

CHAPTER 3 Program Services

Number	Title	Effective Date	Pages
300	Definitions	1/04/2016	10
300.1	Programs and Services	1/04/2016	3
300.2	Correspondence to the Court System	1/04/2016	3
301	Intake and Orientation	1/04/2016	7
301.1	Youth's Personal Property, Dress Code, and Facility Issued Property	1/04/2016	4
301.2	Hair and Grooming	1/04/2016	4
302	Individual Treatment Plan and Aftercare Plan	1/04/2016	6
303	Treatment Team Composition, Function, and Responsibility	1/04/2016	3
306	Treatment Track and Level System	1/04/2016	5
307	Counseling Services	1/04/2016	5
308	Advanced Care Unit	1/04/2016	3
309	Family Engagement	1/04/2016	2
310	Family and Community Contacts: Mail, Telephone, and Visitation	1/04/2016	6
311	Cadet Education and Leadership Program (CLEP)	1/04/2016	3
314	Youth Council	1/04/2016	2
315	Use of Non-Governmental Funds and Youth Activity Funds Account	1/04/2016	4
316	Youth Allowances and Work Details	1/04/2016	3
317	Recreation	1/04/2016	4
318	Behavior Management	1/04/2016	4
318.1	Graduated Responses, Sanctions, and Incentives	1/04/2016	8
318.2	Disciplinary Review	1/04/2016	5
319	Staff Requirements for the Supervision of Youth	1/04/2016	3
319.1	Facility Capacities	1/04/2016	2
320	Transportation of Youth	1/04/2016	7
321	Incident Reporting	1/04/2016	5
322	Drug Screening and Testing	1/04/2016	6
323	Isolation	1/04/2016	6
324	Restraints	1/04/2016	4
325	Searches	1/04/2016	4
326	Contraband, Seizure, and Chain of Custody	1/04/2016	4

CHAPTER 3 Program Services

Number	Title	Effective Date	Pages
327	Escape and Absent Without Leave	1/04/2016	6
328	Individual Client Records	1/04/2016	6
329	Progress Notes	1/04/2016	2
330	Log and Shift Reports	1/04/2016	3
331	Grievance Procedure	1/04/2016	4
332	Authorized Leave: Day Releases and Furloughs; Supervised Off-grounds Activities	1/04/2016	7
333	Day Treatment Admissions	1/04/2016	3
334	Youth Development Centers: Educational and Vocational Programming, Assessment, and Transition	1/04/2016	4
334.1	Day Treatments: Educational Programming, Assessment, and Transition	1/04/2016	4
334.2	Group Homes: Educational Services	1/04/2016	3
335	Youth Development Center Educational and Vocational Records; Day Treatment Educational Records	1/04/2016	2
339	Youth Development Center and Day Treatment Instructional Staffing	1/04/2016	2
341	Youth Development Center and Day Treatment Evaluation of Integrated Educational or Vocational Plan	1/04/2016	2
343	Technical Education Safety	1/04/2016	2
344	Library Services	1/04/2016	2
345	Religious Programs	1/04/2016	5
346.1	Youthful Offenders	1/04/2016	4
347.1	Educational and Meritorious Good Time Credit for Youthful Offenders	1/04/2016	4
351	Youthful Offender Parole	1/04/2016	3
352	Youthful Offender Transfer	1/04/2016	2



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

**REFERENCES:
505 KAR 1:110**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Definitions

POLICY NUMBER: 300

TOTAL PAGES: 10

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter , COMMISSIONER

I. POLICY

The following definitions shall apply to the Department of Juvenile Justice (DJJ) Policy and Procedures Manual Chapters 300-352.

II. APPLICABILITY

This policy shall apply to all DJJ staff.

III. DEFINITIONS

- A. "Absent Without Leave (AWOL)" means a youth that leaves an approved placement without advanced approval from the supervising authority or is absent from an approved community setting for more than three (3) hours without notification.
- B. "Administrative Transfer Request" means a request for consideration of change in placement for any youth in out-of-home placement.
- C. "Aftercare" means a continuum of planned supervision, schedules, activities, and services coordinated for or provided to a youth who has been released from a Department of Juvenile Justice level 2 or higher program, and that is being integrated into a local community setting.
- D. "Aggressive Behavior" means behavior or acting out that could lead to the infliction of harm or injury to self, others, or property.
- E. "Anniversary Date" means the date sentenced or received as recorded on the second line of the resident record card, by which eligibility for meritorious good time shall be reviewed.
- F. "Caregiver means a guardian or other person exercising custodial control or supervision of a youth.

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 2 of 10
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- G. “Case Management Needs Assessment” means an assessment tool utilized to identify treatment needs to be addressed in the case plan and individual treatment plan.
- H. “Chain of Custody” means documented accountability for the custody of evidence from the moment in which it reaches the staff’s custody until the moment in which it is presented in court, transferred, or destroyed.
- I. “Cadet Leadership and Education Program (CLEP) Aftercare” means a period of time up to four (4) months when youth exiting the CLEP residential programming continue to be supervised within the community by CLEP counselors.
- J. “Chronic Program Disruption” means a pattern of behavior that threatens the safety and security of the facility, self, or others where less restrictive responses have failed to modify the behavior.
- K. “Cognitive-Behavioral Therapy” means utilizing treatment techniques emphasizing the role of thoughts, feelings, and behaviors in a person’s functioning and well-being, helping youth recognize their problematic thoughts, feelings, and behaviors and learn alternative ways to cope and prevent relapse.
- L. “Commissioner’s Warrant” means a document issued by the Department of Juvenile Justice directing that a youth be taken into custody.
- M. “Consequence” means suspension of privileges or behavioral penalty issued due to a negative behavior that is being displayed, or an infraction of the rules within the facility’s standard operating procedures.
- N. “Contraband” is defined by KRS 520.010 (1) and includes tobacco, lighters, matches, pins, needles, sewing equipment, aerosol cans, toxic cosmetics (such as nail polish remover), modeling glue, cleaning fluids, paints, razors, tools, ropes, chains, extremely toxic house plants, broken articles, drug paraphernalia, as defined in KRS 218A.500, and any other item used to subvert security measures, assist in an escape event, or as indicated by the facility Standard Operating Procedures.
- O. “Dangerous Contraband” is defined by KRS 520.010 (3) and means contraband which is capable of endangering the safety or security of a facility or persons therein, including dangerous instruments or deadly weapons as defined in KRS 500.080, saws, files, and similar metal cutting instruments, any controlled substance, any quantity of an alcoholic beverage, and any quantity of marijuana.
- P. “Dangerous Instrument” is defined by KRS 500.080 (3).

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 3 of 10
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- Q. “Day Release” means both escorted and unescorted leave into the community of less than twenty-four (24) hour duration from placement.
- R. “Day Treatment” means a community based treatment program for youth whose behavior precludes participation in a regular school.
- S. “Deadly Weapon” is defined by KRS 500.080 (4).
- T. “Designated Grievance Officer” means a facility staff person trained by the Departmental Ombudsman assigned to process youth grievances.
- U. “Detention Facility” is defined by KRS 520.010 (4).
- V. “Discipline” means a process to assist the youth in learning socially acceptable behaviors through the use of natural and logical consequences.
- W. “Drug Screen” means a preliminary screening of a urine specimen for the presence of selected categories of drugs.
- X. “Drug Test” means processing a urine specimen for confirmation of the presence of drugs.
- Y. “Educational Good Time” means a credit on a youthful offender’s sentence for an educational accomplishment.
- Z. “Escape” is defined by KRS 520.010 (5) and includes the departure from custody or the detention facility in which a person is held or detained when the departure is unpermitted, or failure to return to custody or detention following a temporary leave granted for a specific purpose or for a limited period.
- AA. “Exonerated” means the incident occurred, but the accused’s actions were justified or proper.
- BB. “Facility Restriction” means a safety and security measure restricting a youth to the confines of the program grounds.
- CC. “Family Engagement” means working with the youth’s family or caregiver, as an equal partner in the youth’s treatment, with the Department of Juvenile Justice, throughout the continuum of care.
- DD. “Furlough” means an approved unescorted leave of absence granted to a youth extending beyond a twenty-four (24) hour period from placement.
- EE. “General Educational Development” means a specific group of subject tests, which when passed, certify that the taker has achieved high-school level academic skills and has earned a high school credential.
- FF. “Graduated responses” are a continuum of incentives and sanctions to address the youth’s conduct.

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 4 of 10
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- GG. “Human Trafficking” means criminal activity whereby one (1) or more persons are subjected to engaging in:
1. Forced labor or services; or
 2. Commercial sexual activity through the use of force, fraud, or coercion, except that if the trafficked person is under the age of eighteen (18), the commercial sexual activity need not involve force, fraud, or coercion.
- HH. “Incident” means an unusual event or occurrence in which youth behaviors compromise the health, safety, or security of youth or staff including:
1. Use of isolation;
 2. AWOL or escape;
 3. Assault by youth on youth;
 4. Assault by youth on staff;
 5. Major property destruction;
 6. Possession of contraband;
 7. Death of a resident;
 8. Major injury;
 9. Suicide attempt;
 10. Use of restraint;
 11. The taking of hostages;
 12. Medication error; or
 13. Other.
- II. “Individual Client Record” means the electronic case file, sometimes referred to as “juvenile offender records index (JORI)” and hard case file of an individual youth by which information and documentation is maintained.
- JJ. “Individual Education Program” is defined by KRS 158.281.
- KK. “Individual Plan of Instruction” means the educational instructional program required for each Department of Juvenile Justice youth, also referred to as the Individual Learning Plan (ILP) by the Kentucky Department of Education.
- LL. “Individual Learning Plan” means a document usually developed on-line for each student in middle and high school that focuses on career exploration, assessment of skills and interests, reflection on work

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 5 of 10
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related experiences, and the creation of an education plan that includes personal goals and exploration of college and post-secondary opportunities.

- MM. “Individual Treatment Plan” means a written document that takes into consideration the severity of the current offense, the risk and need factors identified in the youth’s CMNA, and any additional assessments which identify the treatment goals to be pursued, specifies the roles of the participants in carrying out the plan, and specifies a timetable for completion of the plan.
- NN. “Intensive Room Supervision” means when a youth is placed in an isolation room with the door open and under constant staff supervision as a safety measure for a period of time.
- OO. “Inter-fund transfer” means movement of money between individual funds and Youth Activity Funds.
- PP. “Isolation” means the removal of a youth from the general population and placed in a room with the door closed for a threat to the safety or security of the facility, staff, or youth.
- QQ. “Juvenile Sexual Offender” is defined by KRS 635.505.
- RR. “Lateral Transfer” means the transfer of a youth from one placement to another within the same placement level.
- SS. “Leisure time” means structured free time in which youth are given the opportunity to engage in constructive activities such as drawing, writing, reading, or listening to music.
- TT. “Level of Placement Continuum” means the movement of a youth within placement levels.
- UU. “Level system” means a three (3) tiered system used in out of home programs to identify facility privileges and track progress toward treatment completion.
- VV. “Major Rule Violation” means escape, Absent Without Leave, physical or sexual assault or threat of physical or sexual assault, major property destruction, possession of contraband, positive drug test, and chronic program disruption.
- WW. “Mechanical Restraint” means a device, including handcuffs, anklet, and waist chains, used by the Department of Juvenile Justice staff to restrict the free movement of a juvenile.
- XX. “Meritorious Good Time” means credit received on a youthful offender’s sentence that may be awarded for good behavior, performing duties of outstanding importance, or exceptional service in connection with facility operations and programs and in emergencies.

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 6 of 10
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- YY. “Natural Supports” means personal associations and relationships typically developed in the community that enhance the quality and security of life for people, including, but not limited to, family relationships; friendships reflecting the diversity of the neighborhood and the community; association with fellow students or employees in regular classrooms and work places; and associations developed through participation in clubs, organizations, and other civic activities.
- ZZ. “Non-Governmental Funds” means funds maintained in the youth activity fund account and the special account.
- AAA. “Not Substantiated” means there is insufficient evidence to determine if an incident occurred or if the accused was involved in the incident.
- BBB. “Off Track” means a designated period of time where a youth’s progress on their treatment track is temporarily suspended while behavioral stabilization is established or pending the completion of a major rule violation consequences. A youth shall be off track status for no longer than the amount of time designated by the treatment team, and will be removed from off track status upon completion of all treatment assignments related to the major rule violation assigned by the treatment team.
- CCC. “One-to-One Supervision” means an individual staff member is assigned to directly supervise no more than one (1) youth. The staff shall stay within very close proximity, if needed, for safety reasons.
- DDD. “Orientation Treatment Plan” means a written document outlining short term objectives and expectations and any problems that require immediate attention.
- EEE. “Pat-down Search” means a running of the hands over the clothed body of an inmate, detainee, or resident by an employee to determine whether the individual possesses contraband
- FFF. “Physical Restraint” means a set of techniques used to physically manage an out of control juvenile.
- GGG. “Program Days” means scheduled days for a student’s attendance at a Day Treatment program.
- HHH. “Psychiatrist” is defined by KRS 504.060 (8).
- III. “Qualified Mental Health Professional” is defined by KRS 202A.011
- JJJ. “Reasonable Suspicion” means a less stringent standard than probable cause requiring the authority acting to be able to point to specific and articulable facts that, taken together with rational inferences from those facts, reasonably warrant a belief that an individual may be in possession of contraband.

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 7 of 10
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- KKK. “Risk and Criminogenic Needs Assessment” means a standardized method of data collection that estimates the likelihood that continued delinquent behaviors will occur without intervention and guides intervention planning.
- LLL. “Room Confinement” means when a youth at a Level 5 facility is placed in a room in a general population unit with the door closed as a safety and security measure for a period of time not to exceed four (4) hours for the purposes of assisting the youth with regaining control of their behavior while avoiding a placement in isolation.
- MMM. “Room Restriction” means temporary removal of a youth from the general population to a specified location for behavior management.
- NNN. “Sex Offender Registry” means a registration system for adults or youthful offenders who have committed sex crime and have been tried and sentenced as adults.
- OOO. “Sexual Offender” is defined by KRS 17.500 (9).
- PPP. “Sexual abuse” means:
1. The behavior described by KRS 510.110 (1) (d) and 510.120 (1) (c); or
 2. As established in 28 C.F.R. § 115.6.
 - a. Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident; and
 - b. Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer.
- Sexual abuse of an inmate, detainee, or resident by another inmate, detainee, or resident includes any of the following acts, if the victim does not consent, is coerced into such act by overt or implied threats of violence, or is unable to consent or refuse:
- i. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - ii. Contact between the mouth and the penis, vulva, or anus;
 - iii. Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object, or other instrument; and
 - iv. Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or the buttocks of another person, excluding contact incidental to a physical altercation.

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 8 of 10
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Sexual abuse of an inmate, detainee, or resident by a staff member, contractor, or volunteer includes any of the following acts, with or without consent of the inmate, detainee, or resident

- i. Contact between the penis and the vulva or the penis and the anus, including penetration, however slight;
 - ii. Contact between the mouth and the penis, vulva, or anus;
 - iii. Contact between the mouth and any body part where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - iv. Penetration of the anal or genital opening, however slight, by a hand, finger, object, or other instrument, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - v. Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh, or the buttocks, that is unrelated to official duties or where the staff member, contractor, or volunteer has the intent to abuse, arouse, or gratify sexual desire;
 - vi. Any attempt, threat, or request by a staff member, contractor, or volunteer to engage in the activities described in paragraphs (i)-(v) of this section;
 - vii. Any display by a staff member, contractor, or volunteer of his or her uncovered genitalia, buttocks, or breast in the presence of an inmate, detainee, or resident, and
 - viii. Voyeurism by a staff member, contractor, or volunteer.
- QQQ. “Shift Log” means a permanent log that records routine information, emergency situations, and unusual incidents.
- RRR. “Special Management Plan” means a specific therapeutic intervention for identified youth to work through difficult treatment issues and develop personal behavior management skills without disrupting the treatment culture of the overall program.
- SSS. “Step-down” means transition of a youth from a higher placement level to a lower placement level.
- TTT. “Step-up” means transition of a youth from a lower placement level to a higher placement level.

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 9 of 10
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- UUU. “Strip Search” means a search that requires a person to remove or arrange some or all clothing so as to permit a visual inspection of the person’s breasts, buttocks, or genitalia.
- VVV. “Substantiated” means that an incident occurred by an admission of the person responsible or by a preponderance of the evidence.
- WWW. “Technical Education” means classes following the guidelines of the Department of Career and Technical Education.
- XXX. “Time Out” means the temporary removal of a youth from general programming in order for the youth to be given a chance to regain control their behavior.
- YYY. “Treatment Team” means Department of Juvenile Justice staff, youth, parent or care-giver, and other supporters who work collaboratively to assist and aide youth in achieving goals.
- ZZZ. “Treatment Track” means a framework for treatment provision based on severity of offense and individualized treatment needs.
- AAAA. “Unfounded” means the charges are false or the employee was not involved in the incident.
- BBBB. “Unit Restriction” means a safety and security measure restricting a youth to a specific program area.
- CCCC. “Vocational Education” means soft-skills courses, including resume building, interviewing, and working relations, which contribute to the development of a successful employee.
- DDDD. “Work Detail” means daily work and chore assignments related to housekeeping, maintenance of the facility or its grounds, or personal hygiene needs.
- EEEE. “Work Experience Program” means an organized work training program offered as a component of the educational or vocational programming with an emphasis on instruction and evaluation rather than task accomplishment.
- FFFF. “Work Release” means approved day leave for a youth to participate in employment.
- GGGG. “Youth” means a person who is under the custody, control, or supervision of the Department of Juvenile Justice, as a result of a court order or interstate supervision.
- HHHH. “Youth Activity Fund Account” is owned by the current youth population and is comprised of individual and group funds earned through allowance and work experience as well as funds collected

POLICY NUMBER DJJ 300	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 10 of 10
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through work projects, sales of articles produced by youth, and private donations.

- III. “Youth Activity Funds” are a sub-ledger of the youth activity fund account and is comprised of donations, profit from work projects, vending machine commissions and shall solely be used for the group social and recreational pursuits of the youth.
- JJJ. “Youth Counselor” means the Department of Juvenile Justice staff who is responsible for coordinating treatment within a day treatment, group home, youth development center, or detention facility.
- KKKK. “Youthful Offender” is defined by KRS 600.020 (69).



**JUSTICE CABINET
DEPARTMENT OF
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POLICY AND PROCEDURES**

REFERENCES:
505 KAR 1:110
3-JTS-5C-01, 02; 5D-02
3-JCRF-1B-18; 5B-06; 5C-01,
05
4-JCF-5C-02
1-JDTP-3D-01, 21
1-JBC-5C-01-03

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Programs and Services	
POLICY NUMBER: DJJ 300.1	
TOTAL PAGES: 3	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter, COMMISSIONER	

I. POLICY

The Department of Juvenile Justice (DJJ) shall provide services for the rehabilitation of probated and committed youth through day treatment and residential programs. These programs shall be designed to offer different levels of services and security as required in order to meet the needs of the youth and protect the public.

II. APPLICABILITY

This policy shall apply to each DJJ operated or contracted day treatment program, group home, and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

A. Each YDC, group home, and DJJ operated and contracted day treatment program shall provide or make arrangements for the provision of the following services:

1. Daily transportation of youth to and from the day treatment program site;
2. Reception and orientation;
3. Evaluation and program-specific classification;
4. Educational and vocational assessment;
5. Psychological assessment for youth in a YDC and group home;

POLICY NUMBER DJJ 300.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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6. Referral for psychological assessment for youth in a day treatment, as needed;
 7. Educational programs;
 8. Vocational programs for youth in a YDC;
 9. Food service;
 10. Emergency medical and mental health services;
 11. Individual and group counseling;
 12. Substance abuse education;
 13. Social services;
 14. Appropriate recreation and leisure activities;
 15. Involvement in community groups consistent with security requirements;
 16. Consistent family contact;
 17. Employment counseling;
 18. Aftercare, including reentry; and
 19. Transition.
- B. Each YDC and group home shall provide or make arrangements for the provision of:
1. Access to library services;
 2. Psychiatric and ongoing mental health services;
 3. Routine medical and dental care and health education;
 4. Substance abuse treatment; and
 5. Religious services and education.
- C. Staff shall utilize community resources as necessary, either through referral for service or by contractual agreement, to provide youth with services to meet their developmental needs. Provisions shall be made, as necessary, to assist youth and, when appropriate, their family in accessing services and community resources.
- D. The Superintendent or designee shall annually assess the collective service needs of youth in the program to ensure the maximum delivery of services and to assist in program development and improvement.

V. MONITORING MECHANISM

POLICY NUMBER DJJ 300.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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The Quality Assurance (QA) Branch shall perform annual facility monitoring visits that review the administration of the following policy requirements:

- A. Youth are receiving all required services; and
- B. Programs are completing periodic assessments of youth service needs.



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

REFERENCES:
505 KAR 1:110
3-JTS-5I-11, 3-JCRS-5A-10,
11
1-JDTP-3D-13
1-JBC-1E-06; 5I-06, 11
4-JCF-3A-25, 5I-02
3-JCRF-5A-10
KRS 605.090 (1)(a) & (4);
610.120 (3); 635.515(4), (5), &
(7);635.070; 635.090(3)(4)

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Correspondence to the Court System	
POLICY NUMBER: DJJ 300.2	
TOTAL PAGES: 3	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter	, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall provide written correspondence to the court system, regarding youth that have been placed in the custody, care, and supervision of DJJ, providing information in reference to the treatment and continuum of care provided to the youth, while under the custody, care, and supervision of DJJ.

II. APPLICABILITY

This policy shall apply to each DJJ group home and youth development center (YDC).

LIMITED APPLICABILITY:

This policy shall apply to probated and committed youth in a DJJ operated or contracted day treatment program. Each day treatment program shall provide admission and notice of release letters, as well as a copy of the Individual Treatment Plan (ITP), upon request, to the probating or committing judge. A copy of the Individual Education Plan (IEP), ITP, and ITP reviews and notice of release letters shall be sent to the Juvenile Service Worker (JSW) and the parent or guardian. For youth residing in a group home or therapeutic foster home and attending a day treatment program, all treatment correspondence from the day treatment program shall also be sent to that respective group home or therapeutic foster home. Correspondence shall be provided within the timelines set forth in

POLICY NUMBER DJJ 300.2	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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this policy and shall be approved by signature of the Superintendent or designee.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. The Superintendent or designee shall ensure completion of the following types of written correspondence to the committing judge:
1. Admission letters shall be mailed within seven (7) days after the youth's admission, including intra-system transfers, with a copy sent to the parents or caregiver. These intake notification letters shall specify the date of admission, reason for admission, date of the ITP conference, and any other information deemed significant.
 2. Notification of discharge letters shall be mailed within seven (7) days prior to release from the program, except in situations where jurisdiction will expire due to the age of the youth. Discharge letters shall specify the date of placement and whether the youth was released to another out-of-home placement or released to the parent or caregiver on conditions of supervised placement.
 3. In situations where jurisdiction is expiring due to the age of the youth, notification of intent to place and terminate commitment shall be provided to the committing court fourteen (14) days prior to placement.
 4. ITP correspondence requirements:
 - a. For a public offender (PO), the ITP shall be mailed to the judge, upon request, within twenty-one (21) days of admission.
 - b. For a youthful offender (YO), the ITP shall be sent to the sentencing judge within twenty-one (21) days of admission.
 - c. For a juvenile sexual offender (JSO), the ITP shall be sent to the committing judge within twenty-one (21) days of admission.
 5. In a group home, when a youth remains in the program for greater than six (6) months, the youth's counselor shall submit written justification to the committing judge.
- B. A copy of any notification sent to the committing judge shall be sent to the parent or caregiver and youth's attorney.

POLICY NUMBER DJJ 300.2	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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- C. A copy of any discharge letters sent to the committing judge shall be sent to the school administrator for the releasing DJJ program.
- D. All written correspondence with the courts shall be approved by signature of the Superintendent or designee to verify that the content of the correspondence is accurate and correct.

V. MONITORING MECHANISM

The Regional Division Director or designee, in conjunction with the Division of Program Services, shall develop monitoring protocols to be used by the Superintendent that review the expectations set forth in this policy.



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

**REFERENCES:
505 KAR 1:110
3-JTS-3D-06-2; 5A-01-04; 5B-
07, 08; 5H-18
3-JCRF-5A-01-09, 13; 5B-08;
5C-02
1-JDTP-3B-10; 3C-01-06; 3D-
06, 10
1-JBC-1E-04; 3C-02, 03; 4B-
12; 5A-01-05, 07; 5H-16
4-JCF-3B-01; 5A-01-03; 5C-03;
5H-02**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Intake and Orientation

POLICY NUMBER: DJJ 301

TOTAL PAGES: 7

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

At admission youth shall undergo the following:

1. A screening for medical, mental health, and dental issues designed to protect the health of the youth and other juveniles in the population and prevent the introduction of disease;
2. A screening for human trafficking;
3. A PREA vulnerability assessment; and
4. An orientation to the program's procedures, rules, programs, and services in language that the youth understands.

Residential programs shall not discriminate on the basis of race, color, sex, disability, age, national origin, religion, sexual orientation, gender identity, genetic information, political affiliation, or veteran status.

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) group home and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

POLICY NUMBER DJJ 301	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 7
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- A. Admission criteria for residential programs and facilities shall be as set forth in DJJPP Chapter 2.
- B. The referring agent shall provide the program superintendent or designee appropriate information on each youth at the time of referral for admission into the program. The following information shall be included in the youth's Individual Client Record (ICR):
 - 1. Identifying data: name, address, date of birth, sex, race, ethnicity, and origin;
 - 2. Name of referring agency or committing authority and date of information gathered;
 - 3. Reason for referral, legal status, and legal aspects of the case including jurisdiction, length, and conditions of placement;
 - 4. Probation, commitment, or sentencing order;
 - 5. Legal history and prior placements;
 - 6. Social history;
 - 7. Religious background and interests;
 - 8. Recreational preferences and needs assessment;
 - 9. Education and school history, including vocational interests and experience;
 - 10. Psychological evaluation, including intellectual assessment;
 - 11. Special medical, dental, substance abuse, or mental health problems or needs;
 - 12. Housing unit assignment which requires separate sleeping rooms for males and females;
 - 13. Staff recommendations or concerns; and
 - 14. Whom to notify in case of emergency.
- C. At the time of admission, medical, dental, and mental health screening shall be conducted in accordance with DJJPP Chapter 4 policies. Staff shall be informed of any special needs of the youth, to include physical or mental health problems that may require medical attention.
- D. Staff shall be trained in proper screening techniques.
- E. Staff shall provide the individual being screened with a verbal overview of the procedure intended to be used.
- F. When possible screenings shall be conducted by same gendered staff. Cross-gender screenings of a resident shall only be conducted under exigent circumstances and shall be documented.

POLICY NUMBER DJJ 301	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 7
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G. General Screening Procedures

1. Staff shall be trained in screening techniques designed to protect persons involved and preserve evidence.
2. All facilities shall provide gloves and other needed equipment for searches that protect staff safety and ensure chain of custody for confiscated items.

H. Screenings

1. Initial Health Screening

- a. Only health trained staff shall conduct the initial health screening.
- b. If possible, two (2) staff that are the same gender as the youth shall conduct the initial health screening, except when the screening is being performed by a nurse. One (1) staff shall facilitate the process and the second staff person shall observe the process to verify that the correct procedure is followed.
- c. Staff shall direct the youth to the designated private location, outside of the view of other staff and residents.
- d. Staff shall direct youth to remove all personal clothing and items and dress in facility supplied tank tops and boxer shorts.
- e. Staff shall instruct the youth to verbally indicate the location of any scars, bruises, birthmarks, tattoos, or any other marks known.
- h. Conditions of the skin including trauma markings, bruises, lesions, jaundice, rashes and infestations, recent tattoos and needle marks, or other indications of drug use shall be documented.
- f. Health trained staff shall review the body identification section of the Initial Health screening in accordance with DJJPP Chapter 4.

2. Ectoparasite Screening

Staff shall follow procedures in DJJPP Chapter 4. If the delousing procedure is to be conducted:

- a. Staff conducting the ectoparasite screening shall be the same gender as the youth. When possible, two (2) staff shall conduct the screening, except when the screening is being performed by a nurse. One (1) staff shall facilitate the process and the second staff person shall observe the process to verify that the correct procedure is followed.

POLICY NUMBER DJJ 301	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 7
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- b. Staff shall provide the youth with towel, washcloth, and state issued clothing to put on after the youth showers.

3. Human Trafficking Screening

- a. Upon admission a human trafficking screening shall be conducted for every youth following completion of the Individual Treatment Plan (ITP) but no later than 30 days after admission.

- b. If the youth scores a yes for any item on the screening tool or self-reports anytime thereafter, the staff conducting the screening or receiving the report shall:

- i. Immediately notify the Cabinet for Health and Family Services via the Child Protective Services hotline at 1-877-KYSAFE1 or the Kentucky Online Child/Adult Protective Services Reporting System at <https://prd.chfs.ky.gov/ReportAbuse/home.aspx>;

- ii. Email notification to the youth's attorney no later than the next business day;

- iii. If the youth is a resident of or has resided in another state or country within the last year, call the National Human Trafficking Hotline at 1-888-373-7888 and notify the DJJ Interstate Compact Office;

- iv. If the juvenile is a foreign national, contact the Catholic Charities of Louisville at 502-974-4947 to request assistance with an eligibility letter and coordinating support services; and

- v. Up-line to the next line supervisor and DJJ Office of Legal Services.

- c. A copy of the screening shall be maintained in the juvenile's ICR.

- d. If the youth is a victim of human trafficking and remains committed to the Department, the juvenile shall receive appropriate treatment services.

4. PREA vulnerability assessment shall be completed as set forth in DJJPP Chapter 9 Prison Rape Elimination Act of 2003 (PREA).

I. Each facility admission shall include the following:

- 1. Verifying legal eligibility for admission into the program or facility by receipt of commitment or sentencing order;
- 2. Receiving ongoing treatment work for the youth, if applicable;

POLICY NUMBER DJJ 301	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 7
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3. Receiving and verifying current prescribed medications for the youth;
4. Photographing the youth;
5. Fingerprinting the youth, if applicable;
6. Conducting a search of the youth and their accompanying possessions;
7. Completing identifying data sections of the Wanted Absconder Notice and Cancellation form;
8. Inventorying of personal property and assigning a property number, if necessary. Items that are inappropriate for possession and clothes that are deemed inappropriate to wear shall be stored or returned to the parent or caregiver;
9. Assigning a specific staff member for treatment planning and counseling duties;
10. Documenting receipt of both verbal and written explanation of:
 - a. Youth rights;
 - b. Duties and responsibilities;
 - c. The right to file a grievance, as well as the location of the grievance documentation;
 - d. Information regarding the prevention of sexual abuse and sexual assault;
 - e. The purpose of drug screens, the consequences of positive test results, and the consequences of failure or refusal to cooperate by providing a specimen; and
 - f. Procedures concerning how outside investigative units may be contacted for the reporting of any act in which the health or welfare of a resident is perceived to have been harmed or threatened with harm;
11. Documenting receipt of both verbal and written notice that a youthful offender (YO) may be transferred to the Department of Corrections (DOC) by the sentencing circuit court if the youth has been aggressive, escaped, or caused serious disruption to the program;
12. Providing written orientation materials to the youth and parent or caregiver; and
13. In a group home and YDC:
 - a. Showering and hair care, if necessary;

POLICY NUMBER DJJ 301	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 7
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- b. Issuing personal hygiene articles;
 - c. Issuing clean, laundered, and properly fitted clothing, as needed;
 - d. Assigning a housing unit and a brief tour of the unit;
 - e. Recording information to be used for mail, telephone contact, and visitation lists, as verified by the Juvenile Service Worker (JSW); and
 - f. Assisting youth in notifying their parent or caregiver of admission and procedures for mail and visiting.
- J. Orientation shall be used to observe the youth's behavior and to identify special problems.
- 1. Orientation shall include:
 - a. Distributing written materials about the facility programs, rules, and regulations, and treatment tracks and shall not be impeded by isolation status. This shall occur within twenty-four (24) hours and receipt of the written materials shall be documented by a Resident Reception Summary and Youth Acknowledgment documentation signed and dated by the juvenile and staff;
 - b. Discussing program goals, services, rules governing conduct, program rules, chargeable offenses, range of penalties, incentives for good behavior, and possible disciplinary actions. This shall occur within twenty-four (24) hours; and
 - c. Orientation may include informal classes.
 - 2. Each program shall provide foreign language interpretation of orientation materials for both youth and caregiver when a language barrier exists;
 - 3. Each program shall assist the youth in understanding material when a literacy, hearing, or visual impairment problem exists and shall provide interpretation if needed; and
 - 4. Completion of orientation shall be documented by a signed and dated statement by the youth. In a day treatment program, the completion of orientation statement shall be signed and dated by the parent or caregiver within five (5) business days.
- K. The daily program during the orientation period shall include interviews, testing, and other admission-related activities, including distribution of information on programs and services.
- L. During orientation youth shall be enrolled in the education program, provided reading materials, be permitted to attend religious services,

POLICY NUMBER DJJ 301	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 7 of 7
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receive exercise on the same schedule as the general population, and perform work assignments with their assigned group.

- M. A youth's Orientation Treatment Plan shall be written within seven (7) days of admission. The plan shall be in accordance with protocol approved by the program Treatment Director or Superintendent and shall be signed by the youth and the assigned youth counselor.

IV. MONITORING MECHANISM

The Quality Assurance (QA) Branch shall perform annual facility monitoring visits to ensure compliance with this policy. The Superintendent or designee shall ensure the referral information is received.

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:110 3-JTS-4B-09-11; 5A-01, 05 3-JCRF-2C-03; 3D-06; 4B-07; 5A-10,11 1-JBC-4B-07-09; 5A-06, 07 4-JCF-3A-21; 4B-03-09; 5A-04
CHAPTER: Program Services		AUTHORITY: KRS 15A.0652
SUBJECT: Youth's Personal Property, Dress Code, and Facility Issued Property		
POLICY NUMBER: DJJ 301.1		
TOTAL PAGES: 4		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter		, COMMISSIONER

I. POLICY

Youth shall be provided with clean linens and towels and adequate clothing to be properly attired. The personal property of the youth shall be controlled and safeguarded.

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) group home and youth development center (YDC).

LIMITED APPLICABILITY:

Each DJJ contracted or operated day treatment program may establish a youth dress code in accordance with the guidelines set forth in this policy. A DJJ operated day treatment program may request reimbursement for personal property of a youth in accordance with this policy.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. Facility staff shall work in conjunction with the juvenile service worker (JSW) to advise the youth's family of the personal items needed or permitted at the facility.
- B. DJJ shall ensure youth are provided required clothing.
- C. Each facility's Standard Operating Procedures (SOP's) shall specify what personal property may remain in a youth's possession. Youth shall be permitted to use personal belongings to decorate their living and sleeping quarters compliant with facility SOP.

