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	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES:
CHAPTER: Administration	AUTHORITY: KRS 15A.065	
SUBJECT: Definitions		
POLICY NUMBER: 100		
TOTAL PAGES: 8		
EFFECTIVE DATE: November 30, 2018		
APPROVAL: Carey D. Cockerell , COMMISSIONER		

I. POLICY

The following definitions shall apply in the Department of Juvenile Justice Policy and Procedures Manual Chapters 101 through 150.

II. DEFINITIONS

- A. “Administrative Duty Officer (ADO)” means a staff member appointed to be responsible for facility or office operations and management during weekends, holidays, and periods other than regularly scheduled 8:00 a.m. – 4:30 p.m. workdays; or during periods of absence of the Juvenile Facility Superintendent (JFS) or Juvenile Services District Supervisor (JSDS) during regularly scheduled workdays.
- B. “Administrative Manager” means an employee within an organizational unit of the Department of Juvenile Justice with supervisory responsibility for carrying out the mission and policies of the Department within that unit. This term shall include Deputy Commissioners, Division Director, Assistant Director, Facilities Regional Administrator, Juvenile Services Regional Manager, Branch Manager, Justice Program Supervisor, Superintendent, Juvenile Services District Supervisor, Federal Program Coordinator, and Fiscal Manager.
- C. “Area of Concern” means program issues or problems that are discovered during a monitoring visit that are not systemic but need correction.
- D. “Cardholder” means a Commonwealth of Kentucky staff that has a procurement card (ProCard) issued in their name and is the only person authorized to use the card.
- E. “Catalog Master Agreement” means an all-state contract for use by all government agencies.

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- F. “Citizen Advisory Committee” means a group of citizens, with a demonstrated interest in and knowledge of the problems of juveniles, who are appointed by statute or by administrative regulation to advise the administration on matters relating to policy and problems in facility operation.
- G. “Compensatory Time” means award of leave time in lieu of paid overtime.
- H. “Contraband” is defined by KRS 520.010(1).
- I. “Custodian” means the persons authorized to have custody or control of assigned public and confidential records.
- J. “Department Equal Employment Opportunity (“EEO”) Coordinator” means the Department staff member who has primary responsibility for the agency’s affirmative action program in compliance with the State’s Affirmative Action Plan. The EEO Coordinator is located within the Department’s Personnel Branch.
- K. “Disciplinary Action” means discipline administered by the Commissioner of the Department of Juvenile Justice as the appointing authority pursuant to 101 KAR 1:335 and 345 and KRS 18A.020. Disciplinary actions fall under five categories: Written Reprimand, Disciplinary Fine, Suspension, Demotion, and Dismissal
- L. “Dismissal” means an involuntary termination of an employee from state government. Unclassified employees and employees serving initial probation may be dismissed without cause. Classified employees with status may be dismissed for cause only.
- L. “DNA” means deoxyribonucleic acid.
- M. “DNA Sample” means a swab specimen sample collected for DNA identification purposes.
- N. “EEO Counselor” means the DJJ staff member from a facility or DJJ office who reports employee complaints or allegations of harassment or inappropriate conduct to the department EEO Coordinator and Human Resource Branch Manager. The counselor is knowledgeable about complaint and grievance procedures and the proper remedial avenues.

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- O. “EO1” means the executive order mandated by the Governor of the Commonwealth of Kentucky and refers to the eMARS document.
- P. “Eligible Employee” means a full-time employee who is in active work status and established an annual increment date and employees in the unclassified services who have completed six (6) months of continuous service.
- Q. “Emergency Situation” means the occurrence, or the imminent threat of occurrence, of the situations listed below:
 1. Escape from a facility;
 2. Death;
 3. Serious Assault or Injury;
 4. Major fire or disturbance;
 5. Community placement disruptions;
 6. Other matters considered to be of a serious nature.
- R. “Employee” means a person who works directly for the agency or facility as established in 28 C.F.R. § 115.5.
- S. “Employee Handbook” means the publication so named and prepared by the Personnel Cabinet to provide general information about state employment and employee benefits. Federal and State personnel laws and regulations may modify or supersede any or all statements in this handbook.
- T. “Exempt Record” means records which are not subject to inspection as defined by KRS 61.878.
- U. “Exonerated” means the incident occurred, but the accused’s actions were justified or proper.
- V. “Facility” means a place, institution, building (or part thereof), set of buildings, structure, or area (whether or not enclosing a building or set of buildings) that is used by an agency for the confinement of individuals as established in 28 C.F.R. § 115.5.
- W. “Finance and Administration Cabinet Policies and Procedures (FAP)” means policies developed, that govern the financial administration procedures throughout Kentucky state government.

