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice (DJJ) staff shall be committed to providing reasonable accommodations to qualified individuals except when such accommodations would cause an undue hardship. DJJ shall follow all applicable statutes and administrative regulations of the State Personnel Cabinet in carrying out this policy.

**II. APPLICABILITY**

This policy shall apply to all staff of the Department of Juvenile Justice.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

A. Staff requesting accommodations shall submit a written request, to their immediate Supervisor or to the Personnel Branch, along with supporting documentation from an appropriate medical professional. The Supervisor shall forward the request to the Personnel Branch.

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- B. DJJ shall have the option to request staff to submit a completed Medical Status Report (MSR).
- C. The department shall not alter the essential functions and fundamental job duties of a safety sensitive position due to safety and security concerns, and the protection of youth, staff and visitors.
- D. The availability to work any shift shall be an essential function, and, therefore, DJJ shall not honor requests for relief from any particular shift for staff in safety sensitive positions.
- E. The availability to work mandatory overtime shall be an essential function, and, therefore, DJJ shall not honor requests for relief from mandatory overtime due to restrictions.
- F. DJJ shall take a progressive approach in dealing with reasonable accommodations requests by engaging in an interactive process with the staff in the following manner:
  - 1. Determining if the accommodation can be granted;
  - 2. Reviewing vacant positions within the facility or office where the staff currently works to which the staff qualifies and can be temporarily assigned or transferred;
  - 3. Reviewing vacant positions in other facilities or offices within DJJ to which the staff qualifies and can be temporarily assigned or transferred;
  - 4. Assisting in the submission of an updated application to the Personnel Cabinet so the staff can be placed on qualifying registers for consideration;
  - 5. Assisting the staff in utilizing accrued leave, Sick Leave Sharing, Family Medical Leave (FML), or placing a staff on leave without pay for up to one (1) year.
  - 6. If the staff cannot return to work and perform the essential functions of the job after one (1) year of leave without pay, assist the staff in resigning their employment, provided no vacant positions for which the staff may qualify are available as described above.
- G. The process to transition employees into other employment will be limited to ten (10) days before expiration of the one year entitlement.
- H. Each facility or office shall review their environment to determine where positions are available which allows temporary transition of an employee to a position in which essential functions can be performed. Positions must already be established and vacant to be considered. Approved staffing patterns dictate the specific classifications and numbers of positions that facilities or offices can establish. DJJ cannot create positions to accommodate a request.

<b>POLICY NUMBER</b> <b>DJJ 131.1</b>	<b>EFFECTIVE DATE</b> <b>12/01/2014</b>	<b>PAGE NUMBER</b> <b>3 of 3</b>
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**V. MONITORING MECHANISM**

This policy shall be reviewed annually by the Commissioner's Office and Administrative Services, Personnel Branch.



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DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

<b>CHAPTER: Administration</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Privacy of Health Information</b>	
<b>POLICY NUMBER: 132</b>	
<b>TOTAL PAGES: 11</b>	
<b>DATE ISSUED: 03/04/03</b>	<b>EFFECTIVE DATE: 04/14/03</b>
<b>APPROVAL: Ronald L. Bishop</b>	<b>, COMMISSIONER</b>

**I. POLICY**

It is the policy of the Department of Juvenile Justice to protect the privacy of individually identifiable health information in compliance with federal and state laws governing the use and disclosure of protected health information (PHI) pursuant to the requirements of the HIPAA privacy rule (45 CFR 164.500 et seq.). Parental access to a minor's PHI shall be in accordance with state law.

**II. APPLICABILITY**

This policy shall apply to all employees of the Department of Juvenile Justice.

**III. DEFINITIONS**

- A. "Individually Identifiable Health Information" means information, including demographic information, that relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual; and
1. That identifies the individual; or
  2. With respect to which there is reasonable basis to believe the information can be used to identify the individual.
- B. "Licensed Healthcare Professional" means a medical doctor, a nurse, or a qualified mental health professional.
- C. "Protected Health Information" means individually identifiable health information that is transmitted or maintained in any form or medium.

<b>POLICY NUMBER</b> <b>DJJ 132</b>	<b>ISSUE DATE</b> <b>03/04/03</b>	<b>EFFECTIVE DATE</b> <b>04/14/03</b>	<b>PAGE NUMBER</b> <b>2 of 11</b>
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D. "Psychotherapy Notes" means notes recorded (in any medium) by a healthcare provider who is a qualified mental health professional documenting or analyzing the contents of conversations during private counseling sessions or a group, joint, or family counseling session and that are separated from the rest of the individual's medical record. "Psychotherapy notes" exclude medication prescriptions and monitoring, counseling session start and stop times, the modalities and frequencies of treatment furnished, results of clinical tests, and any summary of the following items: diagnosis, functional status, the treatment plan, symptoms, prognosis, and progress to date.

#### **IV. PROCEDURES**

##### **A. Notice of Privacy Practices**

Beginning on April 14, 2003, a youth (and a youth's parent or guardian if the youth is under 18 years of age) shall be given a copy of the Notice of Privacy Practices as follows:

1. Every youth who is provided physical or mental health services, when provided by a qualified mental health professional, by DJJ personnel in the community at a DJJ office or in a DJJ program, shall be provided a copy of the Notice of Privacy Practices. The Notice shall be provided to the youth at his first appearance for services on or after April 14, 2003. Each youth, and a parent or guardian if appropriate, given the Notice shall be asked to sign an acknowledgment that the Notice has been provided. If the youth refuses to sign the acknowledgement, the employee providing the Notice shall note the refusal on the acknowledgement. The acknowledgement shall be maintained in the youth's file.
2. The Notice of Privacy Practices shall be posted in a prominent location in every DJJ community office.
3. Any youth who requests a copy of the Notice of Privacy Practices shall be given a copy.
4. The Notice shall be posted on DJJ's website.
5. If the Notice of Privacy Practices is changed, the amended Notice shall be provided as required above.

##### **B. Right to Access, Inspect and Copy Protected Health Information**

It is DJJ's policy to honor a youth's right of access to inspect and

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obtain a copy of PHI for as long as the PHI is maintained in compliance with HIPAA and DJJ's retention policy.