POLICY NUMBER DJJ 301.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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- D. At intake, staff shall take inventory of personal belongings and articles of personal clothing the youth brings into the facility. Youth and staff shall sign the personal property and inventory document.
1. Items that are inappropriate for possession and clothes that are deemed inappropriate to wear shall be stored or returned to the parent or caregiver;
 2. Personal property retained at the program shall be itemized in a personal property and inventory document that is kept in the youth's individual client record (ICR) or hard case file. The youth shall sign and receive a copy of the document. A copy of the personal property and inventory document shall be maintained with the property;
 3. The inventory list shall be updated as items are added or removed; and
 4. Inventoried items shall be signed for, and returned to the youth, upon release.
- E. Each facility shall provide for the thorough cleaning and, when necessary, disinfecting of youth's personal clothing before storage or before allowing the youth to keep and wear personal clothing.
- F. Each facility shall allow for clean socks and underwear daily and a minimum of three (3) sets of clean clothing per week, more often as necessary, depending on the activities and weather conditions. Clothing shall be properly fitted, climatically suitable, durable, presentable, and not degrading.
- G. Facilities shall store clothing, bedding, and linen supplies in quantities that will accommodate a number of youth that exceeds the maximum population.
- H. Facilities shall provide clean bed linens weekly and clean towels and wash cloths at least three (3) times per week.
- I. Provisions shall be made for the issuance of special and, when appropriate, protective clothing and equipment to youth assigned to food service, technical programs, and work experience programs. When standard issue clothing presents a security risk, the youth shall be supplied with a security garment that promotes the youth's safety and prevents humiliation and degradation.
- J. Staff shall inventory the youth's state-issued clothing. Changes to the inventory shall be documented and initialed by staff and youth.
- K. A request for reimbursement shall be processed as follows:
1. The theft or loss of a youth's personal property shall be submitted by memo through supervisory channels up through the Regional Division Director to the Fiscal Branch, along with a copy of the incident report;

POLICY NUMBER DJJ 301.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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2. In the case of loss by theft of property valued over \$300, a copy of the police report shall also be attached; and
3. The cost of replacement or repair shall be limited to the following:
 - a. Clothing:
 - i. Blouse or shirt \$25.00;
 - ii. Skirt or trousers \$30.00;
 - iii. Sweater \$25.00;
 - iv. T-shirt \$10.00;
 - v. Dress \$40.00;
 - vi. Coat or jacket \$75.00;
 - vii. Shoes \$50.00; and
 - viii. Other clothing items shall be evaluated on a per item basis;
 - b. Jewelry \$75.00;
 - c. Electronic appliances and accessories \$100.00; and
 - d. Other items shall be evaluated on a per item basis.
- L. Reimbursement shall be made for replacement or repair of property in secured storage. Approval of reimbursement for property that is in the possession of the youth shall be based upon the facts of each situation as documented.
- M. Staff shall ensure that assigned clothing remains with the juvenile for the entirety of their stay in the program.
- N. Each DJJ facility SOP shall provide a youth dress code.
 1. Dress code shall be contained in the youth orientation handbook and shall be given and explained to each youth upon admission.
 2. The level system and privilege structure within the continuum of care shall be taken into consideration in the establishment of the youth dress code.
 3. Youth's personal hygiene shall include daily bathing or showers, hair care, and oral hygiene.
 4. Dress code shall include:
 - a. Youth may wear personal clothing, uniforms, or a combination thereof that is consistent with the requirements of the program;
 - b. Youth's clothing shall be proper in size and shall reflect a neat and well-groomed appearance;
 - c. Clothing that is identified with gangs, displays profanity or sexual lewdness, or conveys a message contrary to the treatment goals of the youth and program shall be prohibited; and
 - d. Youth may be subject to discipline for failure to abide by the established dress code.

POLICY NUMBER DJJ 301.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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- O. Personal belongings of youth on absent without leave (AWOL) or escape status shall be stored and retained by the program for thirty (30) days following the AWOL or escape incident.
 - 1. The youth's personal fund shall be used to send property to the youth's parent or caregiver with delivery confirmation; or
 - 2. If the youth does not have sufficient funds to send the property, the facility shall incur the cost of delivery to the parent or caregiver with delivery confirmation.
- P. Upon discharge an inventory of facility issued clothing shall be conducted.
 - 1. Underwear and bathing suits shall not be returned to inventory; and
 - 2. The facility shall assess the basic clothing needs of the youth, and may allow the youth to retain state-issued clothing, as needed, with approval from the Superintendent.

V. MONITORING MECHANISM

The Regional Division Director or designee, in conjunction with the Division of Program Services, shall develop monitoring protocols to be used by the Superintendent that review the expectations set forth in this policy.



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

**REFERENCES:
505 KAR 1:110
4-JCF-4B-02
3-JTS-4B-15
3-JDF-4B-15
2-CO-4D-01
1-JBC-4B-13**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Hair and Grooming

POLICY NUMBER: 301.2

TOTAL PAGES: 4

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall provide youth in the custody and care of DJJ hair care and grooming services in a safe and sanitary manner.

II. APPLICABILITY

This policy shall apply to each DJJ group home and youth development center (YDC).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Licensed Professionals

1. Only individuals licensed by the state of Kentucky as a barber or a cosmetologist shall provide hair care and grooming services to youth.
2. Each contracted barber or cosmetologist shall have a documented facility specific pre-service orientation training, prior to conducting business at a DJJ residential facility. The Superintendent or designee shall ensure that the orientation includes training on tool control, control of hazardous materials, and other basic procedures.

B. Security

1. Staff shall supervise the barber or cosmetologist when a youth is receiving services.
2. The contracted barber or cosmetologist shall be required to follow all

POLICY NUMBER DJJ 301.2	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 2 of 4
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facility security procedures.

3. All tools, equipment, and chemicals utilized by the barber or cosmetologist, shall be in the control of and maintained by the barber or cosmetologist when conducting business at a DJJ residential facility.

C. Sanitation

1. The barber or cosmetologist shall adhere to the sanitation standards set out for licensure. Equipment used for hair care services shall be sanitized after each use.
2. When the barber or cosmetologist observes an open lesion, cut, or wound on the scalp, neck, or facial area, staff shall be notified and the youth shall be referred for immediate medical services. In the event that an open lesion, cut, or wound occurs during the barbering process, the supervising DJJ staff shall provide appropriate first aid and the youth shall not be provided further barber or cosmetology services until medically cleared.
4. The facility nurse shall be notified and follow-up with the youth for medical consultation regarding the lesion, cut, or wound.
3. No barber or cosmetologist shall perform medical therapy on any skin condition.

D. Grooming services shall be made available to youth at least one (1) time each month.

E. Documentation

1. The Superintendent or designee shall maintain documentation of a barber or cosmetologist visit via the visitor sign in log.
2. Documentation of a youth's receipt of grooming services shall be included in the youth's Individual Client Record (ICR).

F. Hair and Facial Hair Grooming Guidelines for Youth

1. DJJ staff shall not cut, shave, groom, or style the hair or facial hair of a resident.
2. DJJ staff shall not mandate or order that the hair or facial hair of a youth be cut, except in the following circumstances:
 - a. The youth participates in the Cadet Leadership and Education Program (CLEP);
 - b. When a medical condition exists and approved by the Director of Medical Services;
 - c. When the cutting or styling of designs in the hair represent gang identification symbols;
 - d. When the hair presents a safety or security concern for the facility and

POLICY NUMBER DJJ 301.2	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 3 of 4
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approved by the Assistant General Counsel and Commissioner; or

e. When required by a youth's employer.

4. Each youth shall have hair that is clean and styled in such a way that it makes him or her easily identifiable to staff.
5. Youth shall be allowed to grow and maintain facial hair not to exceed a length of one-fourth (1/4) inch, except for CLEP youth.
6. Youth shall be issued culturally sensitive hair maintenance items or general hair care products for a one-time use on a daily basis, including combs and brushes. Hair shall not contain excessive amounts of grooming aids.
7. DJJ shall have the right to search the hair of a youth for contraband, if there is a reasonable suspicion that the youth has contraband. The search shall be documented in the running record.

G. Hairstyles

1. A youth's hair shall be neatly groomed.
2. Youth may wear braids, cornrows, or dreadlocks that are neatly groomed.
3. Youth shall not be permitted to wear hairstyles that allow hair to fall lower than the eyebrows.

H. Hair Ornaments and Designs

1. Hairpins and bobby pins shall be prohibited for all youth.
2. Youth shall not be allowed to cut or style designs into their hair.
3. Youth shall not color hair or cut hair in extreme styles after admission to the facility.

I. General Information

1. Long hair shall be pulled up off the shoulders when on work details or vocational programming, where safety or sanitation considerations so require.
2. Hairnets shall be provided for youth that work in food service.
3. Wigs and hairpieces, when medically necessary, shall be approved by the Director of Medical Services or designee.
4. Basic hair care services and culturally sensitive hair care maintenance shall be provided free of charge to the youth. Basic hair care services shall include a haircut. Culturally sensitive hair care maintenance shall include basic wash and relaxation, when a licensed professional with expertise in culturally sensitive hair care is readily available. Relaxation requires parental permission unless the youth has attained the age of eighteen (18).

POLICY NUMBER DJJ 301.2	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 4 of 4
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5. When the appearance of a youth changes, including a significant change in hairstyle or length or the presence of facial hair, DJJ staff shall obtain an updated photograph of the youth to be scanned into the electronic record.

V. MONITORING MECHANISM

Monitoring shall be accomplished by the Superintendent and medical staff, as necessary.



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

REFERENCES:
505 KAR 1:110
3-JCRF-5A-10, 11; 5B-01,03-05, 07; 5H-01-03, 06
1-JDTP-3D-07-09, 10, 11-13
1-JBC-1E-06; 5B-04-06; 5C-08, 11, 14, 15; 5I-01,02-04, 07-11, 13, 14
4-JCF-3A-21-26; 3C-01; 3E-01; 5B-04-05, 07; 5C-05-06; 5I-01-02,
2-CO-4B-01; 4G-01

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Individual Treatment Plan and Aftercare Plan

POLICY NUMBER: DJJ 302

TOTAL PAGES: 6

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

An individual treatment plan (ITP) and Aftercare Plan shall be developed, implemented, reviewed, and updated as necessary for each youth. The youth, parent or caregiver, and other treatment team members shall have input into the treatment planning process. The treatment planning process shall include assessments of the youth, development of a needs based ITP, ITP reviews, aftercare planning, and the discharge planning conference.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Prior to the ITP Conference the following shall be completed:

1. The Juvenile Service Worker (JSW) shall complete the Risk and Criminogenic Needs Assessment (RCNA) and Case Management Needs Assessment (CMNA) in accordance with DJJPP Chapter 6 "Initial Contact and Court Support for Public Offenders" & Chapter 6 "Initial Contact and Court Support for Youthful Offenders".

POLICY NUMBER DJJ 302	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 6
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- a. The RCNA shall identify dynamic and static risk factors. Dynamic risk factors may be used for treatment planning.
 - b. The CMNA shall identify the needs of the youth. Identified needs shall be used for treatment planning.
2. The JSW shall complete the preliminary home evaluation report, identify the parent or caregiver to be included in the treatment process, and submit the preliminary home evaluation report at the ITP conference.
 3. In a YDC, the Treatment Director shall complete the clinical interview.
 4. In a YDC, the Treatment Director or youth counselor shall complete trauma and substance abuse assessments (Gain-Q) if the youth has a positive score in those domains on the CMNA.
 5. In a group home, the youth counselor shall complete trauma and substance abuse assessments if the youth has a positive score in those domains on the CMNA.
- B. An ITP Conference shall be completed within fourteen (14) days of admission. The youth counselor shall schedule and coordinate the ITP Conference.
1. The youth, parent or caregiver, and JSW shall be invited to attend this conference;
 2. Family identified natural supports may be included in the ITP conference upon request from parent or caregiver; and
 3. Members of the assigned treatment team shall participate in this conference.
 4. An ITP shall be accompanied by a signature sheet that is signed and dated by ITP conference participants.
- C. An ITP shall be developed for each youth.
1. The ITP for each youth shall be based on their current needs. The ITP shall include the top three (3) needs identified on the CMNA. It may also include dynamic factors identified by the RCNA, trauma and substance abuse assessments, other assessments when applicable, and information obtained from the clinical interview.
 2. If the youth is a declared juvenile sex offender (JSO) one of the top three (3) needs shall be sex offender treatment.
 3. If the youth has less than three (3) identified treatment needs from the CMNA, dynamic factors identified on the RCNA may be added to the youth's ITP.
 4. If the youth has more than three (3) identified treatment needs from the CMNA, the treatment team shall triage the youth's needs and develop the ITP by combining like need areas or choosing the three

POLICY NUMBER DJJ 302	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 6
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- (3) highest need areas that are causing the most impairment to functioning.
5. If the need for services is indicated on the trauma screener, the youth shall have the option to add this treatment need area to their ITP. If the youth declines, this declination shall be noted in the ITP.
 6. The level of intervention for substance abuse shall be determined by the Gain-Q or clinical interview and shall be assigned as follows:
 - a. Youth determined to be low risk shall receive an educational packet. The youth counselor shall review the packet with the youth and document the review in the individual client record (ICR);
 - b. Youth determined to be moderate risk shall have a Substance Abuse and Use goal added to their ITP and be placed in Cannabis Youth Treatment (CYT); or
 - c. Youth determined to be high risk shall have a Substance Abuse and Use goal added to their ITP and be placed in Seven Challenges.
 7. For the top three (3) needs identified on the CMNA, the youth shall have a corresponding treatment goal.
 8. A minimum of one of the top three (3) goals shall incorporate family engagement whenever the preliminary home evaluation indicates that the youth will return to the home.
 9. A minimum of one task shall be assigned per goal for each level of the treatment track.
 10. As a youth completes treatment tasks, the treatment team may add additional tasks to address needs not included in the initial ITP as long as doing so does not extend the youth's length of stay.
 11. Any special orders of the committing court shall be included in the ITP.
 12. An aftercare plan shall be developed to assist in the transitioning of a youth back to the community.
- D. Documentation of the ITP shall occur as follows:
1. In a group home and day treatment, the designated Qualified Mental Health Provider (QMHP) shall review and sign the ITP within twenty-one (21) days of admission.
 2. A hard copy of the ITP shall be given to the youth, and sent to the parent or caregiver, and any applicable agency or court, and placed in the ICR within twenty-one (21) days of admission.

POLICY NUMBER DJJ 302	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 6
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- E. Additional areas shall be addressed during the course of treatment, as appropriate, and may be included as individualized tasks on the youth's ITP. These areas may include:
1. Behavioral and social needs, including propensity toward violence;
 2. Medical, dental, and physiological needs;
 3. Emotional functioning, identification and review of previous episodes of suicidal or self-harming behaviors, and issues related to the monitoring of positive or negative effects of psychiatric medications;
 4. Academic and vocational assessment;
 5. Individual Plan of Instruction (IPI) or Individual Education Plan (IEP);
 6. Family and environmental needs;
 7. Religious needs;
 8. Legal needs;
 9. Reentry needs and any related requirement for step-down to either a group home or a day treatment program as part of the transition back to the community;
 10. Sexual behavior treatment needs; and
 11. Measurable criteria of expected behavior and accomplishments.
- F. The ITP shall be reviewed every thirty (30) days and updated as needed. In the case of JSO's the ITP shall be reviewed every sixty (60) days and updated as needed. If the date of the review falls on a weekend or holiday, the conference shall be held prior to the designated review date.
1. The youth counselor shall schedule ITP reviews;
 2. The youth, parent or caregiver, and JSW shall be invited to attend all scheduled reviews;
 3. Family identified natural supports may be included in ITP reviews upon request from parent or caregiver; and
 4. Members of the assigned treatment team shall participate in ITP reviews.
 5. Successful completion of treatment tasks shall be required for youth to advance Levels on their Treatment Track.
 6. Youth may request an interim review of their progress and program status through their assigned youth counselor or the Treatment Director.
 7. Any update to the ITP shall be discussed with the youth, dated, and documented with signatures of the youth and the Superintendent or designee.

POLICY NUMBER DJJ 302	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 6
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8. The youth and parent or caregiver shall receive a copy of the ITP and subsequent reviews.
- G. The discharge planning conference shall be held fourteen (14) days prior to the youth's anticipated release from placement to finalize the Aftercare Plan and facilitate the transfer of the youth to a lower level of placement.
1. The Aftercare Plan shall address housing, counseling, and medical service needs and may include education and employment needs.
 2. The youth and JSW shall participate in the discharge planning conference.
 3. Every effort shall be made to have the parent or caregiver and natural supports to participate in the discharge planning conference and finalization of the Aftercare Plan.
 4. The youth counselor shall review the most recent home evaluation at the discharge planning conference, and if applicable, the conditions of supervised placement. The conditions of supervised placement shall not be signed by the youth until the day of the youth's release from the placement to reside in the home of the parent or caregiver.
 5. The youth counselor shall have completed the Aftercare Plan which will identify the following:
 - a. The anticipated placement;
 - b. Current medication;
 - c. Needs addressed in treatment and summary of treatment progress; and
 - d. Identified needs that warrant continued service in the lower level of placement.
 6. If the youth is transitioning to the community, the JSW shall use the information obtained through the discharge planning conference and the Aftercare Plan to update the youth's Case Plan and coordinate necessary services for the youth.
 - a. Youth who score high risk on the RCNA shall have specialized coordinated services.
 - b. Specialized services shall address at a minimum:
 - i. Evidenced based family counseling;
 - ii. Referrals for mentoring; and
 - iii. Educational and vocational planning services.
 7. If the youth is transitioning to another the facility, the sending facility is responsible for providing the receiving facility with the Aftercare Plan for the purposes of continuity of coordinating services.

POLICY NUMBER DJJ 302	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 6
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8. If the youth is stepping down to another facility the receiving facility shall use the Aftercare Plan to update the youth's initial ITP to include only the tasks that require completion at the step down placement in order for youth to be returned to the community.
- H. In cases where a youth's Aftercare Plan includes a step-down to a less restrictive out-of-home placement, the following shall occur:
 1. The home evaluation and Aftercare Plan shall reflect the need for a step-down; and
 2. Step-down shall only be considered after a youth has attained a minimum of development level except in special circumstances such as medical problems, family illness, or the determination of the treatment team or Superintendent that a less restrictive placement is appropriate.
 3. A request for movement for special circumstances shall be made by the Division Director to the Classification Branch Manager for approval.
- I. Participation in the ITP conference, ITP reviews, and the discharge planning conference may occur via teleconferencing or video-conferencing.

V. MONITORING MECHANISM

- A. In a YDC:
 1. The Treatment Director or counselor supervisor shall be responsible for monitoring compliance with this policy;
 2. The Regional Psychologist shall audit compliance on a semi-annual basis; and
 3. Monitoring shall also be conducted by the Quality Assurance (QA) Branch during regularly scheduled reviews.
- B. In a group home and day treatment center:
 1. The Superintendent shall be responsible for monitoring compliance with this policy;
 2. The Regional Psychologist or QMHP designee shall audit compliance on a semi-annual basis; and
 3. Monitoring shall also be conducted by the QA Branch during regularly scheduled reviews.

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:110 2-CO-4F-01 3-JTS-3D-10, 5C-07 3-JCRF-5A-10, 5B-04, 5C-02 1-JDTP-3D-10, 12 1-JBC-5C-08, 15 4-JCF-4E-02,05; 5C-06
CHAPTER: Program Services		AUTHORITY: KRS 15A.065
SUBJECT: Treatment Team Composition, Function, and Responsibility		
POLICY NUMBER: DJJ 303		
TOTAL PAGES: 3		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter		, COMMISSIONER

I. POLICY

Each youth shall have a designated treatment team to review, update, and implement their individual treatment plan (ITP).

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. The treatment team shall meet on a weekly basis. Each youth shall meet with the treatment team at least every fourteen (14) days.
- B. YDC treatment teams shall be chaired by the Treatment Director. In the absence of the Treatment Director, the Superintendent, Assistant Superintendent, Youth Services Program Supervisor (YSPS), or youth counselor shall chair the treatment team. Treatment team meeting documentation shall be reviewed by the Treatment Director.
 1. YDC treatment team members shall include the Juvenile Services Worker (JSW), Treatment Director, youth counselor, youth worker staff as designated by the Superintendent, a teacher, a nurse, and parent or caregiver.
 2. The treatment team may also include: Superintendent, Assistant Superintendent, YSPS, psychiatrist, Vocational Coordinator and educational staff, Mental Health Branch staff, Facilities Regional Administrator (FRA), Regional Director, other professional

POLICY NUMBER DJJ 303	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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counseling and mental health staff, medical staff, and other approved individuals.

- C. A day treatment and group home treatment team shall be chaired by the Superintendent or designee.
 - 1. Treatment team members shall include the JSW, youth counselor, youth worker staff, educational staff, nurse, and parent or caregiver.
 - 2. The treatment team may also include: psychiatrist, Mental Health Branch staff, other professional counseling and mental health staff, medical staff, and other approved individuals.
- D. The Superintendent shall designate facility staff to attend treatment team meetings.
 - 1. If a staff person is unable to attend, they shall have approval from the Superintendent or designee.
 - 2. A staff person, who is unable to attend, shall be required to submit any necessary written documentation to the appropriate supervisor, in order that each involved staff person shall have input into the discussion and resulting decisions.
 - 3. The treatment team chair or designee shall be present at all treatment team meetings.
 - 4. At a minimum, in a YDC, four (4) or more team members shall be present representing three (3) or more disciplines.
 - 5. At a minimum, in a group home, three (3) or more team members shall be present representing two (2) or more program areas.
- E. The Superintendent shall encourage treatment team members, not under the supervision of the Superintendent, to attend treatment team meetings. Persons who are unable to attend may be asked to submit written documentation to the treatment team regarding the youth.
- F. Youth shall participate in the treatment team meetings in all cases involving major treatment decisions, such as level movement, ITP's, and placement planning.
 - 1. The youth shall provide a written statement if they are unable or unwilling to appear before the treatment team.
 - 2. When appropriate, the treatment team shall make the effort to go to the youth when the youth is unable to physically attend the meeting.
- G. The treatment team shall be responsible for making all treatment decisions regarding a youth.
- H. In a YDC and group home, the treatment team meeting shall be documented, through the electronic record, by the youth counselor or Superintendent's designee. This shall be completed within seven (7)

POLICY NUMBER DJJ 303	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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days of the treatment team meeting date. Entries shall be made prior to the next scheduled treatment team meeting.

- I. In a day treatment facility, the treatment team meeting shall be documented, in the hard case file, by the youth counselor, Program Director, or Superintendent's designee. This shall be completed within seven (7) days of the treatment team meeting date. Entries shall be made prior to the next scheduled treatment team meeting.

V. MONITORING MECHANISM

The Regional Division Director or designee, in conjunction with the Division of Program Services, shall develop monitoring protocols to be used by the Superintendent that review the expectations set forth in this policy.

A. In a YDC:

1. The Treatment Director or counselor supervisor shall be responsible for monitoring compliance with this policy.
2. The Regional Psychologist shall monitor compliance on a semi-annual basis.
3. Monitoring shall also be conducted by the Quality Assurance (QA) Branch during regularly scheduled monitoring.

B. In a group home:

1. The Superintendent shall be responsible for monitoring compliance with this policy.
2. The Regional Psychologist shall monitor compliance on a semi-annual basis.
3. Monitoring shall also be conducted by the QA Branch during regularly scheduled monitoring.

C. In a day treatment center:

1. In a DJJ contracted day treatment program, the Program Director shall be responsible for monitoring compliance with this policy.
2. In a DJJ operated day treatment program, the Superintendent shall be responsible for monitoring compliance with this policy.
3. Monitoring shall also be conducted by the QA Branch during regularly scheduled monitoring.

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:110 3-JTS-5I-03 3-JCRF-5H-03 1-JBC-5C-16; 5I-03, 13
CHAPTER: Program Services		AUTHORITY: KRS 15A.0652
SUBJECT: Treatment Track and Level System		
POLICY NUMBER: DJJ 306		
TOTAL PAGES: 5		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter , COMMISSIONER		

I. POLICY

Department of Juvenile Justice (DJJ) programs shall use a multi-level Treatment Track system. Levels within the Treatment Tracks shall be designed to provide a structured system for facility privileges and incentives to measure progression toward treatment goals and shall be documented in the youth's Individual Client Record (ICR).

II. APPLICABILITY

This policy shall apply to each DJJ operated day treatment program, group home, and youth development center (YDC).

LIMITED APPLICABILITY

Declared juvenile sexual offenders (JSOs) shall receive treatment as outlined in DJJPP Chapter 8 "Treatment Program for Juvenile Sex Offenders".

DJJ operated day treatment programs shall utilize only the Level System.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. The treatment track establishes a targeted timeframe for completion of treatment tasks identified on the individual treatment plan (ITP).
- B. Upon admission to the facility, youth shall be placed on one of the following Treatment Tracks:
 1. Misdemeanor Treatment Track;
 2. Felony Treatment Track;
 3. Declared JSO Treatment Track; or

POLICY NUMBER DJJ 306	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 5
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4. C.L.E.P. Treatment Track.

C. Each Treatment Track shall contain three levels; Awareness Level, Development Level, and Demonstration Level.

D. Timeframes for the completion of each level within the different Treatment Tracks shall be based on the severity of the committing offense, identified treatment needs, and behavioral requirements addressed in the youth's ITP. The maximum out-of-home timeframes for misdemeanor and Class D felony adjudications shall be in accordance with KRS 15A.0652 as outlined in DJJPP Chapter 2 Classification. Any time spent in an out-of-home placement arranged by DJJ shall count toward the maximum out-of-home time allowed by statute.

E. Treatment Tracks

1. Each Treatment Track shall include a targeted number of days in which the requirements of each level can be met. Youth's behavioral compliance and motivation for completion of treatment tasks, or lack thereof, may impact the targeted completion date.
2. Service delivery may be altered for youth who have cognitive, developmental, or physical disabilities in order to assist with successful progression through their treatment track. A youth's progression through the level system shall not be extended due to a disability.
3. The Misdemeanor Treatment Track is designed to be accomplished in 84 days.
 - a. Awareness Level- 21 days;
 - c. Development Level- 42 days with minimum requirement of 35 days; and
 - d. Demonstration Level- 21 days with a minimum requirement of 14 days.
4. The Felony Treatment Track is designed to be accomplished in 161days.
 - a. Awareness Level-21 days;
 - b. Development Level 42 days with minimum requirement of 35 days; and
 - c. Demonstration Level- 98 days with a minimum requirement of 63 days.
 - d. For Youthful Offenders (YOs) length of Demonstration level is dependent on individual treatment needs, offense severity, and length of sentence.
5. Declared JSO Treatment Track is designed to work in accordance with the declared JSO treatment as outlined in DJJPP Chapter 8 Juvenile Sexual Offender Treatment Program and SOP Manual.

POLICY NUMBER DJJ 306	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 5
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Declared Juvenile Sexual Offenders shall advance through the level system as follows:

- a. Awareness Level-21 days;
- b. Development Level 42 days with minimum requirement of 35 days; and
- c. For declared Juvenile Sexual Offenders (JSOs) length of Demonstration level is dependent on individual treatment needs, offense severity, and completion of assigned sex offender treatment.

6. The C.L.E.P Treatment Track is designed to be accomplished in 140 days.

- a. Awareness Level (Private)-21 days;
- b. Development Level (Private First Class)-42 days; and
- c. Demonstration Level (Corporal and Sergeant as earned)-77 days.

F. Level System

1. Awareness Level

- a. Youth shall be assigned to the awareness level upon admission.
- b. This Level shall emphasize the youth's awareness of the program's expectations, services offered, the youth's rights, and the facility level system.
- c. The youth shall increase awareness of their identified need areas and how those will guide their ITP.
- d. The aftercare plan shall be discussed and developed.
- e. To advance to Development Level the youth shall successfully accomplish the following:
 - i. Facility Orientation Treatment Plan;
 - ii. Development of their ITP;
 - iii. Familiarity with their ITP goals and tasks; and
 - iv. Required counseling services.

2. Development Level

- a. This level of treatment shall emphasize the development of skills necessary to address the youth's identified treatment needs and successful return to the community.
- b. On this level youth may be eligible for day passes and furloughs. Youth shall only be eligible for furloughs during the last week of this level.
- c. To advance to the Demonstration Level the youth shall:
 - i. Begin work on the goals identified on the ITP;

POLICY NUMBER DJJ 306	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 5
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- ii. Focus on learning social skills, coping skills, and problem solving skills;
- iii. Begin to identify high-risk thoughts and begin demonstrating new pro-social behaviors;
- iv. Complete the assigned level treatment tasks identified on their ITP;
- v. Successfully complete required counseling services; and
- vi. Begin developing their Relapse Prevention Plan.

3. Demonstration Level

- a. This level of treatment shall emphasize the youth's demonstration of skills necessary for release to the community or a lower level of out of home care.
- b. The Discharge Planning conference shall be conducted and the Aftercare Plan shall be completed.
- c. Youth may be considered for movement to a lower level of care in the placement continuum.
- d. Youth may be considered furlough eligible.
- e. To successfully accomplish this level the youth shall:
 - i. Demonstrate observable improvement in thinking by applying skills and behaviors learned during treatment;
 - ii. Complete the assigned level treatment tasks identified on their ITP;
 - iii. Successfully complete required counseling services; and
 - iv. Finalize their Relapse Prevention Plan and present to their family.

G. Administrative Transfers

- 1. Youth being stepped up within the level of placement continuum due to a major rule violation shall be placed at the beginning of the Awareness Level at the receiving facility for stabilization and assessment. The youth's ITP shall be reviewed and updated, if necessary, to reflect the administrative transfer request (ATR).
- 2. Except as otherwise provided, youth being moved within the level of placement continuum shall be observed for evaluation and orientation to the facility. Within fourteen (14) days the youth shall be returned to their previous facility level, unless otherwise determined by the treatment team. If a change in level occurs, the justification shall be documented in the youth's ICR.
- 3. Youth being transferred to ACU for stabilization or assessment shall be taken off Treatment Track, except in cases where medical necessity requires this placement. In the event placement exceeds

POLICY NUMBER DJJ 306	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 5
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thirty (30) days youth shall be placed back on Treatment Track and returned to the level of treatment achieved at the sending facility.

4. Youth being returned to a YDC or group home from ACU shall return to the level of treatment that had been previously attained.
5. If the Treatment Team anticipates an extension of the out-of-home timeframes will be needed an ATR shall be requested twenty-one (21) days prior to the projected release date.

V. MONITORING MECHANISM

- A. The Regional Division Director or designee, in conjunction with the Division of Program Services, shall develop monitoring protocols to be used by the Superintendent that review the expectations set forth in this policy.
- B. The Quality Assurance (QA) Branch shall perform annual facility monitoring visits to ensure compliance with this policy.



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

REFERENCES:
505 KAR 1:110
2-CO-4F-01
1-JCF-4E-07; 5C-02, 04, 07 4-
JCF-5C-02, 07
3-JTS-5C-01, 02, 04-06
3-JCRF-5C-01, 03
1-JDF-5B-01, 04, 05
1-JDTP-3D-10
1-JBC-5C-01, 05-07

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Counseling Services	
POLICY NUMBER: 307	
TOTAL PAGES: 5	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter , COMMISSIONER	

I. POLICY

Counseling services shall be provided to each youth in accordance with the youth's individualized treatment plan (ITP) and the timeframe identified by the youth's assigned Treatment Track.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Each program shall utilize a trauma informed approach and evidence based practices in the provision of counseling services. Evidence based practices offered in facilities shall be recommended through the Clinical Steering Committee with the Chief of Mental Health Services having final approval. Evidence based practices offered in facilities may include:

1. Cognitive-behavioral approaches;
2. Motivational Interviewing;
3. Seven Challenges; and
4. Cannabis Youth Treatment (CYT).

B. Assigned youth counselors shall demonstrate competency in counseling skills through a combination of training, mentoring, supervision, licensure, or certification.

POLICY NUMBER DJJ 307	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 5
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- C. Staff shall be available to provide counseling in emergency situations and upon a youth's request in accordance with each youth's ITP.
- D. Each youth placed in a YDC or group home shall have an opportunity for individual, group, and family counseling.
- E. Family counseling sessions required on development level and demonstration level can replace one (1) hour of individual counseling for that same week.
- F. DAP notes shall be completed for every individual and group counseling session for each individual youth participating. For each session completed, the DAP note shall contain all three (3) components as required below specific to the session which is being documented. DAP notes shall be written as follows:
 - 1. "D" shall include what the youth has said and does during the respective individual or group counseling session, as well as observations from outside observers.
 - 2. "A" shall be the counselors assessment based on the information in "D".
 - 3. "P" shall be the action the counselor intends to take as a result of the information in both "D" and "A".
- G. Individual counseling shall be:
 - 1. Conducted by the youth's assigned counselor. If the assigned counselor is absent, one (1) of the following staff shall provide counseling services: the Treatment Director, another youth counselor, Superintendent, or Superintendent's designee;
 - 2. Provided to each youth at a minimum of one (1) scheduled hour per week. Any exceptions to this protocol shall be approved through the Treatment Director by the Regional Psychologist or Chief of Mental Health Services. Individual counseling sessions may be held more often to meet the treatment needs of the youth or as deemed appropriate by the treatment team;
 - 3. Utilized to help the youth make changes in thinking and behavior consistent with pro-social norms;
 - 4. Utilized to assist youth in meeting goals and tasks identified on the youth's ITP; and
 - 5. Documented in the individual client record (ICR) within seven (7) days. In a contracted day treatment, individual counseling shall be entered in the hard case ICR within seven (7) days. In circumstances when critical information pertinent to safety and security is gained during individual counseling, that critical information shall be documented in the appropriate facility log by the end of the shift and up-lined through the chain of command.
- H. Group Counseling shall be:
 - 1. Led by staff trained in methods approved by DJJ;
 - 2. Limited to twelve (12) youth in any one session;

POLICY NUMBER DJJ 307	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 5
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3. Conducted for one (1) hour and regularly scheduled at a minimum of three (3) times per week for each youth assigned, except in a day treatment program where group shall be regularly scheduled a minimum of two (2) times per week for each youth assigned. The Chief of Mental Health Services or designee or the Regional Psychologist shall approve any exceptions to this protocol;
 4. Utilized to help youth make changes in thinking and behavior consistent with pro-social norms;
 5. Utilized to discuss specific and common issues, conflicts, and concerns;
 6. Documented in each participating youth's ICR within seven (7) days from the end of treatment team. In a contracted day treatment, a summary of each youth's participation in group counseling shall be documented in the hard case ICR file within seven (7) days from the end of treatment team; and
 7. Recorded by the group leader in summary form in the appropriate facility log no later than the end of the shift in YDC and group home placements.
- I. In group homes and YDCs, family counseling shall be provided. Family counseling shall be:
1. Conducted by the youth's assigned counselor or Treatment Director;
 2. Conducted for a minimum of one (1) hour and shall occur at a minimum consistent with the requirements of the youth's Treatment Track. Requirements contained in the Treatment Tracks are outlined below:
 - a. Misdemeanor Treatment Track
 - i. Awareness Level: One (1) required family counseling session.
 - ii. Development Level: Two (2) required family counseling sessions.
 - iii. Demonstration Level: Two (2) required family counseling sessions; and
 - b. Felony Treatment Track
 - i. Awareness Level: One (1) required family counseling session.
 - ii. Development Level: Two (2) required family counseling sessions; and
 - iii. Demonstration Level: At a minimum, four (4) required family counseling sessions;
 3. Conducted with the family or caregiver with whom the youth will live following placement as identified on the preliminary home evaluation;
 4. Utilized to work on the family goals and tasks outlined on the youth's ITP;
 5. Utilized to assist the family in making changes to thinking and behaviors consistent with pro-social norms;
 6. Documented into the ICR within seven (7) days of the session;

POLICY NUMBER DJJ 307	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 5
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7. Family counseling may be scheduled face-to-face, via telephone, or via the Lync system in collaboration with the youth's Juvenile Service Worker (JSW). It may also be scheduled around visitation times to increase the family's willingness to participate.
8. Family counseling sessions shall be utilized for participants to address any reported incidents involving the youth which have occurred since the last counseling session.
9. Refusal of the family to participate in family counseling shall not affect the youth's ability to move through the treatment program. In situations where the family refuses to participate the following shall occur:
 - a. The JSW shall be notified in an attempt to encourage participation;
 - b. The counselor shall continue efforts throughout the youth's treatment to engage the family; and
 - c. The counselor shall document in any family refusal of participation in youth's ICR along with attempts made to engage the family at the required treatment intervals.

V. MONITORING MECHANISM

A. In each YDC:

1. The Treatment Director shall observe one (1) group counseling session per supervisee, quarterly.
2. The Treatment Director shall review the ICR monthly, one (1) case per supervisee, for compliance with individual and group counseling standards, treatment protocol, and documentation standards.
3. The Treatment Director shall provide a written report of observations and findings to the Superintendent, FRA, Regional Psychologist, and Chief of Mental Health Services. If appropriate, the Treatment Director or counselor supervisor shall submit a corrective action plan with a timetable for implementation to the FRA, Regional Psychologist, and the Superintendent within one (1) week of the review.
4. The Quality Assurance (QA) Branch shall conduct monitoring on an annual basis.

