

**CHAPTER 2 Admissions**

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	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>505 KAR 1:100 REFERENCES: 3-JTS-1A-06; 5B-01, 07, 08 3-JCRF-5B-02 1-JBC-5B-01, 02, 06</b>
<b>CHAPTER: Admissions</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Classification</b>		
<b>POLICY NUMBER: DJJ 200</b>		
<b>TOTAL PAGES: 3</b>		
<b>DATE ISSUED: January 15, 2009</b>		<b>EFFECTIVE DATE: 1/15/09</b>
<b>APPROVAL: J. Ronald Haws</b>		<b>, COMMISSIONER</b>

## I. POLICY

Youth committed or sentenced to the Department of Juvenile Justice shall be assessed and placed based upon the least restrictive environment within which the youth's treatment needs can safely be met, identifying special needs of a youth, and identifying the level of structure and supervision required by a youth subject to bed availability. The overall authority and responsibility for classification in the Department has been assigned to the Classification Branch.

- A. The Department shall provide services to youth without discrimination as to race, religion, national origin, or disability.
- B. Youth shall not be admitted to the Department program or contracted agency if detoxification from alcohol or drugs is required. If detoxification is required, medical clearance shall be submitted in writing prior to admission.
- C. Only youth who are adjudicated for offenses that would be crimes if committed by adults and are committed or sentenced to the Department of Juvenile Justice shall be placed by DJJ.
- D. This policy shall not be intended to address procedures for admission into detention facilities, alternatives to detention, or day treatment programs operated by or under contract with the Department of Juvenile Justice.

## II. APPLICABILITY

This policy shall apply to all Department of Juvenile Justice community offices, DJJ-operated or contracted out-of-home placements, to all employees, agents and programs of the Department, and to the youth committed or sentenced to the Department.

<b>POLICY NUMBER</b> <b>DJJ 200</b>	<b>ISSUE DATE</b> <b>01/15/09</b>	<b>EFFECTIVE DATE</b> <b>1/15/09</b>	<b>PAGE NUMBER</b> <b>2 of 3</b>
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### **III. DEFINITIONS**

The definitions contained in this section shall apply to all subsequent sections unless noted otherwise.

1. "Least restrictive alternative" is defined in KRS 600.020(35).
2. "Specialized Programming" means DJJ-operated or, if reasonably available, private child care programs that provide specialized treatment services to identified populations served by the Department. This may include but not be limited to sexual offender treatment programs or programs for youth with identified mental health needs such as youth with severe emotional disability.

### **IV. PROCEDURES**

- A. The Classification Branch shall develop a classification manual containing all of the classification procedures. This manual shall be available to all staff and shall be reviewed at least annually by the Director of Placement Services and the Classification Branch Manager.
- B. An initial placement referral may be submitted by the Juvenile Service Worker ("JSW") or the Juvenile Services Specialist ("JSS") as a result of an initial commitment to the department, probation violation resulting in commitment to the department, or administrative revocation proceedings resulting in referral for placement.
- C. The initial placement referral packet shall contain a copy of the commitment or sentencing order, petition(s), and face sheet. The referral packet may also contain, but is not limited to, the justification for placement, educational records, psychological or psychiatric or sex offender assessments, discharge summaries from other programs, incident reports, probation violation reports, supervised placement revocation report, predisposition or presentence reports.
- D. The Classification Branch Manager or designee shall review the initial placement packet.
- E. The Classification Branch staff shall make the decision regarding the placement of the youth.
- F. The Level of Placement Continuum shall be:
  - Level 0 Home or other placement arranged by parent or guardian on conditions of supervision, as approved by the Juvenile Services District Supervisor.

Level I Therapeutic Foster Care ("TFC")

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Level II Group Home (“GH”), Private Child Care Providers (“PCC”),  
Psychiatric Hospital admissions greater than thirty (30) days, and  
Psychiatric Residential Treatment Facility (“PRTF”)

Level III Staff Secure Youth Development Centers (“YDC”)

Level IV Physically Secure Youth Development Center

Level V Maximum Secure Youth Development Center

G. Overrides, which shall be documented, may be utilized to move a youth up or  
down in the placement level continuum to better meet treatment needs.

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

Monitoring shall be done by the Director of Placement Services and the  
Classification Branch Manager on an on-going basis.

	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>505 KAR 1:100 REFERENCES: 1-JDTP-3C-01, 06</b>
<b>CHAPTER: Admissions</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Day Treatment Admissions</b>		
<b>POLICY NUMBER: DJJ 200.1</b>		
<b>TOTAL PAGES: 2</b>		
<b>DATE ISSUED: January 15, 2009</b>		<b>EFFECTIVE DATE: 1/15/09</b>
<b>APPROVAL: J. Ronald Haws</b>		<b>, COMMISSIONER</b>

## 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 or disability.

## II. APPLICABILITY

This policy shall apply to all Department of Juvenile Justice operated Day Treatment programs.

## III. DEFINITION

"Day Treatment" means a non-residential program providing intensive services to youth who live at home, or in a foster or group home, and report to the program as required by the program schedule.

## IV. PROCEDURES

### A. Admission Criteria

Youth ages twelve (12) and above shall be eligible for admission consideration. Priority for admission shall be given to:

1. DJJ youth transitioning from a DJJ or contracted residential facility;
2. DJJ youth transitioning from a DJJ or contract group home;
3. DJJ youth transitioning from or into a contract foster home;
4. Youth adjudicated on delinquent offenses;
5. Youth at risk of out of home placement; and
6. Youth with severe behavioral issues in the school and in the community.

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**B. Referral Process**

1. All referrals shall be submitted in writing and include, at minimum, the following information: name, address, date of birth, sex, race, name of referring agency, presenting problems, and social history and needs assessment. Clinical evaluations, assessments, recommendations, schools assessments and records, pre-disposition and court reports, probation or supervised placement conditions and any other information pertinent to the youth shall be sent with the referral packet.
2. 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 weeks of the program receiving a complete referral packet. If the decision is made that the 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.

- C. Accommodations for youth with disabilities shall be made within existing facilities, as needed. When a youth is determined, because of a disability, to present a danger to self or others in a Department program, other appropriate referrals for care and treatment shall be made.

**V. MONITORING MECHANISM**

Monitoring shall be done by the Regional Director on an on-going basis. Regularly scheduled Quality Assurance Reviews shall also monitor this process.



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

**505 KAR 1:100  
REFERENCES:**

**CHAPTER: Admissions**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Waiting List**

**POLICY NUMBER: DJJ 202**

**TOTAL PAGES: 2**

**DATE ISSUED: January 15, 2009**

**EFFECTIVE DATE: 1/15/09**

**APPROVAL: J. Ronald Haws**

**, COMMISSIONER**

**I. POLICY**

The Classification Branch shall maintain a waiting list if appropriate bed space is not available at the time of classification.

**II. APPLICABILITY**

This policy shall apply to all Department of Juvenile Justice community offices, DJJ-operated or contracted out-of-home placements, to all employees, agents and programs of the Department, and to the youth committed or sentenced to the Department.

**III. DEFINITION**

Not Applicable.

**IV. PROCEDURES**

- A. If bed space is not immediately available, youth shall be placed on a waiting list using the date the classification was finalized by the Classification Branch.
- B. When a youth is awaiting placement by Classification and is on the waiting list, the Juvenile Service Worker (JSW) or the Juvenile Services Specialist (JSS), shall:
  1. Keep the Classification Branch staff apprised of the youth's circumstances; and
  2. Monitor the youth in non-DJJ detention facilities.
- C. Priority admissions shall include but shall not be limited to youth who are in detention.
  1. Pursuant to KRS 635.060(3), a youth committed to the Department of Juvenile Justice and remanded to detention pending placement shall be placed within thirty-five (35) days after disposition.

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2. Pursuant to KRS 640.030(2), a youth sentenced as a youthful offender and remanded and detained to the custody of the Department of Juvenile Justice shall be placed within sixty (60) days following sentencing.
  3. A youth who has remained in detention during the revocation process shall be placed, to the extent possible, within ten (10) working days, following the decision to revoke.
- D. Circumstances and seriousness of charges shall also be considered for priority placement.

**V. MONITORING MECHANISM**

The waiting list shall be monitored by the Classification Branch staff and the Deputy Commissioner of Program Operations on a daily basis, excluding weekends and holidays.



**JUSTICE AND PUBLIC  
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POLICY AND PROCEDURES**

**505 KAR 1:100  
REFERENCES:  
3-JTS-3A-03  
1-JBC-3A-13**

<b>CHAPTER: Admissions</b>	<b>AUTHORITY: KRS15A.065</b>
<b>SUBJECT: Daily Census and Population</b>	
<b>POLICY NUMBER: DJJ 204</b>	
<b>TOTAL PAGES: 1</b>	
<b>DATE ISSUED: January 15, 2009</b>	<b>EFFECTIVE DATE:1/15/09</b>
<b>APPROVAL: J. Ronald Haws</b>	<b>, COMMISSIONER</b>

**I. POLICY**

The Classification Branch shall be responsible for reviewing and monitoring a daily census and population count of all youth housed in DJJ operated programs and contract agencies, excluding weekends and holidays.

**II. APPLICABILITY**

This policy shall apply to all DJJ operated or contract residential facilities and group homes.

**III. DEFINITION**

Not Applicable.

**IV. PROCEDURES**

- A. Each DJJ-operated facility, contracted private child care, and therapeutic foster care provider shall submit population reports daily by 9AM, excluding weekends and holidays, to the Classification Branch via online population report, email, fax, or telephone.
- B. The daily population report shall be compiled by the Classification Branch and provided to the Facilities Regional Administrators, Community Service Regional Managers, Regional Directors, Deputy Commissioners, and Commissioner.