1. A youth who has or is receiving services from DJJ, a parent or guardian of a minor, or a personal representative shall make a written request to access to inspect or copy, or to receive copies of, PHI.
2. All requests for access to PHI shall be discussed with the Privacy Officer in the Office of General Counsel.
3. Action shall be taken on the request within 30 days after receipt of the request if the PHI has not been archived and within 60 days if the PHI has been archived. One 30-day extension is permitted if DJJ provides a written statement of the reasons for the delay and the date by which the request will be processed to the individual making the request.
4. The request may be denied without an opportunity for review if the information requested consists of:
  - a. Psychotherapy notes; or
  - b. Information compiled in anticipation of or use in civil, criminal or administrative action or proceeding.
5. The request may also be denied without providing an opportunity for review when:
  - a. The youth making the request is in placement in a treatment facility and the request to obtain PHI would jeopardize the youth, other youths, or the safety of any employee or other person at the facility, or a person responsible for transporting the youth.
  - b. The PHI was obtained from someone other than a healthcare provider under a promise of confidentiality and access would likely reveal the source of the information: or
  - c. Access is otherwise precluded by law.
6. The request may be denied under the following circumstances if the youth is given a right to have the denial reviewed:
  - a. A licensed healthcare professional has determined that the access is likely to endanger the life or physical safety of the youth or another person;
  - b. The PHI makes reference to another person who is not a healthcare provider, and a licensed healthcare professional has determined that the access request is

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reasonably likely to cause substantial harm to such other person; or

- a. The request is made by the youth's parent, guardian, or other personal representative and a licensed healthcare professional has determined that access is reasonably likely to cause substantial harm to the youth or another person.
2. If the request is granted, the individual and DJJ shall arrange a mutually convenient time for the individual to inspect and copy the information. If the individual agrees, a copy of the information may simply be provided.
3. If the request is denied, a written denial shall be provided to the individual. The denial shall be in plain language and contain the basis for the denial, a statement, if applicable, of review rights, and a description of how the individual may complain to DJJ or to the Secretary of Health and Human Services.
4. If access is denied because DJJ does not maintain the PHI that is the subject of the request, and DJJ knows where the PHI is maintained, DJJ shall inform the individual where to direct the request for access.
5. DJJ shall, to the extent possible, give the individual access to any other PHI requested, after excluding the PHI denied.
6. If the reason for denial is one that gives the individual right of review, the denial shall be reviewed by a licensed healthcare professional designated by DJJ and who did not participate in the original decision to deny if the individual who made the original request submits a written request for review. The reviewing professional shall make a decision within 30 days of receipt of the review request. Written notice of the reviewing professional's decision shall be provided to the individual.

**C. Amendment of Protected Health Information**

A youth, or the parent or guardian of a minor or other personal representative (if appropriate), who believes information in his health records is incorrect may request an amendment or correction of the information.

1. The request for amendment shall be in writing and clearly identify the information to be amended as well as the reasons for the amendment.

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2. The request may be denied if the material requested to be amended:
  - a. Was not created by DJJ;
  - b. Is not part of the juvenile's health record;
  - c. Is not part of the information that the youth would be permitted to inspect or copy; or
  - d. Is accurate and complete.
3. The request shall be forwarded to the Privacy Officer, in the Office of General Counsel, immediately. The request shall be acted on no later than 60 days after receipt of the request. DJJ may have a one-time extension of 30 days to process the request if the individual making the request is given a written statement of the reasons for the delay and the date by which the request will be processed.
4. If the request is granted, after review and approval by the individual responsible for the entry, DJJ shall:
  - a. Insert the amendment or provide a link to the amendment at the site of the information that is the subject of the request;
  - b. Inform the individual that the amendment is accepted;
  - c. Obtain the individual's identification of and agreement to have DJJ notify the relevant persons with whom the amendment needs to be shared; and
  - d. Within a reasonable time, make reasonable efforts to provide the amendment to persons identified by the individual, and persons that DJJ knows have the PHI that is the subject of the amendment and that they may have relied on or could foreseeably rely on to the detriment of the individual.
5. If the request is denied, DJJ shall provide a written denial, in plain language, that contains:
  - a. The basis for the denial;
  - b. The individual's right to submit a written statement disagreeing with the denial and how the individual may file such an amendment;
  - c. A statement that if the individual does not submit a written statement of disagreement, the individual may request that DJJ provide the individual's request for amendment and the denial with any future disclosures of the PHI that was the subject of the request; and

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d. A description of how the individual may complain to DJJ or the Secretary of Health and Human Services.

6. A written statement of disagreement with a denial shall be limited to one page in length. DJJ may prepare a written rebuttal to the statement. If a rebuttal is prepared, a copy shall be provided to the individual who made the request. If a statement of disagreement is submitted by the individual, DJJ shall identify the record of PHI that is the subject of the disputed amendment and append or otherwise link the individual's request for amendment, the denial, statement of disagreement, and the rebuttal, if any. If a written statement of disagreement was not submitted, the request for amendment and its denial, or a summary of such information, shall be included with subsequent disclosures of PHI only if the individual has requested such action.
7. If DJJ is informed by another entity of an amendment to an individual's PHI, DJJ shall amend the appropriate record accordingly, in written or electronic form.

**D. Access to PHI by DJJ Employees**

It is DJJ's policy to protect the privacy of individually identifiable health information in compliance with state and federal law and to limit access to such information to employees who have a need for such information to perform their jobs.

1. DJJ employees shall be granted access to PHI in accordance with state and federal law and relevant DJJ Policies and Procedures.
2. DJJ employees shall access PHI relating to an individual only when such access is necessary to perform a function of their job.
3. Communications between employees which involve PHI shall be considered confidential and shall not take place in public areas, unless it is absolutely necessary. If discussion must be held in a public area, reasonable steps shall be taken to assure confidentiality of PHI.
4. Records shall be maintained in accordance with appropriate policies and procedures set forth in the Department's Policies and Procedures Manual.
5. If PHI in any form is lost or stolen, the Privacy Officer, in the Office of General Counsel, shall be notified as soon as

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possible, but no later than two business days after the loss is discovered, in order for the Privacy Officer to initiate mitigation.

**B. Authorization for the Disclosure of PHI**

Unless one of the limited exceptions apply, DJJ shall not use or disclose PHI unless an authorization is obtained from the individual who is the subject of the PHI.

1. Any disclosures that occur shall be limited to the minimum amount of information necessary to meet the purpose of the use or disclosure, unless:
  - a. The disclosure is authorized by the individual;
  - b. The disclosure is required by law; or
  - c. The disclosure is to another healthcare provider and is for treatment, payment or healthcare operation purposes.
2. DJJ shall obtain an authorization for any use or disclosure of psychotherapy notes except:
  - a. To carry out treatment, payment or healthcare operations; or
  - b. For DJJ to use in defending itself in litigation or other proceedings brought by the individual.
3. PHI may be disclosed without authorization:
  - a. To a public health authority;
  - b. To report child abuse or neglect or other situations involving abuse, neglect or domestic violence;
  - c. To the Food and Drug Administration;
  - d. To a health oversight agency;
  - e. To judicial or administrative proceedings;
  - f. To law enforcement (but only in certain circumstances);
  - g. To avert a serious threat to health or safety;
  - h. For governmental functions (such as national security, veterans information);
  - i. To other agencies administering public benefits;
  - j. To medical examiners and coroners;
  - k. To funeral directors;
    - l. For organ donation purposes;
  - m. For some research purposes; or
  - n. As required or permitted by law.
4. Any questions as to whether use or disclosure is permitted shall be directed to the Privacy Officer, in the Office of General Counsel.

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C. Accounting of Disclosures

An individual has the right to receive a written accounting of disclosures of PHI made by DJJ.