B. In each group home and DJJ operated day treatment center:

1. The Superintendent shall observe one (1) group counseling session per supervisee, quarterly; and
2. The Superintendent shall review a sampling of the ICR monthly, for compliance with individual and group counseling standards, treatment protocol, and documentation standards.
3. The Superintendent shall provide a written report of observations and findings to the FRA, Regional Psychologist, and Chief of Mental Health within one (1) week of the review. If appropriate, the Superintendent shall submit a corrective action plan with a timetable for implementation

POLICY NUMBER DJJ 307	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 5
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to the FRA and Regional Psychologist, within one (1) week of the review.

4. The QA Branch shall conduct monitoring on at least an annual basis.
- C. In each contracted day treatment program, the Education Branch shall monitor annually.



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

**REFERENCES:
505 KAR 1:110
3-JTS-3A-15; 1E-07
3-JCRF-3A-09
1-JBC-3A-14
4-JCF-2A-16**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Advanced Care Unit

POLICY NUMBER: DJJ 308

TOTAL PAGES: 3

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

The Advanced Care Unit (ACU) shall operate as a short-term, self-contained program designed to stabilize and assess the treatment needs of committed or sentenced youth who are in an out of home placement and have documented or suspected mental health histories or special medical needs.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. The admission and discharge of a youth from the ACU shall be in accordance with the DJJ classification system.
- B. Youth being transferred to ACU for stabilization or assessment shall be taken off Treatment Track, except in cases where medical necessity requires this placement. In the event placement exceeds thirty (30) days youth shall be placed back on Treatment Track and returned to the level of treatment achieved at the sending facility.
- C. The assigned youth counselor shall develop a special management plan (SPM) for the youth within seventy-two (72) hours of admission to the ACU. They youth shall receive a copy of this plan. The SPM shall:
 1. List general behavior expectations for the youth;

POLICY NUMBER DJJ 308	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 2 of 3
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2. Be signed by the youth and the youth counselor; and
 3. Be updated as needed by the youth counselor and the treatment team.
- D. The ACU will operate as self-contained from facility operation, except in circumstances in which integration serves a treatment purpose for the ACU group or integration has been added on an individual youth SPM as part of their transition plan.
- E. Treatment shall be intense and individualized.
1. Counselors shall be available daily to conduct individual and group sessions, as well as assist with crisis intervention and problem solving, as needed;
 2. Individual counseling shall occur two (2) times per week for a total of two (2) hours; and
 3. Group interventions shall be based on the skill level and needs of the population of the unit and will occur two (2) times per week. If group work is not practical or conducive to the particular population, individual sessions shall be added to assist the youth with stabilization.
- F. Treatment shall be coordinated by the facility treatment team and the youth's assigned counselor.
- G. The treatment team shall review progress on a weekly basis to monitor the effectiveness of the SPM and progress of each youth.
- H. The Treatment Director, Regional Psychologist, and Chief of Mental Health Services shall be available for consultation, as needed, to assist with identifying treatment needs, SPM's, or transitional planning.
- I. Due to intensive supervision needs of youth admitted to the ACU, the following shall apply:
1. Required minimal staffing shall be one (1) youth worker (YW) on duty for every eight (8) youth during awake hours and one (1) YW on duty for every ten (10) youth during sleep hours; and
 2. Staff may secure residents in their rooms at intervals not to exceed fifteen (15) minutes, in order to ensure the safety of all residents and complete tasks that may compromise line of sight supervision.
- J. Safe room procedures shall be as follows:
1. Suicidal youth may be placed in the safe room with the door secured if they present an immediate assault risk to staff or other youth as evidenced by physical actions and other less restrictive interventions have failed or are not appropriate. One-to-one supervision shall be required until otherwise determined by a QMHP and a mental health evaluation. Staff shall follow protocol for dealing with mental health emergencies and

POLICY NUMBER DJJ 308	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 3 of 3
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suicide prevention and intervention for a youth, who has been placed in isolation and expresses suicidal ideation.

2. If a youth secured in the safe room starts self-injurious behavior, treatment staff shall contact the Treatment Director or Regional Psychologist immediately. The door may only remain secured with a self-injurious youth with approval from the Treatment Director or Regional Psychologist. If staff is directed to open the door or the self-injurious behavior escalates to the point that use of restraint to protect the youth is necessary, staff shall follow restraint procedures outlined in DJJ policy.
3. Staff shall issue the youth a security blanket if requested when behavior is not violent or threatening.
4. Staff shall provide the youth with a mattress if the youth is cooperative and is expected to remain in the room overnight.
5. Staff shall issue the youth a security smock, paper gown, or security blanket when the clothing of the youth has to be removed for safety reasons.

V. MONITORING MECHANISM

The ACU Committee shall monitor the ACU on an on-going basis.

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:110 3-JTS-5C-01, 05 3-JCRF-5C-01, 03; 5H-04, 05 1-JDTP-3D-09, 10, 11 1-JBC-5C-06 4-JCF-5C-02
CHAPTER: Program Services	AUTHORITY: KRS 15A.0652	
SUBJECT: Family Engagement		
POLICY NUMBER: DJJ 309		
TOTAL PAGES: 2		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter , COMMISSIONER		

I. POLICY

The Department of Juvenile Justice (DJJ) shall be committed to working in collaboration with the youth and family or caregiver, to provide permanency and support to the youth to successfully remain in or return to a community setting. DJJ shall engage the parent or caregiver as an active member in the youth’s treatment process.

II. APPLICABILITY

This policy shall apply to each DJJ operated and contracted day treatment program, group home, and youth development center (YDC).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. At the initial Individual Treatment Planning (ITP) conference, the youth and parent or caregiver shall be notified of their rights and responsibilities. Additionally, during each ITP conference, ITP review, or parent or caregiver meeting, questions regarding the rights and responsibilities of the youth and parent or caregiver may be reviewed as needed.

B. Parent or caregiver involvement in a DJJ program shall include the following:

1. Each residential or day treatment program shall maintain regular contact with the youth’s parent or caregiver;
2. Where family counseling is indicated the youth counselor shall request that the parent or caregiver participate in family counseling with the youth at intervals determined by the youth’s identified Treatment Track;
3. Treatment and aftercare planning;
4. The Treatment Director, youth counselor, Superintendent, or any designee approved by the Regional Psychologist through the Facilities Regional

POLICY NUMBER DJJ 309	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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Administrator (FRA), shall provide family or caregiver counseling in accordance with the youth's ITP;

5. The youth counselor may assist parents or caregivers with referrals for additional services to local agencies or private practitioners, in coordination with the Juvenile Service Worker (JSW);
 6. The residential youth counselor shall communicate with the youth's parent or caregiver once within every fourteen (14) days. If the youth counselor is unable to make contact with the parent or caregiver, the attempts shall be documented in the electronic record.
 - a. Communication with the parent or caregiver shall be documented in the electronic record within seven (7) days of the contact. In a day treatment program, the communication shall be documented in the electronic or hard case file within seven (7) days of the contact;
 - b. If contact cannot be made, the attempt to communicate shall be documented in the electronic record within seven (7) days of the attempt. In a day treatment program, the communication shall be documented in the electronic or hard case file within seven (7) days of the attempt; and
 - c. Contact may be attempted through:
 - i. Telephone;
 - ii. Written correspondence;
 - iii. Video-conferencing; or
 - iv. Face-to-face contact;
 7. The youth counselor may provide or refer, in coordination with the JSW, a parent or caregiver to education classes, parental support groups, or other services; and
 8. Parents and caregivers shall be provided the opportunity to visit the youth to facilitate parent or caregiver involvement with the youth's treatment.
- C. Each family contact and service shall be documented.

V. MONITORING MECHANISM

- A. The Quality Assurance (QA) Branch shall monitor for compliance annually.
- B. In a YDC and DJJ operated or contracted day treatment, the Education Branch shall monitor according to Title I.
- C. The Treatment Director or Superintendent or designee shall conduct monthly reviews of the electronic record.



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

REFERENCES:
505 KAR 1:110
2-CO-5D-01
3-JTS-5H-01-18; 5I-01-06
3-JCRF-5G-01-08; 5H-01, 03-05
1-JDTP-3D-25-27; 3E-08
1-JBC-5H-01-16; 5I-01, 03-05, 15
4-JCF-3A-07-20

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Family and Community Contacts:
Mail, Telephone, and Visitation**

POLICY NUMBER: DJJ 310

TOTAL PAGES: 6

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Family and community contacts shall be designed to promote positive relationships and facilitate communication between the youth, family, and community. Contacts shall be in keeping with the mission and security level of the program and in accordance with the youth's individual treatment plan (ITP).

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Mail shall be processed as follows:

1. In a YDC and group home:

- a. There shall be a weekly postage allowance of two (2) stamps per youth. This allowance shall not be transferable to another youth.
- b. When a youth bears the mailing cost, there shall not be a limit on the volume of letters a youth may send or receive.
- c. Mail shall not be held more than twenty-four (24) hours, and packages not more than forty-eight (48) hours, excluding weekends and holidays. In an emergency situation in which normal facility procedure, policy, or activity is disrupted due to riot, escape, fire, natural disaster, employee action, or other serious incident, mail shall

POLICY NUMBER DJJ 310	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 6
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be delivered according to schedule when normal procedure and activity is restored.

- d. A first class letter or package received for youth, who have been transferred or released, shall be forwarded to the address designated by the youth.
 - e. Youth may send and receive a sealed first class letter to and from court, counsel, and officials of DJJ or the Justice Cabinet and those individuals on their approved mail list:
 - i. Staff, in the presence of the youth, may inspect outgoing mail for contraband before it is sealed; and
 - ii. Mail received by the youth, from this specified class of persons and organizations, may be opened only to inspect for contraband and only in the presence of the youth, unless waived in writing, or in circumstances which may indicate contamination.
 - f. Mail with gang writing on the envelope or that has been received from incarcerated individuals at other facilities or correctional institutions, may be delivered, returned, or placed in the youth's secured possessions at the discretion of the Superintendent.
 - g. Procedures for the opening of mail, including packages, and inspection for contraband, shall be included in each program's Standard Operating Procedures (SOPs) and resident handbook. The mail procedures shall be made available to staff, youth, and their correspondents.
 - h. Notification that mail is subject to search and inspection shall be mailed to the youth's parent or caregiver within twenty-four (24) hours of admission. These procedures shall be reviewed annually and updated as needed, and shall include the following:
 - i. Determining restrictions and providing notice to staff of any restrictions on correspondence for each youth;
 - ii. Tracking the youth's use of the weekly postage allowance;
 - iii. Handling of cash, checks, or money orders removed from incoming mail;
 - i. The treatment team shall assess the appropriateness of publications received by youth on a case-by-case basis. Restrictions to access shall be directly related to the maintenance of facility order, treatment, or security;
 - j. The Superintendent or designee shall notify the youth when a mail restriction has occurred or a mail item has been returned. This notification shall be documented in the youth's electronic record; and
 - k. Each facility shall forward mail to youth who have been transferred or released.
2. In a day treatment program:

POLICY NUMBER DJJ 310	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 6
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- a. Mail received for a youth shall be forwarded to the youth's residence; and
 - b. Postage for personal mail shall not be provided to youth.
- B. Telephone use shall be provided as follows:
- 1. In a YDC and group home:
 - a. Each youth shall be provided access to the telephone to make and receive personal calls, within the limits of the orderly operation of the facility, in order to maintain community and family ties and contact with attorneys.
 - b. Youth shall have access to reasonably priced telephone services with rates and charges commensurate with those charged to the general public for like services.
 - c. Youth, with hearing or speech disabilities, shall be afforded access to a Telecommunications Device for the Deaf (TDD), or comparable equipment.
 - d. Each facility shall develop SOPs that detail hours and location for telephone access, by youth, and a method for determining and providing notice to staff of approved callers for each youth.
 - e. Procedures for access to the telephone may relate to the progress of the youth, as demonstrated by advancement through the level system, except calls to and from the youth's legal representative or juvenile service worker (JSW).
 - f. Youth shall be permitted phone contact with a parent or caregiver no less than once per week, unless the Superintendent determines there is a threat to the maintenance of facility order, treatment, or security.
 - g. Calls may be monitored, except those calls to and from the youth's legal representative.
 - h. Each facility shall have provisions for transmitting messages to youth.
 - 2. A day treatment program shall provide youth access to a telephone to initiate and receive emergency personal calls.
- C. Visitation shall be provided as follows:
- 1. In a YDC and group home:
 - a. Each facility shall develop SOPs that detail:
 - i. Visitation hours;
 - ii. Location;
 - iii. Acceptable activities during visits;
 - iv. Screening for and control of contraband during visitation;
 - v. How visits outside normal hours are approved and conducted;
 - vi. Directions to the facility and information about local transportation;

POLICY NUMBER DJJ 310	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 6
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- vii. Facility phone number;
 - viii. Identification (ID) requirements for visitors including photo ID when possible;
 - ix. Special rules for children;
 - x. Authorized items that visitors may possess or give to the youth;
 - xi. Circumstances under which visitation can be canceled or rescheduled;
 - xii. Circumstances under which visitors are searched;
 - xiii. Circumstances under which visitors are supervised; and
 - xiv. Provisions for informal communication, including the opportunity for physical contact except in instances of substantiated documented security risks.
- b. Each youth shall have an approved visitors list as determined by the treatment team.
 - c. Each facility shall have visitors sign the visitor's log upon entry and exit.
 - d. Documentation shall be made in the youth's electronic record of all visitors.
 - e. Additional privileges, associated with visitation, shall relate to the progress of the youth as demonstrated by advancement through the level system.
 - f. Visitation information, to include the information in IV. C.1. a. i-xiv., shall be communicated to the youth and parent or caregiver within seventy-two (72) hours of admission.
 - g. Each secure program may retain ID as visitors sign in and shall develop security procedures consistent with this policy.
 - h. All visitors of youth shall be subject to search in accordance with DJJPP Chapter 3 Searches.
 - i. Each visitor shall be appropriately dressed. Lewd, revealing, gang affiliated, drug or alcohol affiliated, offensive clothing, or any apparel which conveys a message contrary to treatment goals shall not be worn.
 - j. Visitation suspension shall be approved by the Superintendent or designee. Temporary suspension of visitation may occur for a youth or visitor due to a facility disruption or to support treatment goals as follows:
 - i. For a visitor:
 - a) Upon suspension the visitor shall be notified of the suspension, in writing, within five (5) business days;

POLICY NUMBER DJJ 310	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 6
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- b) This temporary suspension of visitation shall be documented in writing, which shall include the conditions under which the suspension of visitation may be lifted; and
 - c) Documentation shall be included in the youth's hard case file and the electronic file, and notification provided to the suspended individual, the JSW, and Facilities Regional Administrator (FRA).
 - ii. For a youth:
 - a) This temporary suspension of visitation shall be documented in writing; and
 - b) The documentation shall be included in the hard case file and electronic file, and notification provided to the youth, parent or caregiver, JSW, and FRA.
 - iii. To support treatment goals:
 - a) The temporary suspension shall be recommended by the treatment team; and
 - b) Documentation shall be included in the youth's hard case file, in the electronic file, and notification to the parent or caregiver, JSW, and FRA.
- k. Each facility shall develop security and documentation procedures for exclusion of visitors.
- l. While visitation shall be encouraged, any visitor may be excluded from contact with youth and the program for the following reasons:
 - i. Involvement in the youth's offense;
 - ii. Posing a threat to the safety of the youth or the security of the facility;
 - iii. Refusal to follow facility rules or procedures, including search;
 - iv. Appearing intoxicated or under the influence of drugs; or
 - v. Facility documentation of a substantiated disruption during a previous visitation.
- m. Denial of visitation privileges shall be documented in writing. A copy of the denial and justification shall be sent to the excluded individual within five (5) workdays. A copy shall be included in the youth's hard case file, documentation included in the electronic file, and notification provided to the JSW and FRA.
- n. If available, teleconferencing or video conferencing may be coordinated by the youth's counselor with the JSW as a means for the parent or caregiver to contact youth.
- o. Group visits shall be provided as follows:
 - i. A group wishing to visit the program or a specific youth shall be required to have the advance approval of the Superintendent;

POLICY NUMBER DJJ 310	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 6
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- ii. A group not routinely involved in the program or known to the facility staff shall provide, in an advance, a written request for the visit to the Superintendent for approval;
 - iii. Such visits shall be limited to those groups who have a legitimate, beneficial purpose for the youth or program; and
 - iv. Each individual within a group shall be subject to the same policies and procedures established for individual visitation.
 - p. An approved visitor shall have the responsibility for providing their own transportation for visits.
2. In a day treatment program:
- a. Visitation shall be encouraged, and the program shall make provisions for assisting the parent or caregiver in visitation to the program.
 - b. Visitation shall be permitted for a parent, caregiver, or attorney during program hours, except where there is documented evidence that a visitor poses a threat to the safety of the youth or the security or disruption of the program.
- D. Youth shall be informed in a timely manner of the verifiable death or critical illness of an immediate family member.
- E. Each facility shall develop SOPs for the documentation of incoming and outgoing mail, including packages, incoming and outgoing telephone calls, and visitation in the youth's ICR. When a youth is denied mail, telephone, or visitation, the reason shall be documented in the youth's ICR.
- F. Facility mail, telephone, and visitation SOPs shall be reviewed annually.

V. MONITORING MECHANISM

- A. The Quality Assurance (QA) Branch shall perform annual facility monitoring visits that review visitation, mail, and telephone documentation.
- B. Internal monitoring shall be completed by the Superintendent or designee, by reviewing case files to ensure that documents are completed according to policy requirements.
- C. The FRA shall monitor to ensure that programs are permitting family and community contacts according to policy.



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

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Cadet Leadership and Education Program (CLEP)	
POLICY NUMBER: DJJ 311	
TOTAL PAGES: 3	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter	, COMMISSIONER

I. POLICY

The Cadet Leadership and Education Program (CLEP) shall be a specialized Department of Juvenile Justice (DJJ) program for delinquent males who have committed a felony offense, are committed to DJJ, and are in need of services in an out of home placement. The CLEP program shall operate in accordance with all DJJ policies and procedures except where differences are outlined in this policy.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Eligibility and Admission

1. Youth shall be assessed and identified by the Classification Branch for a formal interview which shall be performed by qualified CLEP staff.
2. CLEP staff shall determine if the youth is suitable for the program intellectually, physically, academically, and emotionally.
3. The admission and discharge of a youth from CLEP shall be done in accordance with the DJJ classification system but the following shall apply:
 - a. CLEP shall be designed for youth in need of a strictly supervised and disciplined environment followed by supervised community aftercare.

POLICY NUMBER DJJ 311	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 2 of 3
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- b. Youth shall be males between the ages of fourteen (14) and seventeen (17).
 - c. Youth shall be committed on a felony offense at the time of placement.
 - d. Youth shall be cleared by the CLEP Treatment Director, generally, having no history of suicide attempts in last two years and no psychiatric hospitalizations other than for substance abuse treatment.
 - e. Youth shall be cleared medically by a physician to participate in the rigorous physical training and work programs.
4. Youth may be excluded for consideration for placement at CLEP due to the following:
- a. Youth is committed to the Department for a sexual offense;
 - b. Youth has a history of escape from facilities;
 - c. Youth is suicidal or has attempted suicide in the last two (2) years;
 - d. Youth has physical or mental limitations who, even with the provision of reasonable accommodations, are unable to engage in physical training and program requirements; or
 - e. Youth accepted outside of these criteria are reviewed individually by the Superintendent for acceptance.
5. Youth admitted to CLEP shall complete a minimum of four (4) months of a residential level system and up to four (4) months of a community aftercare program prior to successful discharge.
6. Youth participating in CLEP shall be required to maintain grooming habits as prescribed in the CLEP handbook.
- B. Residential Level of Treatment**
- 1. The CLEP Treatment Track shall outline the timeline for completion of the residential portion of the program. The names of each level shall be consistent with the CLEP model for treatment.
 - 2. The timeframes for the CLEP Treatment Track shall be targeted for completion in 140 days and shall be broken down as follows:
 - a. Private – 21 days;
 - b. Private First Class – 42 days; and
 - c. Corporal and Sergeant – as earned – 77 days.
 - 3. Promotion through levels in CLEP shall be based on completion of individual treatment plan (ITP) goals and tasks, following facility rules and expectations, and participation in facility drills and ceremonies.
 - 4. In addition to the youth’s regular education programming, youth at CLEP shall be required to learn basic military bearing and complete all requisite coursework.
 - 5. Youth shall participate in work detail and physical training daily.
 - 6. An exercise of the day (EOD) may be issued for minor rule infractions.
- C. Community Phase of Treatment**

POLICY NUMBER DJJ 311	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 3 of 3
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1. After the youth successfully graduates from CLEP, the youth shall be placed on CLEP aftercare for a period of up to four (4) months.
2. During CLEP aftercare, the youth shall be supervised by the CLEP and shall be on CLEP aftercare conditions.
3. The youth counselor shall conduct regular counseling sessions with the youth and the family to assist with the transition of the youth back to the home environment.
4. The youth counselor shall assist with linking the family to services as needed to ensure the success of the youth's return. The following components may be included in this phase of the youth's treatment:
 - a. Education;
 - b. Restitution;
 - c. Group or Individual Therapy;
 - d. Family Involvement;
 - e. Mentors and Community Support;
 - f. Substance Abuse Prevention/Treatment;
 - g. Life-Skills Counseling;
 - h. Career Counseling, Job Training, and Assistance in Locating Jobs; and
 - i. Victim Empathy Activities;
5. If, at any time, during this four (4) month period, the youth fails to meet expectations in the home, at school, or at his place of employment, the youth may be returned to CLEP in order to provide stabilization and refocus before he is returned to the community phase of treatment.
6. While the youth is being supervised under CLEP aftercare, the youth counselor at CLEP shall be responsible for conducting and documenting thirty (30) day treatment reviews as required by policy.
7. Once the youth successfully completes CLEP aftercare, the Juvenile Service Worker (JSW) shall have the youth sign Conditions of Supervised Placement or shall petition the court for release from commitment at appropriate. Once this occurs, the JSW shall be responsible for reviewing and updating the youth's record as required by policy.

V. MONITORING MECHANISM

A. Residential

Monitoring shall be accomplished by the Superintendent, Treatment Director, or Counselor Supervisor.

B. Aftercare

Monitoring shall be accomplished by the Superintendent, Assistant Superintendent, and the Aftercare Coordinator.



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

**REFERENCES:
505 KAR 1:110
3-JTS-1A-21
1-JDTP-1A-18**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Youth Council

POLICY NUMBER: DJJ 314

TOTAL PAGES: 2

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Each Department of Juvenile Justice (DJJ) program shall have a Youth Council which meets monthly with the Superintendent or designee.

II. APPLICABILITY

This policy shall apply to each DJJ operated day treatment program, group home, and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. The youth council shall include representatives from each unit, cottage, or group who shall present youth concerns.
- B. Each facility's Standard Operating Procedures (SOPs) shall address the criteria for selection of youth representatives and shall establish protocol for youth council meetings.
- C. The youth council shall discuss and offer recommendations to the Superintendent on issues to include the following:
 1. Staff and youth relations;
 2. Programming issues;
 3. Physical plant concerns;
 4. Recreation;
 5. Education;
 6. Health and dietary issues; and
 7. Youth activity fund.

POLICY NUMBER DJJ 314	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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- D. Written minutes shall be kept of each youth council meeting and shall be held on file for three (3) years by the Superintendent or designee. The Superintendent or designee and all participants shall sign an attendance sheet at the meeting.
- E. Information gathered, from the youth council meetings, shall be used to resolve problems and to improve facility programs and services via immediate, short term actions or long term goals and objectives of the facility.

V. MONITORING MECHANISM

The Superintendent shall ensure that youth council meetings are held monthly.



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

**REFERENCES:
505 KAR 1:110
2-CO-1B-13, 14
3-JDF-1B-10, 13
3-JTS-1B-09-12, 18
3-JCRF-1B-02, 08, 09, 10, 16, 19
1-JDTP-1B-09, 10, 12, 17
1-JBC-1B-09, 10, 11, 17
4-JCF-6B-05, 07, 08, 13**

CHAPTER: Programs Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Use of Non-Governmental Funds
and Youth Activity Funds Account**

POLICY NUMBER: DJJ 315

TOTAL PAGES: 4

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

A youth activity fund account shall be established. The youth activity fund may include youth earned allowance, income through work experience, and funds collected through private donations or work projects. Each facility shall manage and report the appropriate use of these funds. A special account may be established and utilized at programs where the facility collects and holds staff meal money as well as Kentucky Employee Contribution Campaign (KECC) donations. These special accounts shall solely be used for these purposes.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. DJJ facilities shall establish a youth activity account fund, where funds are earned through allowance and work experience as well as funds collected through work projects, sales of articles produced by youth, and private donations. DJJ facilities may establish a special account for staff meals and KECC donations. Specific accounting procedures shall be maintained and detailed by the facility. Staff flower, coffee, and water funds shall be in private accounts not tracked or maintained by the Department.

POLICY NUMBER DJJ 315	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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- B. A petty cash fund of no more than \$100 from the account may be maintained on site. Petty cash shall only be used to generate change for cash sales from the youth activity account fund and shall not be used to make purchases. Cash on hand shall be secured by the trustees in a locked box or cabinet with appropriate key control.
- C. All monies collected at the facility shall be placed in a designated and secure location daily.
- D. Youth activity funds and a youth's individual funds shall be kept in one bank account that is referred to as the youth activity fund account. The facility shall maintain an acceptable accounting system necessary to ensure an accurate accounting of these funds, which shall include individual ledgers for youth's individual funds. Any interest earned on monies other than operating funds shall accrue to the benefit of the youth.
- E. Youth that meet the minimum deposit requirements of the local financial institution's minimal account requirements shall have the option to open an interest-bearing personal account. Youth shall be informed that their parent or caregiver shall be responsible for opening the account. Staff involvement in facilitating the transfer shall not impede the safe and orderly operation of the facility.
- F. The Superintendent shall serve as primary trustee of all non-governmental funds and accounts. The facility fiscal manager or officer shall be the secondary trustee of all non-governmental accounts. A third trustee for all non-governmental accounts may be designated by the Superintendent. The final trustee, for all accounts, shall be the non-governmental accounts contact person in the Fiscal Branch.
- G. All checks written from the non-governmental accounts shall require two signatures from the trustees.
- H. Bank statements for each account shall be reconciled monthly by facility fiscal manager or officer.
- I. The Superintendent shall:
 - 1. Review the accounts monthly,
 - 2. Certify the accuracy of the deposits along with the disbursements, and
 - 3. Review and sign the monthly account reconciliations.
- J. The facility shall maintain a sub-ledger for each individual and the youth activity funds. Each sub-ledger shall record receipts, disbursements, and maintain a positive balance.
- K. All disbursements of any fund shall be covered by a sufficient balance in the account at the time of expending or obligating. All disbursements of non-

POLICY NUMBER DJJ 315	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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- governmental accounts shall be properly documented with a receipt or invoice. All purchases shall be paid by check or inter-fund transfer.
- L. All incoming funds shall be documented as to the source and accompanied by a receipt voucher.
 1. Each receipt voucher shall indicate the date, source of funds, amount received, date deposited into the bank account and clearly identify the type of funds as either youth activity funds, meal receipts, or KECC donations.
 2. Copies of all deposit slips shall be maintained with the receipt voucher.
 3. Deposits shall be made monthly or more frequently if needed.
 4. Incoming checks and monies shall be registered immediately in the appropriate fund ledger by the Superintendent or secondary trustee and deposited in the account.
 5. Receipt voucher booklets shall be sequentially numbered and in triplicate.
 - M. All disbursements shall be documented on a disbursement voucher and shall include the check number, date, payee, amount, and a full description of the disbursement.
 - N. Disbursements of \$500 or more from the youth activity fund account shall require documented prior approval by the Regional Director or Facilities Regional Administrator (FRA).
 - O. The youth activity account fund shall not be used for disbursements for items or services for staff.
 - P. Staff shall submit a travel voucher for reimbursement of pre-approved staff purchases for youth, that are incurred while supervising youth when off-grounds.
 - Q. Any cost incurred through the performance of DJJ directed staff duties shall be reimbursable through a travel voucher.
 - R. All properties valued at \$500 or more and purchased from the youth activity fund account shall be tagged and numbered in a permanent manner that cannot be removed. A separate inventory shall be maintained for the youth activity fund account property. An inventory of said properties shall be forwarded to the DJJ property officer to be noted as non-state properties and included for insurance purposes.
 - S. Vehicles which require taxes, licenses and insurance shall not be purchased with the Youth Activity Fund Account.
 - T. Voided checks shall be maintained with the checkbook.
 - U. Cancelled check images shall be maintained with monthly bank statements. These records shall be maintained in the facility for three (3) years from the date of audit by the Division of Administrative Services.

POLICY NUMBER DJJ 315	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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- V. For any unclaimed checks or outstanding monies that are over one (1) year old staff shall follow procedures outlined in Chapter 1 policies.
- W. 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 forty-five (45) days of the closure date. All records concerning the fund shall be forwarded to the Deputy Commissioner of Support Services. Upon receipt of this material the Deputy Commissioner shall issue specific instructions for the disposition of all cash and recreational equipment belonging to the fund.
- X. Each facility shall include in its quarterly report a section entitled “Non-Governmental Accounts”. This section shall contain a reconciliation for each bank account between the bank account balance and general ledger kept for that account. This quarterly report shall be forwarded to the Division of Administrative Services, Fiscal Branch.
- Y. At the end of each fiscal year, a report of all income and expenditures shall be sent to the Division of Administrative Services, Fiscal Branch.

V. MONITORING MECHANISM

Each fiscal year, all non-governmental accounts shall be subject to auditing by the Fiscal Branch or other agents authorized by the Division of Administrative Services.



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

REFERENCES:

**505 KAR 1:110
3-JTS-1B-20, 21; 5D-16-18;
5I-05
3-JCRF-1B-17, 18; 5D-05-07
3-JDTP-1B-19; 3D-22, 23, 24
1-JBC-1B-19; 5D-13; 5I-04
4-JCF-5H-01, 03, 04
2-CO-5A-01**

CHAPTER: Program Services

SUBJECT: Youth Allowances and Work Details

POLICY NUMBER: DJJ 316

TOTAL PAGES: 3

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

AUTHORITY: KRS 15A.0652

, COMMISSIONER

I. POLICY

Work shall be considered a part of normal daily living activities. Nothing in this section shall be viewed as restricting either voluntary youth services to the community or staff involvement in youth fundraising activities.

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) group home and youth development center (YDC).

Limited Applicability

Only Section IV. B. of this policy shall apply to Day Treatments.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Youth Allowance

1. Youth residing in a group home or YDC shall receive \$3.00 per week as an allowance.

POLICY NUMBER DJJ 316	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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2. The youth's allowance shall be paid from the program's annual operating budget.

B. Work Detail

1. Youth shall not be required to participate in uncompensated work assignments unless it is related to housekeeping, maintenance of the facility or its grounds, personal hygiene needs, part of an approved vocational or training program, or for restitution.
2. Each program shall set forth in their Standard Operating Procedures (SOP) a "Guidelines for Work Details".
3. A work detail shall not conflict with school attendance, unless approved by the educational staff. Work experience programs may be included in the youth's Individual Treatment Plan (ITP) or Individual Plan of Instruction (IPI). Each Superintendent and school administrator shall collaboratively establish written procedures for such programs. The FRA or Regional Division Director shall approve these procedures.
4. DJJ programs may provide facility resources and staff time devoted to assisting employable youth in locating and maintaining employment in the community.
5. Staff shall not enter into a work agreement with any youth under the care and custody of the Department.
6. When youth are to earn wages through participation in work release that will be ongoing, a work agreement shall be executed. This agreement shall include the employer's name, salary paid, work schedule assigned, and level of supervision. The work agreement shall contain the provision which requires the employer to abide by the Kentucky Child Labor Laws, where applicable.
7. Work detail, work experience, and work release programs shall comply with all legal and regulatory requirements.
8. A Kentucky Child Labor Law poster regarding hours of work permitted for minor youth fourteen (14) to seventeen (17) years of age, shall be posted in a conspicuous place in the facility.
9. Medical documentation for every youth who participates in a work program, indicating that the youth is physically capable of performing the required work, shall be maintained in their individual Medical Record.

POLICY NUMBER DJJ 316	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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10. Written approval from the Regional Division Director and Deputy Commissioner of Program Operations shall be obtained prior to outside employment by a youthful offender (YO).

- C. Each facility shall provide services and opportunities that encourage juveniles to take responsibility for their actions and make restitution to the victims or of their offenses or to the community when required. Opportunities shall be based on community input and fashioned to ameliorate the harm done.

V. MONITORING MECHANISM

- A. The Education Branch shall conduct monthly monitoring to ensure staff are providing safety training for youth in technical classrooms.
- B. This procedure shall be monitored by the Superintendent, the FRA or Regional Division Director.

	<p align="center">JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:110 2-CO-5C-01 3-JTS-5F-01-06 3-JCRF-5E-01-03 1-JDTP-3D-01 1-JBC-5F-01-05 4-JCF-5G-01-06 NCCHC Y- 43, 48</p>
<p>CHAPTER: Program Services</p>		<p>AUTHORITY: 15A.0652</p>
<p>SUBJECT: Recreation</p>		
<p>POLICY NUMBER: DJJ 317</p>		
<p>TOTAL PAGES: 4</p>		
<p>EFFECTIVE DATE: 1/04/2016</p>		
<p>APPROVAL: Bob D. Hayter</p>		<p>, COMMISSIONER</p>

I. POLICY

Organized recreation and structured leisure activities shall be provided for all youth in the Department of Juvenile Justice (DJJ) programs. Each recreation program shall be conducted with consideration for security, education, social services, religious services, and medical services.

II. APPLICABILITY

This policy shall apply to each DJJ operated day treatment program, group home, and youth development center (YDC).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. A movie with a rating of restricted (“R”) or higher shall be prohibited. A movie with a rating of parental guidance (“PG-13”) shall require approval from the Superintendent or designee before being viewed by youth.
- B. A video game with a rating of “Mature” or higher shall be prohibited. A video game with a rating of “Teen” shall require approval from the Superintendent or designee before being viewed by youth.
- C. Music with lyrics that are profane, violent, sexually explicit, or gang-related shall be prohibited.
- D. DJJ staff shall not bring music, movies, or video games that do not meet the rating for use by youth, into a DJJ facility or vehicle, regardless of whether the intent is to allow use by youth.