**V. MONITORING MECHANISM**

Monitoring shall be done by the Classification Branch staff on a daily basis, excluding weekends and holidays. This shall include a review of the information received from each facility.



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SAFETY CABINET  
DEPARTMENT OF  
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POLICY AND PROCEDURES**

**505 KAR 1:100  
REFERENCES:  
3-JTS-3D-07; 5I-17  
3-JCRF-5B-10**

<b>CHAPTER: Admissions</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Administrative Transfers</b>	
<b>POLICY NUMBER: DJJ 206</b>	
<b>TOTAL PAGES: 3</b>	
<b>DATE ISSUED: January 15, 2009</b>	<b>EFFECTIVE DATE: 1/15/09</b>
<b>APPROVAL: J. Ronald Haws</b>	<b>, COMMISSIONER</b>

### **I. POLICY**

The Department shall transfer youth within various levels of out-of-home care (department or contract-operated) as needed.

### **II. APPLICABILITY**

This policy shall apply to all Department of Juvenile Justice community offices, DJJ-operated or contracted out-of-home placements, to all employees, agents and programs of the Department, and to the youth committed or sentenced to the Department.

This policy shall not be intended to address procedures for admission into detention facilities, alternatives to detention, or day treatment programs operated by or under contract with the Department of Juvenile Justice.

### **III. DEFINITIONS**

- A. "Administrative Transfer Request ("ATR")" is a request for consideration of change of placement for any youth in out-of-home placement.
- B. "Emergency ATR ("E-ATR")" means a verbal or electronic request for transfer which is executed through supervisory channels, without committee review, and subsequently supported with written documentation.
- C. "Lateral Transfer" means the transfer of a youth from one placement to another within the same placement level.
- D. "Step Down" means the transfer of a youth from a higher level placement to a lower level placement.
- E. "Step Up" means the transfer of a youth from a lower level placement to a higher level placement.
- F. "Treatment Team" means the professionals, youth, family members, and other supporters who work in conjunction to assist and support youth in achieving goals.

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#### **IV. PROCEDURES**

- A. An ATR shall be submitted for any committed youth currently in out-of-home placement for whom a change in out-of-home placement is requested.
- B. The JSW shall have the ATR Notification completed for youth in TFC or PCC requiring a change in placement. The residential counselor shall have the ATR Notification completed for youth in DJJ operated placements requiring a change in placement.
- C. The ATR packet shall be submitted by the counselor, treatment director, or superintendent for youth currently in a DJJ-operated facility or by the JSW for youth currently in TFC or PCC. It shall be submitted through supervisory channels for verification of information included and approval by the appropriate Division Director or designee.
- D. Once reviewed and approved by the Division Director of the requesting DJJ-operated facility or Community and Mental Health Services Division Director, the packet shall be submitted to the Classification Branch.
- E. The Classification Branch Manager or designee shall determine whether the requested change in out-of-home placement will result in a step up from a lower level placement to a higher level of placement. If the ATR requests a higher level of placement, the ATR shall be referred to the ATR Committee for review and approval. If the requested ATR will result in a lateral or lower level of placement the ATR shall be reviewed and placement determined by the Classification Branch Manager or designee.
- F. The ATR Committee shall review requests for transfer to a higher level of out-of-home placement or for requests for youth to return home directly from a maximum secure facility.
- G. The ATR Committee shall consist of:
  1. Deputy Commissioner of Operations (Chairperson);
  2. Division Director of Community and Mental Health Services;
  3. Chief of Mental Health Services;
  4. Medical Director;
  5. Director of Placement Services;

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- 6. Classification Branch Manager; and
- 7. Division Director(s) from Residential Services.

- H. A request for an E-ATR for an immediate change in out-of-home placement of any committed public offender or sentenced youthful offender currently in out-of-home placement shall be submitted through the supervisory channels to the Division Director of Community and Mental Health Services, Residential Division Director, or designee.
- I. Once approved, the appropriate Division Director or designee shall forward the approved emergency ATR to the Classification Branch and complete notification by phone or e-mail. Classification Branch staff shall review the E-ATR for accuracy and criteria for emergency. If all criteria are met, Classification Branch staff will present E-ATR to the Deputy Commissioner of Program Operations or designee.
- J. All youth shall be provided due process consisting of notice of intent to transfer to another out-of-home placement, and an opportunity for the youth to respond either verbally or in writing at the time of notice. In the case of emergency transfers, the youth shall be provided the aforementioned due process as soon as practical.
- K. All youth who are placed in a maximum-secure facility within the Department shall be reviewed by the ATR Committee if the request is to return home.

**V. MONITORING MECHANISM**

Monitoring of this activity shall be by the Classification Branch Manager and the Division Directors on an on-going basis.



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

**505 KAR 1:100  
REFERENCES:**  
3-JTS-1E-04, 07; 1F-05; 2D-01;  
3C-10-24; 3D-01-09; 4A-07,  
09, 14; 4B-10, 12-14; 4C-07;  
5A-05; 5B-05; 5D-01, 17; 5E-  
05; 5F-06; 5G-04; 5H-02, 11,  
13  
3-JDF-1E-05, 08; 1F-08; 2D-01; 3C-10-  
21; 3D-01-08; 4A-06, 08, 13; 4B-10,  
12-14; 4C-07; 5A-16; 5B-05; 5C-01,  
05; 5D-03; 5E-04; 5F-03; 5G-02, 11,  
12  
3-JCRF-1E-05, 07; 1F-09; 2D-01; 3C-03-  
16; 3D-01-07; 4A-05, 06, 10; 4B-06,  
08, 09; 4C-02, 5A-09; 5B-03; 5D-01,  
02; 5E-01; 5F-01; 5G-01, 05, 06  
1-JDTP-1E-04, 07; 1F-07; 3C-06; 3D-01,  
05, 09, 11, 14, 17, 19, 23, 26, 27; 3E-04  
1-JBC-1E-07, 08; 1F-06; 2D-01; 3C14-  
23; 3D-01-08; 4A-05, 06, 12; 4B-10-12;  
4C-07; 5A-07; 5B-05; 5D-01, 13; 5E-  
01; 5F-04; 5G-04; 5H-02, 03, 11, 13  
NCCHC-Y-01, 12, 61, 71

<b>CHAPTER: Admissions</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Youth Rights</b>	
<b>POLICY NUMBER: DJJ 208</b>	
<b>TOTAL PAGES: 5</b>	
<b>DATE ISSUED: January 15, 2009</b>	<b>EFFECTIVE DATE: 1/15/09</b>
<b>APPROVAL: J. Ronald Haws</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Upon admission to a Department of Juvenile Justice program, youth shall be advised of their rights, duties, and responsibilities including their right to file a grievance.

**II. APPLICABILITY**

This policy shall apply to all DJJ Residential Facilities, Group Homes, Day Treatment Programs, Regional Juvenile Detention Facilities, and Private Child Care Providers. DJJ youth in other types of community or out-of-home placements shall have the right to file a Service Complaint with the Department of Juvenile Justice.

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### **III. DEFINITIONS**

- A. "Discrimination" means an abridgement of rights based upon a person's race, religion, color, sex, or national origin.
- B. "Grievance" means a circumstance or action considered to be unjust and grounds for complaint under the internal grievance system.

### **IV. PROCEDURES**

Written enumeration of rights shall be provided to each youth during the admission process and signed by the youth. The original shall be filed in the youth's Individual Client Record and a copy shall be provided to the youth. The following rights shall be afforded to all youth:

1. Youth shall have the right of access to the courts and confidential contact with attorneys.
2. Youth shall not be subject to and shall be free from discrimination. It shall be prohibited to discriminate based on a youth's race, religion, national origin, sex, disability, or political views in making administrative decisions and in providing access to programs.
3. Youth shall have access to the communication media through written requests or through media visits. All requests are subject only to the limitations necessary to maintain order and security and to protect the youth's rights, or as provided by law. Requests for media contact shall be acted upon in accordance with DJJ policy.
4. Youth and parents or guardians shall be involved in the treatment planning process to the maximum extent possible. Youth have the right to attend treatment planning meetings unless the behavior of the youth prohibits participation. The assigned counselor shall provide the youth with an explanation of his treatment plan, in lieu of the youth's attendance.
5. Confidentiality of the treatment record shall be maintained as provided by statutes and Department Policy (Reference KRS 610.320, 610.340 and or 635.120).
6. Audiovisual or tape recordings used as a part of the youth's treatment shall only be used for teaching or therapy purposes with written permission from youth and parents or guardians.
7. With the prior written consent of the youth and the parent or guardian, youth may participate in research studies approved by the Commissioner's Office.

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8. Youth shall be treated in a humane manner and shall have the right to be protected from exploitation, neglect, physical, sexual, and emotional abuse. This shall include corporal punishment, intentional injury, use of intimidation, threatening, or abusive language toward the youth, either verbally, in writing, or by gesture. Any suspected abuse or neglect of youth shall be reported in accordance with KRS 620.030 and DJJ Policy.
9. Youth charged with major rule violations shall be afforded due process, including the right to appeal.
10. All youth shall be provided due process consisting of notice of intent to transfer to another out-of-home placement, and an opportunity for the youth to respond either verbally or in writing at the time of notice. In the case of emergency transfers, the youth shall be provided the aforementioned due process as soon as practical.
11. There shall be equal access to programs and services for male and female youth in out-of-home placement.
12. At least two hours of recreation, one hour of which shall be active recreation, shall be provided per day in group homes, youth development centers and detention programs, under the direction of a designated recreation leader if possible. Special arrangements to provide this hour of recreation shall be made if the youth is to be separated from the group. The Cadet Leadership Education Program and Day Treatment programs shall provide a recreation program approved by the Regional Director. Under circumstances involving a critical treatment incident or medical condition, a youth may be denied recreational activity on a day-to-day basis. The youth's recreational privileges shall be restored upon resolution of the critical treatment incident or with the approval of authorized medical personnel.
13. An academic and vocational program to meet individual youth's needs shall be provided in accordance with applicable education statutes.
14. Each group home, residential and detention program shall designate space and time frames for the youth to participate in religious activities. Participation in religious services shall be voluntary. There shall be no reprisal against any youth in regard to choice for participation in religious services. However, religious practices that pose a danger to the youth, other youth, or staff, or that create a danger to the security of the facility are prohibited.
15. Youth shall have the right to refuse to participate in uncompensated work assignments unless the work is related to housekeeping or maintenance of the facility or personal hygienic needs, or the work is part of an approved vocational or training program.
16. Access to medical, dental and mental health care, including twenty-four (24) hour medical services, shall be provided.