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- X. “Flip Flop” means a flat, backless rubber sandal, usually secured on the foot by a thong between the first two toes, as for use at a beach, swimming pool, etc..
- Y. “Grievance” means a complaint filed by an employee which concerns some aspect of his or her conditions of employment over which the employee’s cabinet or agency has control and which has occurred or of which the employee has become aware, through the exercise of due diligence, within thirty (30) days prior to filing.
- Z. “Individually Identifiable Health Information” means information, including demographic information, that relates to the past, present or future physical or mental health or condition of an individual; the provision of health care to an individual; or the past, present or future payment for the provision of health care to an individual; and
1. That identifies the individual; or
 2. With respect to which there is reasonable basis to believe the information can be used to identify the individual.
- AA. “Intern” means a student or trainee who works, without pay, for the Department in order to gain work experience or credit from an approved accredited college or university.
- BB. “Manager” means a DJJ staff with supervisory responsibilities over subordinate staff listed underneath them on the Department, facility, or office organizational chart or contracted staff; examples of manager responsibilities shall include completion of performance evaluations, approving requested leave, scheduling, responding to work guideline violations, and other responsibilities as determined by the Department.
- CC. “Mandatory Personnel” means employees who are designated as such and required to report for duty in emergency or inclement weather conditions regardless of any public announcements to the contrary for state employees.
- DD. “Not Substantiated” means there is insufficient evidence to determine if an incident occurred or if the accused was involved in the incident.
- EE. “Obscene” means (1) to the average person, applying contemporary standards, the predominant appeal of the matter, taken as a whole, is to prurient interest in sexual conduct; and (2) the matter depicts or describes the sexual conduct in a patently offensive way; and (3) the matter, taken as a whole lacks serious literary, artistic, political, or scientific value as defined in KRS 531.010(3).

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- FF. “Organizational Unit” means any unit that is listed on the DJJ Organization Chart and that falls under the direct supervision of an administrative manager. Divisions, Branches, Facilities, and Community Offices are all organizational units, but individual staff are not considered organizational units.
- GG. “Performance Improvement Plan (PIP)” means a formal, documented process by which a manager discusses issues of work performance with a subordinate staff and a plan is developed to improve their performance.
- HH. “Personally Identifiable Information (PII)” means information used to distinguish or trace an individual’s identity, such as their name, Social Security Number, biometric records, alone or when combined with other personal or identifying information linked or linkable to a specific individual. An item such as date and place of birth, mother’s maiden name, or father’s surname is PII, regardless of whether combined with other data.
- II. “Personally Identifiable Information (PII) Loss” means a circumstance when an employee, contractor, or agent has reason to believe that information on hard copy or in electronic format, which contains PII provided by SSA, left the agency’s custody or the agency disclosed it to an unauthorized individual or entity.
- JJ. ”Procurement” means the purchase of goods or services for the use by the Department of Juvenile Justice.
- KK. “Professional Organization” means an association or society engaged in furthering the knowledge, technical or ethical standards among members of a particular profession.
- LL. “Professional Volunteer” means a volunteer who perform professional services based upon a certificate or license to do so.
- MM. “Protected Health Information” means individually identifiable health information that is transmitted or maintained in any form or medium.
- NN. “Psychotherapy Notes” means notes recorded (in any medium) by a healthcare provider who is a qualified mental health professional documenting or analyzing the contents of conversations during private counseling sessions or a group, joint, or family counseling session and that are separated from the rest of the individual’s medical record.