POLICY NUMBER DJJ 317	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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- E. Any movie, video game, or music brought into a DJJ facility by staff shall not be pirated or obtained by illegal means and shall be approved by the Superintendent or designee.
- F. Youth shall not participate in water sports unless a lifeguard is present. An approved life jacket shall be worn for activities occurring on natural waters.
- G. Safety of youth shall be the primary concern during recreational activities.
 - 1. Staff supervising recreational activities shall monitor and eliminate safety hazards.
 - 2. Proper dress and behavior shall be maintained during recreational activities.
 - 3. Staff shall not participate in any sport in which physical contact between players is an accepted part of play.
 - 4. Staff shall demonstrate high levels of guidance, coaching, and sportsmanship when participating in recreational activities.
- H. Each day treatment Superintendent shall provide, or arrange for the provision of, appropriate indoor and outdoor recreation and leisure activities integrated within the program schedule.
 - 1. Each program may plan for off-campus activities involving field trips. Items needed shall include:
 - a. A signed parent or caregiver permission slip and necessary emergency medication; and
 - b. A first aid kit for injuries.
 - 2. Physical exercise shall not be used as punishment or discipline.
- I. Each group home and YDC shall provide recreation and leisure activities integrated within the facility schedule.
 - 1. Recreation shall be organized, planned, and supervised by a staff member.
 - 2. Two (2) hours of recreation shall be provided to youth each day. One (1) hour of recreation shall be in the form of large muscle group activity. The other hour shall be devoted to planned, leisure time activities.
 - 3. Each Superintendent shall ensure that youth are offered a varied recreation and leisure program utilizing both indoor and outdoor activities.
 - 4. Each YDC with a capacity of fifty (50) or more youth shall have a qualified recreation director to plan and supervise recreation. Each YDC with a capacity of less than fifty (50) youth shall have a staff member trained in recreation by the Division of Professional Development.
 - 5. In a YDC, the recreation program shall include the following:

POLICY NUMBER DJJ 317	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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- a. A variety of physical activities;
 - b. Physical skill-building to help maintain lifetime health and fitness;
 - c. Encouragement for youth to self-monitor and set personal goals; and
 - d. A means to individualize the intensity of activities and measure individual improvement.
6. Physical exercise shall not be used as punishment or discipline, with the exception of the Cadet Leadership and Education Program (CLEP) who may issue an Exercise of the Day (EOD) for minor rule infractions.
 7. A recreation schedule and plan for constructive leisure time daily activities involving all youth shall be established.
 - a. An alteration to the schedule may occur with respect to safety and treatment concerns with the approval of a supervisor. The supervisor shall document an alteration and the necessitating circumstances in the program log or shift report.
 - b. The schedule shall be submitted monthly to the Superintendent for approval. The Superintendent shall make final approval for off-campus field trips, social events, and other recreational activities.
 - c. The occurrence of recreation and leisure activities shall be documented in the program log or shift report.
 8. A variety of fixed and movable equipment for indoor and outdoor recreation shall be provided, for example: bats, balls, pool sticks, and horseshoes. The equipment shall be inventoried and secured after each use for safety concerns.
 9. Youth who are restricted from activity by medical personnel shall not participate until a medical release is written. If a youth is unable to participate in the planned recreational activity due to a medical limitation, another recreational activity shall be arranged for that youth in consultation with medical staff.
 10. The academic program may collaborate and provide teacher certified oversight to the recreation program for purpose of earning high school credits in physical education.
 11. The facility recreation staff shall plan and promote activities for participation by youth in community programs and services consistent with the security concerns of the program.
 12. When coordinating off-campus activities, items needed shall include:

POLICY NUMBER DJJ 317	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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- a. Emergency communication equipment, a photo or identification (ID) for each participating youth, procedures for medical emergencies, staff ID, and medication for youth;
 - b. A first aid kit for injuries;
 - c. Consent for treatment forms for emergency care; and
 - d. If a youth requires medication, a staff member trained in health services protocol shall accompany the group and shall administer medication as ordered.
13. For a youth who has committed a major rule violation, the treatment team may limit the youth to recreational activities required by the daily schedule. Upon completion of the disciplinary review the youth's recreational privileges shall be assessed by the treatment team on a day to day basis and restored by the treatment team upon resolution of the major rule violation.
14. A youth restricted from regular programming shall have an alternative recreation activity to provide the required one (1) hour large-muscle activity. The recreation may occur in the area where the youth is restricted.
- J. Facility staff shall plan and promote activities for participation by youth in community service and volunteer programs. Each activity shall be documented and individual youth participation shall be documented in the hard case file.

V. MONITORING MECHANISM

- A. Internal monitoring shall be conducted by the Superintendent or designee, the recreation leader, and the Facilities Regional Administrator (FRA).
- B. The Division of Program Services shall monitor the procedures related to recreation during the annual Quality Assurance (QA) monitoring.
- C. The Division of Professional Development shall monitor the training requirements of this policy annually.



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

REFERENCES:
505 KAR 1:110
3-JTS-3A-08, 28, 29, 31; 3C-01; 3E-01, 02
3- JCRF-3A-02, 05; 4C-17
1-JDTP-3E- 01, 02
1-JBC-3A-15, 16, 18, 19; 3C-01
4-JCF-2A- 09, 29; 3C-01, 02
2-CO-3A-01

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Behavior Management

POLICY NUMBER: 318

TOTAL PAGES: 4

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter , COMMISSIONER

I. POLICY

Staff shall utilize behavior management methods and techniques to promote an environment that supports treatment and teaches new skills to youth. Staff shall respond to youth behavior in a controlled, well-disciplined, and safe manner.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Staff shall model appropriate behavior.

1. Staff shall model appropriate social skills by demonstrating courteous, professional, and respectful behaviors when interacting with other staff, the public, or youth.
2. Staff shall present themselves as a role model for youth according to the DJJ Employee Code of Ethics and Employee Code of Conduct. Examples of this role modeling may include:
 - a. Establishing positive and respectful relationships;
 - b. Engaging youth in addressing treatment plan goals and tasks;
 - c. Using positive and affirming language in communicating with youth and staff; and
 - d. Exhibiting appropriate hygiene practices.

POLICY NUMBER DJJ 318	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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- B. Staff shall discourage and deter inappropriate behavior by youth.
 - 1. Staff shall be observant of circumstances which may trigger inappropriate behavior from a youth, examples include:
 - a. Body language;
 - b. Seating arrangement;
 - c. Tone of voice;
 - d. Embarrassing situations; and
 - e. Bad news received from home or other sources.
 - 2. Staff shall use these observations to anticipate possible reactions and plan accordingly, examples include:
 - a. Separating youth that do not get along; and
 - b. Giving extra attention to a youth who has received bad news.
 - 3. Staff shall maintain a preapproved structured schedule to keep youth occupied with constructive, organized activities.
- C. Staff shall reinforce positive behavior by youth.
 - 1. Staff shall have developmentally appropriate expectations for youth and offer praise when youth take positive steps to meet those expectations.
 - 2. Staff may allow preapproved rewards for appropriate behaviors as determined by the Superintendent or designee.
- D. Staff shall utilize least restrictive behavior management techniques that will safely manage the behavior of youth. The following are examples of possible techniques beginning with least restrictive:
 - 1. Planned “ignoring” of a problem behavior, which can be “ignored”, as determined by the Individual Treatment Plan (ITP) such as non-aggressive or non-destructive behavior;
 - 2. Gesturing which can be non-verbal signaling to call attention to inappropriate behavior;
 - 3. Use of proximity as a purposeful movement toward a youth to call attention to the inappropriate behavior;
 - 4. Use of redirection by verbally calling a youth’s attention to an inappropriate behavior to allow the youth to adjust the behavior before receiving a consequence; and
 - 5. Use of time out as a brief cooling off period.
- E. Staff shall utilize agency approved and trained methods to introduce and teach youth the following skills:
 - 1. Staff shall provide opportunities for youth to learn and utilize positive decision-making skills. These skills may be utilized by youth to accomplish treatment goals;
 - 2. Youth shall be encouraged to utilize conflict management skills; and

POLICY NUMBER DJJ 318	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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3. Youth shall be encouraged to practice and utilize anger management skills for everyday problem solving.
- F. Staff shall utilize approved and trained methods for the management of aggressive youth.
1. Staff shall utilize de-escalation techniques in an attempt to diffuse situations that occur, related to the management of aggressive youth. If any of the above skills are not applicable or successful, staff may utilize restraint techniques per DJJ policy.
 2. Once a youth regains control of their behavior, it shall be the staff's responsibility to assist the youth in the reintegration into the treatment environment and to identify follow-up services needed.
- G. Each YDC treatment team shall develop an Individual Program Plan for youth with assaultive behavior, chronic program disruption, or who present a danger to themselves.
1. The Individual Program Plan shall be written in accordance with DJJ policy regarding youth rights and shall include the following:
 - a. Specific timeframes and goals for completion;
 - b. The reason the youth is being placed on the plan; and
 - c. A detailed description of the behaviors and expectations that the youth will have to achieve.
 - d. The Individual Program Plan shall be signed by the Treatment Director and forwarded to the Superintendent for approval prior to implementation.
 2. The Superintendent or shift supervisor may order immediate separation of these individuals from the general population to allow for individualized attention. The Treatment Director shall be consulted immediately.
 3. Separation from the general population beyond twenty -four (24) hours shall require approval by the Superintendent and the Treatment Director. The Chief of Mental Health Services and Regional Psychologist shall be consulted.
 4. This action shall be reviewed by the treatment team within seventy-two (72) hours.
 5. Youth shall be returned to their original status once the behavioral expectations of the plan are met.
- H. A youth requiring protection from others shall be separated from the general population until alternative permanent housing is found within the facility or the youth is transferred to another facility.
1. The YDC treatment team may develop a Special Management Plan (SMP) to assure the safety and continuous services and programming for the youth.

POLICY NUMBER DJJ 318	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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2. Separation from the general population beyond twenty-four (24) hours shall require approval by the Superintendent and Treatment Director. The Chief of Mental Health Services and Regional Psychologist shall be consulted.
 3. This action shall be reviewed by the treatment team within seventy-two (72) hours.
- I. No individual youth or group of youth shall be given control or authority over other youth. Higher level youth are encouraged to model appropriate behaviors and coach peers through the treatment process.

V. MONITORING MECHANISM

Behavior management techniques shall be monitored by:

- A. The Superintendent;
- B. The facility based Qualified Mental Health Professional (QMHP) or Regional Psychologist;
- C. The Facilities Regional Administrator (FRA) or Regional Director;
- D. The Quality Assurance (QA) Branch during the annual monitoring; and
- E. The Education Branch.



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

REFERENCES:
505 KAR 1:110
3-JTS-3A-08, 29, 31; 3C-01-08
3-JCRF-3A-02, 05; 3C-01, 02, 05,
08, 11-14; 4C-17
1-JDTP-3D-16; 3E-01, 02, 05-07
1-JBC-3A-15, 16, 19; 3C-01-07
4-JCF-2A-09; 3B-01, 02, 04, 06, 07

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Graduated Responses, Sanctions, and Incentives	
POLICY NUMBER: DJJ 318.1	
TOTAL PAGES: 8	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter , COMMISSIONER	

I. POLICY

Department of Juvenile Justice (DJJ) programs shall use a range of graduated responses, sanctions, and incentives to reward, motivate, or establish consequences for youth behavior. Corporal punishment, the use of mechanical restraints, abuse, assault, personal property damage, harassment, the denial of meals, snacks, or changes in the established menus, and the interference with daily functions of living, such as eating or sleeping shall be prohibited as punitive consequences.

II. APPLICABILITY

This policy shall apply to each DJJ operated and contracted day treatment program, group home, and youth development center (YDC), with the following exceptions:

- A. Room restriction, unit restriction, facility restriction, and intensive room restriction shall not be applicable to a day treatment program;
- B. Intensive room supervision shall not be applicable to a group home; and
- C. Room restriction and intensive room supervision shall not be applicable to a Level 5 facility.
- D. Room confinement shall not be applicable to any facility other than Level 5.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. Youth shall be made aware of the rules, consequences, and safety and security responses as part of the facility orientation process. Each

POLICY NUMBER DJJ 318.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 8
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youth shall receive a resident handbook at the time of admission, and shall sign an acknowledgement of such. When a literacy or communication problem exists, a staff member shall assist the youth in understanding the materials. Rules and sanctions shall be conspicuously posted in the facility.

- B. DJJ shall recognize that in some specific circumstances, precautionary measures may need to be imposed prior to the occurrence of a problem behavior, based upon the youth's past behavioral history or assessments. Reassigning living or sleeping arrangements shall be recommended by the treatment team, approved by the Superintendent or designee, and shall be consistent with level expectations.
- C. All staff shall receive sufficient training in facility sanctioning procedures, informal resolution of minor behavior, and ways to effectively use incentives to reward and motivate behavioral compliance.
- D. Program graduated responses shall include the following:
 - 1. Graduated sanctions and responses for minor rule violations;
 - 2. Graduated sanctions and responses for major rule violations;
 - 3. Safety and security responses; and
 - 4. Incentives.
- E. Incentives approved by the treatment team may be used to reward or motivate a youth's positive behavior.
- F. Sanctions may be used to teach youth more constructive and socially acceptable methods of responding to their environment and provide a safe and secure facility for youth and staff.
- G. Sanctions shall:
 - 1. Be used when dealing with unacceptable behavior; and
 - 2. Be natural, logical, and appropriate to the youth's age, functioning, maturity level, and the behavior for which the youth is being disciplined.
- H. Sanctions shall not:
 - 1. Be used as a means to demonstrate a staff member's authority over residents;
 - 2. Be physically abusive, verbally abuse, or used to dehumanize or humiliate youth;
 - 3. Include the withholding of meals, snacks, educational access, required recreation; or
 - 4. Include the use of restraints or isolation. However, it may be necessary to impose additional measures on a youth for the behavior requiring isolation or restraint.
- I. Graduated Responses for Minor Rule Violations

POLICY NUMBER DJJ 318.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 8
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1. Each DJJ program shall develop a written set of disciplinary procedures governing methods to address youth minor rule violations.
 2. These procedures shall be established to assist with the day to day management of low level youth non-compliant behavior.
 3. These procedures shall be reviewed annually and updated as needed.
 4. Sanctions shall be reasonably time-limited. Privilege suspension in excess of forty-eight (48) hours shall require the approval of the treatment team or supervisor.
 5. Sanctions shall be imposed promptly, calmly, and consistently.
 6. Sanctions shall be preceded, whenever possible, by a verbal warning that discipline may be forthcoming, in order to provide the youth the opportunity to think and decide whether to continue the negative behavior and accept the consequences for it or to cease the behavior.
 7. The youth shall have the reasons for the sanction explained and be given the opportunity to explain the behavior leading to the consequence, as soon as conditions allow.
 8. Possible sanctions may include removal of a privilege, loss of an activity, removal from the group, placement on a behavior contract, written treatment assignments, or use of staff directed time out.
 9. If a youth is placed in a staff directed time out, the following guidelines shall be used:
 - a. Time out shall always take place within staff's sight or sound;
 - b. Youth shall never be placed in a locked room for time out;
 - c. Staff shall visually make contact every fifteen (15) minutes;
 - d. Time out shall not exceed sixty (60) minutes. The youth shall participate in determining the end of the timeout. Upon completion of a time out period, the youth shall discuss the situation with a staff member; and
 - e. Staff shall document each time out in the youth's individual client record (ICR), to include time in and out, reason for time out, time and observation at each fifteen (15) minute check, and brief summary of staff processing at the conclusion of the time out period. In a YDC and group home, notation shall also be made in the appropriate facility log.
- J. Graduated Responses for Major Rule Violations
1. When a youth engages in behavior that constitutes a major rule violation, they shall be issued a penalty slip within twenty four (24) hours of the alleged violation or once staff becomes aware of the alleged violation.

POLICY NUMBER DJJ 318.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 8
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2. Guidelines for issuance of a penalty slip and appropriate sanctions to address these behaviors shall be outlined in DJJPP Chapter 3 “Disciplinary Review”.
- K. Sanctions that are issued for a rule violation shall be documented in the youth’s ICR. Documentation shall include:
1. Name;
 2. Date and time of the behavior;
 3. Consequence;
 4. Date and time of restriction; and
 5. Date and time restriction is finished.
- L. Safety and Security Responses
1. Safety and security responses shall be imposed when a youth’s behavior becomes a threat to the overall safety and orderly operation of the program.
 2. Approved safety and security responses shall be:
 - a. One-to-one Supervision
 - i. Youth may be placed on one-to-one supervision with staff.
 - ii. Youth may still participate in regular programming while staying within close proximity to the staff.
 - b. Facility Restriction
 - i. Facility restriction shall not exceed forty-eight (48) hours without a disciplinary review being conducted by the treatment team.
 - ii. Youth who receive facility restriction shall process their behaviors prior to rejoining the general population.
 - iii. In a day treatment program and group home program, supervisory staff shall review and sign documentation for all instances of privilege suspension, time outs, or in-program suspensions daily.
 - c. Unit Restriction
 - i. Unit restriction shall not exceed forty-eight (48) hours without a disciplinary review being conducted by the treatment team.
 - ii. Staff shall make visual and verbal contact every fifteen (15) minutes with youth on unit restrictions. Youth shall be within sight or sound at all times.
 - iii. Youth who receive unit restriction shall process their behavior prior to rejoining the general population.
 - d. Room Restriction
 - i. Room restriction shall not be longer than eight (8) hours without authorization of the Superintendent or

POLICY NUMBER DJJ 318.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 8
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Administrative Duty Officer (ADO), but shall not exceed twelve (12) hours.

- ii. Staff shall make visual and verbal contact every fifteen (15) minutes with youth on room restriction. Youth shall be within sight or sound at all times.
- iii. Youth who receive room restriction shall process their behavior prior to rejoining the general population.
- iv. Staff shall document each room restriction in the observation log, a summary of the placement in the progress notes, and the facility log. Documentation shall include the following:
 - a) Time in and out;
 - b) Reason for room restriction; and
 - c) Brief summary of staff processing at the conclusion of the room restriction.
- e. Intensive Room Supervision
 - i. Intensive room supervision shall only be used:
 - a) For a youth who is showing or expressing a behavior that is a safety or security threat to the program;
 - b) As a less restrictive attempt to avoid a locked isolation placement; or
 - c) As a step-down from an isolation placement.
 - ii. The isolation room shall only be utilized with the door open and with the approval of the Superintendent, ADO, or designee.
 - iii. Staff shall be present to visually monitor the youth for the duration of the restriction and record the behavior on the observation log every fifteen (15) minutes.
 - iv. Intensive room supervision shall not last longer than four (4) hours without authorization of the Superintendent or ADO, but shall not exceed twenty-four (24) hours.
 - v. Staff shall document each intensive room supervision occurrence in an observation log. A summary of the placement shall be placed in the youth's progress notes and the appropriate facility log. Documentation shall include the following:
 - a) Time in and out;
 - b) Reason for intensive room supervision; and
 - c) Brief summary of staff processing at the conclusion of the intensive room supervision.
 - vi. A penalty slip may be issued if the behavior necessitating the intensive room supervision was a major rule violation.

POLICY NUMBER DJJ 318.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 8
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vii. An incident report shall be completed when the behavior necessitating the intensive room supervision meets the criteria of an incident.

f. Room Confinement

i. Room Confinement shall only be used in a Level 5 program:

- a) For a youth who is showing or expressing a behavior which could warrant an isolation placement;
- b) As a less restrictive attempt to avoid an isolation placement away from the general population.
- c) Room confinement may only be used during operational hours when a counselor is present.

ii. Staff shall monitor the youth in intervals, not to exceed fifteen (15) minutes, for the youth's compliance with the plan for release criteria. These checks shall involve direct visual contact with the youth and the time between checks shall be random.

iii. Use of room confinement shall be approved by the Superintendent, Administrative Duty Officer (ADO), Treatment Director, or shift supervisor prior to placing a youth into room confinement.

iv. Staff shall visually monitor the youth for the duration of the confinement and shall be present to record the behavior on the observation log every fifteen (15) minutes.

v. Room confinement shall not last longer than four (4) hours and youth shall not be placed on room confinement more than one (1) time in a 24 hour period.

vi. At initial placement and within two (2) hours of placement on room confinement, a Professional Review shall be conducted with the youth for the purposes of counseling the youth and planning for release to the general population.

vii. A professional review shall be conducted by a youth counselor or Treatment Director.

viii. Upon placement of a youth in room confinement, staff shall immediately develop and write a plan for the release of the youth from room confinement. The plan for release shall:

- a) State the reason for the room confinement placement;
- b) State the behavioral expectations required for the youth to obtain release from room confinement placement;
- c) Be explained to the youth by staff; and
- d) Be signed by staff and youth to acknowledge receipt of the documents. Youth who refuses to sign shall have the

POLICY NUMBER DJJ 318.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 7 of 8
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information presented orally by a non-involved staff member and witnessed by a third party;

- ix. When the youth is under reasonable control and demonstrating behavior in accordance with the terms of the plan for release, the youth shall be removed from room confinement.
- x. At a minimum, the following shall be taken into consideration in order for the youth to be released from room confinement placement:
 - a) The youth has regained control of their behavior;
 - b) The youth is acting in accordance with the terms of their plan for release; and
 - c) The youth is no longer a threat to the security, safety, or orderly management of the facility.
- xi. Staff shall notify the ADO or Superintendent when the youth is released from room confinement.
- xii. When a youth is placed in room confinement, documentation of the event shall be completed as follows:
 - a) The documentation shall include:
 - (1) The reason for the room confinement;
 - (2) The duration of the room confinement;
 - (3) The reason for the duration of the room confinement;
 - (4) The name and title of the staff person authorizing room confinement and the time the approval was received;
 - (5) The name and title of persons visiting with the youth; and
 - (6) The staff authorizing release and the time of release;
 - b) The room confinement packet shall include:
 - (1) Incident report;
 - (2) Room confinement checklist;
 - (3) Medical checklist;
 - (4) Observation log and addendum;
 - (5) Plan for release; and
 - (6) Professional reviews;
 - c) The room confinement packet shall be reviewed by the Superintendent or designee; and
 - d) The room confinement packet shall be placed in the youth's hard case file. A notation of the incident shall be

POLICY NUMBER DJJ 318.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 8 of 8
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made in the electronic record, including the date and time of release.

3. These responses shall require the approval of the Superintendent or ADO when the restriction exceeds four (4) hours, except in cases of isolation which requires immediate approval by the Superintendent.
4. Staff shall document all safety and security responses in the youth's ICR and the appropriate facility log. Staff will sign and date this documentation.

M. Incentives

1. Incentives may be used to motivate and reward youth behavioral compliance.
2. Written procedures regarding any rewards unique to the facility or program shall be developed and be included in the resident handbook.
3. Special social incentives, such as giving a youth extra time on a favorite project, an outing or special activity, or additional community contacts shall be recommended by the treatment team, approved by the Superintendent or designee, and shall be consistent with the treatment level expectations.

V. MONITORING MECHANISM

- A. The Superintendent or designee shall monitor the proper use of responses, sanctions, and incentives and shall review all incident reports and observation logs.
- B. The Facilities Regional Administrator (FRA) or Regional Director shall review any changes to the resident handbook.
- C. The Quality Assurance (QA) Branch shall review for compliance during yearly monitoring.



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

REFERENCES:
505 KAR 1:110
3-JTS-3C-09-12, 14-24
3-JCRF-3C-03, 04, 06-10, 15,
16
1-JBC-3C-08-11, 13-23
2-CO-3C-01
4-JCF-3B-02, 08, 09; 3C-05-16

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Disciplinary Review

POLICY NUMBER: DJJ 318.2

TOTAL PAGES: 5

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

When there is evidence or allegations that a youth has committed a major rule violation, a disciplinary review shall be scheduled with the treatment team.

II. APPLICABILITY

This policy shall apply to each group home and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. The shift supervisor or Administrative Duty Officer (ADO) shall initiate an investigation within twenty-four (24) hours of the occurrence of an alleged major rule violation. The investigation shall be completed without unreasonable delay, unless there are exceptional circumstances for delaying the investigation.
- B. Violation of a major rule shall require the issuance of a penalty slip to the youth within twenty-four (24) hours of the infraction or within twenty-four (24) hours once staff becomes aware of the alleged infraction.
 1. The penalty slip shall document the alleged violation and any immediate sanctions taken by staff.

POLICY NUMBER DJJ 318.2	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 5
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2. A copy of the penalty slip shall be given to the chairperson of the treatment team.
- C. A disciplinary review for a major rule violation shall be held by the treatment team within seven (7) business days after the penalty slip issuance. The treatment team chairperson, or designee, shall set the date and time of the disciplinary review.
- D. The youth, alleged to have committed the major rule violation, shall be given written notice twenty-four (24) hours prior to the disciplinary review of the place, date, and time of the review, except when the youth signs a waiver to allow the review to take place sooner.
- E. The youth counselor shall notify the youth's juvenile service worker (JSW) of the upcoming disciplinary review.
- F. The treatment team is responsible for making all treatment decisions regarding a youth in response to the major rule violation, placing a youth off Treatment Track, changes in the Individual Treatment Plan (ITP), or recommendation for transfer.
- G. The chairperson may grant postponement or continuance of the disciplinary review. Postponement or continuance may be granted when there is justifiable cause and the reason for such action shall be documented in the disciplinary review documentation.
- H. The youth shall be present during the disciplinary review, unless his behavior justifies exclusion or the youth waives, in writing, his right to attend. The youth may be excluded during testimony of any youth whose statement shall be given in confidence. The reason for the youth's absence shall be documented in the disciplinary review documentation.
- I. The youth may request the services of any staff member to represent him in the disciplinary review or a staff member may be assigned by the chairperson or designee if the youth is incapable of representing himself.
- J. Each treatment team member, involved in the alleged major rule violation, shall be exempt from participation in the disciplinary review in order to ensure impartiality.
- K. During the disciplinary review, the youth may make a statement, present evidence, and request witnesses on his behalf. If a witnesses behavior jeopardizes the security of the facility, they shall be excluded with reasons being documented in the disciplinary review documentation.
- L. The juvenile shall sign the disciplinary review report verifying that they have received the report and were given an opportunity to respond.

POLICY NUMBER DJJ 318.2	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 5
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- M. A criminal petition may be filed based upon a major rule violation. If it is determined that a petition shall be filed, the disciplinary review process shall be suspended until the criminal prosecution is complete.
- N. Treatment team shall review all of the information obtained during the disciplinary review process to include staff reports, the statements of the youth charged with the violation, and evidence derived from witnesses and documents.
- O. Based on the information they receive, the treatment team shall utilize the graduated response decision matrix to determine the needed level of response of low, moderate, or high level by determining the frequency, length, amenability, and gravity of the violation.
1. Low level response:
 - a. Frequency: Behavior occurs infrequently and/or there are isolated incidents.
 - b. Length: Behaviors have occurred over a short period such as one (1) to two (2) weeks.
 - c. Amenability: The youth is overall engaged and responding positively to treatment. Youth acknowledges behavior is wrong and is attempting to correct it.
 - d. Gravity: The violation has no level of threat to self, others, or facility.
 2. Moderate level response:
 - a. Frequency: A behavior pattern is starting to emerge.
 - b. Length: Similar behaviors have occurred over a more prolonged time and patterns are emerging.
 - c. Amenability: Youth does not always respond to treatment and corrective actions. Youth acknowledges behavior is wrong, but does not attempt to correct or sporadically attempts to correct.
 - d. Gravity: Behavior has the potential of threat to self, others, or facility.
 3. High level response:
 - a. Frequency: An established pattern of behavioral issues even following sanctions.
 - b. Length: Chronic pattern of negative behaviors or isolated incidents that pose a threat to self, others, or the facility.

POLICY NUMBER DJJ 318.2	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 5
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- c. Amenability: Clear pattern of non-compliance. Failure to respond after use of sanctions and corrective measures. Youth does not acknowledge behavior is wrong.
 - d. Gravity: Violation is clearly threatening to self, others, or the facility.
4. If a youth's violation falls into more than one level of responses in IV. O. 1-3, the treatment team shall choose the least restrictive level of response to safely manage the behavior. Gravity shall be considered the most significant category as it relates to the protection of the youth, staff, and facility. Priority shall always be given to facility and youth safety.
 5. Once the level of response is determined, the treatment team shall impose a corresponding level of sanctions from the graduated sanction grid to promote rehabilitation. All sanctions shall be logical, proportional, timely, and consistent with the youth's ITP.
 6. Sanctions shall be rendered immediately following the disciplinary review.
 7. Youth shall receive no more than two (2) sanctions for any one violation. Sanctions shall be documented on the Sanction Sheet and the youth shall receive a copy.
 8. Youth who do not complete required sanctions shall advance through the level system, but shall not be eligible for Development or Demonstration Level privileges until sanctions are complete.
 9. If the youth is taken off Treatment Track as a sanction, the treatment team shall document on the Sanction Sheet the required length of time they will remain off track. Upon the timeframe being met the youth will be placed back on track whether sanctions were completed or not. Youth who do not complete required sanctions shall advance through the level system, but shall not be eligible for Development or Demonstration Level privileges until sanctions are complete.
- P. A record of the entire disciplinary review proceeding and supporting documents shall be maintained as a part of the youth's Individual Client Record (ICR). All recommendations or dispositions of the treatment team shall be:
1. Documented in the disciplinary review documentation;
 2. Reviewed by the Superintendent or designee, to ensure conformity with policy and procedure;
 3. Copied to the youth along with notice of right to appeal.

POLICY NUMBER DJJ 318.2	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 5
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- Q. If at any time during the investigation or during the disciplinary review the allegation is found to be unsubstantiated, the matter shall be dismissed. All written documentation regarding the investigation and disciplinary review shall be removed from the ICR and shall be retained by the Treatment Director or Superintendent for a minimum of six (6) months.
- R. An appeal of a disciplinary review shall be made in writing, by the youth, to the Superintendent within fifteen (15) days of receipt of the treatment team decision. The Superintendent shall make a decision on the appeal within thirty (30) days of receipt. The youth shall be promptly notified in writing of the decision.
 - 1. If the decision of the treatment team is upheld, a copy of all written documentation shall be placed in the youth's ICR.
 - 2. If the treatment team decision is overturned, all written documentation regarding the disciplinary review process shall be removed from the ICR.
- S. A copy of the agency approved disciplinary review appeal documentation of the Superintendent's final decision, along with the disciplinary review documentation, shall be forwarded to the Facilities Regional Administrator (FRA) and the Departmental Ombudsman at the same time the final resolution is given to the resident.

V. MONITORING MECHANISM

Monitoring shall be conducted by the FRA or Regional Director, the Departmental Ombudsman, and the Quality Assurance (QA) Branch during regularly scheduled audits.



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

REFERENCES:
505 KAR 1:110
3-JTS-1C-04, 05; 3A-07; 4C-28
3-JCRF-3A-03, 04
1-JDTP-1C-04
1-JBC-3A-06; 4C-29
4-JCF-2A-08, 5C-04, 5G-02,
6D-10

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Staff Requirements for the
Supervision of Youth**

POLICY NUMBER: DJJ 319

TOTAL PAGES: 3

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Staffing for the supervision of youth shall be sufficient on each shift to ensure the safety of youth and staff, to maintain the security of the facility, and to facilitate youth access to staff, programs, and services.

II. APPLICABILITY

This policy shall be applicable to each Department of Juvenile Justice (DJJ) operated group home, day treatment, and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

A. Staff shall be responsible for providing adequate supervision of youth.

B. YDC's

1. Minimum staffing ratio in a YDC shall be one (1) Youth Worker (YW) on duty for every twelve (12) youth in the population during awake hours. This shall not include the YW assigned to the control center, where applicable.
2. Staffing ratio shall be one (1) YW on duty for every twelve (12) youth in the population during sleep hours, which is inclusive of the shift supervisor.

POLICY NUMBER DJJ 319	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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3. Each shift shall have one (1) additional YW as a floater to provide necessary relief for direct care coverage.
 4. Each shift shall have a YW supervisor or higher level supervisor within that chain of command on duty. A YW III may serve as back-up supervisor once approved by the Superintendent.
 5. In an emergency situation, a Superintendent may utilize other approved physical management certified DJJ staff to fulfill required YW staff coverage on a shift-by-shift basis. If the emergency assignment continues beyond a single shift, approval shall be received by the Superintendent and Facilities Regional Administrator (FRA).
 6. Each YDC shall have the following staff employed:
 - a. A Superintendent to provide administrative direction to each aspect of facility operations;
 - b. One (1) Qualified Mental Health Professional (QMHP) to coordinate and supervise the treatment program;
 - c. A minimum of one (1) youth counselor for every twelve (12) youth or greater depending upon the following:
 - i. Type of youth served;
 - ii. Type of facility;
 - iii. Legal requirement; or
 - iv. Goals to be accomplished;
 - d. Two (2) nurses, one (1) of which shall be a licensed registered nurse (RN);
 - e. Adequate number of YW staff that shall allow the facility to maintain the required staffing ratio, meet program needs, and ensure the safety and security of the facility; and
 - f. One (1) recreation director for a facility with a capacity of fifty (50) or more youth. A facility with a capacity of less than fifty (50) youth shall have a DJJ staff trained in recreation by the Division of Professional Development.
- C. Group Homes
1. Each group home shall have a minimum of two (2) staff on duty for every eight (8) youth, except when youth are at school.
 2. To the extent possible, a staff person shall be on duty in the facility when there are no youth on the property.
- D. Gender Requirement

POLICY NUMBER DJJ 319	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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1. A facility housing both male and female youth shall have at least one (1) staff member of each gender on duty at all times.
2. A facility housing a single gender of youth shall have a staff member of the same gender on duty at all times.
- E. Each staff supervising youth shall be trained in the facility emergency preparedness plans and certified in emergency first aid procedures, including cardiopulmonary resuscitation (CPR) and approved physical management techniques.
- F. In order to determine the staffing and scheduling needs of a facility, the following shall be taken into consideration:
 1. Holidays;
 2. Regular days off;
 3. Annual training requirements;
 4. Annual leave; and
 5. Average sick leave.

V. MONITORING MECHANISM

- A. The Superintendent shall ensure that staff scheduling meets the requirements of this policy.
- B. The Quality Assurance (QA) Branch shall review for compliance during yearly monitoring.

	<p align="center">JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:110 3-JTS-1C-04, 05; 2B-08; 5C-04 3-JCRF-2B-03 1-JDTP-1C-04, 05 1-JBC-1C-04; 2B-07; 5C-05 NCCHC Y-26</p>
<p>CHAPTER: Program Services</p>		<p>AUTHORITY: KRS 15A.0652</p>
<p>SUBJECT: Facility Capacities</p>		
<p>POLICY NUMBER: DJJ 319.1</p>		
<p>TOTAL PAGES: 2</p>		
<p>EFFECTIVE DATE: 1/04/2016</p>		
<p>APPROVAL: Bob D. Hayter</p>		<p>, COMMISSIONER</p>

I. POLICY

The number of youth placed in a youth development center (YDC) or group home shall not exceed the facility's recommended maximum bed capacity.

II. APPLICABILITY

This policy shall apply to each YDC and group home.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. The Department of Juvenile Justice (DJJ) shall establish and maintain recommended maximum bed capacities at each facility.
- B. The Deputy Commissioner of Operations may waive the maximum capacity of a facility, in response to an emergency situation, for up to five (5) days. If the capacity is waived, the Deputy Commissioner shall document the emergency situation and reason for the increased capacity in a memorandum to the Commissioner.
- C. If circumstances exist which require the waiver of maximum capacity beyond five (5) days, the Commissioner may waive the capacity maximum for a period not to exceed ninety (90) days.
- D. A facility shall not exceed the maximum capacity established by the State Fire Marshall.

V. MONITORING MECHANISM

- A. The Superintendent and the Division Director of Placement Services or designee shall monitor facility population capacity.

POLICY NUMBER DJJ 319.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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- B. The Quality Assurance (QA) Branch staff shall review the resident population during scheduled annual monitoring.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:110 3-JTS-3A-15 1-JBC-3A-14 4-JCF-2-A-16; 4C-14
CHAPTER: Program Services		AUTHORITY: KRS 15A.0652
SUBJECT: Transportation of Youth		
POLICY NUMBER: DJJ 320		
TOTAL PAGES: 7		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter , COMMISSIONER		

I. POLICY

The Department of Juvenile Justice (DJJ) shall maintain the necessary supervision and security to ensure the safety of sentenced, committed, and placed youth, DJJ staff, and the public during transport.

II. APPLICABILITY

This policy shall apply to each group home, youth development center (YDC), DJJ operated day treatment program, and regional juvenile detention center (RJDC), as well as the Division of Placement Services, Classification, and Transportation Branches. This policy shall be made available to all staff involved in transporting juveniles.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. All travel arrangements for a youth, who is under the supervision of DJJ, shall adhere to the security level required to ensure youth, staff, and public safety.
- B. No youth, parent, or caregiver shall be transported in a staff's personal vehicle.
- C. Transportation types include:
 1. Court order:

POLICY NUMBER DJJ 320	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 2 of 8
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- a. Once a court has issued an order for a youth to appear in that respective court, the receiving DJJ staff shall forward the order to the Juvenile Services Worker (JSW);
 - b. The JSW shall submit, to the Transportation Branch, a transport request, via electronic transfer and shall copy the transport request to the Superintendent;
 - c. The Transportation Branch shall be responsible for coordinating and scheduling the transport for each youth. If the Transportation Branch is not available to facilitate the transport, the JSW, Juvenile Services District Supervisor (JSDS), Superintendent, and youth counselor shall be advised of the transport denial via electronic transfer; and
 - d. Upon receipt of the transport denial, the Superintendent or designee shall be responsible for coordinating the transport of the youth.
2. Initial placement:
- a. The Classification Branch shall provide the Transportation Branch, via electronic transfer, with the list of youth to be transported;
 - b. The Transportation Branch shall be responsible for coordinating and scheduling the transport for each youth; and
 - c. The Transportation Branch shall notify the Classification Branch, community staff, Superintendent, and the Commissioner's office, via electronic transfer, of the scheduled transport. If the Transportation Branch cannot complete the transport of a youth, the Classification Branch shall be notified.
3. Administrative Transfer Request (ATR):
- a. The Classification Branch shall provide the Transportation Branch, via electronic transfer, with the list of youth to be transported;
 - b. The Transportation Branch shall be responsible for coordinating and scheduling the transport for each youth;
 - c. The Transportation Branch shall notify the Classification Branch, community staff, Superintendent, and the Commissioner's office, via electronic transfer, of the scheduled transport. If the Transportation Branch cannot complete the transport of the youth, the Classification Branch shall be notified; and
 - d. If the event is an emergency ATR, the Classification Branch shall provide the Transportation Branch, via electronic transfer, with the name of the youth to be transported.
 - i. The Transportation Branch shall coordinate and schedule the transport, as soon as possible; and

POLICY NUMBER DJJ 320	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 3 of 8
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ii. If the Transportation Branch is unable to complete the transport of the youth immediately, the Classification Branch and the sending facility shall have the discretion to utilize facility staff for the youth's transport arrangements.