1. All disclosures of PHI shall be accounted for upon the request of the individual. "Disclosure" includes any form of communication that discloses PHI, including verbal.
2. The following list of exceptions do not require tracking or need to be accounted for:
  - a. Disclosures made for treatment, payment, and healthcare operations;
  - b. Disclosures made to the individual;
  - c. Disclosures made for national security or intelligence purposes;
  - d. Disclosures made to correctional institutions or law enforcement officials;
  - e. Disclosures made prior to April 14, 2003; and
  - f. Disclosures to health oversight agencies (contact the Privacy Officer if this situation arises).
3. A request for an accounting of disclosures shall be made in writing. The request may be for a period of up to six years prior to the date the accounting is requested. No accounting shall include disclosures made prior to April 14, 2003.
4. An accounting of disclosures shall include the following information:
  - a. Date of disclosure;
  - b. Name of person who received the PHI, and address, if known;
  - c. Brief description of PHI disclosed; and
  - d. Brief statement of the purpose of the disclosure or a copy of the individual's written authorization or a copy of the individual's written request for disclosure.
5. The accounting of disclosures shall be completed within 60 days of receipt of the request. If the PHI has been disclosed to a business associate, then a request shall be made by DJJ to the business associate to provide an accounting of disclosures of the individual's PHI. The business associate shall provide the accounting within 20 days of the request. DJJ is allowed one 30-day extension to complete the accounting, but the individual making the request shall be informed in writing of the delay, the reason for the delay, and the date the accounting will be

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provided. Notification of the extension shall be made to the individual within the original 60-day timeframe.

6. A copy of the accounting that is provided shall be maintained in the individual's record.
7. The accounting of disclosures shall be provided at no charge for a request made once during any twelve-month period. A reasonable fee shall be charged for any additional requests made during a twelve-month period provided that the individual is informed of the fee in advance and given an opportunity to withdraw or modify the request.

**D. Verification of Identity of Requestor**

Prior to disclosing PHI to third parties, the employee providing the information shall verify the identity of the requestor and the authority of the requestor to request the information.

1. PHI may be released to a third party only if an authorization has been signed by the individual who is the subject of the PHI, unless the situation is one of the exceptions set forth earlier in this policy or the HIPAA privacy rule.
2. The identity and authority of the party requesting the information shall be verified prior to the information being provided.
3. Any request that requires an authorization shall be discussed with the Privacy Officer prior to disclosure of the information.

**E. Complaint Process**

DJJ shall provide a process for an individual to file a complaint if the individual feels that his privacy rights have been violated.

1. DJJ strongly encourages that individuals and employees discuss and attempt to resolve issues in the most direct and informal manner at the local level.
2. If the complaint cannot be resolved informally, an individual may call, write or present in person the alleged privacy violation or complaint to the Juvenile Services Regional Manager or the Regional Facilities Administrator, depending on from where the complaint arises.
3. The complaint shall be summarized on the Complaint Report Form. The complaint must include the date on which the act being complained of occurred, a description of the PHI affected and how it was affected, the name of anyone who

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may have been improperly provided with the PHI, and the date the complaint is being made.

1. The Complaint shall be investigated and a written response provided to the individual who filed the complaint within 30 days from the date the complaint was filed. The Complaint shall be forwarded to the Privacy Officer and the investigation and the response shall be discussed with the Privacy Officer prior to completion.
2. A copy of the complaint and the response shall be filed with the Privacy Officer. If a violation was found to have occurred, the Privacy Officer shall, after discussion with appropriate management personnel, take any corrective action necessary, including disciplinary action against employees.
3. The Privacy Officer shall retain a record of the complaint for a minimum of six years.
4. There shall be no retaliation against any individual for filing a complaint.

**C. Judicial and Administrative Proceedings**

Except for information that is provided as statutorily required in the every day course of treatment, prior to providing PHI pursuant to any court order, subpoena, or other court or administrative proceeding document, the employee requested to provide the information shall discuss the situation with the Privacy Officer.

**D. Psychotherapy Notes**

Even though an individual has a right to access most health information, the individual does not have a right to access psychotherapy notes. Therefore, DJJ is not required to fulfill an individual's request for access to psychotherapy notes. An individual shall be informed of this limitation on access if the request will not be fulfilled.

In most circumstances, an individual's psychotherapy notes may not be used or disclosed without the individual's written authorization. An authorization is not required for the following uses or disclosures of psychotherapy notes:

1. To carry out the following treatment, payment or healthcare operations:
  - a. Use by the originator of the notes for treatment;
  - b. Use by DJJ for its own training programs in which students, trainees, or practitioners in mental health learn under

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supervision to practice or improve their skills in group, joint, family or individual counseling; or  
c. To defend itself in a legal action or other proceeding brought by the individual.

2. To respond to the federal Department of Health and Human Services to determine compliance with HIPAA privacy rules;
3. To comply with the law;
4. To assist in oversight of the originator of the notes;
5. To help coroners/medical examiners in the examination of deceased persons; or
6. To address serious public health or safety concerns.

**E. Training**

All DJJ employees who have access to PHI shall receive training related to this policy and HIPAA privacy rules. Acknowledgment of such training shall be received from each employee who receives the training.

**F. Privacy Officer**

The Assistant General Counsel in the Office of General Counsel has been designated as DJJ's Privacy Officer. Any questions related to this policy or HIPAA privacy rules may be directed to the Privacy Officer.

**V. MONITORING MECHANISM**

The Privacy Officer and Quality Assurance shall monitor compliance with this policy.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES:</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Ombudsman</b>		
<b>POLICY NUMBER: DJJ 133</b>		
<b>TOTAL PAGES: 2</b>		
<b>EFFECTIVE DATE: 12/01/2014</b>		
<b>APPROVAL: Bob D. Hayter</b>		<b>,COMMISSIONER</b>

## I. POLICY

The Office of the Ombudsman shall work to ensure fairness and equality in all services and programs provided by the Department of Juvenile Justice and to facilitate communications between the Department, its staff, its clients and their families, governmental bodies, and the general public.

The Office of the Ombudsman shall receive and respond to inquiries and records requests and provide written and oral information to citizens, government agencies, and current or former youth and their attorneys.

## II. APPLICABILITY

This policy shall be applicable to all programs and employees of the Department of Juvenile Justice (DJJ), to youth under the supervision, or in the care and custody of the Department, and to the authorized representatives of those youth.

## III. DEFINITIONS

Refer to Chapter 100.