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17. Living units shall be provided with adequate lighting, heat, ventilation and an overall safe environment maintained in compliance with state and local fire and safety laws and regulations.
18. Youth may wear personal clothing consistent with program guidelines or wear combinations of personal and facility clothing. Youth's clothing shall be kept clean, maintained in good repair and shall be sufficient to meet seasonal and protective needs of the youth.
19. A personal property inventory of all possessions shall be made for newly admitted youth in group homes, residential and detention programs. The inventory shall indicate which property is being held until discharge and shall be signed by the youth. This inventory shall be made a part of the youth's record with the youth receiving a copy. Whenever possible, property of the youth which is inappropriate for possession in a residential placement shall be returned to the parent(s) or legal guardians of the youth. Returned items shall be listed on the property inventory with a notation listing the date and to whom the items were returned. Currency shall be refunded or released to youth only during normal business hours. In an ATR situation, currency shall be available to the youth within seven (7) days of transfer.
20. Clean bedding, linens, and a towel shall be provided to each youth in group homes, residential and detention programs (to include two sheets, a pillow and pillowcase, mattress, and sufficient blankets to provide comfort under existing temperatures). Linen exchange shall be made at least once a week.
21. Youth shall be afforded daily opportunity for personal hygiene.
22. Personal hygiene articles shall be provided to each youth in group homes, residential and detention facilities (twenty-four (24) hour care). At a minimum, the following items shall be available in each program and shall be replenished as needed: combs, shampoo, soap, deodorant, toothpaste, toothbrush, and sanitary products.
23. Three meals a day and an evening snack shall be provided to each youth in group homes, residential and detention facilities (twenty-four (24) hour care). Special diets shall be provided when necessary to meet health or religious requirements.
24. Youth shall be afforded the opportunity for a sufficient night's sleep in group homes, residential and detention facilities (twenty-four (24) hour care).
25. Reading materials shall be provided to the youth during approved reading times. Sufficient lighting for reading shall be provided.
26. Youth shall have the right to receive visits, subject only to the limitations necessary to maintain order and security, or where visitation is determined by the treatment team to be detrimental to the youth's progress. Each program shall specify or designate day, time, and area for visitation. Procedures for visitation in group homes and youth development centers shall relate to treatment of the youth as specified in the treatment plan.

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27. Youth in group homes, residential and detention programs shall have the right to send mail, excepting commercial enterprise ventures, and shall be provided postage for two letters per week, excluding legal correspondence and subject to any limitation contained in DJJ Policy.
28. Youth in Day Treatment shall have access to a telephone to initiate and receive emergency personal calls. Youth in detention shall have the right to make at least two local or collect long distance calls to family members, attorneys, or other approved individuals during the admission process. Each youth in group homes, residential and detention programs 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 maintain contact with attorneys.
29. Youth shall have the right to report any problems or complaints without fear of reprisal. There shall be a written grievance procedure, which shall be explained and made available to youth, which allows for at least one (1) level of appeal.

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

The Facility Superintendent, Facilities Regional Administrator or Regional Director, and Ombudsman shall monitor these activities.



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

**505 KAR 1:100  
REFERENCES:  
3-JTS-3D-06  
3-JDF-3D-06  
3-JCRF-3D-05  
1-JDTP-3E-03  
1-JBC-3D-07  
1-SJD-3D-06**

<b>CHAPTER: Admissions</b>	<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Youth Access to Outside Investigative Agencies</b>	
<b>POLICY NUMBER: DJJ 209</b>	
<b>TOTAL PAGES: 2</b>	
<b>DATE ISSUED: January 15, 2009</b>	<b>EFFECTIVE DATE: 1/15/09</b>
<b>APPROVAL: J. Ronald Haws</b>	<b>, COMMISSIONER</b>

**I. POLICY**

Youth placed in DJJ operated or contracted residential and detention facilities shall have access to outside investigative agencies for the reporting of any act in which the health or welfare of a resident is harmed or threatened with harm by a facility staff person.

**II. APPLICABILITY**

This policy shall apply to all DJJ Residential Facilities, Group Homes, Day Treatment Programs, Regional Juvenile Detention Facilities, and Private Child Care Providers.

**III. DEFINITIONS**

- A. "Facility" means a group home, day treatment, residential treatment, or youth development center, a detention center, or any other entity or location for juvenile care operated by or contracted with the Department of Juvenile Justice for the placement of youth.
- B. "Office of Investigations ("OOI")" means Office of Investigations, Office of the Secretary, Justice and Public Safety Cabinet (500 KAR 13:020).
- C. "Special Incident" is defined in 500 KAR 13:020.

<b>POLICY NUMBER</b> <b>DJJ 209</b>	<b>ISSUE DATE</b> <b>01/15/09</b>	<b>EFFECTIVE DATE</b> <b>1/15/09</b>	<b>PAGE NUMBER</b> <b>2 of 2</b>
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#### **IV. PROCEDURES**

- A. In accordance with KRS 15A.020 and 500 KAR 13:020, the Office of Investigations of the Justice and Public Safety Cabinet shall conduct investigations of all allegations of special incidents at all residential treatment and youth development centers, group homes, and detention centers operated by or contracted with the Department of Juvenile Justice. Additionally, OOI may investigate allegations and incidents as outlined in 500 KAR 13:020.
- B. Accessing the Office of Investigations (OOI):
  - 1. Upon admission, the Superintendent or designee shall inform each youth, both verbally and in writing, of 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 harmed or threatened with harm by a facility staff person. The youth shall sign acknowledging receipt of such procedures. This signed acknowledgement shall be placed in youth's file.
  - 2. Telephones programmed to dial directly to the Office of Investigations (OOI) shall be installed, and kept in good working order, in each youth development center and treatment facility so that youth may contact the Office of Investigations (OOI).
  - 3. A toll-free number for contacting the Office of Investigations (OOI) shall be available and conspicuously posted in youth access areas of group homes and detention facilities.
  - 4. Telephones shall be located in areas that provide maximum availability while preserving program scheduling and services.
- C. Youth involved in Day Treatment or any other community-based DJJ program may also report allegations of special incidents by telephone to the local Cabinet of Health and Family Services (CHFS) office.

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

This activity shall be monitored by the Superintendent, Division of Program Services, and the Facility Residential Administrator or Regional Director.



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**505 KAR 1:100  
REFERENCES:  
KRS Chapter 615**

**CHAPTER: Admissions**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Interstate Referrals**

**POLICY NUMBER: DJJ 210**

**TOTAL PAGES: 3**

**DATE ISSUED: January 15, 2009**

**EFFECTIVE DATE: 1/15/09**

**APPROVAL: J. Ronald Haws**

**, COMMISSIONER**

## **I. POLICY**

All out-of-state placements of committed or probated youths shall be referred for supervision through the Interstate Compact prior to placement. The sending state shall establish the jurisdictional limits of the duration of supervision for youths placed on probation or parole. Courtesy supervision shall, at a minimum, be the equivalent of that offered to youths who are residents of the receiving state.

## **II. APPLICABILITY**

This policy shall apply to all youth committed or probated to the Kentucky Department of Juvenile Justice who are being considered for out-of-state placement and to all youth who are probated or committed in another state and being considered for placement under the supervision of the Department of Juvenile Justice in Kentucky.

## **III. DEFINITIONS**

- A. "Parolee" means a person who has been committed as a delinquent or a status offender or who has been conditionally released from an institutional facility or community program authorized by the jurisdictional state.
- B. "Probationer" means a person who is a status or public offender and is placed by the court in the community under supervision of an authorized agency.
- C. "Receiving State" means the state or territory in which the youth is placed for supervision under the provisions of the Interstate Compact on Juveniles.
- D. "Sending State" means the state or territory with current jurisdiction over the placement of the youth and has sent a youth to another state for supervision under the provisions of the Interstate Compact on Juveniles.

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#### **IV. PROCEDURES**

- A. **Referrals from Other States:** Upon receipt of a referral from the sending state, the Compact Administrator or designee shall view the materials and, if complete, forward the packet to the Juvenile Services District Supervisor for the proposed county of residence for the youth. The Juvenile Services District Supervisor shall assign the referral to the appropriate worker for investigation. The worker shall complete the home investigation and prepare a written Interstate Home Evaluation Report summarizing their findings and recommendations regarding the placement of the youth. This report shall be submitted for the review of the Juvenile Services District Supervisor and forwarded to the Compact Administrator or designee within thirty (30) working days following referral. Investigations shall be completed and returned to the Compact Administrator or designee in triplicate.
- B. **Referrals from Kentucky:** When initiating a referral to place a youth in another state, the worker shall complete a written request through the Juvenile Services District Supervisor to the Kentucky Compact Administrator or designee for the placement investigation. Youths who are placed in DJJ residential facilities shall be referred by the Superintendent or designee in consultation with the youth's Community Juvenile Service Worker. Referrals for placement shall include, but are not limited to, the following information:
1. A cover letter delineating the reason for the request to include the proposed placement and restitution orders from the court, if any;
  2. A current Social History and Risk-Needs Assessment;
  3. Court documents: petitions, court calendars, commitment order(s), or probation order(s), to include any special orders of the court (i.e., for community service hours or restitution payments);
  4. Conditions of probation or parole (supervised placement agreement) signed by the youth and witnessed;
  5. Additional available information may include: educational, medical, and psychological reports. If the youth is a declared juvenile sexual offender, a psychosexual assessment and relapse prevention plan are required;
  6. Current Treatment Plan;
  7. "Application for Services and Waiver" (ICJ Form 1A-VI) with required signatures; and
  8. "Probation or Parole Investigation Request" (ICJ Form IV).