4. Alternative to Detention (ATD):

- a. The Detention Alternative Coordinator (DAC) shall provide the Transportation Branch with a transport request for the youth;
- b. The Transportation Branch shall be responsible for coordinating and scheduling the transport for each youth; and
- c. If the Transportation Branch cannot complete the transport of the youth, the DAC shall be notified and arrangements shall be made with the sending facility.

5. Detention to detention:

- a. The Superintendent or designee shall submit a transport request to the Transportation Branch, via electronic transfer, when a youth needs to be transported from one (1) detention center to another detention center;
- b. The Transportation Branch, the sending detention center, the receiving detention center, and the JSW, if applicable, shall coordinate the transport arrangements for the youth; and
- c. If a youth needs to be transported from a county detention center, the JSDS or designee shall submit a transport request to the Transportation Branch, via electronic transfer.

6. Furlough:

- a. The parent or caregiver shall be primarily responsible for furlough transportation; and
- b. When the parent or caregiver needs assistance to transport a youth, the facility staff, Transportation Branch, and JSW shall coordinate transport arrangements for the youth.
 - i. Transportation arrangements shall be made in consideration of the treatment needs of the youth and shall be the least disruptive, and the most cost effective arrangement for DJJ;
 - ii. The Superintendent has authority to approve a furlough transportation arrangement;
 - iii. Facility staff may be utilized to provide transport for a furlough that is local to the facility;
 - iv. The Transportation Branch shall be primarily responsible for a furlough greater than fifty (50) miles from the facility;

POLICY NUMBER DJJ 320	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 4 of 8
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- v. If the Transportation Branch is needed for transport, the Superintendent or designee shall submit a transport request to the Transportation Branch, via electronic transfer one (1) week prior to the scheduled furlough; and
 - vi. If the Transportation Branch is not available to facilitate the transport, the Superintendent or designee shall be advised of the transport denial, via electronic transfer, and shall have the discretion to utilize facility staff for transport arrangements.
7. Local or routine:
- a. The facility shall be responsible for the coordination of transportation of youth for local or routine transports; and
 - b. If the Transportation Branch is needed for a local or routine transport, the Superintendent or designee shall contact the Transportation Branch, via telephone, and submit a transport request, via electronic transfer, to the Transportation Branch.
8. Interstate Compact:
- a. Interstate or intrastate travel arrangements for a youth shall be coordinated by the Interstate Compact Administrator; and
 - b. An interstate travel permit shall be secured and accompany the youth.
9. Special medical and mental health:
- a. Non-routine medical transportation arrangements shall be coordinated by the Superintendent or designee;
 - b. The Superintendent or designee shall submit a transport request to the Transportation Branch, via electronic transfer, and a copy to the JSW, one (1) week in advance when possible; and
 - c. If the Transportation Branch is unable to facilitate the transport, the Superintendent or designee shall be responsible for coordination of the transportation arrangements.
10. Medical Emergencies:
- a. When a life threatening emergency exists, the following shall occur:
 - i. Staff shall call Emergency Medical Services (EMS) by the most direct access, 911 in areas having this service;
 - ii. When a youth is transported for emergency care, the Superintendent and on-call nursing staff shall be contacted as soon as possible; and
 - iii. Staff shall accompany or follow the youth during transport.
 - b. When a non-life threatening emergency exists, staff shall contact the Superintendent or designee to determine the mode of transportation.

POLICY NUMBER DJJ 320	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 5 of 8
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11. In other transportation situations, the Superintendent or designee shall be primarily responsible for coordinating transportation arrangements.

D. Safety and Security

1. Transportation planning shall take into consideration:

- a. The youth's history of crimes committed, violence risk, absent without leave (AWOL) risk, and the current behavior and demeanor of the youth at the time of transport;
- b. The purpose of the transport, for example: to placement, home visit, or medical;
- c. The adequacy of staff, equipment, and vehicles to be used in each transport; and
- d. Any unusual condition or considerations involved in the movement.

2. The number of staff required to transport a youth shall be sufficient to minimize the risk of accident or injury to the youth and others.

3. Staff transporting youth, pursuant to a court order, shall observe the same gender requirements of KRS 605.080(3).

4. Staff transporting youth shall not carry or use a firearm, knife, other deadly weapon, chemical agent, or dangerous instrument.

5. For youth being transported between DJJ residential placements, the youth counselor shall be responsible for ensuring that all pertinent paperwork and information is available to the receiving placement before the trip is completed.

6. The Transportation Branch shall only utilize vehicles that have security screens for the transportation of youth. Transportation staff shall not open the security access window during the transportation of youth.

7. Mechanical Restraints:

- a. The use of mechanical restraints during transportation shall be determined by the Superintendent or Administrative Duty Officer (ADO), Transportation Branch Manager or designee, or the Classification Branch Manager or designee. Where mechanical restraints are to be used, the determination shall be in writing, shall specify the restraints to be used, and shall be retained in the child's file.
- b. The following shall be taken into consideration when utilizing mechanical restraints:
 - i. AWOL or escape risk;
 - ii. Assault risk;

POLICY NUMBER DJJ 320	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 6 of 8
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- iii. Harm to self; or
 - iv. Other safety risk.
 - c. Where the transportation is to a court proceeding, DJJ personnel who are supervising the transportation of the youth shall request approval from the judge to remove mechanical restraints while in the courtroom unless the determination in IV.D.7.A. of this policy states otherwise based upon identified reasons which establish that the child is an AWOL risk or has a significant risk of assaultive behavior in the courtroom.
 - d. Mechanical restraints, for transport, may include handcuffs, leg irons, belly chains, and a security black box.
 - e. If therapeutic restraints are required during transport, the appropriate approval shall be obtained from the Treatment Director, Regional Psychologist, Division Director of Medical Services, or Chief of Mental Health Services prior to usage.
8. During the transport of a youth:
- a. The transporter shall make stops only for emergencies or at planned locations;
 - b. The transporter may, as needed, make stops at:
 - i. DJJ facilities;
 - ii. DJJ offices;
 - iii. Local sheriff's offices;
 - iv. Local police departments;
 - v. Correctional facilities;
 - vi. Kentucky State Police (KSP) posts; or
 - vii. Other locations approved by the Superintendent or designee or Transportation Branch manager; and
 - c. If a meal is not provided by the sending DJJ facility, meal stops shall be exercised via drive through services. This does not include local or routine transportation.
9. Staff shall ensure that all occupants are properly secured in seat belts.
10. Staff shall follow the usual or designated route at all times unless extraordinary or emergency conditions arise.
- 11 Staff shall contact their supervisor when there is a thirty (30) minute or more delay or significant route change. A personal cell phone may be carried by staff during transport if a facility cell phone is not available.

POLICY NUMBER DJJ 320	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 7 of 8
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12. If a youth transport becomes overdue one (1) hour or more, without any contact from the transporter, the following shall occur:
 - a. When the Transportation Branch is transporting a youth, the receiving Superintendent or designee shall contact the Transportation Branch manager to determine the location of and provision of assistance to the transporting unit; or
 - b. When facility staff are transporting a youth, the Superintendent or designee shall coordinate efforts to determine the location of and provision of assistance to the transporting unit.
13. Emergency contact phone numbers shall be kept in each vehicle to use in situations such as accidents, breakdowns, youth escapes, or other situations where the transporter may need assistance.
14. Staff shall refer to DJJ Chapter 300 for escape and AWOL policy and procedures.
15. If a problem is indicated by youth, or noticed by staff, during transportation, staff shall go to a safe location and call for assistance, if necessary.
16. The transporter shall ensure the following:
 - a. The youth and vehicle are free of contraband;
 - b. The vehicle is clean and free of debris;
 - c. The vehicle is in a safe operational condition;
 - d. Youth property and medication are adequately accounted for, inventoried, and secured during transport, if applicable;
 - e. The vehicle is refueled after use;
 - f. Receipts for gas or other car necessities shall be kept in an assigned place; and
 - g. The mileage sheet is completed for the trip.
- E. The sheriff is responsible for transporting youthful offenders (YO's) to court, upon final disposition, at age eighteen (18). Law enforcement shall be reimbursed by DJJ for such transports.
- F. The Transportation Branch, Division Director of Community and Mental Health Services, and the JSDS shall coordinate transportation arrangements for a youth placed in a non-DJJ program.

V. MONITORING MECHANISM

- A. The Transportation Branch Manager shall ensure that the Transportation Branch staff have received initial orientation training and annual updates.

POLICY NUMBER DJJ 320	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 8 of 8
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- B. The Superintendent shall ensure that transporting staff, for the facility, have received initial training and annual reviews.

	<p align="center">JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:110 3-JTS-3A-18, 28, 31; 3B-16; 3D-06-9 3-JCRF-3A-02; 3B-13; 3D-04-9 1-JDTP-3E-02 1-JBC-3A-17, 18; 3B-16; 3D- 06-8 4-JCF-2A-19, 21, 29, 30</p>
<p>CHAPTER: Program Services</p>	<p>AUTHORITY: KRS 15A.0652</p>	
<p>SUBJECT: Incident Reporting</p>		
<p>POLICY NUMBER: DJJ 321</p>		
<p>TOTAL PAGES: 5</p>		
<p>EFFECTIVE DATE: 1/04/2016</p>		
<p>APPROVAL: Bob D. Hayter</p>		<p>, COMMISSIONER</p>

I. POLICY

The Department of Juvenile Justice (DJJ) shall have a system for facilities to report incidents involving youth. Prompt reporting shall take place in accordance with established procedures.

II. APPLICABILITY

This policy shall apply to each DJJ operated day treatment program, group home, and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

A. Events involving youth which compromise the health, safety, or security of youth, staff, or any other individual, or the orderly management of the facility shall be considered incidents. The following situations shall constitute an incident:

1. Use of Isolation;
2. Absent without leave (AWOL), escape, or attempts;
3. Assault or attempted assault by:
 - a. Youth on youth;
 - b. Youth on staff;
 - c. Staff on youth; or
 - d. Youth on other;
2. Sexual assault or attempted sexual assault, involving physical contact of:
 - a. Youth on youth;

POLICY NUMBER DJJ 321	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 5
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- b. Youth on staff;
- c. Staff on youth; or
- d. Youth on other;
- 3. Sexual acting-out:
 - a. Youth on youth;
 - b. Youth on staff;
 - c. Staff on youth or
 - d. Youth on other;
- 4. Major property destruction;
- 5. Possession of contraband;
- 6. Death of youth;
- 7. Medication error;
- 8. Major injury or illness requiring more than first aid, including emergency medical care or transport;
- 9. Self-harming behavior;
- 10. Suicide attempt;
- 11. Use of restraint:
 - a. Physical restraint;
 - b. Therapeutic restraint; and
 - c. Mechanical restraint, except in cases of routine transportation;
- 12. The taking of a hostage or hostages;
- 13. Rioting or attempting to incite a riot;
- 14. Serious threat of harm to staff or youth;
- 15. Positive drug screen or test;
- 16. Chronic program disruption; or
- 17. Other.
- B. The primary staff directly involved in an incident shall complete the incident report by the end of the shift.
- C. An incident report shall include the following:
 - 1. The full name of the youth;
 - 2. Date including month, day, and year;
 - 3. Time including designations of a.m. or p.m.;
 - 4. Location of the incident;
 - 5. The reporting staff's name, signature, and current title;
 - 6. Detailed and specific information regarding the incident;
 - 7. Events leading up to the incident;
 - 8. The manner in which the incident was managed and any immediate consequences issued as a result;

POLICY NUMBER DJJ 321	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 5
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9. Witnesses or others involved, if applicable;
 10. Physical evidence and chain of custody documentation, if applicable;
 11. Specific restraints used, if any; and
 12. Injuries, if any.
- D. Supporting documentation shall provide additional information regarding an incident. The following supporting documentation shall be required as part of the final incident report:
1. Medical body identification (ID) when the youth is the subject of the incident and may have sustained injuries. This shall not include youth who are physically restrained;
 2. Post-restraint body ID completed by health trained or medical staff when a youth has been physically restrained;
 3. Photographs in the following situations:
 - a. Post-restraint or injury photographs, of the youth, shall be retained, with a copy of the youth's post-restraint body ID documentation, in the youth's medical record, with a notation on the incident report stating the location of the photographs;
 - b. Staff injury photographs shall be retained with a copy of the incident report in the staff's medical record, with a notation on the incident report stating the location of the photographs; and
 - c. Damaged property photographs, dangerous contraband photographs, and all other photographs shall be attached to the incident report and retained in the youth's hard case file;
 4. Medical reports shall be obtained when medical services from an outside provider are required, as part of the incident, and shall be retained in the medical file of the injured person, with a notation in the incident report stating the location of the medical report;
 5. Witness statements from staff observing the incident and youth and staff involved in the incident. Any witness statements shall be submitted directly to the shift supervisor or submitted in a sealed envelope to the Superintendent prior to the end of the staff's shift. Witness statements shall not be given directly to the staff member completing the incident report; and
 6. Police report when there has been a formal complaint made regarding an incident.
 7. For the following incidents, refer to the corresponding policy for required documentation:
 - a. Contraband;
 - b. Searches;
 - c. Isolation;

POLICY NUMBER DJJ 321	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 5
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- d. Restraint;
 - e. AWOL;
 - f. Sexual assault;
 - g. Suicide attempt;
 - h. Medical emergencies; or
 - i. Death of a resident.
- E. A youth who is not the subject of the incident report, but involved in the incident, shall be identified by initials and DJJ number, if applicable.
- F. Designated staff shall reference the incident report in the progress notes, the shift report, and the shift log by the end of the shift.
- G. The original incident report shall be filed in the youth's Individual Client Record (ICR).
- H. Designated staff shall document a summary of the incident in the electronic record of the youth within seven (7) business days of the incident.
- I. The Superintendent or Administrative Duty Officer (ADO) shall be advised of all incidents immediately, or as soon as reasonably possible.
- J. The shift supervisor or designee shall be responsible for review of the incident report, to ensure thoroughness and accuracy, shall sign off on the incident report, include comments, if applicable, and complete the online notification.
- K. The on-line notification shall be submitted to the Superintendent no later than twenty-four (24) hours after the incident, with the exception of weekends and holidays.
- L. The Superintendent or designee shall conduct a preliminary review of the incident and take steps necessary to protect the safety and welfare of the youth and staff.
- M. A debriefing shall be conducted after each incident. The debriefing process shall include coordination and feedback about the incident with staff involved in the incident, their supervisor, the Superintendent, and any other staff deemed appropriate by the Superintendent, as soon as possible after the incident. A debriefing shall include:
- 1. A review of staff and youth actions during the incident;
 - 2. A review of the incident's impact on staff and youth;
 - 3. A review of corrective actions taken and still needed; and
 - 4. Plans for improvement to avoid another incident.
- N. Notification
- 1. The Superintendent or designee shall immediately provide notice, either by telephone or face to face contact, through the chain of

POLICY NUMBER DJJ 321	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 5
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command of all incidents that present an imminent threat to the safety or security of the facility.

2. Incidents involving AWOL, attempted AWOL, death, or serious injury to staff or youth, shall be immediately communicated through the chain of command to the Deputy Commissioner of Operations and the Commissioner.
3. The Superintendent shall forward a copy of the incident report, including supporting documentation, to the Regional Division Director.
4. The parent or caregiver and the Juvenile Service Worker (JSW) shall be notified by the youth's counselor, ADO, facility nurse, or designee as soon as practicable, but no later than four (4) hours from the occurrence of any incident listed below:
 - a. AWOL;
 - b. Death;
 - c. Serious injury or illness requiring more than first aid, including emergency medical care or transport;
 - d. Sexual assault; or
 - e. Suicide attempt.
- O. After consultation with the Regional Director, the Department may submit a juvenile petition for a public offense or criminal complaint to the local prosecutor's office.

V. MONITORING MECHANISM

Monitoring shall be conducted by the Superintendent, the Facilities Regional Administrator (FRA), Regional Division Director, and Quality Assurance (QA) Branch.



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

**REFERENCES:
505 KAR 1:110
3-JCRF-4C-23, 24
1-JDTP-3B-16, 17
1-JBC-5C-12, 14
3-JTS-4C-24-2**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Drug Screening and Testing

POLICY NUMBER: DJJ 322

TOTAL PAGES: 6

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter , COMMISSIONER

I. POLICY

Youth may be subject to drug screening and testing as a means to protect the community, assure personal accountability, and assist in developing appropriate services and treatment planning. Drug screening and testing shall be conducted by certified facility staff.

II. APPLICABILITY

The Department of Juvenile Justice (DJJ) may screen and test youth in a youth development center (YDC), group home, and DJJ operated day treatment program.

III. DEFINITIONS

Refer Chapter 300.

IV. PROCEDURES

- A. A drug screen may be administered to youth in a group home or residential program with the approval of the Superintendent or designee.
- B. A drug screen may be administered to DJJ committed or probated youth attending a DJJ operated day treatment program with the approval of the Superintendent or designee.
 1. Non-adjudicated youth, court ordered to attend a day treatment program, may be subject to a drug screen.
 2. The youth and parent or caregiver of a non-adjudicated youth shall be required to sign for permission for drug screening and testing, at the time of the youth's placement into a day treatment program.
- C. DJJ may use a combination of onsite screening and contracted testing services.

POLICY NUMBER DJJ 322	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 6
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- D. A drug screening log shall be maintained at each DJJ onsite screening location. Each log entry shall specify the following:
1. The youth's name;
 2. Date of screening;
 3. Name of staff person administering the screening;
 4. Name of the witnessing staff, if applicable;
 5. Reason for the screening; and
 6. The screening results.
- E. Screening and testing results may be used to:
1. Identify youth who have recently used illicit drugs;
 2. Request further drug assessments;
 3. Notify the parent or caregiver of a youth's drug involvement;
 4. Update the treatment plan for the youth;
 5. Make a referral to an appropriate treatment agency;
 6. Hold youth accountable and apply responses for drug usage;
 7. Reinforce continued sobriety and abstinence;
 8. Maintain a drug free facility;
 9. Support the modification of the conditions of probation or supervision for youth in a day treatment program; and
 10. Support revocation procedures against youth in a day treatment program.
- F. Staff shall provide youth with documentation, during Awareness level, that specifies that youth are subject to drug screening and testing, at any time. The following shall be included in this documentation:
1. The purpose of drug testing; and
 2. The consequences of positive test results which may include:
 - a. Graduated responses;
 - b. Movement to a more restrictive level of care;
 - c. Revocation of probation or supervised placement;
 - d. Criminal charges filed by a law enforcement agency; or
 - e. Sanctions by the court.
- G. Youth shall be informed, in writing, that failure or refusal to cooperate by providing a specimen, within two (2) hours of a request, is a rule violation and may result in graduated responses. Staff shall document the failure or refusal to cooperate in the electronic running record and youth hard case file. Youth at a DJJ program may be kept on one-to-one supervision until they provide a specimen.
- H. Drug screening may be randomly implemented for the purpose of deterrence of any illicit substance abuse.

POLICY NUMBER DJJ 322	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 6
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- I. Youth may be screened on the basis of a suspicion of use or because the youth has been involved in a situation where activities have not been monitored by facility staff.
- J. Youth on probation may be court ordered to submit to regularly scheduled drug screens.
- K. Screening shall be conducted in a consistent manner. For each drug screen the process shall be conducted as follows:
 1. Notification
 - a. Staff shall provide youth with the drug screen notification documentation to read and sign. Staff shall provide assistance to youth with literacy or language challenges; and
 - b. Staff shall inform youth that failure or refusal to cooperate may result in a graduated response;
 2. Pre-Screen Interview
 - a. Staff shall conduct a pre-screen interview to ascertain and document any recent use of prescription or non-prescription drugs; and
 - b. This information shall be retained in the youth's hard case file and electronic record and, if applicable, forwarded to contracted services as deemed appropriate;
 3. Privacy during screening
 - a. Staff shall keep the youth under supervision throughout the screening process to ensure the integrity of the screen;
 - b. The youth shall be allowed to provide a specimen in the privacy of a stall or otherwise partitioned area;
 - c. If direct observation is necessary, the collection of the specimen shall be conducted by a staff member of the same sex and witnessed by an additional staff member of the same sex. Cases of direct observation include:
 - i. The youth is an initial intake;
 - ii. The individual has altered or substituted a specimen in the past;
 - iii. A previous urine sample was determined, by the laboratory, to have creatinine or pH levels outside the normal range or any other apparent abnormality;
 - iv. There is reason to believe the individual may alter or substitute a specimen;
 - v. The facility staff observes conduct indicating an attempt to substitute or alter the urine specimen; or
 - vi. The urine specimen falls outside the normal temperature range and a second screen is necessary;

POLICY NUMBER DJJ 322	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 6
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4. Confidentiality
 - a. Facility staff and the laboratory involved in any aspect of the drug screening or testing program shall maintain strict standards of confidentiality, as required by law; and
 - b. Drug screening shall take place in a private setting. No other youth shall be present during any part of the procedure; and

5. Collecting the Specimen
 - a. Facility staff shall be trained to follow drug screening procedure;
 - b. Protective gloves shall be worn by staff during the collection process;
 - c. Staff shall provide a collection cup to each youth being screened; and
 - d. Staff shall take the following precautions to ensure a urine specimen cannot be tampered with during the collection process:
 - i. Place coloring agents in DJJ facility toilet tanks, when applicable;
 - ii. Instruct youth to thoroughly wash and dry their hands prior to urination;
 - iii. Ensure there is no source of water other than the toilet, or any other substance in the enclosure where specimens are collected;
 - iv. Require unnecessary garments, that could be used to conceal, to be left outside the collection area, such as coats, jackets, sweaters, purses, or any other personal items; and
 - v. Ensure any substances that could be used to alter the urine specimen are left outside the collection area.

L. Integrity of the Specimen

1. The collected urine specimen, either in private or witnessed, shall be returned to facility staff;
2. In the presence of the youth, facility staff shall verify the appropriate temperature of the specimen, within four (4) minutes of the sample being provided, in accordance with the vendor drug screening training; and

M. Conducting the preliminary drug screen

1. Facility staff shall utilize the screening strips provided by the contract agency to perform the preliminary drug screen;
2. If the specimen screens negative, the specimen shall be discarded;
3. If the youth admits to any drug usage, the youth shall be asked to sign a statement acknowledging their use and that the screen may

POLICY NUMBER DJJ 322	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 6
---------------------------------	------------------------------------	------------------------------

be positive. This written statement shall not be coerced and shall be provided by the youth voluntarily. The specimen shall still be collected;

4. If the drug screen is positive, the youth shall be asked to sign a statement acknowledging that he or she has been using drugs and the results of the drug screen are accurate. This written statement shall not be coerced and shall be provided by the youth voluntarily;
 5. If the youth acknowledges the positive results of the screen and signs the statement, the DJJ staff person shall address the positive drug screen. A confirmation test shall not be required; and
 6. If the youth disagrees with and does not acknowledge the positive results of the drug screen, a confirmation test shall be conducted using a contract agency. The facility staff shall follow the steps outlined below to prepare the specimen for processing by the contract agency.
- N. The process for the confirmation test shall be followed as directed by the contracted agency responsible for conducting the test.
- O. The analysis process is as follows:
1. An independent laboratory shall perform the confirmation test on all specimens;
 2. Samples testing positive, after both the screen and confirmation test, shall be considered positive for the purpose of retaining the specimen;
 3. Samples testing negative, after the confirmation test, shall be considered a negative result; however, samples testing negative, but diluted, may be retested;
 4. Positive samples shall be retained according to the policy of the independent laboratory; and
 5. The laboratory shall report which substance, or substances, the urine sample tested positive for, if any.
- P. The notification process regarding the test results shall be as follows:
1. The confirmation test results shall be reported to the Director of Medical Services, within five (5) business days of receipt of the specimen, excluding weekends and holidays;
 2. Results shall be transmitted, to the Director of Medical Services, in a manner designed to ensure confidentiality of the information;
 3. The Director of Medical Services shall verify the results of the confirmation test and notify the Superintendent and the Treatment Director of the test results; and
 4. The responsible facility staff shall notify the youth of the results within twenty-four (24) hours. Youth on furlough shall be notified of the results within one (1) business day. If a penalty slip is

POLICY NUMBER DJJ 322	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 6
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issued in a group home or YDC as a result of positive confirmation test results, the disciplinary review process shall be followed.

Q. Youth testing positive for drugs may be subject to escalating responses, as determined by the treatment team.

V. MONITORING MECHANISM

The Division Director of Medical Services shall develop monitoring protocols to be used by the Superintendent. The Quality Assurance (QA) Branch shall monitor annually.

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 4-JCF-3B-10; 3C-03, 04; 4C-46 3-JTS-3C-13; 3E-01-05
CHAPTER: Program Services		AUTHORITY: KRS 15A.0652
SUBJECT: Isolation		
POLICY NUMBER: DJJ 323		
TOTAL PAGES: 6		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter , COMMISSIONER		

I. POLICY

Youth who threaten the safety, security, and orderly management of the facility may be separated from the general population and placed in special isolation units to allow for individualized intervention. A youth shall not be isolated longer than necessary.

II. APPLICABILITY

This policy shall apply to each youth development center (YDC).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. The following situations may constitute a threat to safety or security of the facility, staff, or youth and may result in an isolation placement:

1. Assault or attempted assault;
2. Sexual Assault or attempted sexual assault;
3. Attempted escape or attempted absent without leave (AWOL);
4. Escape;
5. AWOL;
6. Riot;
7. Plotting a Riot;
8. Dangerous contraband;
9. Extensive property damage; or
10. Chronic program disruption.

B. Authorization shall be obtained from the Superintendent, Administrative Duty Officer (ADO), Treatment Director, or shift supervisor prior to placing a youth into isolation. If prior authorization cannot be obtained without jeopardizing safety and security, authorization shall be obtained immediately following the safe securing of the youth.

POLICY NUMBER DJJ 323	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 6
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- C. The nurse shift program supervisor or on-call nurse designee shall be notified immediately to determine if there are contra-indications for the youth being placed in isolation.
 - 1. The facility nurse or health trained staff shall immediately conduct an assessment of youth placed in isolation or as soon as it is safe to do so, as dictated by the Director of Medical Services.
 - 2. Injuries, bruises, or scratches, and observations shall be noted by a minimum of two (2) staff. The nurse or designee shall document the date, time, and results of the assessment.
- D. The Superintendent may authorize a youth remaining in isolation beyond an initial four (4) hour period.
- E. Isolation placement shall not exceed five (5) days unless approved by the Director of Medical Services or Chief of Mental Health Services and reasons for the exception shall be documented in the youth's Individual Client Record (ICR). For purposes of this section, the five (5) day timeframe shall include any adjacent time period of intensive room supervision.
- F. Protocol for Suicidal Youth
 - 1. Isolation shall not be used as a suicide precaution.
 - 2. If a youth is suicidal a QMHP shall conduct a mental health evaluation pursuant to DJJ Chapter 4.
 - 3. A youth who is suicidal may only be placed in isolation if they present an immediate assault risk to staff or other youth as evidenced by physical actions and other less restrictive interventions have failed or are not appropriate.
 - a. One-to-one supervision shall be required until a Qualified Mental Health Professional (QMHP) has conducted a mental health evaluation. The QMHP shall determine if a juvenile may be observed via the use of video cameras. Staff shall follow protocol for dealing with mental health emergencies and suicide intervention and prevention for youth who have been placed in isolation and expresses suicidal ideation.
 - b. Authorization for continued confinement shall be obtained from the Superintendent, Regional Psychologist, and the Facilities Regional Administrator (FRA) immediately following the safe securing of the youth.
 - c. The Superintendent and Treatment Director shall consult with the Regional Psychologist to determine the most appropriate action based on the treatment needs and the goal of terminating the isolation placement as of the youth.
 - 4. For a youth who has already been placed in isolation, who threatens suicide or engages in suicidal behaviors, staff shall follow the

POLICY NUMBER DJJ 323	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 6
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protocol for dealing with mental health emergencies and suicide intervention and prevention.

- a. If a youth presents an immediate assault risk to staff or other youth, continued placement in isolation may be authorized.
 - b. Authorization shall be obtained from the Superintendent, Treatment Director or QMHP, and the FRA to allow the youth to remain in isolation.
 - c. Subsequent to the isolation, the Superintendent, Treatment Director, or QMHP shall consult with the Regional Psychologist to determine the most appropriate action based on the treatment needs of the youth.
 - d. A QMHP re-evaluation of the youth's mental status shall be required when a youth in isolation exhibits new suicidal, assaultive, or homicidal behavior.
- G. Upon placement of a youth in isolation, staff shall immediately develop and write a plan for the release of the youth from isolation.
1. The plan for release shall:
 - a. State the reason for the isolation placement;
 - b. State the behavioral expectations required for the youth to obtain release from isolation placement;
 - c. Be explained to the youth by staff; and
 - d. Be signed by staff and youth to acknowledge receipt of the documents. Youth who refuses to sign shall have the information presented orally by a non-involved staff member and witnessed by a third party.
 2. When the youth is under reasonable control and demonstrating behavior in accordance with the terms of the plan for release, the youth shall be removed from isolation.
 3. At a minimum, the following shall be taken into consideration in order for the youth to be released from isolation placement:
 - a. The youth has regained control of their behavior;
 - b. The youth is acting in accordance with the terms of their plan for release; and
 - c. The youth is no longer a threat to the security, safety, or orderly management of the facility.
 4. Staff shall notify the ADO or Superintendent when the youth is released from isolation.
- H. A professional review shall be conducted by the youth counselor, the Treatment Director, Superintendent, Assistant Superintendent, or the Youth Services Program Supervisor (YSPS) for the purpose of counseling the youth.

POLICY NUMBER DJJ 323	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 6
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1. The initial review shall be during the first four (4) hours the youth is in isolation and shall be conducted by staff not involved in the incident leading to the isolation placement.
 2. Reviews shall take place every four (4) hours, or more frequently, to facilitate and assess the youth's progress in meeting the conditions of the plan for release. An isolation placement review shall be completed every twenty-four (24) hours by a staff member not involved in the incident.
 3. During sleeping hours, the time between reviews shall not exceed ten (10) hours.
 4. Staff conducting the professional review shall:
 - a. Evaluate whether the initial and continued placement is necessary to meet treatment needs or immediate and short-term security needs;
 - b. Review the progress of the youth toward the goals of the plan for release; and
 - c. Authorize the release of the youth from isolation placement when appropriate.
 5. The professional review documentation shall include:
 - a. The name and title of the person conducting the review;
 - b. The date and time the review was conducted;
 - c. A summary of the review;
 - d. Recommendations of the review; and
 - e. Justification for step-down, if necessary.
- I. Isolation Protocol
1. The Superintendent and Treatment Director, when on duty at the facility, shall visit each youth in isolation each day. The visit shall be documented in the observation log.
 2. The facility psychologist or designee shall conduct interviews and assessment for disturbances in mental status for example, depression; suicidal ideation; impaired thought processes, cognition or memory; agitation; paranoia; self-injurious behavior; evidence of bruises or other signs of trauma, when the youth's behavior has escalated beyond the staff's ability to control the youth by counseling or disciplinary measures.
 3. If a youth exhibits deterioration in mental status while in isolation, the Treatment Director or Regional Psychologist shall be contacted to determine the most appropriate action based on the treatment needs of the youth.
 4. Youth shall receive a daily visit from the facility nurse or health trained staff, unless medical attention is needed more frequently.

POLICY NUMBER DJJ 323	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 6
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5. If a youth's problem behavior lasts twenty-four (24) hours and there appears to be a need for continued intervention, a qualified health personnel shall assess the youth daily. Any treatment provided shall be documented in the youth's Medical Record.
 6. Isolation shall not be used for protective custody. When protective custody is required, youth shall be moved to a safe location within the facility or the Department.
 7. Youth in isolation shall be afforded living conditions and privileges approximating those available to the general population including modified access to recreation, educational, and treatment services taking into consideration the youth's safety needs.
 8. Youth shall be responsible for the daily cleaning of their living area while in isolation.
 9. Staff shall monitor the youth in intervals, not to exceed fifteen (15) minutes, for the youth's compliance with the plan for release criteria. These checks shall involve direct visual contact with the youth and the time between checks shall be random.
 10. Behavioral observation and problems with the youth shall be noted in the observation log and the supervisor shall be notified of any existing problems. The observations shall include comments regarding the youth's attitude and outlook.
 11. Staff interactions with the youth shall be documented in log format including the name and title of the persons visiting the youth and a summary of the visit.
- J. When a youth is placed in isolation documentation of the isolation event shall be completed as follows:
1. The documentation shall include:
 - a. The reason for the isolation;
 - b. The duration of the isolation;
 - c. The reason for the duration of the isolation;
 - d. The name and title of the staff person authorizing isolation and the time the approval was received; and
 - e. The staff authorizing release and the time of release;
 2. The isolation packet shall include:
 - a. The incident report;
 - b. The isolation room checklist;
 - c. The medical checklist;
 - d. The observation log and addendum;
 - e. The plan for release; and
 - f. The professional reviews;

POLICY NUMBER DJJ 323	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 6
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3. The isolation packet shall be reviewed by the Superintendent or designee;
 4. The isolation packet shall be placed in the youth's hard case file. A notation of the incident shall be made in the electronic record, including the date and time of release; and
 5. A copy of the isolation packet shall be sent, via electronic transfer, to the FRA and the Regional Division Director, upon request.
- K. In the absence of the Treatment Director the Regional Psychologist or other QMHP shall be responsible for fulfilling isolation protocol.
- L. Each facility shall track the number of isolations, length of isolation, and reason for each isolation and be included on the Regional Directors monthly report.

V. MONITORING MECHANISM

- A. The Superintendent shall review the isolation placement for accuracy and compliance.
- B. The Quality Assurance (QA) Branch shall review written documentation during their scheduled monitoring.
- C. The Superintendent, Treatment Director, and facility Nurse Supervisor shall discuss the use of isolation during quarterly medical and administrative meetings.

	<p align="center">JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: REFERENCES: 505 KAR 1:110 3-JTS-3A-16-18, 26, 27, 29, 31 3-JCRF-3A-02, 05; 4C-17 1-JDTP-3E-02 1-JBC-3A-15, 18-21, 27, 28 4-JFC-2A-09, 15, 17, 27, 29 NCCHC Y-66</p>
<p>CHAPTER: Program Services</p>		<p>AUTHORITY: KRS 15A.0652</p>
<p>SUBJECT: Restraints</p>		
<p>POLICY NUMBER: DJJ 324</p>		
<p>TOTAL PAGES: 4</p>		
<p>EFFECTIVE DATE: 1/04/2016</p>		
<p>APPROVAL: Bob D. Hayter</p>		<p>, COMMISSIONER</p>

I. POLICY

Staff shall utilize appropriate behavior management methods and techniques to promote a safe and secure program culture. Staff shall be permitted to use approved methods of restraint for youth in instances of justifiable self-defense, protection of youth or others, protection of property, prevention of escape, or to maintain or regain control.

II. APPLICABILITY

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

The use of mechanical restraints shall be prohibited in a day treatment program.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. Restraints and restraint equipment shall be used only as a control measure to protect the youth, staff, and other youth and only when all other actions appropriate to the situation have been ruled out.
- B. Youth shall not be permitted, expected, or directed to physically manage other youth.
- C. Three (3) types of restraints approved by the department shall be:
 - 1. Physical Restraint
 - a. Staff shall utilize only agency approved and trained skills in the physical management of aggressive youth.
 - b. Staff shall not use physical restraint as punishment.