## IV. PROCEDURES

A. The duties of the Ombudsman assigned to conduct complaint investigations shall include:

1. Report to the Commissioner or designee;
2. Monitor the implementation and use of the Internal Grievance Procedure in all program areas;

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3. Review the final decision of the facility superintendent concerning an internal grievance to ensure that it complies with policy and procedure, fairness and equality;
  4. Advocate for needed or improved services to clients and their families;
  5. Request corrective action for services not provided according to policy and procedure, fairness and equity, when necessary;
  6. Respond to concerns and complaints from the general public and members of governmental bodies as they pertain to services of the Department;
  7. Coordinate with the Internal Investigation Branch (IIB) to identify complaints received via the 800 hotline that need immediate attention;
  8. Have access to all documents necessary for investigation. All staff shall be required to cooperate on inquiry being made by the Ombudsman;
  9. Community Services, Day Treatment Programs, and all DJJ operated and contracted residential programs shall have access to the Office of the Ombudsman as described in DJJ Policy and Procedures;
  10. Provide training to DJJ employees concerning DJJ Policy and Procedures as they apply to grievances, service complaints, and investigations;
  11. When requested, the Office of the Ombudsman will attempt to mediate disputes between families and service providers representing DJJ.
- B. The duties of the Ombudsman assigned to conduct records requests shall include:
1. Report to the Commissioner or designee;
  2. Receive requests pertaining to:
    - a. Youth under the supervision or care and custody of the Department;
    - b. All open records requests;
    - c. Supervised placement requests; and
    - d. Other requests as appropriate.
  3. Review, refer, and redact confidential information and prepare the outgoing records that are deemed responsive to the request; and
  4. Maintains records and prepares and distributes reports as directed by the Commissioner or designee.

## **V. MONITORING MECHANISM**

The activities of the Office of the Ombudsman shall be monitored by the Office of the Commissioner.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Records Request**

**POLICY NUMBER: DJJ 134**

**TOTAL PAGES: 7**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**, COMMISSIONER**

**I. POLICY**

Records shall be requested in writing according to established protocol in compliance with all applicable state and federal statutes. Designated department personnel shall respond to records requests promptly according to the procedures outlined in this policy.

**II. APPLICABILITY**

This policy shall apply to all staff of the Department of Juvenile Justice.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

**A. Open Records Requests:**

1. The Kentucky Open Records Act (KRS 61.878-61-884) establishes a right of access to public records. All public agencies are required to make all non-exempt public records available to any requester. All non-exempt public records which are prepared, owned, used, possessed, or retained in the normal course of business, shall be made available for inspection or copying.
2. Open Records Requests received from outside agencies or individuals shall contain:
  - a. A written request;
  - b. Name and address of the requester; and

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- c. A description of the documents with reasonable particularity of the public records being requested.
3. Duties of the Ombudsman when processing Open Records Requests:
    - a. When an open records request is received, it shall be immediately forwarded to the Office of the Ombudsman or, if they are unavailable, to the Office of Legal Counsel.
    - b. The Ombudsman shall notify the Commissioner, Deputy Commissioners, Office of Legal Counsel, and Justice and Public Safety Attorney of any open records requests and any subsequent response(s).
    - c. The request shall be scanned to the appropriate record holder(s). The Ombudsman shall notify each record holder of the open records request by e-mail, attaching the Ombudsman certification sheet, if applicable. A description of the requested records shall be provided and the expected date of submission should be noted.
    - d. A response from the Ombudsman, either interim or final, shall be completed, approved, and mailed or faxed within three (3) business days after receiving an open records request.
    - e. When preparing an official response from the Department, a determination, should be made regarding:
      - i. If the Department has custody and control of the requested records. If not, the requester shall be notified of the name and location of the appropriate agency if available.
      - ii. If the public record is not readily available, the Office of the Ombudsman shall provide an explanation for the delay and a reasonable timeframe shall be noted in an interim response.
      - iii. If the request is to be denied, the reason shall be clearly stated with supporting statutes within the response.
      - iv. Whether or not applicable fees will be charged and if pre-payment will be requested pursuant to KRS 61.874(3).
    - f. The Ombudsman shall collect and review all records responsive to the request from the appropriate record holder(s) and shall redact all exempt and confidential information contained within the responsive records pursuant to KRS 610.340(1)(a).
  4. The custodian shall confer with the Office of Legal Counsel regarding the handling of any request.
  5. Verbal requests for records will NOT be accepted.

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6. General or blanket requests may be denied. The individual or organization shall be given the opportunity to amend the request to describe the document with reasonable particularity.
7. Requests for a compilation or lists of records shall be denied if the request requires a compilation or listing which does not exist and is not expected to exist in the future.
8. Waivers of fees for law enforcement and other government agencies shall be made on a case-by-case basis.
9. The final response will be approved by the Ombudsman's supervisors, as well as DJJ Office of Legal Counsel, prior to being provided to the requester.
10. The Office of the Ombudsman shall keep an electronic copy of all outgoing responses and attachments.
11. Any required fees, ten (\$0.10) cents per page plus postage, shall be paid by check or money order made payable to the Kentucky State Treasurer. The Department can request that the fee be paid prior to the release of any records.

**B. Youth Record Requests:**

1. Upon receipt of a request for records of youth currently probated, committed, or adjudicated to DJJ, the Office of the Ombudsman shall:
  - a. Confirm that the request and release(s) are valid;
  - b. The request shall be scanned to the appropriate DJJ record holder(s) or other DJJ personnel;
  - c. The Ombudsman should notify each record holder of the request by e-mail and attach the Ombudsman certification sheet, if applicable. A description of the records requested shall be provided and the expected date of submission should be noted;
  - d. The Ombudsman shall collect, review, redact, and respond to, as well as provide the requested records, in a timely manner. A copy will be sent to requester via US Postal Service or Messenger Mail when possible. E-mailing of confidential documents is NOT permissible except under certain circumstances.
  - e. All documents responsive to the request should be scanned to the Ombudsman. An electronic copy of all requests, releases, and outgoing records shall be maintained in that office.
2. Upon notification of a youth record request by the Office of the Ombudsman the record holder shall:

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- a. Compile all applicable records (in their possession) that are responsive to the request;
  - b. Completely fill out the Ombudsman certification sheet;
  - c. Scan the records (certification sheet separately) to the Office of the Ombudsman, if applicable;
  - d. If the record holder does NOT have records responsive to the request, an e-mail shall be sent to the Ombudsman stating this; and
  - e. Redactions of confidential information will be made pursuant to KRS 610.340(1)(a).
3. All requests for records received by anyone other than the Ombudsman shall immediately scan the request to the Ombudsman and notify him or her of the request.
  4. Requests for records from law enforcement persons or peace officers currently investigating or prosecuting a criminal case shall have access to youth records per KRS 610.340(2) & (3).
  5. KRS 610.342 mandates the release of youth records for attorneys representing a child under any proceeding under KRS 600 – 645 or under any adult criminal proceeding.
  6. All youth records requested or submitted from entities within DJJ as part of providing care to the youth do not need to be submitted to the Ombudsman. Email or a DJJ-issued picture identification card is an acceptable method of verification of identity when staff do not know each other by sight or voice.
  7. There is no charge for requests for youth records (unless the records have recently been provided to the same person, then the fee of ten cents (\$0.10) per page will apply.
- C. Supervised Placement Revocation Requests:
1. Prior to the hearing:
    - a. The community Juvenile Service Worker (JSW) shall scan the anticipated hearing documents to the Office of the Ombudsman.
    - b. The Office of the Ombudsman shall review all documents for needed redactions.
      - i. If no redactions are needed, the packet is approved via e-mail.
      - ii. If redactions are needed:
        - a) The requester and the Office of Legal Counsel shall be notified that redactions are necessary.
        - b) Redactions shall be made and the revised packet or redacted pages shall be scanned to the JSW.