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- C. The Compact Administrator or designee shall verify that the referral is complete before forwarding the materials to the proposed receiving state.
- D. Upon receiving a report from the receiving state, the Compact Administrator or designee shall advise the local community worker or residential facility.
- E. The community worker or residential facility shall notify the Compact Administrator or designee sufficiently in advance of the date of the youth's pending placement and travel plan.
- F. The Compact Administrator or designee shall make the appropriate travel arrangements and complete the "Report of Sending State upon Parolee or Probationer Being Sent to the Receiving State" (ICJ Form V).
- G. Following placement, the supervising worker in the receiving state shall submit an arrival report within thirty (30) days and quarterly progress reports thereafter. These reports shall be submitted to the DJJ Compact Administrator.
- H. Termination of supervision shall be granted only by the sending state. Upon official notification from the Compact Administrator, the Compact portion of the youth's case may be closed.

**V. MONITORING MECHANISM**

The Classification Branch Manager, Division Director of Placement Services and the Deputy Commissioner of Program Operations shall monitor all activities related to the Interstate Compact on Juveniles.

	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>505 KAR 1:100 REFERENCES:</b>
<b>CHAPTER: Admissions</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Interstate Runaways, Escapees and Absconders</b>		
<b>POLICY NUMBER: DJJ 211</b>		
<b>TOTAL PAGES: 4</b>		
<b>DATE ISSUED: January 15, 2009</b>		<b>EFFECTIVE DATE: 1/15/09</b>
<b>APPROVAL: J. Ronald Haws</b>		<b>, COMMISSIONER</b>

## **I. POLICY**

Upon apprehension, youth who have run away, escaped or absconded, or are AWOL shall be afforded due process for extradition in the appropriate court in the holding state. No youth who is under the jurisdiction of a court, public agency, or private agency shall be released to the home jurisdiction without verification from the Compact in the holding state that all due process requirements have been met.

## **II. APPLICABILITY**

This policy shall apply to all youth committed or probated to, or detained in a facility operated by or under contract with, the Kentucky Department of Juvenile Justice who have run away, escaped or absconded, or are AWOL and are apprehended in another state; and to all youth probated, committed, or detained in another state who have run away, escaped or absconded and are apprehended in Kentucky.

## **III. DEFINITIONS**

- A. "Absconder" means a youth who leaves the state of legal jurisdiction without written authority in an effort to avoid legal process or supervision and flees to another state.
- B. "Absent With Out Leave ("AWOL")" for the purpose of Interstate supervision means a youth that leaves an approved placement without advanced approval from the supervising authority.
- C. "Escapee" means a youth who has made an unauthorized exit from a facility, group home, detention program, or home incarceration program to another state.
- D. "Holding State" means the state in which a youth is apprehended and detained pending extradition.

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- E. “Requesting State” means the state of legal residence of the youth or state in which a warrant, pickup order, or requisition has been issued.
- F. “Runaway” means a youth who is within the jurisdictional age limit established by his home state and leaves the active custody of a parent, guardian, or person or agency having legal custody or supervision without permission and flees to another state.

#### **IV. PROCEDURES**

- A. **Under no circumstances** shall DJJ staff transport a youth who is on AWOL status back from another state without confirmation from the Compact Office that due process has been served and the youth is free for extradition.
- B. Voluntary Extradition of Youth Apprehended in Kentucky:
  - 1. Upon notification that a youth from another state has been apprehended in Kentucky, the DJJ Juvenile Service Worker shall contact the Kentucky Compact Administrator or designee and provide the identifying information on the youth, the nature of any charges, and the date of the court hearing.
  - 2. If there are pending charges filed in Kentucky, the Juvenile Service Worker shall ensure that the charges have been disposed of prior to the extradition occurring.
  - 3. The Juvenile Service Worker shall ensure that the Kentucky court is provided with the “Consent for Voluntary Return by Runaway, Escapee or Absconder” (ICJ Form III) and the “Juvenile Rights” form for completion in open court. The Juvenile Service Worker shall secure a detailed physical and clothing description of the juvenile for inclusion on the Form III.
  - 4. If the youth agrees to voluntary extradition and both the youth and judge sign the required documents, the Juvenile Service Worker shall provide copies of both forms via fax or Global Scan to the Kentucky Compact Administrator.
  - 5. Upon notification from the requesting state Compact Administrator or designee of the return travel arrangements, the Kentucky Compact Administrator or designee shall provide this information to the Juvenile Service Worker. The Compact Administrator or designee shall make the appropriate ground transportation arrangements, if necessary, to transport the juvenile from detention to a designated departure point agreed upon by the requesting state.

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6. The youth may be held in secure detention pending completion of the extradition process. The cost of detention and in-state transportation shall be the responsibility of the holding state. Air or special ground transportation arrangements and their costs shall be the responsibility of the home state and shall be made within five (5) working days of notification of the completion of the extradition process.
7. If the youth refuses to comply with the option for voluntary extradition, the youth shall be held in secure detention pending the initiation of a requisition for involuntary extradition or Governor's warrant by the requesting state. Under no circumstances shall the youth be held in a Department of Juvenile Justice group home or youth development center pending extradition. All information shall be transmitted immediately to the Kentucky Compact Office via fax, e-mail, or Global Scan.

C. Voluntary Extradition of Youth Apprehended in Another State:

1. Upon notification from the holding state that a youth who is a resident of Kentucky has been apprehended, the Kentucky Compact Administrator or designee shall notify the Juvenile Service Worker or Juvenile Service District Supervisor.
2. It shall be the responsibility of the Compact Administrator or designee in the holding state to ensure that all extradition procedures are followed by staff and the courts of the holding state. Under no circumstances shall Kentucky staff attend any court hearings unless authorized by the Kentucky Compact Administrator. The cost of detention shall be the responsibility of the court of jurisdiction in the holding state.
3. Upon notification from the Compact Administrator or designee in the holding state that the voluntary extradition process has been completed, the Kentucky Compact Administrator or designee shall coordinate the return transportation arrangements and contact the Juvenile Service Worker or the Juvenile Service District Supervisor of the planned return. To the extent possible, the Compact Administrator or designee shall avoid making transportation arrangements on weekends, holidays, or after normal working hours in order to ensure the availability of staff to place the youth.

D. **Involuntary Extradition:** In some cases, the youth, either on their own accord or through advice of the *guardian ad litem*, may refuse to agree to voluntary extradition. Should this situation occur, the Kentucky Compact Administrator or designee shall take the proper steps to initiate the "Requisition for Escapee or Absconder" (ICJ Form II). In situations in which the court refuses to honor the Requisition for Escapee or Absconder, the Kentucky Compact Administrator or designee may request a Governor's Warrant.

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**V. MONITORING MECHANISM**

The Classification Branch Manager, Division Director of Placement Services and the Deputy Commissioner of Program Operations shall monitor all activities related to the Interstate Compact on Juveniles.



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DEPARTMENT OF  
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POLICY AND PROCEDURES**

**505 KAR 1:100  
REFERENCES:**

**CHAPTER: Admissions**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Interstate Purchase Of Care**

**POLICY NUMBER: DJJ 212**

**TOTAL PAGES: 2**

**DATE ISSUED: January 15, 2009**

**EFFECTIVE DATE: 1/15/09**

**APPROVAL: J. Ronald Haws**

**, COMMISSIONER**

**I. POLICY**

Referrals for out-of-state purchase of care may be initiated if there are no resources within Kentucky to meet the youth's specific treatment needs.

**II. APPLICABILITY**

This policy shall apply to all youth committed to the Department of Juvenile Justice who are being referred for out-of-state placement.

**III. DEFINITION**

"Early Periodic Screening Diagnosis and Treatment ("EPSDT")" is a Medicaid program that pays for a variety of early services for children including psychiatric hospital extended care. Approval for these services requires reauthorization through Medicaid.

**IV. PROCEDURE**

- A. Referrals for the placement of a youth in an out-of-state purchase of residential care facility shall be made through supervisory channels to the Deputy Commissioner of Program Operations. If the placement is appropriate and the proposed facility is in good standing with the licensing agency in the receiving state, the Commissioner and the facility may enter into a contractual agreement for the placement.
- B. The referring DJJ Department staff shall ensure that application is made to the Department of Medicaid Services via the Regional Child Benefits Specialist for payment of the out-of-state treatment expenses under the ("EPSDT") program.
- C. Upon notification that the placement has been approved and the financial arrangements are finalized, the Juvenile Service Worker shall schedule a court hearing in compliance with KRS 615.030. A copy of the court calendar listing

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the results of the court hearing shall be transmitted to the Compact Administrator.

- D. The Kentucky Compact Administrator or designee shall complete the required Interstate Compact on Placement of Children (“ICPC”) forms in consultation with ICPC Deputy Administrator or designee. Transportation arrangements shall be made by the Kentucky Compact Administrator or designee upon completion of the placement approval process.