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- OO. “Public Record” is defined by KRS 61.870(2).
- PP. “Relative” means a person's father, mother, spouse, spousal equivalent, brother and sister(including step-, adopted, or foster-), son and daughter(including step-, adopted, or foster-children), brother-in-law, sister-in-law, aunts, uncles, son-in-law, daughter-in-law, nieces, nephews, grandparent, grandchild, stepparent, boyfriend or girlfriend, 1st cousin, 2nd cousin, or any other member of the persons immediate household.
- QQ. “Retaliation” means adverse action against an employee who complains about or protests discriminatory or harassing conduct or who participates in an investigation.
- RR. “Request for Disciplinary Action” means a written request submitted by a manager through the supervisory chain to the Commissioner requesting formal disciplinary action against a subordinate staff and shall not include a request for a specific type of disciplinary action.
- SS. “Safety Sensitive Position” means any position within the Department of Juvenile Justice that requires direct contact with youth in custody of the department.
- TT. “Security Breach” means an act from outside an organization that bypasses or violates security policies, practices, or procedures.
- UU. “Security Incident” means a security incident happens when a fact or event signifies the possibility that a breach of security may be taking place, or may have taken place. All threats are security incidents, but not all security incidents are threats.
- VV. “Security Violation” means an act from within an organization that bypasses or disobeys security policies, practices, or procedures.
- WW. “Social Security Administration (SSA)provided data/information” means information under the control of SSA provided to an external entity under the terms of an information exchange agreement with SSA.
- XX. “Sexual Contact” means any intentional touching or physical contact of the sexual or other intimate parts of a person, including the genitalia, anus, groin, breasts, inner thighs or buttocks, either directly or through clothing, that is unrelated to official duties or done for the purpose of arousing or

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gratifying the sexual desire of any person or humiliating, harassing, or degrading any person.

YY. “Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment as defined in 29 C.F.R. §1604.11.

ZZ. “Special Incident” means an act in which the health or welfare of a youth is harmed or threatened with harm by a staff person. It includes but is not limited to incidents when a facility staff person:

1. Uses inappropriate or excessive force that could result in an injury.
2. Engages in any sexual activity to include any contact or interaction, which uses or allows, permits or encourages the use of a youth for the sexual gratification of the perpetrator or another person.
3. Uses inappropriate consequences such as excessive exercise, harsh physical work or other physical consequences outside accepted practices of the Department of Juvenile Justice.
4. Uses or attempts to use a youth in the pursuit of the staff’s own personal gain;
5. Enters into a business relationship with a youth;
6. Extends unearned special privileges to a youth in return for something done for staff.
7. Accepts a bribe from a youth or indicate a bribe would be accepted.
8. Enters any unlawful transaction with a youth as set forth in KRS 530.064, 530.065 and 530.070.
9. Uses humiliating, demeaning, profane or racially charged language and/or gestures directed at a youth;
10. Uses verbal threats of harm directed at a youth;
11. Exhibits a pattern of harassing conduct directed at a youth;
12. Does not provide appropriate supervision, medical care, food, clothing, shelter or education;
13. Allows or encourages a youth to engage in an illegal activity such as use of drugs or alcohol or gambling.

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- AAA. “Sole Source” means only one (1) known vendor can provide the goods or services. This also includes goods and services that are proprietary.
- BBB. “Staff” means a person who works directly for the agency or facility as established in 28 C.F.R. § 115.5.
- CCC. “Substantiated” means that an incident occurred by an admission of the person responsible; or by a preponderance of the evidence (A requirement that more than 50% of the evidence points to something).
- DDD. “Transient Office Space” means a temporary workstation to be utilized by a DJJ employee.
- EEE. “Unfounded” means the charges are false or the employee was not involved in the incident.
- FFF. “Verbal Conference” means an informal meeting between a manager and a subordinate where specific work behavior, whether positive or negative, are discussed.
- GGG. “Visitor” means anyone who is not an employee of the Department.
- HHH. “Volunteer” means any person who, of his own free will, provides goods or services to the facility with no monetary or material gain. The term volunteer includes regular, occasional and stipend volunteers, material donors and advisory councils. Volunteers are recruited to supplement and enrich, but not to substitute, activities and functions of staff.
- III. “Volunteer Coordinator” means the staff member charged with recruitment, screening, training and assignment of volunteers, including provision of training and technical assistance.
- JJJ. “Work Guidelines” means all federal and state statutes, state government policies, and official management directives that govern the actions of DJJ staff.
- KKK. “Youth Activity Fund” means funds collected through work projects, sales of items produced by residents, and private donations to be used for social and recreational opportunities for residents.