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- c. The Office of the Ombudsman maintains an electronic copy of the approved documents.
  - d. The JSW or designee presenting at the revocation hearing is responsible to make two copies of the approved documents.
    - i. One copy shall be forwarded to the youth's attorney as soon as practical and prior to the hearing.
    - ii. The second copy shall only be transferred to the hearing officer during the proceeding if deemed admissible in the Administrative Hearing.
    - iii. Those documents that are not admissible shall be destroyed after the hearing.
2. When a Supervised Placement Revocation request is not received prior to the hearing:
    - a. The JSW or designee presenting the case shall provide a copy of the records specifically related to the revocation to the youth's attorney at the hearing location.
    - b. Only documents deemed admissible in the Administrative Hearing shall be provided to the hearing officer.
  3. If there is not sufficient time to obtain prior approval for all documents supporting the revocation to be released at the Revocation Hearing:
    - a. It is permissible to provide authorized documents to the youth's attorney and the hearing officer to the extent deemed admissible.
    - b. As soon as possible, but no later than twenty-four (24) hours later, excluding weekends and holidays, the JSW shall e-mail or global scan a copy of the released document(s) along with an explanation as to why the release without review was necessary to the Office of the Ombudsman. A copy of the e-mail shall be sent to the Juvenile Services District Supervisor and the Juvenile Services Regional Manager.
- D. Formerly Committed, Detained, or Probated Youth Record Requests:
1. Requests from former DJJ youth and attorneys of former DJJ youth shall be directed to the Records Officer within the Classification Branch.
  2. A parent or guardian of a formerly committed youth is permitted to make a request on behalf of the youth only if the parent or guardian has guardianship of a formerly committed youth who is now legally an adult. Proof of guardianship may be required by DJJ before records requests will be honored in this situation.
  3. A written request from the former client will serve as a release of information and shall contain:

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- a. An approximate time-frame of commitment dates;
  - b. A list of DJJ facilities where youth was housed, in chronological order, if possible; and
  - c. Reasonable specificity of the documents requested.
4. If documents have been archived with the state library system, the documents will be requested from the Department of Libraries and Archives.
  5. Once the custodian obtains the file, an appointment will be scheduled during which the requested documents may be reviewed.
  6. If the location of the requester hinders a personal review, a copy of the documents shall be sent to the former client.
  7. If no records are found, the records officer shall notify the requester.
- E. Interstate Compact Record Requests:
- All requests for information received through the channels established by the Interstate Compact on Juveniles shall be processed through the Interstate Compact Coordinator.
- F. Subpoena and Court Orders for Records:
1. When a youth records request is received in the form of a subpoena or court order, the designated staff shall respond as directed by the Commissioner. If that person is not available, the subpoena or court order should be sent to the Office of Legal Counsel for further advisement.
  2. The Office of Legal Counsel shall receive a copy of all subpoenas and court ordered youth records request responses.
  3. All other court orders and subpoenas of any kind shall be submitted directly to the Office of Legal Counsel for advisement.
- G. Other Record Requests:
1. Requests from entities other than the former DJJ youth or their attorney, such as disability determination requests, shall be directed to the Records Officer within the Classification Branch.
  2. Except in the event of a court order, a written request for information shall be accompanied by a valid release of information and shall be signed by the parent, guardian, or former DJJ youth. If the release is signed by another person, it shall not be processed.
  3. The release of information shall include a detailed list of which DJJ generated documents are requested.
    - a. DJJ cannot release documents generated by other agencies.

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- b. The requester shall be responsible for contacting the outside agency for instructions on how to request records from that agency.
4. The custodian may forward documents to a medical or mental health professional for review prior to release.
5. Once the file is ready for release, an appointment will be scheduled during which the requested documents may be reviewed by the requester.
6. If the location of the requester hinders a personal review, a copy of the documents shall be sent to the former client.
7. If no records are found, the custodian shall notify the requester.

**V. MONITORING MECHANISM**

This policy shall be monitored by the Office of the Commissioner and the Office of Legal Counsel.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES:</b> <b>3-JTS-3D-06</b> <b>3-JDF-3D-06</b> <b>3-JCRF-3D-05</b> <b>3-JDTP-3E-03</b> <b>1-JBC-3D-07</b> <b>1-SJD-3D-05</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Reporting of Special Incidents</b>		
<b>POLICY NUMBER: DJJ 140</b>		
<b>TOTAL PAGES: 2</b>		
<b>EFFECTIVE DATE: 12/01/2014</b>		
<b>APPROVAL: Bob. D. Hayter</b>		<b>, COMMISSIONER</b>

## I. POLICY

It is the policy of the Department of Juvenile Justice (DJJ) that all reports of special incidents shall be reported in accordance with the Kentucky Revised Statutes. It is the obligation of staff to report any special incident of which they have knowledge. Failure to report may result in disciplinary action. All reporters of suspected and known special incidents shall be protected from retaliation and all staff and juveniles shall be informed of their right to be free from retaliation.

## II. APPLICABILITY

This policy shall apply to all staff of DJJ.

## III. DEFINITIONS

Refer to Chapter 100.

## IV. PROCEDURES

A. Special Incidents in Youth Development Centers, Group Homes, Detention Centers, and contracted placements.

1. The Justice and Public Safety Cabinet's Internal Investigation Branch (IIB) shall conduct investigations of all special incidents at all residential treatment and youth development centers, group homes, and detention centers operated by the Department of Juvenile Justice.
2. A toll-free number, or in Youth Development and Treatment Centers telephones programmed to dial direct to the IIB and maintained in good working order, shall be accessible to youth and staff for use in the reporting of special incidents.

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3. It is the responsibility of all staff to immediately report special incidents to the Superintendent or designee. If more than one staff witnesses or become knowledgeable of the occurrence or alleged occurrence of a special incident, each holds individual responsibility for making report to the Superintendent. Reports to the Superintendent are required whether staff observe the incident, are verbally informed of the incident from youth or staff or it is reported some other way. Reporting is required regardless of whether staff think that the incident has already been reported or will be reported.
4. The Superintendent shall make immediate report to the IIB. The Superintendent may use either the 800 phone number or, in Youth Development and Treatment Centers, telephones programmed to dial directly to IIB. A voice mailbox system shall be available for reporting Special Incidents after normal work hours.
5. The IIB shall not investigate allegations that do not meet the definition of a Special Incident. IIB may refer allegations to the DJJ Ombudsman or Superintendent for investigation.

**B. Special Incidents in Day Treatment Centers and Community Service Offices.**

Staff of the Department and contract programs who have knowledge of an alleged situation of abuse or neglect shall immediately make report to the local Department of Community Based Services (DCBS) office. This report shall be followed by completing the DSS-115, Report of Suspected Child Abuse or Neglect or Dependency and mailing it to the local DCBS office. DJJ staff filing the DSS-115 shall forward copy of the report to the DJJ Ombudsman.

**V. MONITORING MECHANISM**

This policy shall be monitored by Division Directors or designees and the Division of Program Services.