**V. MONITORING MECHANISM**

The Division of Program Services shall ensure that on-site monitoring of the out-of-state purchase of care facility is conducted a minimum of two (2) times per year pursuant 42 U.S.C. §675 [formerly PL103-432, §209].



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**505 KAR 1:100  
REFERENCES:**

**CHAPTER: Admissions**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Interstate Travel**

**POLICY NUMBER: DJJ 213**

**TOTAL PAGES: 3**

**DATE ISSUED: January 15, 2009**

**EFFECTIVE DATE: 1/15/09**

**APPROVAL: J. Ronald Haws**

**, COMMISSIONER**

## **I. POLICY**

All travel arrangements for youth who are being placed in another state, are traveling on furlough status to another state, or are being returned to Kentucky from AWOL or Escape in another state, shall be made through the Compact Office. Travel arrangements shall be completed by the Compact Administrator or designee commensurate with the level of security required to ensure both youth and public safety.

## **II. APPLICABILITY**

This policy shall apply to all youth probated or committed to the Department of Juvenile Justice who are traveling out-of-state for any purpose; and to escapees from DJJ juvenile detention facilities apprehended in another state and being returned to Kentucky.

## **III. DEFINITION**

Not Applicable

## **IV. PROCEDURES**

### **A. Travel for Vacation or Visit Only:**

1. Upon notification from the youth and parent or guardian that it is planned for a probated or committed youth to travel to another state for a period exceeding twenty-four (24) hours, the supervising Juvenile Service Worker shall complete an Interstate Out-of-State Travel Permit and Agreement to Return Form and route the request through the established supervisory chain of command in the Community and Mental Health Services Division.

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2. The completed, signed document shall be sent, in the most expeditious manner possible, to the Compact Administrator or designee for approval. It shall be the responsibility of the Compact Administrator or designee to obtain approval or denial through the established Central Office management levels up to and including the Commissioner's Office, if required, and forward the information to the state of the visit or vacation, and also to any states that the youth may be traveling through to reach their destination.

**B. Travel for Placement or Furlough:**

1. The supervising Juvenile Service Worker or Superintendent may request that the juvenile be allowed a visit or furlough to test the viability of an Interstate placement.
2. Upon notification from the Compact Administrator or designee that the placement or furlough of the youth has been approved by the receiving state, the referring worker or facility Superintendent shall notify the Kentucky Compact Administrator or designee of the projected date of travel for the youth. The Compact Administrator or designee shall initiate the completion of the "Report of Sending State upon Parole or Probationer being Sent to the Receiving State" (ICJ Form V) or "Travel Permit" as appropriate for forwarding to the receiving state.

**C. Travel for Return of AWOL's:**

Upon verification that all due process criteria have been met, the Kentucky Compact Administrator or designee shall make the appropriate travel arrangements.

**D. Emergency Travel**

Travel permits for youth with family emergencies such as illness or death of a parent, sibling, or grandparent shall be submitted through the regional chain of command in the most expedient manner possible. The Regional Director shall forward these requests to the Commissioner's Office. Approval of such travel may be granted after determining that the facility has taken appropriate precautions to assure the safety of the youth and the public while the youth is in travel status.

**E. Travel Outside the Continental United States**

Any travel by committed youth outside the continental United States shall be approved by the Commissioner's Office.

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**V. MONITORING MECHANISM**

The Classification Branch Manager, Division Director of Placement Services and the Deputy Commissioner of Program Operations shall monitor all activities related to the Interstate Compact on Juveniles.



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**505 KAR 1:100  
REFERENCES:**

**CHAPTER: Admissions**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Interstate Revocations and Case  
Closure**

**POLICY NUMBER: DJJ 214**

**TOTAL PAGES: 2**

**DATE ISSUED: January 15, 2009**

**EFFECTIVE DATE: 1/15/09**

**APPROVAL: J. Ronald Haws**

**, COMMISSIONER**

**I. POLICY**

The sending state shall have exclusive jurisdiction in determining decisions regarding revocation and case closure.

**II. APPLICABILITY**

This policy shall apply to all youth who are probated or committed in another state and placed under the supervision of the Kentucky Department of Juvenile Justice through the Interstate Compact on Juveniles.

**III. DEFINITION**

Not Applicable

**IV. PROCEDURES**

**A. Revocation:** The supervising Juvenile Service Worker shall notify the Compact Administrator or designee in writing of any violations of probation or parole incurred by the youth under interstate courtesy supervision. The correspondence shall include the condition violated, corrective action taken, and the reason for recommending revocation, if such action is being proposed. Revocation of the interstate youth shall be proposed to the sending state if similar violations would result in a request for revocation for a Kentucky youth. If the youth is before the court in Kentucky for a public or status offense, these charges shall be adjudicated and a disposition order entered.

**B. Termination of Supervision:** When it has been determined by the supervising Juvenile Service Worker and the Juvenile Services District Supervisor that the youth has complied with all terms of probation or parole and can be safely released or terminated from supervision, a letter of recommendation shall be sent to the Compact Administrator or designee for forwarding to the sending state. Only the sending state has the jurisdiction to

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authorize a termination of supervision. If the termination request is denied by the sending state, all supervisory services to the youth shall continue.

**V. MONITORING MECHANISM**

The Classification Branch Manager, Division Director of Placement Services and the Deputy Commissioner of Program Operations shall monitor all activities related to the Interstate Compact on Juveniles.



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**505 KAR 1:100  
REFERENCES:**

**CHAPTER: Admissions**

**AUTHORITY: KRS 15A.065**

**SUBJECT: Advanced Care Unit**

**POLICY NUMBER: 217**

**TOTAL PAGES: 3**

**DATE ISSUED: January 15, 2009**

**EFFECTIVE DATE: 1/15/09**

**POLICY APPROVAL: J. Ronald Haws**

**, COMMISSIONER**

## **I. POLICY**

The Advanced Care Unit (ACU) shall operate as a short term, self-contained program designed to stabilize committed youth who are in a Department of Juvenile Justice placement with known, documented or suspected mental health histories, and to develop a transition plan for a continuation of needed services. Length of stay on the ACU shall not exceed sixty (60) days without the prior approval of the ACU Committee. Movement of a youth to the ACU is not a new placement and will not require an Administrative Transfer Request (ATR).

## **II. APPLICABILITY**

This policy shall apply to all DJJ operated or contracted facilities, to all employees, agents, and programs for the Department and to the youth who are committed or sentenced to the Department who are in an out-of-home placement.

## **III. DEFINITIONS**

- A. "ACU Committee" is defined as Department of Juvenile Justice staff responsible for the intake, program monitoring and discharge decisions for the Audubon Advanced Care Unit.
- B. "Referral Source" means any youth development center, group home, or private child care facility housing youth committed to the Department that requests services for a youth at the ACU.
- C. "Self-Contained Unit" means an area separate from regular programming by use of a locked door consisting of ten (10) individual sleeping rooms, dedicated classrooms, recreation, living, and eating areas.
- D. "Special Management Plan (SMP)" means a behavioral contract between the facility treatment team and the youth that details specialized behavioral expectations for that individual.

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#### **IV. PROCEDURES**

##### **A. ADMISSION TO THE ACU**

Referral to the Advanced Care Unit, which is located within the Audubon Youth Development Center, shall initiate from youth development centers, group homes, and private child care placements within the Department of Juvenile Justice. Referrals are also required for youth from other units within the Audubon YDC. The following admission criteria shall be used by the ACU Committee in making their placement decision. All of the following shall apply:

1. Youth is currently exhibiting a need for assessment for medical or psychiatric treatment as a result of serious dysfunction in behavior, judgment, thinking, or mood;
2. If not admitted to the ACU, the youth will continue to suffer severe emotional distress that may lead to deterioration in functioning; and
3. The ACU is the least restrictive placement in the DJJ continuum of care that can safely and efficiently meet the treatment and behavioral needs of the youth at the time of referral as determined by the ACU Committee.

##### **B. ADVANCED CARE UNIT COMMITTEE**

1. The Advanced Care Unit Committee shall include the Chief of Mental Health Services, the Director of Community and Mental Health Services or designee, the Audubon Superintendent, the Chief of Medical Services or designee, the Central Region Division Director or designee, the Classification Branch Manager or designee, and the Audubon Treatment Director or Facility Psychologist.
2. The ACU Committee shall review all referral information submitted and determine if admission to the ACU is necessary. The committee shall develop a consensus opinion regarding the appropriateness of admission to the ACU with the Chief of Mental Health Services or designee making the final determination. If the youth does not meet the admission criteria, the ACU Committee shall make formal recommendations for care and treatment goals for management to the referral source.

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### 3. RELEASE CRITERIA

- a. The Treatment Team shall review the youth's progress to determine a transition plan. The youth shall be released from ACU when one of the following has occurred:
  - (1) Youth has achieved and continues to demonstrate SMP Goals which may result in return to placement; or
  - (2) An acute psychiatric crisis resulting in hospitalization.
- b. If a youth has not fully stabilized or has not been able to transition back to an appropriate setting at the end of the sixty (60) day treatment period the treatment team may upon review deem that additional treatment work is needed to achieve stability and extend the youth's stay on the unit. The treatment team will review the case frequently and make recommendations for placement needs as the youth's condition changes.
- c. The treatment team shall complete a discharge summary and submit it to the ACU Committee for review and approval. The discharge summary shall include the interventions attempted with outcomes and recommendations for future interventions.
- d. The youth shall be returned to placement as soon as practical after approved for discharge from ACU. If the youth is not returned to the sending facility upon release from the Advanced Care Unit, but needs to remain in residential placement, the ATR process shall be followed.

### V. MONITORING MECHANISM

The Facility Psychologist, Audubon Superintendent, Regional Psychologist, Facilities Regional Administrator, and Division Director shall monitor ACU weekly.