POLICY NUMBER DJJ 324	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
---------------------------------	------------------------------------	------------------------------

- c. Staff shall use only the level of physical restraint necessary to control aggressive behavior, until the youth is able to demonstrate self-control.
 - d. DJJ staff, who have the responsibility, or potential responsibility, for the direct care, supervision, and treatment of youth, shall be required to hold certification from the Division of Professional Development in approved methods of restraint.
 - e. Staff shall complete an incident report documenting the use of physical restraint in compliance with DJJ policy. Each specific physical restraint technique used shall be noted in the incident report.
2. Mechanical Restraint
- a. Staff shall utilize agency approved and trained techniques and equipment in the use of a mechanical restraint.
 - b. Staff shall not use mechanical restraint as punishment.
 - c. The Superintendent or Administrative Duty Officer (ADO) shall approve use of mechanical restraints.
 - d. Minimum force shall be used in the application of mechanical restraints to reduce the possibility of injury to the youth and staff.
 - e. Use of mechanical restraints:
 - i. Shall be authorized when staff determines that physical restraint is no longer an effective method of managing aggressive youth;
 - ii. As a precaution against escape or assault during transport; or
 - iii. May be utilized as a prevention against serious self-injury, injury to others, or property damage.
 - f. Staff shall document the use of mechanical restraints in an incident report, except when mechanical restraints are used in the transportation of a youth by the DJJ Transportation Branch.
 - i. The incident report shall be completed in compliance with DJJ policy.
 - ii. The specific mechanical restraint equipment used shall be noted in the incident report.
 - iii. The report shall be reviewed by the Superintendent for compliance with policy and procedure.
 - iv. In cases of routine transportation, the use of mechanical restraints shall be documented on the mechanical restraint usage log and in the youth's progress notes.
 - g. Staff shall check youth every fifteen (15) minutes during the mechanical restraint episode to ensure the youth is not in physical distress.

POLICY NUMBER DJJ 324	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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- i. Documentation shall be made on the youth observation log.
 - ii. For mechanical restraint use during transportation, staff shall adhere to DJJ policy.
 - h. Staff shall be prohibited from placing and maintaining youth in an unusual position after the mechanical restraints have been applied.
 - i. Youth shall not be affixed to a stationary object in any manner so as to constitute a fixed restraint. Four-point and five-point restraints shall be prohibited.
- 3. Therapeutic Restraint
 - a. Therapeutic restraint shall only be used in compliance with DJJ Chapter 4 policies.
 - b. Youth shall not be held in a restraint longer than the time absolutely necessary.
- 4. When mechanical or therapeutic restraints are used for the management of behavior:
 - a. Restraints shall be removed when there is positive change in a youth's behavior, it is believed that the youth can be controlled without them, and it is safe to do so; and
 - b. If no positive change in the youth's behavior occurs within the first thirty (30) minutes, the Superintendent or ADO shall begin the evaluation of the youth for other alternatives.
- D. Post-restraint protocol shall include:
 - 1. Once the youth regains control of his behavior, it shall be the responsibility of the staff to assist the youth in the reintegration into the facility population and to identify follow-up services, if needed;
 - 2. Prompt medical attention shall be required for all injuries;
 - 3. The Superintendent shall conduct a thorough review of incidents involving injury during restraint to determine if such incidents may be avoided in the future; and
 - 4. The youth's counselor, ADO, or designee shall notify the juvenile service worker (JSW) and the youth's parents or caregiver within 24 hours of any of the following:
 - a. The use of mechanical restraints, other than shackling for transportation purposes;
 - b. The initiation of therapeutic restraints; or
 - c. The use of a physical restraint resulting in an injury to the child, except where the injury consists only of minor cuts, scratches, bruises or red marks.
- E. Documentation shall include:

POLICY NUMBER DJJ 324	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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1. Youth observation logs of fifteen (15) minute checks for mechanical restraints;
 2. Post-restraint body identification (ID), including injuries and other medical documentation; and
 3. Incident reporting including photographs and any other relevant information.
- F. Mechanical Restraint Equipment Inventory
1. The availability, control, and use of mechanical restraint equipment shall be the responsibility of the Superintendent or designee.
 2. Mechanical restraints shall be marked in a way to identify them as DJJ property and shall be secured.
 3. Documentation shall be maintained in the form of an inventory and use log to provide accountability for their location and use.
 4. The Superintendent or designee shall review the mechanical restraint inventory and use records monthly, to ascertain that equipment listed is secured in the locations noted.
- G. Reusable restraint equipment shall not be used on another youth until it is properly cleaned and disinfected and noted on the mechanical restraint usage log. Commercial products, in accordance with DJJ policy, shall be available for disinfecting.
- H. DJJ shall not use any type of restraint on female youth during active labor and the delivery of a child. Any exception requires approval by, and guidance on, methodology from the Director of Medical Services and shall be based on documented serious security risks. The Director of Medical Services shall provide guidance on the use of restraints on pregnant youth prior to active labor and delivery.

V. MONITORING MECHANISM

- A. The Superintendent or designee shall ensure that staff attend monthly restraint technique reviews, quarterly basic restraint technique reviews, and biannual mechanical restraint reviews.
- B. The Superintendent or designee shall review the maintenance and usage of restraint equipment and documentation.
- C. The facility based trainers shall review for competency in skills in compliance with review periods;
- D. The Division of Professional Development shall conduct recertification of skills and yearly training schedules.
- E. The Facilities Regional Administrator (FRA) or Regional Division Director shall review incident reports for compliance with this policy.
- F. The Quality Assurance (QA) Branch shall monitor annually for compliance.



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

**REFERENCES:
505 KAR 1:110
3-JTS-3A-19-21; 5H-16
3-JCRF-3A-12
1-JDTP-3E-08
1-JBC-3A-22-24
4-JCF-2A-20, 22; 4C-63
2-CO-3C-01**

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Searches	
POLICY NUMBER: 325	
TOTAL PAGES: 4	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter	, COMMISSIONER

I. POLICY

Consistently applied search and screening practices are essential to the order and security of the facility. Searches of youth, visitors of youth, and facilities shall be designed to prevent the introduction of contraband, provide for its disposition, and to protect youth and staff. Indiscriminate body searches of juveniles are prohibited in all residential facilities. Upon a juvenile's admission to a facility, returning from an unsupervised setting, or whenever there is reason to believe that the security of the facility may be endangered or that contraband may be present in or introduced into the facility, the search of a juvenile and their possessions shall occur.

II. APPLICABILITY

This policy shall be applicable to group homes, day treatments, and youth development centers.

LIMITED APPLICABILITY

In DJJ operated day treatment programs the facility, grounds, youth, youth's visitors, and their personal belongings may be searched at any time. Only pat down searches and the use of metal detectors shall be permitted. Pat down and metal detector searches, shall be completed when the youth first arrives at the program in the morning, when they return at any point in the day, and whenever a youth is suspected or rumored to have contraband.

Superintendents shall ensure adequate staff is present to conduct morning searches. Pat down shall be documented in the search log and an incident report completed if contraband is discovered.

III. DEFINITIONS

Refer to Chapter 300.

POLICY NUMBER DJJ 325	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 2 of 4
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IV. PROCEDURES

- A. The search of a juvenile requires professional expertise and a humane and dignified demeanor on the part of the staff; therefore, staff shall be trained in proper search techniques.
- B. Staff shall conduct searches of juveniles in a professional and respectful manner to avoid harassment, indignity, embarrassment, and unnecessary use of force.
- C. Staff and youth shall be provided written procedures for searches. Search procedures shall be reviewed annually.
- D. Staff shall provide the individual being searched with a verbal overview of the procedure intended to be used.
- E. When possible searches shall be conducted by same gendered staff. Cross-gender searches shall only be conducted under exigent circumstances and shall be documented.
- F. General Procedures for Searches
 - 1. All searches shall be conducted in a professional manner, using techniques that avoid unnecessary force or indignity to persons involved in the search, while maintaining the integrity of the search.
 - 2. Staff shall be trained in search techniques designed to protect persons involved and preserve evidence.
 - 3. All facilities shall provide gloves and other needed equipment for searches that protect staff safety and ensure chain of custody for confiscated items.
- G. Pat down search
 - 1. If possible, two (2) staff that are the same gender as the youth shall conduct the pat down search. One (1) staff shall facilitate the process. The second staff person shall observe the process to verify that the correct procedures are followed.
 - 2. Staff shall have the juvenile remove shoes, jackets, sweaters, gloves and hats and staff shall complete an inspection of these items.
 - 3. A pat down search shall be conducted over the clothing including an inspection of the contents of all pockets.
 - 4. Staff shall visually check the juvenile's hair, ears, nose, mouth, and under tongue.
 - 5. Staff may use a metal detection wand as part of the pat down search
- H. Strip search

POLICY NUMBER DJJ 325	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 3 of 4
---------------------------------	-------------------------------------	------------------------------

1. Strip searches may be performed only with probable cause and authorization from the Director of Medical Services. An incident report shall be completed, documenting the probable cause.
2. A strip search shall always be performed by two (2) staff of the same gender or medical personnel.
3. A strip search shall be performed in an area that ensures the privacy and dignity of the juvenile.
4. Strip searches shall be performed to visually inspect the juvenile's body and physically search the juvenile's clothing.
5. If the intent is to view the total surface area of the body, the following shall be searched by having the juvenile gently lift each respective area:
 - a. Breasts;
 - b. Genitalia; and
 - c. Body Folds.
6. Strip search procedures shall be reviewed by the Director of Medical Services and the Superintendent.

I. Body Cavity Search

1. Outside medical providers shall be the only individuals authorized to conduct a body cavity search. Probable cause that a youth may be concealing contraband in a body cavity shall exist prior to the authorization of a body cavity search.
2. Authorization shall be required by the Superintendent and Director of Medical Services prior to a body cavity search.

J. Visitors of Youth

1. All visitors shall be required to be scanned with a metal detector.
2. If probable cause exists that a visitor is in possession of weapons or contraband, they shall be asked to submit to a pat down search or be denied entry.
3. If a pat down search is used on a visitor, or if a visitor is denied entry due to refusing a pat down search, it shall be documented on the shift report. The notation shall include the name of the visitor and a brief summary of the incident. The supervisor shall also be responsible for notifying the Superintendent of the incident and explanation of the incident. Reference DJJPP Chapter 3 "Family and Community Contacts Mail, Telephone, and Visitation".
4. Visitors who leave the visitation area shall be subject to search upon reentry.

POLICY NUMBER DJJ 325	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 4 of 4
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V. MONITORING MECHANISM

The Superintendent and Facilities Regional Administrator shall monitor compliance with this policy. The Quality Assurance Branch shall conduct annual program audits.



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

**REFERENCES:
505 KAR 1:110
KRS 218A
KRS 520.050
2-CO-3A-01
3-JTS-3A-19, 32
3-JDF-3A-19, 31
3-JCRF-3A-12, 14
1-JDTP-3E-08
1-JBC-3A-22, 32
4-JCF-2A-20, 21
KRS 218A.50**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Contraband, Seizure, and Chain
of Custody**

POLICY NUMBER: DJJ 326

TOTAL PAGES: 4

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall ensure the safety of the youth and the program, by controlling the introduction of contraband. When contraband is discovered, DJJ staff shall ensure seizure and security of the contraband, maintaining chain of custody and appropriate documentation.

II. APPLICABILITY

This policy shall apply to each DJJ operated program providing services to youth probated, committed, or sentenced to, or placed in the care and custody of the Department.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. Each DJJ program shall have a sign posted, in a visible location on the grounds of the facility, to advise all persons that it is a violation of Kentucky law to bring weapons, intoxicants, drugs, and other contraband onto the grounds or into the premises. The Office of Legal Services shall approve the content of each sign.
- B. Confiscated dangerous contraband shall be placed in a plastic bag or envelope, sealed, and immediately secured in a designated, locked area. Dangerous contraband may include:

POLICY NUMBER DJJ 326	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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1. Firearms;
 2. Weapons other than firearms;
 3. Drugs and medicines; and
 4. Alcoholic beverages.
- C. Chain of Custody
1. Confiscated contraband shall be secured in a designated area until it can be controlled by the Superintendent or law enforcement.
 2. The securing of the contraband shall be documented by listing the date, time, and the name of the staff securing the contraband. Any transfer of the contraband shall be included in the documentation.
 3. As soon as possible, the Superintendent or law enforcement shall take control of the contraband and secure the item in a locked, secure area with limited access.
 4. The Superintendent shall notify the Facilities Regional Administrator (FRA) of dangerous contraband to determine proper disposition of the item.
 5. The Superintendent shall make contact with law enforcement for the following situations:
 - a. To transfer illegal contraband;
 - b. When charges will be filed; or
 - c. When the item is suspected of being evidence of a crime.
 6. Chain of custody documentation of the confiscated item shall include:
 - a. A description of the confiscated item;
 - b. From whom it was confiscated;
 - c. The date, time, and location of confiscation;
 - d. The name and signature of the staff member who confiscated the item;
 - e. The name and signature of witnessing staff member, when applicable;
 - f. Transfer of confiscated item from one (1) staff to another with signature of transferring and receiving staff;
 - g. The date, time, location, and disposition of the confiscated item; and
 - h. The date, time, and name of the law enforcement agency the item was transferred to, including the signature of the receiving officer, if applicable.
- D. The illegal possession of any controlled substances may be subject to the penalties of Kentucky Revised Statutes (KRS) Chapter 218A and KRS 520.050.

POLICY NUMBER DJJ 326	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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1. Controlled substances shall be immediately confiscated by staff, observing procedures for chain of custody.
 2. These controlled substances shall be sealed in an envelope and labeled, placed under lock and key, and the Superintendent or Administrative Duty Officer (ADO) shall be notified immediately.
 3. The Superintendent shall up-line through the FRA, to determine the need for law enforcement involvement. After consultation between the Superintendent and the FRA, law enforcement may be notified by the Superintendent or designee, and requested to pick up the controlled substance for storage or disposal.
 4. The facility shall document if law enforcement fails to pick up the controlled substance. The Superintendent shall up-line through the appropriate chain of command, to determine the disposition of the controlled substance.
- E. Deadly instruments or weapons shall be confiscated.
1. When confiscating a deadly weapon, procedures for chain of custody shall be observed.
 2. The Superintendent shall ensure the safety of youth and staff in confiscating a deadly weapon. Emergency services shall be contacted, if necessary.
 4. The Superintendent shall notify the FRA immediately.
 5. Immediate action shall be taken upon the direction of the FRA or Regional Division Director, with the appropriate law enforcement agency.
- F. An incident report shall be completed as described in accordance with Chapter 3 policies.
- G. Examination or removal of evidence retained at the facility shall be conducted as follows:
1. When the evidence is viewed, examined, or taken from the secured area for a specific legitimate purpose, there shall be two (2) staff present; and
 2. The removal of evidence from the secured area shall be recorded following the chain of custody procedures, with both persons' names and signatures.
- H. Staff shall document the confiscation of non-dangerous contraband by listing a description of the item, from whom it was confiscated, the date, time, and, name of the staff securing the contraband, and disposition. Any transfer of the contraband shall be included in the documentation.

V. MONITORING MECHANISM

POLICY NUMBER DJJ 326	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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This activity shall be monitored by the Superintendent, FRA or Regional Division Director, and the Quality Assurance (QA) Branch.



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

**REFERENCES:
505 KAR 1:110
3-JTS-3B-15
3-JCRF-3A-08
1-JDTP-3E-10, 11
1-JBC-3B-15
4-JCF-2A-01**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Escape and Absent Without
Leave**

POLICY NUMBER: DJJ 327

TOTAL PAGES: 6

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Procedures shall be followed to locate and return the youth considered escaped or absent without leave (AWOL). A youth who has escaped or is AWOL may be subject to additional criminal charges and an administrative transfer (ATR).

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) group home and youth development center (YDC).

LIMITED APPLICABILITY

A DJJ operated day treatment program, therapeutic foster care placement, or private child care agency shall notify the juvenile service worker (JSW) when a youth is absent or leaves the program grounds without permission. Documented notification shall be made within two (2) hours to the parent or caregiver whenever a juvenile is unexpectedly absent.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. A DJJ Escape or AWOL Report and the Wanted-Absconder Notice Request for NCIC Entry and Cancellation documentation shall be completed with basic demographic information on a youth at the time of admission. These documents shall be reviewed and updated quarterly.

POLICY NUMBER DJJ 327	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 6
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- B. Therapeutic foster care parents in a Level 1 placement shall be alert to the possibility that a youth may become AWOL and take appropriate and well defined measures to prevent a youth from AWOL.
- C. Staff in a Level 2-5 placement shall be alert to the possibility that a youth may escape from the facility's immediate boundaries and take appropriate and well defined measures to prevent a youth from escape.
- D. Staff shall ensure that preventive measures do not jeopardize the safety and security of a youth, staff, the surrounding community, citizens, or their property. All preventive measures shall ensure that a youth's civil rights are not violated or compromised.
- E. When a youth has escaped or is AWOL:
 - 1. The Superintendent or designee shall immediately request a Commissioner's Warrant via phone call to the Regional Division Director who shall issue the Commissioner's Warrant;
 - 2. The Superintendent or designee shall fax a signed copy of the Commissioner's Warrant and the DJJ Wanted-Absconder Notice Request for NCIC Entry and Cancellation Form, to the Kentucky State Police (KSP) Headquarters Communications Center for entry into LINK/NCIC. The Facilities Regional Administrator (FRA) shall send notification to the Regional Division Director;
 - 3. A Commissioner's Warrant shall convey authorization for a peace officer to take a youth into custody for return to a DJJ facility or detention center to await DJJ action.
 - 4. When the youth is located, it is the responsibility of the FRA or designee to immediately fax a notice of cancellation on the DJJ Wanted-Absconder Request for NCIC Entry Notice and Cancellation documentation to the KSP Headquarters Communications Center. The point of contact for the KSP is the FRA, as listed on the DJJ Wanted-Absconder Request for NCIC Entry Notice and Cancellation Form;
 - 5. DJJ shall be responsible for the return of youth arrested out of state; and
 - 6. The Division of Placement Services shall review and make changes to the validation list provided by KSP as required.
 - 7. If the AWOL youth is a youthful offender (YO) the following shall apply:
 - a. The Superintendent or designee shall immediately notify the Department's Offender Information Administrator.
 - b. The Department's Offender Information Administrator will ensure information about the AWOL is entered into the Victim Information and Notification Everyday (V.I.N.E.) system.
- F. A Kentucky Missing Person's Report shall be completed when the youth is missing for reasons other than their own choice.
- G. Each group home and YDC Superintendent shall establish written procedures for searching for and returning to custody, missing youth. These procedures

POLICY NUMBER DJJ 327	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 6
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shall be set forth in the facility Standard Operating Procedures (SOPs) Manual and shall include coordination with local and state law enforcement agencies. These procedures shall be reviewed annually and updated as necessary. Staff shall undergo training in their respective program regarding the escape or AWOL procedures.

H. In the event a youth escapes or is AWOL, the following procedures apply:

1. Staff who becomes aware of an escape or AWOL youth shall notify other staff present;
2. A designated staff member shall immediately place a call to the 911 emergency operator;
3. In an instance where the missing youth is suspected to possess a weapon, staff shall request assistance from law enforcement officials using the most expeditious means available. Staff shall not proceed or do anything that may escalate the situation;
4. Staff shall notify the Superintendent and administrative duty officer (ADO) as to the current situation and what actions have been taken and the shift supervisor shall complete an incident report prior to the end of shift;
5. After ensuring the safety and security of other youth, an on-grounds search shall be conducted;
6. If appropriate, an off-grounds search shall be conducted in the vicinity.
 - a. When conducting an off-grounds search staff shall:
 - i. Search the immediate vicinity in which the youth escaped or went AWOL;
 - ii. Utilize due diligence in an attempt to apprehend the youth which includes a short term, immediate search where the other youth remain in the line of sight; and
 - iii. Maintain the safety of the other youth and staff during the apprehension.
 - b. When conducting an off-grounds search staff shall not:
 - i. Go onto or enter private property without notification and the express permission of the owner or legal occupier. Each time a search is conducted, staff shall notify the owner of a search;
 - ii. Carry or use a firearm, knife, or other weapon, or dangerous instrument;
 - iii. Use unnecessary force. Any use of restraint necessary in the course of apprehension and return to custody shall be applied in accordance with DJJ policy;
 - iv. Cause unnecessary annoyance, alarm, or make unreasonable noise;
 - v. Engage in any activity that creates a hazardous condition;
 - vi. Violate any law or ordinance; and

POLICY NUMBER DJJ 327	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 6
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- vii. Use or allow other youth to look for, take into custody, or return a missing youth;
7. A call for assistance shall be made to KSP and the law enforcement unit in the home locale of the youth who has escaped or is AWOL. Once law enforcement arrives:
 - a. Law enforcement assumes primary responsibility in the search and apprehension of the youth;
 - b. Facility staff shall provide full cooperation to law enforcement;
 - c. The Superintendent or designee shall meet with law enforcement officials upon their arrival and fully brief them of the situation;
 - d. Information obtained as a result of searching for the AWOL or escaped youth shall be communicated immediately to appropriate law enforcement agencies using the most expeditious means available;
 - e. A photograph of the missing youth shall be provided; and
 - f. Facility staff shall utilize the DJJ Escape or AWOL Report and the DJJ Wanted Absconder Notice Request for NCIC Entry and Cancellation documentation as reference documents, when making the verbal escape report; additional information needed at the time of the report includes a description of what the youth was wearing at the time of the escape or AWOL and suspicion of any injuries occurring in the course of the escape or AWOL;
 8. The Superintendent shall institute a formal record keeping process, other than the program log, to accurately document the events of an AWOL or escape. The formal recording shall include who was notified, when they were notified, and what actions were taken by the program site staff and others involved with the situation. This record shall be filed along with the incident report in the youth's hard case file and a notation in the electronic record;
 9. An escape or AWOL shall require an immediate verbal notification, of the incident, up the chain of command.
 - a. The Superintendent or designee shall immediately notify the Regional Division Director or designee;
 - b. The Regional Division Director or designee shall notify the Deputy Commissioner of Program Operations; and
 - c. The Deputy Commissioner of Program Operations shall notify the Commissioner, as soon as practical;
 10. The Deputy Commissioner of Programs Operations shall notify the designated departmental public information officer (PIO). The PIO shall conduct or coordinate response to all media contacts and inquiries;
 11. Within two (2) hours of the escape or AWOL, a follow-up email shall be sent to the FRA, Regional Division Director, Communications Director,

POLICY NUMBER DJJ 327	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 6
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and Deputy Commissioner of Program Operations. This email shall include:

- a. The name of the youth;
 - b. Current facility;
 - c. Date, time, and location of the escape or AWOL;
 - d. DJJ number;
 - e. Date of birth;
 - f. Gender;
 - g. Committing county;
 - h. Committing offense;
 - i. Type of offender (public offender or youthful offender);
 - j. History of violence; and
 - k. Brief narrative of the event;
12. As soon as possible, but no later than four (4) hours after staff become aware of the escape or AWOL, the youth's parent or guardian and Juvenile Service Worker (JSW) shall be notified. The youth's parent or guardian's assistance shall be requested in notifying the appropriate law enforcement and DJJ agencies if the youth's location becomes known to them; and
13. The Superintendent or designee may file escape charges with the local prosecutor only with approval from the FRA, Regional Division Director, and the Community Regional Manager. The treatment team may also request an ATR.
- I. Refer to DJJ Chapter 600 regarding escape and AWOL policies and procedures for DJJ juvenile service staff.
 - J. When an escaped or AWOL youth is found and returned to the program or taken into custody by law enforcement, the Superintendent or designee shall notify the JSW and the parent or caregiver. An email shall be sent to the FRA, Regional Division Director, Classifications Branch Manager, PIO, and the Deputy Commissioner of Program Operations. Transportation arrangements shall be a joint responsibility between the community and facility staff.
 - K. DJJ investigation and review of an escape or AWOL incident shall be completed as follows:
 1. The Superintendent shall debrief the escape or AWOL with facility staff and provide a summary of the debriefing to the FRA and Regional Division Director; and
 2. The FRA and Regional Division Director shall conduct or request any further investigations as needed.

V. MONITORING MECHANISM

POLICY NUMBER DJJ 327	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 6
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- A. The Quality Assurance (QA) Branch shall monitor this practice annually.
- B. The FRA and the Regional Division Director shall review incidences of escape or AWOL.



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

REFERENCES:
505 KAR 1:110
3-JTS-1E-01-07; 5I-12
3-JCRF-1E-01-07
1-JDTP-1E-01-07
1-JBC-1E-01-03, 05, 07-09;
5I-11, 12
2-CO-1E-01, 03, 04, 06, 09;
1F-06
4-JCF-3A-21; 6F-01, 03

CHAPTER: Administration	AUTHORITY: KRS 15A.0652
SUBJECT: Individual Client Records	
POLICY NUMBER: DJJ 328	
TOTAL PAGES: 6	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter	, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) staff shall maintain appropriate, accurate documentation within an individual client record (ICR) established for each youth. ICR management shall include the establishment, use and content of youth records, right to privacy, secure placement of records, and a schedule for retiring and destroying inactive records.

II. APPLICATION

This policy shall apply to each DJJ operated day treatment program, group home, and youth development center (YDC)

Limited Applicability:

DJJ operated day treatment programs shall maintain an ICR for youth who are committed and not placed in a group home. DJJ operated day treatment programs shall input information into the electronic record for youth who are placed in a group home and the ICR shall be maintained at the group home.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

POLICY NUMBER DJJ 328	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 6
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- A. All juvenile records shall be clearly marked “Confidential”.
- B. Every effort shall be made to ensure that information entered in the electronic file is not duplicated in the hard case file.
- C. An ICR shall be maintained for each juvenile according to the following outline. Information in each section shall be filed in chronological order, except where otherwise noted. Any information that clearly does not fit in one of the following categories shall be filed under miscellaneous.

1. Section One – Intake and Parole

- a. Photograph (on top).
- b. Initial intake information.
- c. Program rules and policy signed by the youth.
- d. Approved visitor and contact list.
- e. All release forms.
- f. Any identifying documentation.
- g. All pre-dispositional reports.
- h. Emergency medical information.

(All other medical information shall be in the Medical Record only.)

- i. If the youth is a youthful offender (YO), a subsection entitled “Parole” shall be created to include:
 - i. The Pre-Sentence Investigation (always on bottom); and
 - ii. All other parole related documents, to include correspondence making a parole recommendation.

2. Section Two – Classification and Education

- a. Special notices.
- b. Classification data and documentation.
- c. Administrative Transfer Request (ATR) information, if applicable.
- d. Referral to other agencies.
- e. A subsection entitled “Education” shall be created to include:
 - i. Copy of the Individual Plan of Instruction (IPI); and
 - ii. Education grades, credits, progress reports, notations.

POLICY NUMBER DJJ 328	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 6
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- f. Copies of mental health assessments, if approved by the mental health professional doing the assessment.
 - 3. Section Three – Individual Treatment Plan (ITP)
 - a. Orientation Treatment Plan.
 - b. ITP.
 - c. Treatment work verification and substance abuse tracking, if applicable.
 - 4. Section Four – Program Progress
 - a. Treatment team signature sheets.
 - b. Progress notes.
 - c. In a day treatment program, weekly progress documentation.
 - d. Furlough and day release information.
 - 5. Section Five – Disciplinary and Miscellaneous
 - a. Incident reports.
 - b. Isolation or other reports of a disciplinary nature.
 - c. A subsection entitled “Miscellaneous” shall be created to include:
 - i. Correspondence that does not include parole or ATR’s; and
 - ii. Any other document that does not fit in one of the above sections; for example, visitor and mail logs or the inventory of personal belongings.
 - d. Completed resident grievance form.
 - e. Treatment Track Success Sheets.
 - 6. Section Six - Legal
 - a. Resident record card for YO’s (always on top).
 - b. Judgment or commitment orders.
 - c. All other court documents.
 - i. Correspondence that does not regard parole or ATR’s; and
 - ii. Any other document that does not fit in one of the above sections.
- D. All youth records shall be kept in locked file cabinets which are marked “Confidential”. When staff remove youth records from the file room it shall be documented on the sign-in and sign-out sheet.

POLICY NUMBER DJJ 328	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 6
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- E. When youth records are in staff offices, they shall be either under the direct control of the assigned staff or placed out of sight of youth or public who may be in the office.
- F. ICR's shall be secured under lock at the end of each working day.
- G. Staff shall not take ICR's off the premises, except when subpoenaed or required in court cases and parole board hearings.
- H. Documentation in hard case files shall be written in blue or black ink, typewritten, or computer processed and shall be dated and signed.
- I. If errors are made in the hard case file, a line shall be drawn through the incorrect information and the staff making the change shall put their initials beside the change. No whiteout, reprinting of documents, or other means shall be used to fully obscure the error.
- J. Delayed entries shall be clearly marked as such.
- K. Electronic Running Record
 - 1. Individual, family, and group counseling sessions shall be documented in the electronic running record.
 - 2. Contact with the family or others shall be documented in the electronic running record as deemed necessary by the Treatment Director or Superintendent.
 - 3. The format and content of the electronic running record shall be determined by the Chief of Mental Health Services.
 - 4. The printing or release of the electronic running record shall be consistent with DJJ policy.
 - 5. Each entry, into the electronic running record, shall be completed within seven (7) days of the contact.
 - 6. Entries shall be in chronological order by date of service.
 - 7. Entries shall include:
 - a. Name of the recorder, title, and facility or program; and
 - b. Factual information and a professional assessment. The personal opinion or feelings of the youth counselor or treatment staff involved in the treatment or supervision of the youth shall not be documented in the electronic record.
- L. If another youth must be identified in a youth's ICR for any reason, that youth shall be identified by initials or DJJ number only.
- M. Access to all records shall be limited to those who have a right or a need to know specific information.

POLICY NUMBER DJJ 328	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 6
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1. The youth shall sign a release of information consent documentation prior to the release of information to collateral agencies.
 2. When statutorily required, judicial, law enforcement, correctional, and social service authorities involved with the case shall be supplied information without consent forms being required.
- N. Others who want access to records, including the youth or their families, shall make a written request.
- O. The updated ICR for any youth in a YDC or group home, that is transferred from one facility to another, shall be transferred simultaneously. Hard case files shall be maintained at the facility and disposed of according to the current Record and Disposal Schedule.
- P. Hard case files shall be sent to Archives via the Central Office Records Administrator.
- Q. If a youth returns to a DJJ facility, the ICR shall be re-activated and forwarded to the receiving facility.

V. MONITORING MECHANISM

A. In a YDC:

1. The Treatment Director or Counselor Supervisor shall review a sampling of ICR's for compliance with documentation standards, including electronic records. This shall be done monthly, one (1) case per supervisee. In addition, one (1) juvenile sex offender file, per supervisee, shall be monitored monthly, if applicable.
2. The Treatment Director or designee shall provide a written report of observations and findings with a corrective action plan and timetable for implementation, if appropriate, to the Facilities Regional Administrator (FRA), Regional Psychologist, Chief of Mental Health Services, and the Superintendent within one (1) week of the review.
3. The Superintendent or designee shall see that the corrective action plan is followed. A full report documenting completion of the corrective action plan shall be sent to the Regional Director, FRA, and Regional Psychologist within thirty (30) days of the plan's development.
4. The Quality Assurance (QA) Branch shall review related accreditation standard documentation during regularly scheduled monitoring.

B. In a group home and day treatment:

POLICY NUMBER DJJ 328	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 6
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1. The Superintendent or designee shall review a sampling of ICR's for compliance with documentation standards. This shall be done monthly, one (1) case per supervisee. In addition, one (1) juvenile sex offender file, per supervisee, shall be monitored monthly.
2. The Superintendent shall provide a written report of observations, corrective action plan, and findings to the Regional Director, the FRA, and Regional Psychologist.
3. The Superintendent shall see that the corrective action plan is followed. A full report documenting completion of the corrective action plan shall be sent to the Regional Director and the FRA within thirty (30) days of the plan's development.
4. The QA Branch shall review related accreditation standard documentation during regularly scheduled monitoring.



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

**REFERENCES:
505 KAR 1:110
3-JTS-1E-06
3-JCRF-1E-04
1-JDTP-1E-06
1-JBC-1E-05**

CHAPTER: Program Services	AUTHORITY: 15A.0652
SUBJECT: Progress Notes	
POLICY NUMBER: DJJ 329	
TOTAL PAGES: 2	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter	, COMMISSIONER

I. POLICY

Department of Juvenile Justice (DJJ) staff shall maintain documentation regarding each youth's progress in all aspects of the treatment program.

II. APPLICABILITY

This policy shall apply to day treatment programs, group homes, and youth development centers (YDC's).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

A. Daily Progress Notes

1. Youth worker staff shall be the primary recorders of daily progress notes. The purpose of daily progress notes shall be to provide an ongoing record of significant events in the youth's course of treatment.
2. Recording shall be made on the date of service. Progress notes shall be filed in the youth's ICR within seven (7) days of the end of the reporting week.

B. Progress note entries shall be made in ink. They shall include a heading for each entry and shall be dated and signed, including the title of the recorder.

C. If an error is made in recording, a line shall be drawn through the incorrect information and the staff making the change shall put their

POLICY NUMBER DJJ 329	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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initials beside the change. No white-out or other means shall be used to fully obscure the error.

- D. Progress notations shall be in chronological order. Delayed entries shall be clearly marked as such.
- E. If another youth needs to be identified in a youth's progress note for any reason, that youth shall be identified by initials only.

V. MONITORING MECHANISM

The Superintendent, the Facilities Regional Administrator (FRA) or Regional Division Director, Director of Medical Services, and the Chief of Mental Health Services, or their designees shall monitor these procedures.



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

**REFERENCES:
505 KAR 1:110
3-JTS-3A-09
3-JCRF-3A-06
1-JBC-3A-07
4-JCF-2A-10
2-CO-3A-01**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Log and Shift Reports

POLICY NUMBER: DJJ 330

TOTAL PAGES: 3

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Residential programs shall maintain a permanent log and prepare shift reports that record routine information and emergency situations.

II. APPLICABILITY

This policy shall apply to each group home and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

A. Program daily logs shall be recordings kept for the purpose of communicating daily events, behaviors of youth, shift changes, and situations warranting staff attention. Examples of entries include: critical incidents, behavioral observations, head counts, discipline and sanctions, general medical notes, recreation, and youth movement, including any substantial movement by an individual or group on site or any movement by an individual or group off site.

B. A shift report shall document all significant occurrences during that shift. Examples may include:

1. Critical incidents;
2. Emergencies or restrictions;
3. Suicide watches; or
4. Miscellaneous information.

POLICY NUMBER DJJ 330	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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- C. Program daily logs and shift reports shall be made available to appropriate personnel. Staff shall read all log entries since they were last on duty.
- D. The Superintendent shall determine the location of logs within the facility.
- E. Supervisors shall ensure logs are up-to-date and shift reports are completed.
- F. Logs shall be subject to the following standards:
 - 1. Clearly marked as “Confidential”.
 - 2. Under the direct control of the assigned staff or secured out of sight of youth or public.
 - 3. Staff shall not take logs off the premises without direct authorization of the Superintendent.
 - 4. Entries shall be legible and written in ink, typewritten, or computer processed.
 - 5. Each entry shall be written in narrative style and include the time of entry.
 - 6. The first entry made by a staff member shall include the date, time, signature, and title of the staff, with their subsequent entries on that same page requiring only the staff’s initials.
 - 7. If errors are made in the log, a line shall be drawn through the incorrect information and the staff making the change shall put their initials beside the change. Whiteout, reprinting of a document, or other means shall not be used to fully obscure the error.
 - 8. Entries shall be in chronological order. Delayed entries shall be clearly marked as such.
 - 9. Staff shall not include extraneous comments and statements of opinion.
- G. Medical personnel shall prepare medical notes in the log to brief each on-coming shift on a daily basis.
- H. Nurses shall give oral and written shift reports to on-coming nurses.

V. MONITORING MECHANISM

- A. The Superintendent or designee shall conduct a random review of logs weekly.

POLICY NUMBER DJJ 330	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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B. The Quality Assurance (QA) Branch shall conduct annual program monitoring.