 <p><b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b></p>	<b>REFERENCES:</b>
<b>CHAPTER: Administrative</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Staff Involved in Special Incident Allegations</b>	
<b>POLICY NUMBER: DJJ 142</b>	
<b>TOTAL PAGES: 3</b>	
<b>EFFECTIVE DATE: 12/01/2014</b>	
<b>APPROVAL: Bob D. Hayter</b>	<b>,COMMISSIONER</b>

## **I. POLICY**

When allegation of a special incident is substantiated, disciplinary action shall be initiated with the perpetrating employee. Contact between an alleged perpetrator and an alleged victim shall cease at any point the alleged victim is determined to be at risk.

## **II. APPLICABILITY**

This policy shall apply to all employees of the Department of Juvenile Justice.

## **III. DEFINITIONS**

Refer to Chapter 100.

## **IV. PROCEDURES**

### **A. ALLEGATION**

1. In situations where a staff member has evidence or reason to believe that a special incident has occurred, steps shall be taken to assure immediate report of the incident is made to the Internal Investigations Branch (IIB) in accordance with DJJPP 140.
2. When evidence or reason exists to support that continued contact with the alleged perpetrator during the course of investigation may place the alleged victim at risk:
  - a. The supervisor shall provide immediate notice to the Superintendent or District Office Supervisor with appropriate justification. This evidence

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or reason may include staff's self-report or report by another staff member or other individuals present at the time of the allegation.

- b. The Superintendent or District Office Supervisor shall take action to insure that no contact occurs between the alleged victim and the alleged perpetrator by temporarily reassigning the alleged victim or the alleged perpetrator and/or making a change in the work schedule or change in a shift assignment.
  - c. The Superintendent or District Office Supervisor shall document the reasons for reassigning the staff involved. The Division Director and the Personnel Branch shall be consulted regarding the actions to be taken.
  - d. Any information that is related to this type of action shall be retained by the supervisor and Personnel Branch.
  - e. Respective Superintendents and District Office Supervisors, through the RFA or Regional/Branch Manager, may, when the allegation is such that another person is placed at risk of physical or emotional harm, immediately direct an employee to depart a DJJ facility or office in connection with any serious allegation. The Superintendent or District Office Supervisor shall advise the employee that they shall remain in their normal pay status pending further notice. If an employee is directed to leave a facility the Superintendent shall, on the next Central Office business day, notify the Personnel Branch of the incident and directive so that the department may obtain investigative leave authorization. Reference DJJPP 105.
3. If the allegation is unfounded, not substantiated, or exonerated the staff member(s) may continue duties as before.

## **B. SUBSTANTIATED INVESTIGATIONS**

1. Upon receipt of a substantiated investigation from the Internal Investigations Branch (IIB), Ombudsman, or the Department of Community Based Services (DCBS):
  - a. The Commissioner shall provide copy of the founded report to the Executive Assistant to the Commissioner, the Deputy Commissioner, the Ombudsman, the Personnel Branch Manager, the Office of General Counsel and the appropriate Division Director.
  - b. The Division Director shall FAX copy of the report immediately to the respective Regional Facilities Administrator (RFA) or Regional/Branch Manager.
  - c. The RFA or Regional/Branch Manager and Superintendent or District Office Supervisor shall immediately determine a proposed Action Plan—Staff Disciplinary Response.
  - d. The Action Plan, with supporting justification, shall be faxed to the Personnel Branch Manager for response. The Personnel Branch

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manager shall access the Office of General Counsel and the Office of the Commissioner for consultation as needed.

- e. The Personnel Manager shall advise the RFA or Regional/Branch Manager of the approved Action Plan.
  - f. The approved Action Plan, with appropriate disciplinary format, shall be forwarded immediately from the RFA or Regional/Branch Manager to the Division Director for approval. The Division Director shall then forward the plan to the Office of the Commissioner for signature and forwarding to the Personnel Branch Manager. The approved Action Plan shall be received by the Office of the Commissioner no later than fifteen (15) days from receipt of the substantiated investigation in the respective region.
  - g. The approved disciplinary action, with appropriate letter to the employee, shall be forwarded to the Commissioner for review and signature by the Personnel Branch Manager no later than twenty-one (21) days from receipt of the founded investigation in the respective region.
  - h. The Commissioner shall provide written notice of the disciplinary action to the Justice Cabinet Secretary, with copy to the Director of the Internal Investigations Branch, no later than thirty (30) days from receipt of founded investigation in the respective region.
  - i. The Office of the Commissioner shall maintain a log of all founded IIB and DCBS investigations to include: IIB or DCBS report number, perpetrator, victim, date received, date forwarded to region, date response due, date response received, disciplinary action taken and date of notice to the Justice Cabinet Secretary.
2. In those instances of founded special incidents where the perpetrating employee is terminated, the department shall defend the agency action pursuant to the employee's appeal before the Kentucky Personnel Board. Should the Personnel Board overturn the termination decision of the agency and order the employee's return to the department, the agency shall avoid placing the employee in a position directly interacting with youth pending any final review or appeal.

## **V. MONITORING MECHANISM**

The Division Directors and the Quality Assurance monitoring team shall monitor this activity on continual basis.

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 3-JCRF-1A-15 1-JPAS-2-7013, 7105</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Quality Assurance Monitoring Program</b>		
<b>POLICY NUMBER: DJJ 145</b>		
<b>TOTAL PAGES: 2</b>		
<b>EFFECTIVE DATE: 12/01/2014</b>		
<b>APPROVAL: Bob D. Hayter</b>		<b>, COMMISSIONER</b>

## **I. POLICY**

The Department of Juvenile Justice (DJJ) shall develop a comprehensive program to monitor its operations through periodic inspections and program audits. Parties that are responsible for monitoring shall be outlined in DJJ Policy or through management directive.

## **II. APPLICABILITY**

This policy shall apply to all facility, program, and support staff within DJJ.

## **III. DEFINITIONS**

Refer to Chapter 100.

## **IV. PROCEDURES**

A. The Quality Assurance Branch (QA) shall be responsible for conducting scheduled annual facility monitoring visits and other monitoring visits as directed by the Commissioner's Office or the Division Director of Program Services.

1. QA is responsible for developing and maintaining an annual schedule of facility monitoring visits. This visit shall generally be scheduled approximately two (2) to three (3) month prior to re-accreditation audits.
2. QA staff shall be designated as lead monitors for each facility. These lead monitors shall coordinate the monitoring visit for each facility.
3. QA shall develop monitoring tools for use during monitoring visits. The monitoring tools shall:
  - a. Be reviewed periodically;

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- b. Be revised when necessary;
  - c. Take into consideration input from field staff, and
  - d. Be subject to oversight from the Commissioner or his designee.
- B. The QA Branch Manager shall be responsible for developing Standard Operating Procedures (SOPs) for DDJ-operated residential facilities and Day Treatment Programs, Community and Mental Health offices and PCC monitoring. The SOPs shall:
- a. Consider input from field staff;
  - b. Be revised continuously as needed, and;
  - c. Be subject to oversight from the Commissioner or designee.

**V. STAFF TRAINING**

The QA Branch Manager is responsible for developing and delivering training for QA staff on implementation of the monitoring SOPs.