# **Classification and Placement Manual**

**Kentucky Department of Juvenile Justice**

**January 15, 2009**

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## MISSION STATEMENT AND DEFINITIONS

### **Mission Statement:**

The mission of the Kentucky Department of Juvenile Justice (“DJJ”) is to improve public safety by providing balanced and comprehensive services that hold youth accountable, and to provide the opportunity for youth to develop into productive, responsible citizens.

The Department's vision is to be an organization of well-trained professionals dedicated to the positive development of youth who contribute to safe and caring communities.

The purpose of the DJJ Classification System is to provide an objective method by which to determine the treatment needs of juveniles and the level of supervision required to provide such treatment.

### **Definitions:**

**Adjudication** means a judicial determination (judgment) that a juvenile is responsible for a public offense or status offense that is charged in a petition or other charging document.

**Administrative Transfer Request (“ATR”)** is a request for consideration of change in placement for any youth in out-of-home placement.

**Absent Without Leave (“AWOL”)** means a public offender or youthful offender is absent without permission while on furlough, day release, probation, parole, conditions of supervised placement or from placement in therapeutic foster care or foster family home.

**Child and Adolescent Service Intensity Instrument (“CASII”)** means a mental health assessment tool that determines the type of mental health treatment needed for a child or adolescent and level of placement.

**Classification** means a system for determining the least restrictive environment within which the youth’s treatment needs can safely be met, identifying special needs of a youth, and identifying the level of structure and supervision required by a youth.

**Group Home** means a residential program emphasizing family-style living in a homelike environment that generally houses eight (8) to ten (10) youth.

**Maximum Secure Facility** means a juvenile residential facility which includes construction features designed to physically restrict the movements and activities of persons in custody. These features include locked rooms and units, buildings with a control center, security fences, or other advanced security measures as deemed necessary by the Commissioner of the Department of Juvenile Justice.

**Placement** means the assigned residence of a youth in the placement continuum that ranges from Level 0 through Level V, with Level 0 being community placement arranged by the parent or guardian and approved by the Juvenile Services District Supervisor and Level I through V placements being out-of-home placements determined by the Division of Placement Services, Classification Branch.

**Private Child Care** means a privately owned and operated agency or company that provides residential services for the youth in accordance with contracts or agreements with the Department of Juvenile Justice.

**Probation** means a case in which the youth is placed on court-ordered supervision.

**Psychiatric Residential Treatment Facility** (“PRTF”) is defined in KRS 216B.450.

**Therapeutic Foster Care** means an out-of-home placement providing twenty-four (24) hour care for a youth in the private home of an individual or family, which provides therapeutic and treatment services to foster parents and youth. Such placement is to be arranged by DJJ through a properly licensed provider with a Therapeutic Foster Care component.

**Treatment means** the provision of professional services to address behavioral, educational, psychological, and medical needs.

**Treatment Team** means the professionals, youth, family members, and other supporters who work in conjunction to assist and support youth in achieving goals.

**Youth Level of Service/Case Management Inventory** (“YLS”) means a structured assessment tool or standardized instrument for use by professional workers in assessing risk, need, and responsibility factors in clients and in the formulation of a case plan.

**Youth Level of Service (YLS) Scoring Definitions**

- Low: 0-8
- Moderate: 9-22
- High: 23 and over

## PROCESS

### The classification process includes the following:

- Initial dispositional recommendation is completed by the Juvenile Service Worker (“JSW”) with Juvenile Services District Supervisor (“JSDS”) approval; and
- For youth committed or sentenced, a determination shall be made for appropriateness for placement referral.
- Referral for and placement in out-of-home placement, if appropriate.

### The Level of Placement Continuum:

Level 0	Home or other placement arranged by parent or guardian on conditions of supervision, as defined by DJJPP 600.
Level I	Therapeutic Foster Care (“TFC”)
Level II	Group Home (“GH”), Private Child Care Providers (“PCC”), Psychiatric Hospital admissions greater than thirty (30) days, and Psychiatric Residential Treatment Facility (“PRTF”)
Level III	Staff Secure Youth Development Centers (“YDC”)
Level IV	Physically Secure Youth Development Center
Level V	Maximum Secure Youth Development Center

## DISPOSITIONAL RECOMMENDATION

**I. Initial Assessment and Recommendation:** When a youth is adjudicated on a public offense and DJJ is ordered to make a recommendation to the court, the Juvenile Service Worker (“JSW”) shall use the following process as a guide to recommend no services or alternative services, probation, or commitment:

**A. Public Offender**

1. Refer all youth adjudicated of a sexual offense, as defined in KRS 635.505(2), to the Mental Health Regional Psychologist for a juvenile sexual offender assessment to be completed prior to disposition.
2. Gather all relevant documentation as required by KRS 610.100 for Predisposition Investigation (“PDI”) preparation.
3. Complete YLS interview and Information Management System entry.
4. Evaluate all relevant assessment tools and information gathered (including but not limited to YLS, Psycho-sexual, CASII, psychological, etc.).
5. The JSWS shall review and approve each Predisposition Investigation report prior to submission to the court.

**B. Youthful Offender**

When a youth is convicted by a Circuit Court the JSW shall use the following process:

1. Refer all youth convicted of a sexual offense, as defined in KRS 635.505(2), to the Mental Health Regional Psychologist for a juvenile sexual offender assessment to be completed prior to sentencing.
2. Gather all relevant documentation as required by KRS 532.050 and KRS 640.030 for Presentence Investigation (“PSI”) preparation.
3. Complete YLS interview and Information Management System entry.
4. Evaluate all relevant assessment tools and information gathered (including but not limited to YLS, Psycho-sexual, CASII, psychological, etc.).
5. The JSWS shall review and approve each Presentence Investigation report prior to submission to the court.

## II. Recommendation Options

- A. **Recommendation for No Services or Alternative Services:** The recommendation for no services or referral to alternative services shall be within the discretion of the JSW after consultation and approval by the Juvenile Services District Supervisor (“JSDS”). Factors which shall be considered for recommendation of no services or alternative services include:
1. Services are available in the community to meet the youth’s current treatment needs; and
  2. The ability of the parent or other family members, including extended family, to provide adequate supervision of the youth and demonstrate willingness to participate in youth’s treatment; and
  3. Community safety is not at issue because the youth’s current or prior behavior, other than the adjudicated offense, would not indicate a significant risk of harm to self or others.
- B. **Recommendation of Probation:** The recommendation for probation shall be within the discretion of the JSW after consultation and approval by the JSDS.
1. If the youth’s YLS is low or moderate, there shall be a presumption of a recommendation of Probation.
  2. Factors which shall be considered when evaluating a recommendation for Probation include:
    - a. Services are available in the community to meet the youth’s current treatment needs; or
    - b. The ability of the parent or other family members, including extended family, to provide adequate supervision of the youth and demonstrate willingness to participate in youth’s treatment; or
    - c. Community safety is not at issue because the youth’s current or prior behavior, other than the adjudicated offense, would not indicate a significant risk of harm to self or others.
  3. If the youth is under the age of twelve (12) or over the age of eighteen (18) alternative dispositions may be recommended.

C. **Recommendation of Commitment:** The recommendation for commitment shall be within the discretion of the JSW after consultation and approval by the Juvenile Services District Supervisor JSDS.

1. Factors which shall be considered when evaluating a recommendation for Commitment include:
  - a. Services are not available in the community to meet the youth's current treatment needs.
  - b. The inability of the parent or other family members, including extended family, to provide adequate supervision of the youth or an unwillingness to participate in the youth's treatment.
  - c. Community safety is at issue because the youth's current or prior behavior, other than the adjudicated offense, indicates a significant risk of harm to self or others.
2. Youth has been designated as a Juvenile Sexual Offender pursuant to KRS 635.505 and KRS 635.510.

### **III. Actions After Disposition**

The JSW shall send notification of final disposition and phase level electronically to the Classification Branch. Classification Branch staff shall then enter disposition information into the Information Management System.

#### **A. Disposition of No Services or Alternative Services**

1. If the youth will receive no services, no further action is required by the JSW.
2. If the youth will receive Alternative Services, the JSW shall include the recommended services in the recommendation section of the Predisposition Investigation report to the court and request that these services be court ordered.

#### **B. Disposition of Probation**

1. The JSW, in consultation with and approval of JSDS, shall determine the appropriate phase level.
2. The JSW shall provide case management.

**C. Disposition of Commitment**

1. If the youth will remain in the Community:
  - a. Factors to consider for committed youth to remain in the community on **Conditions of Supervised Placement** shall be:
    - i. Current commitment to the Cabinet for Health and Family Services (“CHFS”).
    - ii. Services available in the community, to include DJJ Community and Mental Health Services and all other non-DJJ agencies, to address treatment needs have not been exhausted.
    - iii. Family participation in treatment and supervision is appropriate.
    - iv. Age of youth under twelve (12) years old.
  - b. The JSW, in consultation with and approval of JSDS, shall determine the appropriate phase level.
  - c. The JSW shall provide case management.
  - d. If factors for youth to remain in the community on Supervised Placement cannot be met or are not present, youth shall be referred for out-of-home placement.
2. If the youth will be in Out-of-Home Placement:
  - a. Factors to consider for committed youth to be in **Out-of-Home Placement** shall be: (Note: JSW will complete a justification for placement).
    - i. Previous DJJ probation or commitment.
    - ii. Current commitment to the Cabinet for Health and Family Services (“CHFS”) and exhibiting disruptive behaviors.
    - iii. Previous commitment or placement with CHFS (status or beyond control behavior).
    - iv. Community resources exhausted or non-existent.
    - v. Documented AWOL risk.
    - vi. Family situation such that little or no supervision exists.