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

**REFERENCES:
505 KAR 1:110
3-JTS-3D-09,
3-JCRF-3D-07
1-JDTP-3D-17
1-JBC-3D-08
4-JCF-3A-06**

CHAPTER: Programs and Services

AUTHORITY: KRS 15A.0652

SUBJECT: Grievance Procedure

POLICY NUMBER: DJJ 331

TOTAL PAGES: 4

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Youth shall be provided an internal grievance mechanism for complaints arising from institutional matters.

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) operated day treatment program, group home, and youth development center (YDC). A contracted program shall adhere to their parent agency's procedures. If no procedures exist, the contracted program shall develop procedures within their standard operating procedures (SOP's).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. DJJ staff shall explain the grievance process to the juvenile upon intake and post the process in living and program areas. The resident handbook shall include instructions for the grievance process.
- B. A minimum of two (2) grievance officers shall be designated for each DJJ program. The Superintendent shall not be a designated grievance officer.
- C. Juveniles shall have the right to file a grievance without fear of retaliation.
- D. Prior to filing a grievance, an effort shall be made to resolve the issue informally, without staff retaliation. A special incident shall not be handled informally or through the grievance process and shall be reported immediately to the Superintendent and the Internal Investigation Branch (IIB).

POLICY NUMBER DJJ 331	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 2 of 4
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- E. The youth shall discuss the matter either with the staff person involved or the grievance officer. The grievance officer shall take into consideration the youth and staff person's ability to informally resolve the grievance issue.
- F. A juvenile may file a grievance if they believe that there has been a violation of:
 - 1. Federal or Kentucky civil rights provisions;
 - 2. Federal or Kentucky civil or criminal law;
 - 3. Department policies or program standard operating procedures (SOP's);
 - 4. Safe or sanitary living conditions within the program; or
 - 5. The level of care provided within the program.
- G. Non-grievable issues shall include court decisions, policies from agencies outside the program, disciplinary hearing decisions, and legislative action affecting the facility.
- H. Each facility shall make available grievance documentation located in an area that is easily accessible to juveniles. Each facility shall provide one or more clearly marked lockboxes for the submission of a grievance. The lockbox shall be in an open area accessible to all juveniles. The grievance officer shall be responsible for the management of the lockbox.
- I. If a youth is unable to adequately express the grievance in written form, the youth shall be allowed to present the grievance to the designated grievance officer verbally.
- J. Only one grievance per juvenile may be filed at any one time on a single incident or issue of concern. A juvenile may withdraw a current or previously filed grievance at any time. Juveniles shall acknowledge all grievance findings, to include withdrawals, with their signature. The grievance officer shall document any refusals to acknowledge the grievance findings.
- K. An inappropriately filed grievance, or one that concerns a non-grievable issue, shall be returned to the juvenile with an appropriate explanation.
- L. If unable to resolve the issue informally, the youth may submit a grievance in writing.
- M. The grievance documentation shall be kept on file in the office of the designated grievance officer. A copy of the grievance shall be placed in the youth's hard case file and a copy shall be given to the youth.
- N. The Superintendent or designee shall maintain a tracking log specifying the date, name of the youth, and determination of the grievance.
- O. The grievance process shall be evaluated at least annually to determine its efficiency and effectiveness.

POLICY NUMBER DJJ 331	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 3 of 4
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P. If the designated grievance officer or Superintendent is directly involved in the grievance, the grievance shall be forwarded to the next line supervisor for resolution.

Q. Grievance Process:

1. In a YDC and group home, the formal grievance shall be submitted by the youth within forty-eight (48) hours of the time the grieving incident occurred. The youth shall submit the formal grievance within two (2) business days in a day treatment.
2. The grievance shall contain:
 - a. Information concerning the issue being grieved; and
 - b. Information concerning the effort to informally resolve the issue; and
 - c. The desired resolution.
3. A grievance shall be deposited, by the youth, into a secure locked box with staff key control.
4. The written grievance shall be retrieved by the designated grievance officer within two (2) business days of the grievance being filed.
5. The designated grievance officer shall conduct resident and staff interviews within three (3) business days of receiving the grievance. This includes obtaining all relevant documentation and progress notes.
6. Upon conclusion of the interviews and review of relevant documentation the designated grievance officer shall present a written response to the youth within three (3) business days.
7. If a grievance is a medical issue, the nurse shall be involved in the resolution process at the facility level.
8. The findings shall be one of the following: “substantiated, “not substantiated”, exonerated , or unfounded. The grievance officer shall consult with the Office of the Ombudsman, as needed.

R. Grievance Appeal Process:

1. If dissatisfied with the resolution presented by the designated grievance officer the youth may within forty-eight (48) hours forward the grievance to the Superintendent. The youth shall present all previous information submitted. The appealed grievance shall be deposited in the grievance box, and once retrieved, it shall be provided to the Superintendent by the designated grievance officer.
2. Within three (3) business days of receiving the appealed grievance resolution, the Superintendent shall meet with:
 - a. The designated grievance officer;

POLICY NUMBER DJJ 331	EFFECTIVE DATE: 1/04/2016	PAGE NUMBER 4 of 4
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- b. The youth; and
 - c. Staff involved and witnesses, at the discretion of the Superintendent.
 - 3. The Superintendent shall have up to five (5) business days to present a written final response to the youth.
 - 4. A copy of the Superintendent's final resolution of the appeal, the grievance, and all appropriate attachments shall be forwarded to the Facilities Regional Administrator (FRA) and Office of the Ombudsman.
- S. Grievance Process Time Frames:
- 1. If the time frames are not met by the youth, the grievance is automatically terminated unless a legitimate reason for the delay is presented and approved by the Superintendent.
 - 2. If the time frames are not met by the designated grievance officer, the grievance shall automatically be referred to the Superintendent by the designated grievance officer. The Superintendent shall follow the grievance appeal process timeframes.
 - 3. Due to the unavailability of an essential party, the time frames may be extended. The reason for the extension shall be noted on the grievance documentation.

V. MONITORING MECHANISM

- A. The Office of the Ombudsman shall monitor this activity in each DJJ operated day treatment, group home, and YDC. Monitoring in a contract day treatment shall be the responsibility of the Regional Division Director.
- B. The Education Branch shall monitor standard operating procedures of day treatment programs.

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: KRS 439.600 3-JTS-5H-15-1; 5I-06 3-JDF- 5G-14-1 3-JCRF-5G-08 1-JBC-5H-14-1; 5I-05 4-JCF-3A-17; 5I-03
CHAPTER: Program Services		AUTHORITY: KRS 15A.0652
SUBJECT: Authorized Leave: Day Releases and Furloughs; Supervised Off-grounds Activities		
POLICY NUMBER: DJJ 332		
TOTAL PAGES: 7		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter		, COMMISSIONER

I. POLICY

Supervised off-grounds activities, day releases, furloughs, and approved leave for emergencies may be permitted to meet the treatment objectives of public offenders (POs) who are in placement. Authorized leave may be granted for youthful offenders (YOs) consistent with the stipulations of Kentucky Revised Statute (KRS) 439.600.

II. APPLICABILITY

This policy and procedure shall apply to each group home and youth development center (YDC).

Limited Applicability

This policy shall not be applicable to youth in the aftercare phase of the Cadet Leadership and Education Program (CLEP).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. Supervised off-grounds activities, day releases, and furloughs shall be planned to meet treatment objectives.
- B. Eligibility for day releases and furloughs shall be consistent with the youth's Treatment Track. At a minimum, the plan for day releases and furloughs consistent with the assigned Treatment Track shall be as follows:
 1. Misdemeanor Treatment Track - one (1) day release and one (1) weekend furlough or up to seventy-two (72) hours.

POLICY NUMBER DJJ 332	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 7
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2. Felony Treatment Track –one (1) day release and two (2) weekend furloughs or up to seventy-two (72) hours for each approved furlough.
 3. Youth committed as a youthful offender shall not be eligible for day release or furlough without approval of the Commissioner.
 4. Youth probated as a youthful offender but committed as a public offender shall be eligible for day release and furlough as outlined above.
- C. Off-grounds activities, day releases, and furloughs shall be utilized for PO’s, unless extenuating circumstances exist or treatment team determines that the use of furloughs is contraindicated in assisting the youth in achieving treatment goals.
- D. Prior to off-grounds activities, day releases, and furloughs staff shall receive instructions regarding existing conditions requiring medical care.
- E. Supervised Off-grounds Activities
1. Facility SOPs shall address confidentiality, program security, and accountability to the community. The treatment team and Superintendent shall be sensitive to escape risks and the ultimate priority of maintaining safety for the youth and the community.
 2. POs and YOs may participate in supervised off-grounds activities with approval of the treatment team and Superintendent.
 3. Staff shall take the following items on supervised off-grounds activities, not including routine, in-town outings:
 - a. Completed demographic documentation;
 - b. Photograph of youth; and
 - c. Completed medical release documentation.
- F. Youth assigned to Level 4 and 5 secure facilities may be eligible for individual or group off-grounds activities, community activities, day releases, or furloughs with approval of the Regional Division Director through the chain of command.
- G. The youth’s treatment team shall recommend a day release or furlough only after the youth achieves Development Level, excluding medical and emergency furloughs. Day passes may be issued upon the youth obtaining Development Level. Youth will not be furlough eligible until the last week of Development Level.
- H. Planning for day releases and furloughs shall be discussed during aftercare planning at the initial treatment planning (ITP) meeting.
- I. Day Releases
1. For day releases to the parent or caregiver the following shall occur:

POLICY NUMBER DJJ 332	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 7
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- a. If the day release will include the youth visiting their home, the home evaluation shall be updated if the preliminary home evaluation was not conducted within the past six (6) months.
 - b. The youth counselor and Juvenile Service Worker (JSW) shall coordinate the rules for the day release agreement.
 - c. The Superintendent and Juvenile Services District Supervisor (JSDS) shall review the recommendation of the treatment team and make a final decision.
 - d. If approved for day release, the youth counselor shall complete the day release paperwork and send to the JSW and JSDS for approval.
 - e. The youth and parent or caregiver shall sign and receive a copy of the conditions of the day release, with the original being placed in the youth's hard case file.
 - f. Prior to the unescorted day release of a YO, a request through the Regional Division Director shall be submitted to the Commissioner or designee, seeking final approval for the unescorted day release consistent with the provision of KRS 439.600.
 - g. Declared juvenile sexual offenders (JSOs) shall only be approved for a day release, furlough, or emergency leave through the chain of command by the Director of Community and Mental Health Services and the appropriate Regional Director. Furlough time for declared JSO's, prior to program completion, shall be considered on a case by case basis and shall not exceed ten (10) days.
2. For day releases for education or work release the following shall occur:
 - a. Program procedures may allow for youth's participation in unescorted leave for employment or school programs.
 - b. For POs, facilities shall request, through their chain-of-command, from the Commissioner or designee, approval for unescorted day releases for ongoing educational or career related activities on an individual basis.
 - c. For YOs, facilities shall request approval through the chain of command to the Classification Branch for work release.
 3. Any discrepancies in planning or approving day releases shall be addressed through appropriate chain of command for review and approval, with the final decision being made by the Deputy Commissioners, if necessary.
 4. The youth counselor shall forward written notification of the intended day release, to the JSW, seven (7) days prior to the anticipated leave.

POLICY NUMBER DJJ 332	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 7
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5. The conditions of the day release and documentation shall be given to the youth prior to the day release.

J. Furloughs

1. Prior to a youth being approved for furlough, the following shall occur:
 - a. The treatment team shall evaluate the readiness of the youth, home, and the community;
 - b. The youth counselor shall request an updated home evaluation on the proposed furlough residence. Furloughs shall not be permitted where a home evaluation hasn't been completed or cannot be approved;
 - c. If approved for furlough by the treatment team, the youth counselor shall coordinate with the JSW to develop the furlough agreement, which shall include goals and objectives for planned activities;
 - d. The youth counselor shall send the furlough agreement to the JSW, JSDS, Superintendent, and Facilities Regional Administrator (FRA) for approval;
 - e. The youth and parent or caregiver shall have the furlough agreement explained to them. The youth and parent or caregiver shall sign and receive a copy of the furlough agreement and shall receive documentation to accompany them during the furlough. The originals shall be placed in the youth's hard case file;
 - f. While the youth is on furlough, the youth shall maintain daily contact with the facility as stipulated in the furlough agreement; and
 - g. Prior to the furlough of a YO, a request through the Regional Division Director shall be submitted to the Commissioner or designee, seeking final approval for the furlough consistent with the provision of KRS 439.600.
 - h. Furloughs shall be planned in such a manner that the youth's educational needs continue to be met by facility educational staff, including scheduling furloughs around weekends and holidays. Educational staff may also lengthen school days during the week to allow the youth to go on furlough on a Friday or Monday, provided all local educational requirements continue to be met.
2. The youth counselor shall notify the JSW and the facility school administrator of an intended furlough seven (7) days prior to the anticipated start date.
3. Prior to the furlough the counselor shall forward the conditions of furlough documentation to the JSW for approval and signature.

POLICY NUMBER DJJ 332	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 7
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4. Any differences, in planning or approving furloughs, shall be addressed through the supervisory channels, with the final decision being made by the Deputy Commissioner of Program Operations and the Deputy Commissioner of Community and Mental Health Services.

K. Medical Furlough

1. Medical furloughs for youth in a YDC and group home shall be requested through the chain of command for approval by the Regional Division Director and Director of Medical Services.
2. Medical furloughs of a YO may be authorized as provided in KRS 439.600. Prior to the medical furlough of a YO, the Regional Division Director and Director of Medical Services shall submit a written request through the chain of command to the Commissioner or designee seeking final approval.
3. A medical furlough shall be governed by a written medical furlough agreement, which shall outline the length of the medical furlough and behavioral expectations of the youth during the medical furlough.
4. The medical furlough agreement shall be agreed upon by signature of the youth, parent or caregiver, JSW, and the treatment team with approval by the Superintendent and JSDS, before the youth is placed on medical furlough.
5. Copies of the signed agreement shall be placed in the youth's hard case file, given to the youth, the JSW, and parent or caregiver supervising the youth during the medical furlough. Supporting documentation regarding a youth's specific medical condition shall be placed in the youth's medical case file.
6. While the youth is on medical furlough, the JSW shall maintain weekly contact with the youth and his family, commensurate with the youth's anticipated community phase level after the youth is released from the facility.
7. Medical furloughs shall be granted for the duration as specified by the youth's attending physician, and approved by Director of Medical Services.

L. Emergency Furlough

1. The Superintendent or designee shall verify, with assistance of the JSW, the circumstances of the emergency.
2. The youth counselor shall initiate the request for an emergency furlough of a PO and submit it through the supervisory channels, with the final approval being granted by the Facilities Regional Administrator (FRA). The FRA shall notify the Regional Division Director on the same day of the emergency furlough.

POLICY NUMBER DJJ 332	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 6 of 7
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3. The facility staff shall notify the JSW when the emergency furlough is planned or has occurred. The JSW shall immediately notify the JSDS.
 4. During the emergency furlough period, the JSW shall maintain contact with the youth and parent or caregiver commensurate with the youth's anticipated community phase level after the youth is released from the facility. During the emergency furlough period, the youth counselor shall maintain at least weekly contact with the youth and parent or caregiver.
 5. The youth counselor shall document the approval for emergency furlough in the electronic record.
 6. Emergency furlough shall not exceed more than seven (7) consecutive days, without proper authorization. The extension of the emergency furlough shall be approved by the Regional Division Director.
 7. The emergency furlough for a YO shall only be approved as provided in KRS 439.600. Prior to the emergency furlough of a YO, the Regional Division Director shall submit a written request to the Commissioner or designee seeking final approval for the emergency furlough.
 8. The youth counselor, JSW, JSDS, and Superintendent shall approve the emergency furlough agreement.
 9. The youth and parent or caregiver shall have the emergency furlough agreement explained to them. The youth and parent or caregiver shall sign and receive a copy of the emergency furlough agreement and shall receive documentation to accompany them during the emergency furlough. The originals shall be placed in the youth's hard case file.
 10. In case of the critical illness or death of an approved immediate family member, the youth may be allowed to go to the bedside under escort or alone, when statutes and circumstances allow.
- M. If there is non-compliance during a day release, medical furlough, emergency furlough, or furlough the following shall occur:
1. The day release, medical furlough, emergency furlough, or furlough may be cancelled at any time due to the youth's non-compliance with the agreements or other significant factors related to the youth's status in the program.
 2. If violations or circumstances occur that requires the day release, medical furlough, emergency furlough, or furlough to be cancelled, the following procedures shall be followed:
 - a. If the youth is with the parent or caregiver, the parent or caregiver shall notify the JSW and the youth counselor of any alleged violations or circumstances. The JSW and the youth

POLICY NUMBER DJJ 332	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 7 of 7
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counselor shall assess the situation to determine the action needed while considering the youth, parent or caregiver, and community safety;

- b. If the youth counselor or the JSW becomes aware of violations, they shall contact each other and assess the circumstances of the violations and develop recommendations regarding the actions needed. Notification shall be made to the JSDS and the Superintendent or Administrative Duty Officer (ADO);
 - c. Prior to cancellation of a medical furlough, approval shall be granted by the Regional Division Director and the Director of Medical Services;
 - d. If a decision is made to return the youth to the facility, the youth counselor, JSW, JSDS, and Superintendent or ADO shall develop the plan to have the youth returned to the facility; and
 - e. A Commissioner's Warrant shall be used to facilitate the return of a youth to the designated program when the youth is absent without furlough (AWOL), or has escaped while on day release, medical furlough, emergency furlough, or furlough.
- N. Furlough to out-of-state locations shall be pursuant to the DJJ interstate compact policies.

V. MONITORING MECHANISM

- A. The Quality Assurance (QA) Branch shall perform annual facility monitoring visits to review that day release and furloughs are permitted.
- B. Internal monitoring shall be completed by the Superintendent or designee, by reviewing case files to ensure that documents are completed according to policy requirements.
- C. The FRA shall monitor to ensure that programs are authorizing leaves as appropriate.

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	AUTHORITY and REFERENCES: 1-JDTP-3C-01-04; 3D-18
CHAPTER: Program Services		AUTHORITY: KRS 15A.0652
SUBJECT: Day Treatment Admissions		
POLICY NUMBER: DJJ 333		
TOTAL PAGES: 3		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter		, COMMISSIONER

I. POLICY

Day treatment programs shall provide an alternative to institutionalization for youth and shall be a link in the transitioning of youth into community placement. Before a youth is placed in a day treatment program, an assessment of the youth's individual needs shall be completed. The Department shall provide services to youth in day treatment programs without discrimination as to race, religion, national origin, gender, or disability.

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) operated or contracted day treatment program.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Day Treatment Admissions

1. Youth ages twelve (12) to seventeen (17) shall be eligible for admission consideration. Priority for admission shall be given to youth in the order provided below:
 - a. DJJ youth transitioning from a DJJ or contracted residential facility;
 - b. DJJ youth transitioning from a DJJ or contracted group home;
 - c. DJJ youth transitioning from, or into, a contract foster home;
 - d. Youth adjudicated on delinquent offenses;
 - e. Youth at risk of out of home placement; and
 - f. Youth with severe behavioral issues in the school and in the community.
2. The referral process shall include the following:
 - a. The referring agent shall provide the program Superintendent or designee appropriate information on each youth at the time of referral for admission into the program. If a youth is admitted without

POLICY NUMBER DJJ 333	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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adequate information, it shall be forthcoming within twenty-four (24) hours, unless approved otherwise by the Regional Division Director or designee. This information shall be documented for inclusion in the youth's individual client record (ICR).

- b. A referral shall be submitted in writing, signed by the youth, parent or caregiver, and assessor and include at a minimum, the following information:
 1. Identifying information: name, address, date of birth, sex, and race or ethnic origin;
 2. Name of referring agency or committing authority;
 3. Reason for referral, including presenting problems;
 4. Social history and needs assessment;
 5. Clinical evaluations, assessments, recommendations, including psychological evaluations and intellectual assessments;
 6. School assessments, history, and records, including vocational interests and experience;
 7. Legal history and prior placements;
 8. Legal status, including jurisdiction, pre-disposition, and court reports;
 9. Probation, commitment, or sentencing order and supervised placement conditions;
 10. Religious background and interests;
 11. Recreational preferences and needs assessment;
 12. Emergency contact for youth;
 13. Date information is gathered;
 14. Personal physician's name and special medical, dental, substance abuse, or mental health problems; and
 15. Any other information pertinent to the youth.
- c. Referrals shall be reviewed by the program Superintendent and treatment team members. The referring individual or agency shall be notified of a decision within two (2) weeks of the program receiving a complete referral packet. If the decision is made that a day treatment program is not the appropriate placement for a youth, a response in writing, shall be provided to the referring agency with recommendations for other service or placement options.
- d. Upon written request, from the perspective youth, an explanation of the reason the youth was not accepted into the program shall be provided.
- e. Once a youth has been admitted the Superintendent shall retain the right to request their removal from the program and reasons shall be documented.

POLICY NUMBER DJJ 333	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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3. A DJJ program shall make accommodations for youth with a disability. A designee in the DJJ program shall make appropriate referrals for care and treatment and may provide connection to resources when a youth has a disability that manifests in behaviors that may present a threat to self or others.
 - B. DJJ operated day treatment programs shall have written standard operating procedures (SOP's) that have been approved by the Regional Division Director or designee, to be followed when accepting or declining a referral.
 - C. DJJ contracted day treatment programs shall have written SOP's that have been reviewed by the Education Branch, to be followed when accepting or declining a referral.
 - D. A copy of the admission criteria and procedures shall be distributed to referring agencies and interested parties.
 - E. The Superintendent or designee shall ensure transmittal of the referral information to dietary and other staff members, as appropriate, prior to, or in extenuating circumstances where admission of the youth occurs without adequate information, within twenty-four (24) hours after the arrival of the youth at the program. At the time of admission, staff shall be informed of any special needs of the youth, to include dietary, physical, or mental health problems that may require attention.
 - F. The Superintendent shall ensure that referral information and special needs information of the youth are transmitted to staff upon admission of the youth or within twenty-four (24) hours of arrival.
 - G. The youth's educational status shall be discussed with the parent or caregiver within five (5) business days of admission. When a literacy problem exists, a staff member shall assist the youth or parent or caregiver in understanding the material. Completion of orientation shall be documented by a statement signed and dated by the youth and parent or caregiver.

V. MONITORING MECHANISM

The Juvenile Services District Supervisor (JSDS), the Juvenile Services Regional Manager, the Superintendent, the Facilities Regional Administrator (FRA), and the Quality Assurance (QA) Branch shall monitor this activity.

	<p align="center">JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:110 505 KAR 1:080 704 KAR 3:305 3-JTS-5D-01, 01-1, 01-2, 03, 05-09, 06-1, 11, 13, 15-1, 18-1 1-JBC-5D-01-09, 11, 14; 5I-01 4-JCF-3A-01; 5D-01-10 2-CO-5B-01</p>
<p>CHAPTER: Program Services</p>		<p>AUTHORITY: KRS 15A.0652</p>
<p>SUBJECT: Youth Development Centers: Educational and Vocational Programming, Assessment, and Transition</p>		
<p>POLICY NUMBER: DJJ 334</p>		
<p>TOTAL PAGES: 4</p>		
<p>EFFECTIVE DATE: 1/04/2016</p>		
<p>APPROVAL: Bob D. Hayter , COMMISSIONER</p>		

I. POLICY

The Department of Juvenile Justice (DJJ) shall collaborate with educational services, operating in compliance with federal and state laws and regulations, for the education of youth in a youth development center (YDC), through written agreement with local school districts, private or public providers, and with the Office of Career and Technical Education (OCTE).

II. APPLICABILITY

This policy shall apply to each DJJ YDC.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. DJJ Education Branch staff shall be responsible for reviewing the contents of written agreements for educational services with members of the State Agency Advisory Board.
- B. Educational services, up to the completion of high school or the General Education Development test, shall be made available to each youth upon admission, except if there is substantial evidence to justify otherwise.
- C. Post-secondary course fees may require a youth to access grant money, individual youth accounts, parent contributions, or community sponsors.

POLICY NUMBER DJJ 334	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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- D. Juveniles may receive credit for education that can be transferred to schools. Diplomas are awarded by the state or local school district.
- E. An agreement between DJJ and the school district shall include the following:
 - 1. Educational services shall be provided on an open entry-open exit basis;
 - 2. Education and treatment shall be an integral part of the youth's instructional plan;
 - 3. Education and treatment schedules shall collaborate for the benefit of youth;
 - 4. The Superintendent shall ensure that work programs for youth do not interfere with educational programming; and
 - 5. Disciplinary measures shall not interfere with educational programming, except if there is substantial evidence to justify otherwise.
- F. Educational, vocational, and treatment services shall be integrated and individualized to meet the assessment, educational, rehabilitative, and developmental instructional needs of each youth.
- G. A youth's individual client record (ICR) shall include academic and vocational information, to the extent permissible by law.
- H. Available social history information and the results of medical and mental health screenings, conducted by DJJ staff, shall be shared with the school district administrator or designee, to the extent permissible by law.
- I. Each YDC shall have specific guidelines for enrolling youth in technical programming. These guidelines shall include the criteria for enrollment and shall be included in the orientation handbook and submitted to the DJJ Education Branch.
- J. The Superintendent, the school administrator, and the vocational coordinator shall develop a code of acceptable school behavior and disciplinary measures that are consistent with the facility behavior management system.
 - 1. The code shall contain:
 - a. The type of behavior expected from the youth;
 - b. The consequences of failure to obey the standards; and
 - c. The importance of the standards in maintaining a safe learning environment.
 - 2. This code shall be implemented without partiality or discrimination.
 - 3. The code of acceptable school behavior shall be incorporated in the orientation handbook and reviewed with each youth.

POLICY NUMBER DJJ 334	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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4. A copy of the orientation handbook shall be posted at the school site.
 5. DJJ, school district, and technical education staff shall be provided copies of the orientation handbook.
- K. Discipline of youth shall be in accordance with DJJ disciplinary policies and procedures.
- L. DJJ shall provide or approve training for school district and technical education staff pursuant to the Interagency Agreement or Memorandum of Agreement (MOA). DJJ may provide additional training to assure discipline of youth is in accordance with DJJ disciplinary policy and procedures. Appropriate classroom management techniques to carry out the disciplinary code shall be utilized.
- M. DJJ and school district staff shall establish criteria for allowing selected youth opportunities to supplement the facility's educational programs with community offerings.
- N. Necessary instructional materials and specialized equipment that meet minimum state education standards, including computers, shall be provided by the local school district or by DJJ, per written agreement.
- O. Incentives shall be provided as motivation or reward for educational participation and formal recognition of specific educational, technical, and vocational achievements.
- P. Youth shall have the opportunity to enroll in pre-vocational and skill-based vocational training programs and to explore vocational and technical opportunities based on the criteria for enrollment.
- Q. DJJ staff shall use community resources to enhance the facility's technical skills programs.
- R. Vocational and educational assessments shall be completed within twenty-one (21) days of the youth's admission if previous results are not available. If education is identified as one of the youth's top three (3) needs on the Case Management Needs Assessment (CMNA) the vocational and educational assessments shall be completed within fourteen (14) days in order to be utilized at the initial ITP conference.
- S. Youth, who have completed the fifth (5th) grade and enter a YDC without a previously administered vocational assessment, shall be administered vocational assessments of aptitude, interest inventory, and learning and working styles. The results shall be used:
1. To determine a youth's vocational aptitude and interests, learning and working styles, and career major;
 2. To assist DJJ and school district staff as they integrate academic, vocational and work assignments, social skills, and treatment goals;
 3. To assist DJJ and school district staff as they communicate with youth;

POLICY NUMBER DJJ 334	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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- 4. To develop or review and revise if necessary, a youth's Individual Learning Plan (ILP) and Aftercare Plan; and
- 5. To provide each youth with workplace readiness skills.
- T. The results of educational and vocational assessments shall be used as a basis for the initial development, and periodic review and revision, of an integrated Individual Plan of Instruction (IPI), Individual Education Plan (IEP) if applicable, Individual Treatment Plan (ITP), ILP, and Aftercare Plan.
- U. DJJ and school district staff shall participate jointly in the development, review, and revision of a youth's ITP, IPI, the IEP if applicable, and aftercare plan.
- V. The IPI, and IEP when applicable, shall be integrated with the ITP and completed within twenty-one (21) days of admission. It shall be the responsibility of the Superintendent and the school district administrator to see that this is accomplished.
- W. Any DJJ staff who suspects a youth may have an educational disability shall communicate the concern in writing to school district staff through the treatment team. A record of the communication shall be included in the electronic record.
- X. DJJ youth workers (YW's) shall provide supervision in the course of technical activities. YW's shall be included in classroom activities to the maximum extent possible and shall work cooperatively with all education and technical staff.

V. MONITORING MECHANISM

The DJJ Education Branch shall review documentation annually and shall conduct an on-site visit every two (2) years and report the results of the findings to the Superintendent, Facilities Regional Administrator (FRA), and school district administrator.



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

**REFERENCES:
505 KAR 1:110
505 KAR 1:080
704 KAR 3:305
1-JDTP-3D-01-03, 05, 07, 16,
21-23
2-CO-5B-01**

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Day Treatments: Educational Programming, Assessment, and Transition	
POLICY NUMBER: DJJ 334.1	
TOTAL PAGES: 4	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter	, COMMISSIONER

I. POLICY

Educational services, operating in compliance with federal and state laws and regulations, shall be provided to youth in a day treatment program. These services shall be provided through written agreement with local school districts or private or public providers and the Office of Career and Technical Education (OCTE).

II. APPLICABILITY

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

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. DJJ Education Branch shall be responsible for reviewing the contents of the written agreement for educational services with members of the State Agency Advisory Board.
- B. Educational services shall be made available to each youth upon admission and shall be constructed on an open entry -open exit basis.
- C. Post-secondary course fees may require a youth to access grant money, individual youth accounts, parent contributions, or community sponsors.
- D. An agreement between DJJ and the school district shall include the following:

POLICY NUMBER DJJ 334.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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1. Educational services shall be provided on an open entry-open exit basis;
 2. Education and treatment shall be an integral part of the youth's instructional plan;
 3. Education and treatment schedules shall collaborate for the benefit of youth;
 4. Each Superintendent shall ensure that work programs for youth do not interfere with educational programming; and
 5. Disciplinary measures shall not interfere with educational programming, except if there is substantial evidence to justify otherwise.
- E. Educational services shall be individualized to meet the assessment, educational, rehabilitative, and developmental instructional needs of each youth.
- F. Juveniles may receive credit for education that can be transferred to schools and diplomas are awarded by the state or local school district.
- G. An individual client record (ICR) shall include academic and vocational information, to the extent permissible by law.
- H. Available social history information and the results of medical and mental health screening conducted by DJJ staff shall be shared with the school administrator or designee, to the extent permissible by law.
- I. DJJ and school district staff shall establish criteria for allowing selected youth opportunities to supplement the facility's educational programs with community offerings.
- J. Where technical programming is available, programs shall have specific guidelines for enrolling youth. These guidelines shall include the criteria for enrollment and shall be included in the orientation handbook and submitted to the DJJ Education Branch.
- K. Necessary instructional materials and specialized equipment that meet minimum state education standards, including computers, shall be provided by the school district or by DJJ per written agreement.
- L. Incentives shall be provided for educational participation and formal recognition of specific educational, technical, and vocational achievements.
- M. A vocational and educational assessment, from the school district, shall be completed within twenty-one (21) days of the youth's admission, if previous results are not available.

POLICY NUMBER DJJ 334.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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- N. Youth who have completed the fifth (5th) grade and enter a day treatment program, without a previously administered vocational assessment, shall be administered a vocational assessment of aptitude, interest inventory, and learning and working styles. The results shall be used:
1. To determine a youth's vocational aptitude and interests, learning and working styles, and career major;
 2. To assist DJJ and school district educational staff as they integrate academic, vocational and work assignments, and treatment goals;
 3. To assist DJJ and school district staff as they communicate with youth;
 4. To develop or review and revise if necessary, each youth's Individual Learning Plan (ILP) and Aftercare Plan; and
 5. To provide each youth with workplace readiness skills.
- O. The results of educational and vocational assessments from the school district shall be used as a basis for the initial development, periodic reviews, and revisions of an integrated Individual Plan of Instruction (IPI), Individual Education Plan (IEP) if applicable, Individual Treatment Plan (ITP), (ILP), and Aftercare Plan.
- P. DJJ and school district staff shall participate jointly in the development, review, and revision of a youth's ITP, IPI, the IEP if applicable, and Aftercare Plan.
- Q. The IPI and IEP, when applicable, shall be integrated with the ITP and completed within twenty-one (21) days of admission. It is the responsibility of the Superintendent and the school district administrator to see that this is accomplished.
- R. If DJJ staff suspect a youth may have an educational disability, they shall communicate the concern in writing to education staff, through the treatment team. A record of the communication shall be included in the electronic record.
- S. A DJJ youth worker shall provide supervision in the course of academic activities. A youth worker shall be included in classroom activities to the maximum extent possible and shall work cooperatively with all education staff.
- T. The Superintendent and the school district administrator shall develop a code of acceptable school behavior and disciplinary measures that are consistent with the behavior management system of DJJ.
1. The code shall contain:
 - a. The type of behavior expected from the youth;

POLICY NUMBER DJJ 334.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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- b. The consequences of failure to obey the standards; and
 - c. The importance of the standards in maintaining a safe learning environment;
 - 2. The code shall be implemented without partiality or discrimination;
 - 3. The code of acceptable school behavior shall be incorporated into the Orientation Handbook and reviewed with each youth;
 - 4. A copy of the Orientation Handbook shall be posted at the school site; and
 - 5. DJJ and education staff shall be a provided copy of the Orientation Handbook.
- U. DJJ shall provide or approve training for local school district staff pursuant to the Interagency Agreement or Memorandum of Agreement (MOA). DJJ may provide additional training to assure discipline of youth is in accordance with DJJ disciplinary policy and procedures. Appropriate classroom management techniques to carry out the disciplinary code shall be utilized.

V. MONITORING MECHANISM

The DJJ Education Branch shall review documentation annually and shall conduct an on-site visit every two (2) years and report the results of the findings to the Superintendent, Facilities Regional Administrator (FRA), and school district administrator.



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

**REFERENCES:
505 KAR 1:110
505 KAR 1:080
704 KAR 3:305
3-JCRF- 5D-01-05
2-CO-5B-01**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Group Homes: Educational Services

POLICY NUMBER: DJJ 334.2

TOTAL PAGES: 3

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall ensure educational services are provided to youth in a group home placement.

II. APPLICABILITY

This policy shall apply to each DJJ group home.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. Educational services available through the local school district shall be made available to each youth upon admission.
- B. For youth in group home placement not enrolled in the local school district, education may be made available in a day treatment program or other alternative collaboratively developed with the local school district.
- C. Educational, technical, and treatment services shall be integrated and individualized to meet the assessment, educational, rehabilitative, and developmental instructional needs of each youth.
- D. Post-secondary course fees may require a youth to access grant money, individual youth accounts, parent contributions, or community sponsors.
- E. Juveniles may receive credit for education that can be transferred to schools and diplomas are awarded by the state or local school district.

POLICY NUMBER DJJ 334.2	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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- F. DJJ and school district staff shall establish criteria for allowing opportunities for selected youth to supplement the facility's educational programs with community offerings.
- G. Incentives shall be provided for educational participation and formal recognition of specific educational, technical, and vocational achievements.
- H. Youth enrolled in a community school shall be transported in accordance with the local school district's transportation policy.
- I. DJJ may assist education staff in obtaining education records when feasible. Federal and state laws and regulations shall govern the confidentiality, maintenance, handling, and access of educational records.
- J. Available social history information and the results of medical and mental health screening, conducted by DJJ staff, shall be shared with the school administrator or designee, to the extent permissible by law.
- K. Group home staff who suspect a youth may have an educational disability, shall communicate the concern in writing to education staff through the treatment team. A record of the communication shall be included in the electronic record.
- L. An individual client record (ICR) shall include academic and vocational information, to the extent permissible by law.
- M. The Individual Plan of Instruction (IPI) and the Individual Education Plan (IEP), when applicable, shall be integrated with the Individual Treatment Plan (ITP). Group home staff shall coordinate with school district staff, to the extent possible, in the development, periodic review, and revision of the youth's ITP, IPI, the IEP if applicable, and Aftercare Plan.
- N. Discipline of youth during school activities shall be in accordance with local school board procedures and DJJ policy.
- O. Youth, who demonstrate behavior so disruptive that they shall be removed from the classroom, may be remanded to the supervision of group home staff until readmitted to the classroom.
- P. Group home staff shall monitor the progress of youth in public school weekly. Group home staff shall provide supportive assistance in the course of academic activities, when applicable.
- Q. The Superintendent shall ensure that work programs for youth do not interfere with educational programming. Disciplinary measures shall not interfere with educational programming, except if there is substantial evidence to justify otherwise.