**VI. MONITORING MECHANISM**

- A. The Director of Program Services shall review all monitoring reports.
- B. The QA Branch Manager shall ensure that all monitoring tools and SOPs are reviewed annually.



**JUSTICE CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:  
3-JTS-4C-47  
3-JDF-4C-45  
3-JCRF-4C-27  
1-JDTP-3B-19  
1-JBC-4C-42, 43  
1-SJD-4C-27  
NCCHC Y-10, 11**

**CHAPTER: Administration**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Death of a Youth**

**POLICY NUMBER: DJJ 147**

**TOTAL PAGES: 4**

**DATE ISSUED: 08/01/02**

**EFFECTIVE DATE: 08/15/02**

**APPROVAL: Ralph E. Kelly, Ed.D.**

**, COMMISSIONER**

**I. POLICY**

In the event of the death of a youth in an out-of-home placement prompt notification shall be provided to the coroner and appropriate law enforcement officials, to the parent or guardian of the youth, and to Department of Juvenile Justice officials. An Internal Review Process shall be established by the Commissioner to review all fatalities of youth in out-of-home placement.

**II. APPLICABILITY**

This policy shall be applicable to all youth under the care and custody of the Department of Juvenile Justice.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

- A. Notification to the parent shall be made by the Juvenile Service Worker except in the case of detention, alternative to detention and day treatment programs where the Superintendent or Detention Alternatives Coordinator shall be responsible for notification.
- B. Staff shall follow these procedures when death occurs in a youth development center, DJJ operated or contract day treatment center or group home; or DJJ operated detention center:
  1. Staff on duty shall immediately notify the Emergency Medical Services (EMS), the Superintendent or ADO and the program nurse, where

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applicable, of the death of the youth. The EMS location and phone number shall be posted by the telephone in each program.

2. Staff on duty shall not disturb the body or the immediate area beyond any action necessary to check for vital signs or provide emergency resuscitation techniques.
3. The Superintendent or ADO shall notify the local law enforcement officials immediately upon the death of a youth.
4. The Superintendent or ADO shall immediately notify the Regional Facilities Administrator or Regional Manager and the Juvenile Service Worker. The Juvenile Service Worker shall immediately notify the parents or closest relative. Reference DJJPP 411. The Deputy Commissioner of Operations and Commissioner shall be notified immediately (not to exceed 24 hours) through the normal chain of command.
5. The Superintendent or ADO shall, without disrupting the scene or evidence, immediately investigate the incident, keeping in mind that if abuse, neglect, or exploitation is suspected, Child Fatality Investigations shall apply. In addition, the Superintendent shall immediately report any alleged abuse or neglect to the Internal Investigations Unit.
6. In the event the death of a youth occurs off campus and out of staff supervision (i.e., AWOL, home, furlough, off-campus work site, school, etc.), the same notification and documentation procedures shall apply. The Superintendent or ADO shall cooperate and communicate with the person in charge at the location of the death. Documentation, in addition to that required in these procedures, shall cover the circumstances surrounding the youth being off campus and out of staff supervision.
7. In compliance with KRS 72.020, the local Coroner's office shall be notified immediately.
8. All inquiries from the press shall be referred to the Public Information Officer.
9. Detailed documentation of the incident shall be entered in the case record by staff as soon as possible, including the time the Coroner was notified and pronouncement of death given, names of all staff involved, and all subsequent notifications of parents and guardians. All pertinent notifications and significant facts related to the death shall be fully documented in the client file. All staff with direct information regarding events surrounding the death shall document this information on an Incident Report.

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10. A final written report shall be prepared by the Superintendent to be submitted to the Regional Facilities Administrator or Branch Manager and the Division Director, with copies to the Deputy Commissioner for Operations and the Commissioner. Along with this report, a copy of the Coroner's or Doctor's report, and autopsy report when applicable, and any other relevant documentation shall be attached or forwarded to the Regional Director upon receipt.
  11. The youth's record shall be maintained at the facility until a final Coroner's report is entered into the record.
  12. Under Kentucky law, autopsies may be authorized by the Coroner, next of kin, or court order on petition of the County or Commonwealth Attorney. Staff may not authorize autopsies except in unusual circumstances, and then only upon advice of the Department's General Counsel and with approval of the Commissioner.
- C. Staff shall follow these procedures when death occurs in the community or a community-based program:
1. The Juvenile Service Worker shall immediately notify the Juvenile Service District Supervisor, Regional Manager and local law enforcement officials upon the death of a DJJ youth in a:
    - a. Foster Home;
    - b. Private Child Care Facility;
    - c. Psychiatric Hospital; or
    - d. Non-DJJ operated Detention Facility.
  2. The Division Director, Deputy Commissioner of Operations and Commissioner shall be notified immediately (not to exceed 24 hours) through the normal chain of command.
  3. The Detention Alternatives Coordinator (DAC) shall immediately notify local law enforcement officials and their supervisor, who shall upline according to the chain of command, upon the death of a youth in an Alternative to Detention Program.
  4. Notification to law enforcement shall include both County of Origin and County of Placement, if different.
  5. The responsible Juvenile Service District Supervisor shall designate staff to determine whether neglect or abuse is suspected in those situations where other youths are in the same placement. If the designated staff finds

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that neglect or abuse is involved, procedures outlined in DJJ Policy 140 shall be followed.

6. Procedures IV. A.7, 8, 9 of this policy shall be followed.
  7. Service providers having direct knowledge of the events surrounding the death shall be requested by the Juvenile Services Worker to supply a written narrative regarding the death for inclusion in the client file.
  8. The Regional Manager shall submit a final written report to the Division Director, with copies to the Deputy Commissioner of Operations and the Commissioner. Along with this report, a copy of the Coroner or Doctor's report, and autopsy report when applicable, and any other relevant documentation shall be attached or forwarded to the Division Director upon receipt.
- D. The Internal Affairs Unit (IAU) shall be contacted within five (5) working days of the fatality to conduct a fact-finding investigation of the incident. Written report of the investigation shall be submitted through the Deputy Commissioner(s) to the Commissioner.
  - E. The IAU shall review policy and procedures applicable to the incident, conduct staff and youth interviews, and review all documentation of the incident to determine if existing policy and procedures were appropriately implemented. The IAU shall submit its report to the Commissioner within thirty (30) calendar days of the date of the fatality. (This timeframe may be extended by the Commissioner in the event that the Coroner's report is not finalized.)
  - F. If a plan of corrective action is recommended by the Commissioner, the Division Director shall submit a subsequent report regarding the implementation and results of the corrective action to the Commissioner within thirty (30) calendar days of receiving the report. Follow-up reports may be requested at the Commissioner's discretion.
  - G. All family and personal resources shall be exhausted prior to recommending expenditure of Departmental funds for funeral and burial expenditures.

## **V. MONITORING MECHANISM**

Monitoring shall be done by the Deputy Commissioners.