- vii. The seriousness of offense, to include Class A or B felonies, or offenses which resulted in physical injury to victim, use of a weapon, exertion of physical force as to injure or abuse, or extensive property damage (including fire setting). Note: Documentation (Petitions, Victim Statements, etc) must be included.
  - viii. Community safety is at issue because the youth's current or prior behavior, other than the adjudicated offense, indicates a significant risk of harm to self or others.
  - ix. Multiple adjudications on current disposition.
  - x. Previous placement disruptions.
- b. JSW shall assess and refer for placement, if appropriate.
  - c. JSW shall provide case management.
  - d. If the youth has disabilities such as deafness, blindness, chronic illness, or physical disabilities, consideration shall be given for the youth to remain in a community placement and be provided the appropriate treatment.

**D. Sentenced Youthful Offenders**

- 1. Probated Youthful Offenders:
  - a. JSW, in consultation with and approval of JSDS, shall determine appropriate phase level; and
  - b. JSW shall provide case management.
- 2. Youthful Offenders Sentenced to Confinement
  - a. JSW shall refer the youth for out-of-home placement; and
  - b. JSW shall provide case management.

**INTERSTATE COMPACT**

Youth on probation or parole in another state and processed through Interstate Compact for supervision in Kentucky shall be subject to DJJ's community phase system.

## INITIAL PLACEMENTS

### I. Community Process for Out-Of-Home Placement Requests

- A. For youth committed or sentenced, to include youth committed on probation violations or whose supervised placement has been revoked and determined by the Juvenile Service Worker (JSW) and Juvenile Service District Supervisor (JSDS) to need out-of-home placement, the following process shall be followed by the JSW and JSDS:

The JSW shall compile the out-of-home placement packet to include the following:

1. Face Sheet;
2. Out-of-Home Justification;
3. Petitions (related to current commitment);
4. Commitment Orders or Sentencing Order;
5. All Relevant Assessment Information (Psychological report, Psychosexual evaluation, Global Appraisal of Individual Needs (“GAIN”), Child Adolescent Service Intensity Instrument (CASII), Youth Level of Service/Case Management Inventory (YLS), Jessman Service Inventory);
6. Social History (Information recorded in the Information Management System);
7. Predisposition Investigation (PDI) or Presentence Investigation (“PSI”);
8. Medical, School, or Detention reports, if applicable and available;
9. Probation Violation report or Supervised Placement Revocation packet, if applicable, including Director’s Letter;
10. Educational Records;
11. Discharge Summaries from other programs, if applicable; and
12. Incident Reports, if applicable.

- B. Referrals for out-of-home placement shall be approved by the JSDS. The JSW shall submit the out-of-home placement packet electronically to the Classification Branch within seven (7) working days after commitment or the revocation decision, unless an extension is approved by the JSDS.

- II. Classification process to determine out-of-home placement
- A. After the out-of-home placement packet is received electronically by Classification Branch staff, the documents shall be reviewed for accuracy and completeness. Classification may reject the referral or request additional information to be submitted. Rejection of a referral may be because the youth is determined to be inappropriate for out-of-home placement, the referral is incomplete, or for other reasons as determined by Classification staff. The final decision as to whether a youth is placed is the responsibility of the Classification Branch Manager or designee.
  - B. If the Classification Branch Manager or designee determines the youth is not appropriate for placement the Juvenile Services Specialist (“JSS”), JSW and JSDS shall be notified of the reasons for rejection. A request for an override may be made through the Community and Mental Health Services Division Director to the Director of the Division of Placement Services (refer to Section III below).
  - C. If the Classification Branch Manager or designee decides a youth shall be placed, the process outlined below shall be followed. Placement decisions shall be made with respect to treatment needs of the youth, community safety, and consideration of the least restrictive available placement which is closest to the youth’s place of residence.
  - D. Any initial placement of a Youthful Offender in a program with a security level lower than a Level III YDC shall require written approval of the Commissioner of the Department of Juvenile Justice.
  - E. The Classification Branch Manager or designee shall consider placement levels when determining out-of-home placement in accordance with the criteria outlined below:
    - 1. If the youth has a low YLS score (0-8):
      - a. Factors for consideration for placement in Level I (Therapeutic Foster Care (“TFC”)) include:
        - i. Youth’s ability to function appropriately in public school.
        - ii. The availability of services needed to address youth’s treatment needs.
        - iii. Services available in community but parent or other family members, including extended family, lack the ability to provide adequate supervision of the youth.
        - iv. Offense does not involve use of weapon or serious physical injury to victim.

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- v. Community safety is not an issue because the youth's current or prior behavior, other than the adjudicated offense, does not indicate a significant risk of harm to self or others.
  - vi. Age-appropriateness of youth. For youth aged twelve (12) and younger, possible for youth aged thirteen (13) through seventeen (17), not for youth aged eighteen (18) and over. Exceptions to this may occur based on the availability of specialized programming.
- b. Factors for consideration for placement in Level II (PCC or GH) include:
- i. Youth's level of supervision requires twenty-four (24) hours a day, seven (7) days a week staffing. (Referring to the difference between TFC and GH or Residential PCC setting).
  - ii. Services available in the community are not adequate to address youth's identified treatment needs.
  - iii. Community safety is not an issue because the youth's current or prior behavior, other than the adjudicated offense, does not indicate a significant risk of harm to self or others.
  - iv. Age-appropriateness of youth. For youth aged twelve (12) and younger, possible for youth aged thirteen (13) through seventeen (17), not for youth aged eighteen (18) and over. Exceptions to this may occur based on the availability of specialized programming.
- c. Factors for Consideration for placement in Level III YDC include:
- i. Community safety is at issue because the youth's current or prior behavior, other than the adjudicated offense, indicates a significant risk of harm to self or others.
  - ii. Use of weapon.
  - iii. Serious physical injury to victim. Reference KRS 500.080(15).
  - iv. Prior placement in Level II (GH/PCC) which was not successful due to youth being removed from program or failing to complete the treatment program.
  - v. Multiple adjudications in current disposition.
  - vi. Age-appropriateness of youth. Not typically for youth twelve (12) and under. Exceptions to this may occur based on the availability of specialized programming.

2. If youth has a moderate YLS score (9-22):
  - a. Factors for Consideration for placement in Level I include:
    - i. Youth's ability to function appropriately in public school.
    - ii. Services are available through the foster care provider to address youth's identified treatment needs.
    - iii. Services may be available in community, but parent or other family members, including extended family, lack the ability to provide adequate supervision of the youth.
    - iv. Offense does not involve use of weapon or serious physical injury to victim.
    - v. Community safety is not at issue because the youth's current or prior behavior, other than the adjudicated offense, does not indicate a significant risk of harm to self or others.
    - vi. Age-appropriateness of youth. For youth aged twelve (12) and younger, possible for youth aged thirteen (13) through seventeen (17), not for youth aged eighteen (18) and over. Exceptions to this may occur based on the availability of specialized programming.
  - b. Factors for Consideration for placement in Level II (GH or PCC) include:
    - i. Youth's level of supervision requires twenty-four (24) hours a day, seven (7) days a week staffing. (Referring to the difference between TFC and GH and Residential PCC setting).
    - ii. Services available in the community are not adequate to address youth's identified treatment needs.
    - iii. Community safety is not at issue because the youth's current or prior behavior, other than the adjudicated offense, does not indicate a significant risk of harm to self or others.
    - iv. Age-appropriateness of youth. For youth aged twelve (12) and younger, possible for youth aged thirteen (13) through seventeen (17), not for youth aged eighteen (18) and over. Exceptions to this may occur based on the availability of specialized programming.
  - c. Factors for Consideration for placement in Level III YDC include:

- i. Community safety is at issue because the youth's current or prior behavior, other than the adjudicated offense, indicates a significant risk of harm to self or others.
  - ii. Use of weapon.
  - iii. Serious physical injury to victim. Reference KRS 500.080(15).
  - iv. Prior placement in Level II (GH or PCC) which was not successful due to youth being removed from program or failing to complete the treatment program.
  - v. Multiple adjudications in current disposition.
  - vi. Previous placement disruptions resulting in removal from placement.
  - vii. Age-appropriateness of youth. Not typically for youth under twelve (12). Exceptions to this may occur based on the availability of specialized programming.
3. If youth has a High YLS (23+):
- a. Factors for Consideration for placement in Level II (GH or PCC) include:
    - i. Youth's level of supervision requires twenty-four (24) hours a day, seven (7) days a week staffing. (Referring to the difference between TFC and GH and Residential PCC setting).
    - ii. Services available in the community are not adequate to address youth's identified treatment needs.
    - iii. Community safety is at issue because the youth's current or prior behavior, other than the adjudicated offense, indicates a significant risk of harm to self or others.
  - b. Factors for consideration for placement in a Level III YDC include:
    - i. Community safety is at issue because the youth's current or prior behavior, other than the adjudicated offense, indicates a significant risk of harm to self or others.
    - i. Use of Weapon.
    - ii. Serious physical injury to victim. Reference KRS 500.080(15).
    - iii. Multiple adjudications on current disposition.

- iv. Previous placement disruptions, resulting in removal from placement.
  - v. Age-appropriateness of youth. Not typically for youth under twelve (12). Exceptions to this may occur based on the availability of specialized programming.
4. For initial placement in a Level IV YDC:
- a. One of the following factors (i-iv) and factor (v) shall be present:
    - i. Documented aggression towards staff (persons providing residential supervision); or
    - ii. Documented AWOL (from a residential treatment facility or law enforcement custody); or
    - iii. Previous placement in a Level III (YDC); or
    - iv. Youth is committed for an offense where he or she was personally responsible for a significant level of violent behavior; and.
    - v. Youth currently exhibits pro-social behaviors and therefore would not require individual room accommodations.
  - b. Factors that may exclude a youth from an initial placement in Level IV:
    - i. Age of youth, typically age fourteen (14) or less.
    - ii. YLS typically less than nine (<9).
5. For initial placement in a Level V YDC:
- a. One of the following factors (i-iii) and factor (iv) shall be present:
    - i. Offense involved intentional death of victim; or
    - ii. Previous AWOL from secure facility (detention or Level IV); or
    - iii. Youth is committed for an offense where he or she was personally responsible for a significant level of violent behavior; and
    - iv. Youth currently does not exhibit pro-social behaviors and therefore would require individual room accommodations.