POLICY NUMBER DJJ 334.2	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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R. The Facilities Regional Administrator (FRA) shall be notified when a group home youth is not allowed to enroll in the local school program or day treatment program or is suspended or expelled from a local school program.

V. MONITORING MECHANISM

The Superintendent shall monitor these activities.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:110 3-JTS-1E-07; 5D-15-2 1-JBC-1E-08 4-JCF-5D-11
CHAPTER: Program Services	AUTHORITY: KRS 15A.0652	
SUBJECT: Youth Development Center Educational and Vocational Records; Day Treatment Educational Records		
POLICY NUMBER: DJJ 335		
TOTAL PAGES: 2		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter	, COMMISSIONER	

I. POLICY

Federal and state laws and regulations shall govern the confidentiality, maintenance, handling, and access of educational records, including academic, technical, and vocational.

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) operated day treatment and youth development center (YDC).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. DJJ staff may assist education and vocational staff in obtaining records, when feasible.
- B. Individual client records (ICR's) may include academic, technical, and vocational information, when applicable.
- C. No person, including education personnel, authorized to obtain records pursuant to Kentucky Revised Statute (KRS) Chapter 600 to 645, shall obtain or attempt to obtain records to which they are not entitled or for purposes for which they are not permitted to obtain them.
- D. No person, including education personnel, not authorized to obtain records pursuant to KRS Chapter 600 to 645, shall obtain or attempt to obtain records which are made confidential pursuant to KRS Chapter 600 to 645, except upon proper motion to a court of competent jurisdiction.

POLICY NUMBER DJJ 335	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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- E. No person shall destroy or attempt to destroy any record that is required to be kept unless the destruction is permitted by state law and is authorized by the court upon proper motion and good cause for the destruction being shown.
- F. In a YDC program the following shall apply:
 - 1. DJJ rehabilitation instructors shall be responsible for sending lesson plans, curriculum, assessment tools, and task sheets to the DJJ Education Branch designee.
 - 2. Vocational records, for youth transferred to another facility shall be sent to the receiving programs rehabilitation instructor within twenty-one (21) days. The vocational records shall include:
 - a. Initial vocational interview, indicating barriers to employment;
 - b. Vocational Assessment results;
 - c. Learning and Working Styles Assessment results;
 - d. Workplace readiness task sheet indicating hours and tasks completed;
 - e. Personal finance management task sheet indicating hours and tasks completed;
 - f. Task sheets;
 - g. Workforce development curriculum task sheet indicating hours and tasks completed;
 - h. Career pathway indicating career major and activities, training, or experience obtained or completed within the major; and
 - i. Transition efforts initiated toward post-secondary education or training, for example financial aid or enrollment applications.

V. MONITORING MECHANISM

- A. The Facilities Regional Administrator (FRA), Superintendent, and DJJ Education Branch shall monitor these activities.
- B. The DJJ Education Branch shall review documentation annually and an on-site visit shall be conducted bi-annually.



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

**REFERENCES:
505 KAR 1:110
505 KAR 1:080
3-JTS-5D-12
1-JBC-5D-10
4-JCF-5D-08
1-JDTP-3D-04**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Youth Development Center and
Day Treatment Instructional Staffing**

POLICY NUMBER: DJJ 339

TOTAL PAGES: 2

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall ensure that educational and technical staffing is in compliance with federal and state laws and regulations through written agreements with local school districts or private or public providers and the Office of Career and Technical Education (OCTE).

II. APPLICABILITY

This policy shall apply to each DJJ operated day treatment program and YDC.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. DJJ Education Branch staff shall be responsible for reviewing the contents of the written agreements for educational services staff.
- B. The Superintendent shall meet annually with the school administrator to plan for the next school year's teaching staff needs.
- C. The Superintendent or designee and DJJ Education Branch staff shall be represented on the OCTE interview panel for hiring technical instructional staff. This is in compliance with the written agreement between DJJ and OCTE.
- D. The Superintendent or designee shall provide direct supervision of the technical instructors in compliance with the written agreement between DJJ and OCTE.

POLICY NUMBER DJJ 339	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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E. The Superintendent or designee shall provide program orientation to new educational and technical education personnel prior to those personnel working with the youth. The orientation shall include DJJ policies and procedures regarding personal conduct, supervision of youth, special incident reporting, and other relevant laws and regulations that apply.

V. MONITORING MECHANISM

The Facilities Regional Administrator (FRA), Superintendent, and Education Branch shall monitor these activities.



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

**REFERENCES:
505 KAR 1:110
3-JTS-5D-14
1-JBC-5D-12
4-JCF-5D-12**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Youth Development Center and Day
Treatment Evaluation of Integrated Educational
and Vocational Plan**

POLICY NUMBER: DJJ 341

TOTAL PAGES: 2

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter , COMMISSIONER

I. POLICY

There shall be an annual evaluation to measure the effectiveness of the educational and technical skills training programs against stated performance objectives.

II. APPLICABILITY

This policy shall apply to each Department of Juvenile Justice (DJJ) operated day treatment program and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

A. Educational Goals

1. Each school district that operates within a YDC and day treatment program shall submit a progress report to the Education Branch for evaluation.
2. The Education Branch shall send monitoring reports to the Kentucky Department of Education (KDE).

B. Technical and Vocational Goals

1. Each technical program shall submit their vocational plan to the Education Branch.
2. The Education Branch shall send monitoring reports to the Office of Career and Technical Education (OCTE).

- C. All monitoring reports regarding the educational and vocational programs shall be copied to the Superintendent.**

POLICY NUMBER DJJ 341	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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V. MONITORING MECHANISM

The Education Branch shall review documentation annually. An on-site visit shall be conducted bi-annually. The Facilities Regional Administrator (FRA), Superintendent, school district administrator, Education Branch, and OCTE designee shall monitor these activities.



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

**REFERENCES:
505 KAR 1:110**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Technical Education Safety

POLICY NUMBER: DJJ 343

TOTAL PAGES: 2

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall collaborate through written agreement with local school districts or private or public providers and with the Office of Career and Technical Education (OCTE) to establish a safe technical training environment, operating in compliance with federal and state laws and regulations and national standards.

II. APPLICABILITY

This policy shall apply to each DJJ operated day treatment program, where applicable, and youth development center (YDC).

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

- A. DJJ Education Branch staff shall be responsible for reviewing the contents of each written agreement.
- B. The Superintendent be knowledgeable of and enforce the laws, regulations, national standards, guidelines, and policies and procedures governing safety in technical programs.
- C. All youth shall complete the pre-requisite course of Workplace Principles prior to entering a technical skills course.
- D. The Superintendent shall make DJJ staff aware that youth may only use power driven machines and tools under the following circumstances:
 1. The youth has met the requirements for enrollment in a technical program;
 2. The youth has been enrolled in a technical training program;

POLICY NUMBER DJJ 343	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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3. The youth is performing tasks designated by the OCTE for the training program in which the youth is enrolled;
 4. The certified technical teacher of the training program is supervising the youth;
 5. The youth has successfully completed the safety training and the safety test necessary to use the machines and tools or complete the task;
 6. The Statement of Safety Instruction Form provided by the OCTE is on file; and
 7. The certified technical teacher of the training program and facility staff continuously monitors the emotional state and considers the mental stability of the youth prior to allowing the youth to use power driven machines and tools or perform a potentially hazardous task.
- E. Each program shall establish a safety committee for technical programming. The safety committee membership shall include the Superintendent or designee, the rehabilitation instructor, and the technical teacher.
- F. The safety committee shall:
1. Complete a monthly safety inspection of the technical shop and classroom using the Safety Inspection Form provided by OCTE and submit the form to the Education Branch.
 2. Submits records of emergency and evacuation drills and the Safety Inspection Form monthly to the Education Branch.

V. MONITORING MECHANISM

The DJJ Education Branch shall review documentation monthly. The Facilities Regional Administrator (FRA) and Superintendent shall monitor these activities.



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

**REFERENCES:
505 KAR 1:110
3-JTS-5E-01-06
1-JBC-5E-01-03
4-JCF-5E-02, 03
2-CO-5F-01**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Library Services

POLICY NUMBER: DJJ 344

TOTAL PAGES: 2

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Library services shall be provided and made available to youth through local library programs, bookmobiles, visits to a partnering school, or on-site libraries. Youth in group homes shall receive library services through local school districts.

II. APPLICABILITY

This policy shall apply to each day treatment program and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. Each Department of Juvenile Justice (DJJ) program shall maintain a library or have organized participation in a local library service. Local libraries or bookmobile services shall be accessed as appropriate.
- B. The Superintendent shall collaborate with the school district administrator to establish library services. A designee may be assigned to coordinate library services for each day treatment and YDC. The designee shall have primary responsibility for the oversight and coordination of library services, including selection and acquisition of new material as needed.
- C. On-site library materials shall be selected to meet the educational, informational, and recreational needs of youth. The following guidelines shall assist in defining the principals, purposes, and criteria used in the selection and maintenance of library materials:

POLICY NUMBER DJJ 344	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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1. Materials shall support and be consistent with treatment goals and objectives;
2. Materials shall meet high standards of quality in content and presentation;
3. Materials shall foster respect for all people; and
4. Materials concerned with racial, religious, sexual, or ethnic differences shall be free from stereotypes, caricature, and other characteristics likely to misrepresent, offend, or defame particular segments of the population.

D. Library services shall provide for the following:

1. A systematic approach to determining the library service needs of the population. This approach shall include periodic surveys of the youth and staff and shall incorporate the treatment environment;
2. Planned and continuous acquisition of materials to meet the need of users;
3. Logical organization of materials for convenient use;
4. Circulation of materials to satisfy the needs of users;
5. Information services to locate facts as needed;
6. A reader's advisory service that helps provide suitable materials for users;
7. Promotion of the uses of library materials;
8. A functional area with good lighting; and
9. A congenial library atmosphere.

E. The library collection shall remain current and youth shall have designated times to choose books to read.

F. Reading materials shall be kept in leisure-time areas, such as dayrooms, to encourage and provide youth the opportunity to read. These materials shall augment, but not supplant, library services.

V. MONITORING MECHANISM

The Superintendent, Education Branch, and Quality Assurance (QA) Branch shall monitor this activity.

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 505 KAR 1:140 3-JTS-5D-02; 5G-01-05 3-JCRF-5F-01 1-JBC-5G-01-08 1-JCF-5E-03, 07; 5F-01-05; 5F-08 2-CO-5E-01, 02 4-JCF-5F-01-08</p>
<p>CHAPTER: Program Services</p>		<p>AUTHORITY: KRS 15A.0652</p>
<p>SUBJECT: Religious Programs</p>		
<p>POLICY NUMBER: DJJ 345</p>		
<p>TOTAL PAGES: 5</p>		
<p>EFFECTIVE DATE: 1/04/2016</p>		
<p>APPROVAL: Bob D. Hayter</p>		<p>, COMMISSIONER</p>

I. POLICY

The Department of Juvenile Justice (DJJ) shall ensure that youth in custody have the right to hold individual religious beliefs and engage in the religious practices of that faith. DJJ reserves the right to restrict religious actions, rituals, material, or publications that pose a risk of harm to staff or other youth and that interfere with the orderly operational management of a facility.

II. APPLICABILITY

This policy shall apply to each group home and youth development center (YDC).

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. Each DJJ facility shall ensure that the opportunity for religious belief and practice is afforded to youth without fear of discrimination, penalty, coercion, harassment, ridicule, or intimidation.
- B. DJJ shall designate an Agency Religious Program Coordinator who will assist in the coordination of religious protocol, practices, and processes for the Department. The responsibilities of the Agency Religious Program Coordinator shall be as follows:
 - 1. Establish the processes and procedures for the religious program;
 - 2. Establish a process for youth to identify religious preference and religious accommodation needs upon entering a DJJ facility;

POLICY NUMBER DJJ 345	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 5
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3. Establish a process for youth to change religious preference or accommodations;
 4. Monitor facilities and programs to verify that youth are not subjected to discrimination, coercion, harassment, or ridicule due to religious affiliations in DJJ facilities;
 5. Verify that facility staff are trained regarding DJJ policy regarding youth and religious preferences;
 6. Educate each religious leader, visiting a DJJ facility, regarding DJJ religious policy and guidelines;
 7. Maintain a database tracking all religious accommodation requests;
 8. Maintain all religious accommodation documentation;
 9. Designate a staff person to act on his or her behalf in the absence of the religious coordinator; and
 10. Establish conditions and circumstances under which clergy privileged communications exists and circumstances under which it does not exist.
- C. Each DJJ residential facility shall designate a qualified staff as the Facility Religious Coordinator. The Facility Religious Coordinator shall plan, direct, and coordinate all aspects of religious programming within the facility as follows:
1. Collaborating with program administrators and staff to plan, direct, and coordinate all aspects of the religious program;
 2. Developing and maintaining close relationships with religious resources in the community;
 3. Providing religious materials and publications to each facility so that youth are able to access this information;
 4. Reviewing initial religious declaration forms;
 5. Reviewing and processing accommodation requests, by conducting the initial assessment of all accommodation requests submitted by youth, then forwarding to the Agency Religious Program Coordinator for final approval; and
 6. Educating facility staff regarding this policy.
- D. DJJ staff shall allow a youth to designate any or no religious orientation as a preference and indicate any religious accommodations needed upon intake to a facility or any time while a youth resides at the facility.
1. Religious declaration documentation and a request for accommodations shall be in writing, signed, and dated by the youth and DJJ staff receiving the accommodation request.

POLICY NUMBER DJJ 345	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 5
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2. DJJ staff shall forward religious declaration documentation and each request for an accommodation to the Facility Religious Coordinator.
 3. The religious accommodation request review process is as follows:
 - a. The signed accommodation request shall be reviewed by the Facility Religious Coordinator and the facility Superintendent;
 - b. The Superintendent or the Facility Religious Coordinator shall forward the accommodation request documentation to the Agency Religious Program Coordinator and copy the Regional Director and the Facilities Regional Administrator (FRA);
 - c. The Agency Religious Program Coordinator or designee shall:
 - i. Review the religious accommodation request;
 - ii. Consult with the Office of Legal Services regarding the accommodation request and make the determination of whether to accept or deny the religious accommodation request; and
 - iii. Notify the Superintendent and Facility Religious Coordinator of the accommodation request determination within three (3) business days.
 - d. The religious accommodation request determination shall be forwarded to the youth no later than seven (7) business days from the date that it was signed by the youth.
 4. A youth may request a religious dietary accommodation. The Facility Religious Coordinator will forward the request to the Agency Religious Program Coordinator for review and determination. The Agency Religious Program Coordinator will forward the determination to the Regional Director, FRA, Superintendent, and the Facility Religious Coordinator. The determination regarding the dietary request shall be forwarded to the youth no later than seven (7) business days from the date that it was signed by the youth.
 5. A youth shall have the right to appeal an accommodation request that is denied by the Agency Religious Program Coordinator. The Facility Religious Coordinator or facility Superintendent shall submit the appeal request to the Commissioner for review and disposition and send a copy to the Agency Religious Program Coordinator. The appeal shall be submitted to the Commissioner not later than five (5) days after the receipt of the denial.
- E. A youth shall have the following religious rights and responsibilities:
1. A youth shall submit a request to change religious designation in writing. If accommodations are requested for this new religious designation, the accommodation process shall be followed;

POLICY NUMBER DJJ 345	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 5
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2. Once a change of religious designation request has been approved or denied, a youth shall wait ninety (90) days, from the determination date, before he can to submit a request for another change of religious belief;
 3. A youth shall be permitted to possess items essential to the practice of the particular religious faith, provided such items do not pose a risk of harm to staff or other youth, interfere with the orderly operational management of a facility, or interfere with the treatment goals of the youth;
 4. A youth shall have access to approved religious publications;
 5. Each religious item and material shall be subject to review before entering the facility;
 6. A religious item shall be approved through the accommodation process.
 - a. When an item has been approved, the counselor shall consult the family to discuss payment for the item;
 - b. If money is available in the youth's account, the youth may pay for the item; and
 - c. The Agency Religious Program Coordinator shall consult community religious resources regarding each request for religious items for indigent youth.
 7. Each youth shall be provided the opportunity to satisfy the minimum dietary requirements deemed essential by the religion.
- F. Visitation from a personal minister, pastor, or religious counselor, for a youth, shall be permitted at scheduled times and other times as approved by the Superintendent or designee;
1. If a youth requests assistance in obtaining a religious leader, the Agency Religious Program Coordinator or the Facility Religious Coordinator shall provide assistance to the youth in finding a religious leader; and
 2. A youth may decline a visit with personal minister, pastor, or religious counselor.
- G. The Facility Religious Coordinator shall coordinate each religious program with the facility schedule. The youth shall be notified of such programming. DJJ staff shall document youth participation in the programming.
1. Youth participation in a religious service and counseling shall be voluntary;

POLICY NUMBER DJJ 345	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 5 of 5
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2. DJJ staff shall supervise all religious programs and supervision will be provided in a manner that reflects awareness of and sensitivity to individual religious beliefs;
 3. Adequate space and equipment shall be available for religious services among faiths authorized to meet;
 4. Youth shall be permitted to attend a religious service in the community, if applicable to the program and youth classification;
 5. Youth shall be permitted to observe special ceremonies;
 6. DJJ will take into consideration work restrictions related to religious observance practices;
 7. Youth shall not be penalized for not participating in religious activities; and
 8. DJJ staff shall not conduct religious programming or activities while supervising youth.
- H. DJJ staff shall not harass or ridicule a youth because of a religious designation.
- I. DJJ shall not coerce or try to sway a youth toward a religious designation.
- J. A volunteer minister, pastor, or religious counselor, approved by the Facility Religious Coordinator, shall have access to each area of the facility identified for religious programming. Clergy shall be allowed to have confidential communications with youth pursuant to clergy privilege. DJJ staff shall not serve as a volunteer minister, pastor, or religious counselor in the facility where they work.
- K. Any volunteer minister, pastor, or religious counselor, approved by the Facility Religious Coordinator, shall comply with the DJJ policy regarding the confidentiality of youth information.
- L. The Agency Religious Program Coordinator, Facility Religious Coordinator, and Superintendent or designee shall approve the donations of religious equipment or material.

V. MONITORING MECHANISM

Monitoring shall be the responsibility of the Superintendent, the Agency Religious Program Coordinator, the Facility Religious Coordinator, and the Quality Assurance (QA) Branch.



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

**REFERENCES:
505 KAR 1:110
KRS 640.075; KRS 196.280;
KRS 197.170;
2-CO-4G-02
4-JCF-6G-07**

CHAPTER: Program Services	AUTHORITY: KRS 15A.0652
SUBJECT: Youthful Offenders	
POLICY NUMBER: DJJ 346.1	
TOTAL PAGES: 4	
EFFECTIVE DATE: 1/04/2016	
APPROVAL: Bob D. Hayter	, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall maintain custody and control of a youthful offender (YO) sentenced to confinement to DJJ by a circuit court, in compliance with all applicable state laws and regulations. DJJ shall not extend jurisdiction for a YO beyond the age of eighteen (18) years and five (5) months except in special circumstances as defined by Kentucky Revised Statute (KRS) 640.075.

II. APPLICABILITY

This policy shall apply to YOs in placement.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

A. A YO, who is sentenced to confinement by a circuit court, shall serve the sentence in a DJJ operated facility, or licensed facility, until one (1) of the following occurs:

1. Sentence expires;
2. Probated;
3. Shock probated;
4. Paroled;
5. Transferred to the Department of Corrections (DOC);
6. Attains the age of eighteen (18) years and five (5) months; or
7. As provided in KRS 640.075.

B. Transportation of a YO shall be in accordance with KRS 605.080 and DJJ policy.

POLICY NUMBER DJJ 346.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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- C. The Classification Branch shall maintain a resident record card for each YO to show credit for time served. A copy shall be sent to the Superintendent or designee where the YO is placed.
- D. A YO shall remain in placement and custody of DJJ, until age eighteen (18) at which time the youth shall be returned to the sentencing court for a final sentencing hearing pursuant to KRS 640.030, unless the YO has been probated or released on parole. The sentencing hearing shall be held on or about the youth's eighteenth (18th) birthday.
- E. Thirty (30) days prior to the final sentencing hearing, the youth counselor shall prepare the final sentencing report for approval by the Superintendent or designee. Once approved, the final sentencing report shall be sent to the circuit court judge, the youth's attorney, the prosecuting attorney, the Juvenile Service Worker (JSW), the parent or caregiver, the Facilities Regional Administrator (FRA), the Regional Division Director, and a copy placed in the youth's hard case file.
- F. At the final sentencing hearing, the court shall make one (1) of the following determinations for youth who are under eighteen (18) years of age:
 - 1. If the YO shall be placed on probation or conditional discharge;
 - 2. If the YO shall be returned to DJJ to complete a treatment program, which the treatment program shall not exceed the YOs attainment of the age eighteen (18) years and five (5) months. At the conclusion of the treatment program, the YO shall be returned to the sentencing court for a determination as set forth in KRS 640.030(2)(b); or
 - 3. If the YO shall be incarcerated in an institution operated by DOC. Reference KRS 640.030(2)(c).
- G. Youth initially sentenced, between the age of eighteen (18) years and the age of eighteen (18) years and five (5) months, shall be returned to the sentencing court upon attaining the age of eighteen (18) years and five (5) months if that individual has been sentenced to a period of placement or treatment with DJJ. The court shall have the same dispositional options as currently provided in KRS 640.030(2)(a) or (c).
- H. DJJ shall inform the sentencing court when a YO in their custody, pursuant to KRS 640.030(4), has attained the age of eighteen (18) years and five (5) months, and the court shall enter a court order directing the sheriff or jailer to transport the YO to the county jail to await sentencing pursuant to KRS 640.030(2)(a) or (c).
- I. Shock Probation
 - 1. A shock probation motion shall be made no earlier than thirty (30) days, or no later than one hundred eighty (180) days, after

POLICY NUMBER DJJ 346.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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incarceration following a YO's conviction and sentencing.
Reference KRS 439.265 and KRS 439.267.

2. The court shall consider any motion for shock probation filed in accordance with above referenced statute within sixty (60) days, and shall enter its ruling within ten (10) days after considering the motion. The YO may, at the discretion of the sentencing court, have the right to a hearing on any motion they may file, or have filed for them, that would suspend further execution of their sentence. The YO may be released from custody by the court and granted probation under the supervision of DJJ. Reference KRS 439.265(2); KRS 439.267.
 3. If the circuit court grants the motion, the circuit court may issue an order of probation which specifies the length of the probation period and the imposed conditions of probation.
 4. The youth counselor shall coordinate with the JSW to initiate community supervision of the YO granted shock probation, in accordance with DJJ policy.
- J. Victim Information and Notification Everyday (V.I.N.E.)
1. Registered crime victims shall be notified of a YO's release prior to any planned release from confinement or escape from custody.
 2. DJJ shall contract with a vendor, by the authority of KRS 196.280, to provide notifications regarding convicted YO's to victims or members of the public who request to be notified regarding convicted YO's, through the automated victim notification system known as VINE.
 3. Participation by the victim or members of the public to enroll in VINE shall be voluntary and confidential.
 4. Only those victims or members of the public who have registered, shall receive electronic notification. Victims or members of the public may choose one of two methods to register:
Register electronically using the website, www.vinelink.com;
Register by calling the toll-free VINE line at 800-511-1670; or
Registrants may also call the DJJ toll-free VINE line at 866-249-6809 for information during normal business hours.
 5. A convicted YO shall be added to the VINE database by the Offender Information Administrator, no later than the day of initial placement by the Classification Branch, and in the event of a change in custody status, the Offender Information Administrator shall enter that custody status change in VINE.
 6. Notifications advise victims or members of the public that request to be notified, if a YO is absent without leave (AWOL), a sentence serve-out, or has a court-ordered release. The registrant may

POLICY NUMBER DJJ 346.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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choose to be notified in the event of a change of custody status by phone or email address.

V. MONITORING MECHANISM

This activity shall be monitored by the Superintendent, the FRA, Classification Branch Manager, and the Office of Legal Services.



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

**REFERENCES:
505 KAR 1:110
KRS 197.045; KRS 640.030; KRS
640.120
I-JBC-1E-09
2-CO-1E-05**

CHAPTER: Programs Services

AUTHORITY: KRS 15A.0652

**SUBJECT: Educational and Meritorious
Good Time Credit for Youthful Offenders**

POLICY NUMBER: DJJ 347.1

TOTAL PAGES: 4

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

Youthful offenders (YOs) who are convicted of, or plead guilty to a felony offense in circuit court, shall be subject to the same sentencing procedures as an adult convicted of a felony offense, including an award of educational good time and meritorious good time consistent with Kentucky Revised Statute (KRS) 640.030 and KRS 197.045.

II. APPLICABILITY

This policy shall apply to YOs.

III. DEFINITIONS

Refer to Chapter 300.

IV. PROCEDURES

A. Educational Good Time

1. YOs shall receive credit on their sentence for:
 - a. Successfully completing the general educational development test;
 - b. Successfully receiving a high school diploma;
 - c. A two (2) or four (4) year college degree;
 - d. Two (2) or four (4) year degree in applied sciences;
 - e. Completing a technical education program or an online or correspondence education program;

POLICY NUMBER DJJ 347.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 4
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- f. Successfully completing a drug treatment or other evidenced based program approved by the Department in the amount of ninety (90) days for each program completed; or
 - g. Successfully completing a civics education program that requires passing a final exam, in the amount of ninety (90) days per diploma, degree, or technical education program completed.
2. Completion of the educational program shall be verified by the school administrator.
 3. Documentation and recommendations for an educational good time award shall be forwarded to the Superintendent and to the Offender Information Administrator, who shall review the documentation for accuracy.
 4. An educational good time award for successful completion of the general educational development test or earned a high school diploma shall not be awarded to a YO who had successfully completed the general educational development test or earned a high school diploma prior to the time of placement into DJJ custody, except a for a YO who successfully completed the general educational development test in detention, prior to DJJ placement, during a period of time that will be credited as days served toward his sentence.

B. Meritorious Good Time

1. Meritorious good time shall be recommended as determined by the Department from the conduct of the YO. YOs may receive credit for the following:
 - a. Good behavior in an amount not exceeding ten (10) days for each month served, to be determined by the Department from the conduct of the YO.
 - b. Performing exceptionally meritorious service or performing duties of outstanding importance, at the discretion of the Commissioner, in an amount not to exceed seven (7) days per month.
 - c. Acts of exceptional service in times of emergency, at the discretion of the Commissioner, in an amount not to exceed seven (7) days per month.
2. Each facility shall identify monthly any youth that are eligible for meritorious good time consideration. Program staff shall review the YOs record to determine the amount of the total award to which the YO is eligible. Program staff shall forward recommendations to the Superintendent for approval or disapproval and signature. Upon approval the Superintendent shall forward the recommendation to the Offender Information Administrator for processing and verification.

POLICY NUMBER DJJ 347.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 4
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3. YO's may be considered for meritorious good time annually through their anniversary date, except youth that are due to be released by minimum expiration of sentence prior to their anniversary date shall be reviewed within ninety (90) days prior to the actual minimum expiration of their sentence. Each facility shall identify monthly any YO that is within ninety (90) days of minimum expiration of sentence.
4. If a YO was absent without leave (AWOL) or was adjudicated or convicted of an additional felony, which occurred while in a DJJ residential program, the six (6) month period following the return to the program from AWOL status or conviction of another felony shall not be considered for an award of meritorious good time
5. A meritorious good time award shall be awarded as determined by the Department of Corrections (DOC).
6. The meritorious good time award shall be reflected on the resident record card in both the facility and central office files.
7. Once an award period has been reviewed, future awards shall not include any previously considered time period.
8. Youth may be awarded meritorious good time for each full calendar month served. Meritorious good time may be awarded on jail or detention time or parole violation time. Partial months shall not enter into consideration for award amounts. For example, a youth who has seven (7) months and twenty (20) days credit shall only be reviewed for the seven (7) full months served.
9. Jail or detention credit and parole violation credit may be added together for calculation purposes.
10. Facility time shall be calculated in full month increments only and shall not be added to jail or detention credit or parole violation time.
11. A youth convicted as a juvenile sexual offender (JSO) shall not receive credit for meritorious good time until after completion of a sex offender treatment program (SOTP).
12. DJJ retains the authority to void or adjust the amount of the award at any time during the youth's incarceration, if a review of the record indicates that the award was made in error of law or applicable DJJ policy.

V. MONITORING MECHANISM

- A. Monitoring of education good time shall be performed by the Offender Information Administrator and the Education Branch.
- B. Monitoring of meritorious good time shall be performed by the Offender Information Administrator and the Superintendent.

POLICY NUMBER DJJ 347.1	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 4 of 4
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- C. The Offender Information Administrator shall monitor changes in educational good time procedures from Department of Corrections (DOC) and notify the Education Branch and Commissioners Office of any revisions.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 505 KAR 1:110
CHAPTER: Program Services		AUTHORITY: KRS Chapter 439: KRS 15A.0652, 640.120.
SUBJECT: Youthful Offender Parole		
POLICY NUMBER: DJJ 351		
TOTAL PAGES: 3		
EFFECTIVE DATE: 1/04/2016		
APPROVAL: Bob D. Hayter		, COMMISSIONER

I. POLICY

Pursuant to Kentucky Revised (KRS) 640.080(1), youthful offenders (YOs) shall be subject to the jurisdiction of the Kentucky Parole Board.

II. APPLICABILITY

This policy shall apply to YOs in Department of Juvenile Justice (DJJ) residential placement.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. The authority for parole shall rest with the Kentucky Parole Board. The Parole Board shall hold parole hearings at scheduled times. When a case is eligible for parole consideration, the case shall be reviewed by the Parole Board and, if paroled, the release shall be conditional upon the youth securing the approved parole planning investigation request documentation.
- B. Sixty-five (65) days prior to the parole eligibility date, the Superintendent or designee shall forward one (1) copy of the youth's Pre-Parole Progress Report, most recent psychological evaluation and disciplinary incident reports to the Offender Information Administrator for inclusion in the central office file.
- C. The central office file shall be forwarded by the Central Office Records Administrator or designee to the Parole Board thirty (30) days prior to the parole eligibility month. The Parole Board shall notify the facility of the parole hearing date and time.

POLICY NUMBER DJJ 351	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 3
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- D. The parole hearing may take place via teleconferencing. If this is not possible at the placed facility, arrangements shall be made by facility staff with an alternate facility.
- E. Facility staff shall maintain custody and control of the youth during the hearing. Staff shall have the facility file present at the hearing.
- F. The parole board hearing shall be open to the public. Persons shall be able to provide comment consistent with KRS 439.340(6) and (7).
- G. If the Parole Board recommends parole, the facility Treatment Director or designee shall complete the parole planning investigation request documentation.
- H. The parole planning investigation request documentation, the Pre-Sentence Investigation Report, Pre-Parole Progress Report and resident record card shall be forwarded by the Superintendent or designee to the Department of Corrections (DOC) Probation and Parole Officer in the county in which the youth will reside within seven (7) business days of the Parole Board's recommendation for parole.
- I. The Division of Probation and Parole shall have responsibility to investigate the youth's parole planning investigation request and report the findings to the Parole Board.
- J. If the family or placement resource is out-of-state, it shall be the responsibility of the Division of Probation and Parole to initiate a request for out-of-state placement through Interstate Compact.
- K. If the parole planning investigation request is approved, the Parole Board shall issue a parole certificate. The youth shall not be discharged without a parole certificate.
- L. The following steps shall be taken by the Superintendent or designee upon receipt of the parole certificate:
 - 1. Sign and date all four (4) copies of the certificate. The date on the certificate shall be the date the youth is released. A copy of the certificate shall be given to the juvenile services worker (JSW);
 - 2. The parole conditions of supervision shall be signed and dated by the youth and a witness. A copy shall be given to the youth, JSW, one (1) copy placed in the facility file, and the original shall be sent to the Parole Officer; and
 - 3. Inform the youth to report directly to the Parole Officer upon release.
- M. Once a Parole Certificate has been issued, the Youthful Offender shall be released from custody to the direct supervision of the Division of Probation and Parole. The residential Facility Counselor and the Juvenile Service Worker shall be responsible for facilitating transportation for return of the youth to the community.

POLICY NUMBER DJJ 351	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 3 of 3
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- N. The Juvenile Service Worker and the Facility Counselor shall document transfer of supervision to the Division of Probation and Parole and process the file for closure. The facility Notice of Discharge shall be forwarded by the Superintendent or designee to the following individuals:
1. The judge of the circuit court in the jurisdictions of commitment and to which the youth is released or if the name of the judge is not known, notice shall be forwarded to the circuit court;
 2. The commonwealth attorney in the jurisdiction to which the youth is released;
 3. The county attorney in the jurisdiction to which the youth is released;
 4. A faxed copy to the sheriff of the county to which the youth is released (fax copy). Written copy shall be forwarded within twenty-four (24) hours;
 5. A faxed copy to the chief of police in the city or county to which youth is released (fax copy). Written copy shall be forwarded within twenty-four (24) hours;
 6. A faxed copy to the state police in the district to which the youth is released. Written copy is to be forwarded within twenty-four (24) hours;
 7. The probation and parole offices in the jurisdictions of commitment and to which the youth is released.
 8. The youth's attorney; and
 9. The JSW.
- O. If a warrant is issued by the Parole Board, for the return of a youth under the age of eighteen (18) to placement, the YO shall remain in custody of the local juvenile detention center until the Parole Officer is notified by the Classification Branch or the Parole Board of the specific date the YO shall be returned to DJJ custody to reenter residential placement or be transferred to DOC if over eighteen (18) years of age.

V. MONITORING MECHANISM

- A. The FRA or Regional Division Director and the Classification Branch Manager shall monitor this activity.
- B. The Offender Information Administrator shall monitor changes in parole procedure from DOC and shall notify the FRA of needed updates to training.



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

**REFERENCES:
505 KAR 1:110
KRS 640.070; KRS 640.075**

CHAPTER: Program Services

AUTHORITY: KRS 15A.0652

SUBJECT: Youthful Offender Transfer

POLICY NUMBER: DJJ 352

TOTAL PAGES: 2

EFFECTIVE DATE: 1/04/2016

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

A youthful offender (YO) may be transferred to the Department of Corrections (DOC) by the sentencing circuit court, prior to the age of eighteen (18), if the youth has escaped, caused serious disruption to the program, or has exhibited violent behavior.

II. APPLICABILITY

This policy shall apply to YO's.

III. DEFINITION

Refer to Chapter 300.

IV. PROCEDURES

- A. A YO shall be advised verbally, in writing, and sign an acknowledgement of Kentucky Revised Statute (KRS) 640.070, upon admission. When a literacy or communication problem exists, a staff member shall assist the youth in understanding the provision.
- B. Documentation that the youth has received this information shall be kept in the youth's hard case file with a copy given to the youth and a copy forwarded to the Offender Information Administrator in the DJJ Classification Branch.
- C. If a youth is transferred to another facility, a new copy of the KRS 640.070 acknowledgement shall be signed by the youth, the original placed in the youth's hard case file, and copies given to the youth and the Offender Information Administrator in the DJJ Classification Branch.
- D. If the treatment team] decides that a request for transfer of a YO to DOC is appropriate, the youth counselor shall prepare a report that details the rationale for such a request and forward the report to the Superintendent.

POLICY NUMBER DJJ 352	EFFECTIVE DATE 1/04/2016	PAGE NUMBER 2 of 2
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- E. If in agreement, the Superintendent shall forward the report to the Regional Division Director, through the Facilities Regional Administrator (FRA), for review.
- F. If in agreement, the Regional Division Director shall forward the request to the Office of Legal Services and the Commissioner.
- G. The Office of Legal Services shall be responsible for facilitating any needed court process.

V. MONITORING MECHANISM

This activity shall be monitored by the Superintendent, the FRA, and the Office of Legal Services.