	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 3-JTS-1F-01, 08 3-JDF-1A-06, 1F-01, 02 3-JCRF-1E-07, 1F-01, 02, 04 1-JDTP-1F-01-03 1-JBC-1F-01, 02 4-JCF-6F-05, 07 1-JPAS-2-7070, 7078 2-CO-1E-06, 08; 1F-01, 04, 06</b>
<b>CHAPTER: Administration</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Information Systems</b>		
<b>POLICY NUMBER: DJJ 149</b>		
<b>TOTAL PAGES: 3</b>		
<b>EFFECTIVE DATE: 12/01/2014</b>		
<b>APPROVAL: Bob D. Hayter</b>		<b>, COMMISSIONER</b>

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall maintain both manual and automated youth and management information systems. These information systems shall provide information necessary for the efficient and effective management of all aspects of the agency. The information system is part of an overall research and decision-making process related to both youth and operational needs.

**II. APPLICABILITY**

This policy shall apply to DJJ staff, programs, and offices.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

- A. Overall authority and responsibility for information systems in DJJ shall be assigned to the Division of Administrative Services, Information Systems (IS) Branch.
- B. Information systems shall include youth record management programs and any other application that is designed to maintain information on Department functions. The design and format of the information system shall be the sole responsibility of the IS Branch and shall be based on current technology, overall usability, and best practices for similar types of systems.

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- C. The information system shall be reviewed regularly through the establishment and operation of an “Information Systems (IS) Committee.” This committee shall meet at a minimum annually, or as a result of receipt of a change request if needed, to review the adequacy, effectiveness, and overall usability of the information system.
1. The IS Committee shall be composed of the following staff:
    - a. The IS Branch Manager or designee, who serves as the Chair of the Committee;
    - b. The Division Director of Program Services or designee;
    - c. The Division Director of Community and Mental Health Services or designee;
    - d. Two Community Services staff as selected by the Division Director of Community and Mental Health Services;
    - e. One staff member representing each residential facility type Youth Development Center (YDC), Regional Juvenile Detention Center (RJDC), Group Home, and Day Treatment as selected by the IS Branch Manager;
    - f. The Classification Branch Manager or designee;
    - g. The Quality Assurance (QA) Branch Manager or designee; and
    - h. Other staff permanently or temporarily assigned as determined by the IS Branch Manager.
  2. Requests for changes to the information systems be submitted in writing to the IS Branch Manager using the online “Change Request Form.” The IS Branch Manager shall evaluate the change request for feasibility. If the request is feasible, it shall be taken to the IS Committee for adoption or rejection. The IS Branch Manager or designee shall inform the requestor of the ultimate disposition of the request after the determination of the Information Systems Committee.
  3. If consensus among Committee members regarding adoption or rejection of a change request cannot be reached, two-thirds support by vote shall be required for final approval of adoption or rejection. All decisions of the Committee are subject to override by the Commissioner’s Office.
  4. The IS Branch shall be responsible for developing any changes that are accepted by the Committee. The Division of Program Services shall be responsible for the development and distribution of use instructions and training on any changes to the information system. Documentation such as use instructions, including user manuals,

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and all subsequent revisions shall be approved by the Commissioner prior to distribution to the agency.

5. Changes to the information system shall not be deployed to users until use instructions and appropriate training have been delivered to all affected users.
- D. Data security shall be imposed by the system to only allow access to appropriate DJJ staff with a legitimate need for the information. DJJ information shall be protected by appropriate security measures as determined by the IS Branch. Data shall be backed up and stored according to procedures developed by the IS Branch according to best practices in data collection and retention.
- E. DJJ shall collaborate with other criminal justice systems and human service agencies in information gathering, exchange, and standardization. Information in Juvenile Offender Record Information (JORI) shall be available for use in statistical reporting and research in accordance with the provisions on confidentiality of Kentucky Revised Statute (KRS) 610.320, 610.340, and 635.120.
- F. Youth records maintained in the data system shall be maintained according to the DJJ Records Retention Schedule.

## **V. MONITORING MECHANISM**

- A. The Division of Administrative Services shall be responsible for ensuring the administration of the IS Committee as outlined in this policy.
- B. The Division of Program Services shall:
  1. Ensure an ongoing evaluation of the effectiveness of the information system, as it relates to overall agency management, is completed by the IS Committee; and
  2. Generate an annual report as a result of this evaluation and it shall be distributed to all agency managers.



**JUSTICE AND PUBLIC  
SAFETY CABINET  
DEPARTMENT OF  
JUVENILE JUSTICE  
POLICY AND PROCEDURES**

**REFERENCES:**

**CHAPTER: Administration**

**AUTHORITY:  
KRS 15A. 065**

**SUBJECT: Video Surveillance**

**POLICY NUMBER: 150**

**TOTAL PAGES: 2**

**EFFECTIVE DATE: 12/01/2014**

**APPROVAL: Bob D. Hayter**

**,COMMISSIONER**

**I. POLICY**

The Department of Juvenile Justice (DJJ) shall utilize video equipment within facilities to ensure a safe environment for residents and staff.

**II. APPLICABILITY**

This policy shall apply to facilities that contain permanently installed video recording equipment.

**III. DEFINITIONS**

Refer to Chapter 100.

**IV. PROCEDURES**

**A. Maintenance**

1. Facilities with fixed video equipment shall ensure that common areas, corridors, isolation rooms, intake areas, group home bedrooms, and classrooms have video coverage.
2. Video cameras shall be positioned for maximum coverage.
3. Each Regional Juvenile Detention Center (RJDC) control room operator shall monitor the operation of the video equipment continuously. In facilities without a control room, the Superintendent or designee shall ensure the operation of the cameras and video storage on a daily basis. These checks shall be documented and the results forwarded to the Facilities Regional Administrator (FRA) weekly.
4. Any malfunction within the video system shall be reported immediately to the Information System (IS) Branch through the IS Help Desk reporting system.

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**B. Operation**

1. Facilities with a control room shall train all operational staff on the use of the video system.
2. In facilities with a control room, the control room operator shall monitor:
  - a. Resident occupied corridors and areas at all times;
  - b. Residents in isolation continuously; and
  - c. Corridors and staff occupied areas shall be monitored periodically.
3. During periods of relief and turnover the outgoing staff shall brief the oncoming staff on resident locations, isolations, and staff locations. The oncoming staff shall ensure video monitoring is operational and properly displayed on control room monitors.
4. Incidents that involve physical restraint, property damage, staff misconduct, or any other incidents deemed necessary shall be archived for future reviews. The archived videos shall be placed on the appropriate site provided by the IS Branch. Archived videos shall not be placed on local equipment.
5. The Superintendent or designee shall review video recordings of the facility weekly. Random samplings will be reviewed for operational procedures and staff or resident misconduct or rule violations.
6. The video system is a valuable tool that shall be constantly monitored by the control room staff and software diagnostics. Any individual recognizing a malfunction shall annotate the discrepancy on a Maintenance Request form and report it to the IS Help Desk.

**V. MONITORING MECHANISM**

- A. Superintendents shall have the responsibility for monitoring the video system operation and compliance with this policy.
- B. Upon the report of a malfunction the IS Branch shall ensure proper functioning of equipment and programming operations.