- b. Factors that may exclude a youth from an initial placement in Level V:
  - i. Age of youth, typically age fourteen (14) or less.
  - ii. YLS typically less than nine (<9).
- 6. Factors for consideration for referral to a Level II Psychiatric Residential Treatment Facility (Specialized PRTF ) placement may include:
  - a. Documented mental health treatment including previous psychiatric placements or medical services.
  - b. Multiple failed placements through Kentucky Interagency Mobilization for Progress in Adolescent and Child Treatment (“IMPACT”), Department for Community-Based Services (DCBS), or DJJ.
  - c. Psychological or Psychiatric Evaluation.
  - d. CASII administered and attached to referral.
  - e. Age-appropriateness of youth. Typically not for youth aged seventeen-and-a-half (17.5) or older. Exceptions to this may occur based on the availability of specialized programming.
  - f. Typically, YLS score is 23 or above.
- 7. Youth shall be identified for Intensive Aftercare by the Classification Branch Manager or designee based on age and geographic criteria.

### III. Overrides of Initial Classification Placement Decisions

- A. If the Community Services District staff believe the placement level determined by the Classification Branch Manager or designee to be inappropriate, as too high or too low, an override request may be submitted. The request shall be written in electronic format and sent through supervisory channels to the Community and Mental Health Services Division Director or designee. The decision of Community and Mental Health Services Division Director or designee shall be forwarded to the Placement Services Division Director.
- B. If the Placement Services Division Director does not agree with the Community and Mental Health Services Division Director’s decision, then they shall discuss placement level decision and attempt to reach agreement.

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- C. If agreement is not reached, the decision will be forwarded to the Deputy Commissioner of Operations and the Deputy Commissioner of Community and Mental Health Services for a decision. If the Deputy Commissioners cannot reach agreement, the decision will be forwarded to the Commissioner. Decisions of the Commissioner shall be considered final and are not subject to reconsideration.
- D. All requests for override shall include supporting documentation and information.
- E. Classification Branch staff shall enter final decision into the Information Management System.

## **ADMINISTRATIVE TRANSFER REQUEST (“ATR”)**

- I. An ATR shall be submitted for any committed youth currently in out-of-home placement for whom a change in out-of-home placement is requested.
- II. The ATR packet shall consist of:
  - A. Written justification for ATR;
  - B. ATR notification to youth (refer to DJJPP 206 and DJJPP208);
  - C. Supporting documentation (incident reports, new commitment order and petitions, home evaluation, psychosexual); and
  - D. Letters, information, requests from youth or other interested parties.
- III. The JSW shall have the ATR Notification completed for youth in TFC or PCC requiring a change in placement. The residential counselor shall have the ATR Notification completed for youth in DJJ operated placements requiring a change in placement.
- IV. After notification and input from youth’s treatment team, the ATR packet shall be submitted by the counselor, treatment director, or superintendent for youth currently in a DJJ-operated facility or by the JSW for youth currently in TFC or PCC. It shall be submitted through supervisory channels for verification of information included and approval by the appropriate Division Director or designee.
- V. Once reviewed and approved by the Division Director of the requesting DJJ-operated facility or Community and Mental Health Services Division Director, the packet shall be submitted to the Classification Branch.
  - A. The ATR Committee shall review requests for transfer to a higher level of out-of-home placement or for requests for youth to return home from a maximum secure facility.
  - B. The Classification Branch Manager shall determine the level of placement for all other ATR requests that do not fall under Section IV.A. above.
- VI. The ATR Committee shall consist of:
  - A. Deputy Commissioner of Operations (Chairperson);
  - B. Division Director of Community and Mental Health Services;
  - C. Chief of Mental Health Services;
  - D. Medical Director;
  - E. Director of Placement Services;
  - F. Classification Branch Manager; and
  - G. Division Director(s) from Residential Services.

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- VII. Each ATR Committee member may be represented by a designee. Representatives of private child care agencies may also provide information or be represented at the committee meeting as necessary.
- VIII. The JSW, JSDS, Counselor, or Superintendent may attend as necessary or required.
- IX. The ATR Committee shall meet weekly, as determined by the Deputy Commissioner of Operations, and shall review all submitted ATRs.
- X. The ATR Committee shall have four (4) members participating in person or by teleconference; however, representatives from the Division of Community and Mental Health Services and Placement Services Division shall participate in all committee meetings.
- XI. The Classification Branch staff shall present the information regarding the ATR request to the ATR Committee.
- XII. The Classification Branch staff shall maintain documentation of all meetings of the ATR Committee to include the participants, cases being presented, any requests for further information from the requesting DJJ-operated facility or Community Services District staff, responses from previous requests, and recommendations for each case presented.
- XIII. The ATR Committee's decision regarding level of placement shall be made by consensus. If the ATR Committee's decision differs from the treatment team's original request, it shall be returned in writing with explanation and signed by all committee members present.
- XIV. The ATR Committee shall consider the following factors for step-down requests from maximum secure facility to home:
  - A. The youth has achieved the third phase and continues to progress.
  - B. The youth has exhibited significant improvement in the areas of behavior, academic, vocational skills, and treatment work as identified and monitored by the youth's treatment team.
- XV. The requesting DJJ-operated facility or Community Services District staff shall respond to questions from the ATR Committee either by teleconference or e-mail in order to clarify issues related to the request and services needed for each youth.
- XVI. The recommendation of the ATR Committee may include:
  - A. Approval; or
  - B. Deferral of the request for additional information. The request for additional information shall be specific, in writing, and signed by all members present.

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XVII. The recommendations or decisions of the ATR Committee shall be provided to the requesting DJJ-operated facility or Community Services District staff through e-mail by the Classification Branch within two (2) working days.

XVIII. The Classification Branch shall be the custodian for all the records related to ATR requests.

**EMERGENCY ADMINISTRATIVE TRANSFER REQUEST (“E-ATR”)**

- I. A request for an E-ATR for an immediate change in out-of-home placement of any committed public offender or sentenced youthful offender currently in out-of-home placement shall be submitted through the supervisory channels to the Community and Mental Health Services Division Director, Residential Division Director, or designee.
- II. Once approved, the appropriate Division Director or designee shall forward the approved emergency ATR to the Classification Branch and complete notification by phone or e-mail. Classification Branch staff shall review the E-ATR for accuracy and criteria for emergency. If all criteria are met, Classification Branch staff will present E-ATR to the Deputy Commissioner of Operations or designee.
- III. A decision shall be sent via electronic format to all relevant parties and arrangements for transportation made if necessary.
- IV. The major criterion for an E-ATR shall be that the youth cannot be safely maintained in the current placement. Documentation is required to support any claim that a youth cannot be safely maintained in the current placement.
- V. Examples of when an E-ATR is appropriate include, but are not limited to:
  - A. AWOL attempt in a Group Home setting;
  - B. Documented assaultive behavior towards residents or staff after appropriate disciplinary actions are utilized;
  - C. Medical or psychiatric conditions arise for which treatment in current setting is not available;
  - D. De-Certification by Medicaid in hospital placement; and
  - E. Youth AWOL from out-of-home placement and picked up on a Commissioner’s Warrant with time expiring (reference KRS 635.100(1) and (4)).

### **ADVANCED CARE UNIT (“ACU”)**

- I. A referral to the Advanced Care Unit (“ACU”) may be submitted for a committed public offender or sentenced youthful offender in an out-of-home placement for whom the DJJ-operated facility or Community Services District staff determines a need exists for short term admission to assess the need for medical or psychiatric treatment as outlined in DJJPP 217.
- II. The referral shall be submitted in memo format and include items outlined in DJJPP 217 to the Classification Branch.
- III. Classification Branch staff shall review for completeness in accordance with DJJPP 217 and request additional information as necessary.
- IV. Classification Branch staff shall forward the request to the ACU Committee via global scan.
- V. The ACU Committee shall consist of:
  - A. Chief of Mental Health Services;
  - B. Director of Community and Mental Health Services or designee;
  - C. Audubon YDC Superintendent;
  - D. Director of the Division of Medical Services or designee;
  - E. Central Region Division Director or designee;
  - F. Classification Branch Manager or designee; and
  - G. Audubon Treatment Director or Facility Psychologist.
- VI. The Committee members shall respond to the Classification Branch by e-mail with their recommendations within one (1) working day. With majority approval, the Classification Branch shall make arrangements for admission to ACU.
- VII. Once assessment is complete and the youth’s behavior has stabilized, ACU staff shall submit written report to the Classification Branch with recommendation for further placement within the timeframes set forth in DJJPP 217.
- VIII. The Classification Branch shall submit the ACU report to the ACU Committee for review.
- IX. If the ACU treatment team recommendation for placement is to return to sending facility and ACU Committee approves, the Classification Branch shall make arrangements for the youth’s return when placement is available.

**EMERGENCY POLICY FILED WITH THE LEGISLATIVE RESEARCH COMMISSION 1/15/09**

- X. If the ACU treatment team recommendation for placement is for the youth not to be returned to the sending facility, but to remain in residential placement, the discharge summary and recommendation sent to the ACU Committee shall serve as the ATR from the sending facility and shall be processed according to the previously outlined ATR section.