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

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

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Promulgation and Revision of Department Policy	
POLICY NUMBER: DJJ 100.1	
TOTAL PAGES: 4	
EFFECTIVE DATE: 5/15/2017	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. The Division of Program Services shall provide oversight and coordination of the development, review, revision, and distribution of the Department of Juvenile Justice Policy and Procedures (DJJPP) manual. The agency shall establish policies and procedures for the achievement of the Department's administrative and functional goals.
- B. The responsibility for the DJJPP manual is assigned to the Division of Program Services or Assistant Division Director of Program Services. The Division Director of Program Services or designee shall assign policy staff to maintain a database of all policy revisions and facilitate the policy review process.
- C. Each DJJPP manual chapter shall include the following sections:
 1. Section I: Policy Statement. This section shall set forth the general purpose of the policy and outline the Department's general expectations.

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2. Section II: Applicability. This section shall outline all applicable persons or programs.
 3. Section III: Definitions. This section shall refer staff to the definitions chapter that defines terms that may not be generally understood by the reader of the policy.
 4. Section IV: Procedures. This section shall outline general procedures that are to be followed by DJJ staff, volunteers, and contractors in implementing the policy and any requirements that apply to DJJ youth.
 5. Section V: Monitoring Mechanism. This section shall outline the organizational units responsible for monitoring activities related to and any time frames required by the policy to ensure that the policy is being implemented.
 6. The header of each policy shall identify the Kentucky Revised Statute (KRS) which authorizes the promulgation of the policy, the American Correctional Association (ACA) accreditation standards relating to the policy, the policy chapter, subject, policy number, the name of the Commissioner under which the policy was promulgated, and effective date.
- D. Once promulgated, policy shall remain in effect until revised or deleted by action of the Commissioner or approval by the Legislative Research Commission (LRC).
- E. DJJ policy shall comply with applicable federal and state laws.
- F. Policy Review and New Policy Proposal
1. The DJJPP manual shall be reviewed annually by chapter to ensure it remains accurate and appropriate and contributes to the effective operation of the Department.
 2. The Director of Program Services or Assistant Director of Program Services shall forward electronic notice of the schedule for the annual review of each chapter to all DJJ staff. This notice shall include a closing date for comments.
 3. Staff shall be encouraged to participate actively in the development and review of policy and procedure and agency forms.
 4. DJJ staff may submit a recommendation for new policy or proposed revision of existing policy, with justification, through the chain of command to the respective Director.
 5. Upon approval, the respective Director shall forward the recommendations to the Assistant Director of Program Services and policy staff.
 6. All comments shall be submitted by the review closing date.

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7. The policy staff shall convene a workgroup consisting of representatives designated by the Directors to review respective chapters and the submitted recommendations.
8. Assistant Director of Program Services or designee shall forward the proposed policy revisions completed by the workgroup to Executive staff for review. Recommended changes shall be submitted to Assistant Director of Program Services or policy staff.
9. Assistant Director of Program Services or designee shall submit proposed draft revisions to the Deputy Commissioners for review and approval. Policy staff shall make any modifications requested by the Deputy Commissioners.
10. The Division Director of Medical Services and the Chief of Mental Health Services shall have final approval authority within workgroup review (above the vote of the Policy Committee) for recommendations relating to medical and mental health issues.
11. The Assistant Director of Program Services or designee shall submit the Deputy Commissioner's approved draft revisions to the Commissioner for final review and approval.

G. Policy and Procedure Approval

1. The Commissioner shall have sole authority to approve DJJ Policy and Procedure. The Commissioner may approve, disapprove, or defer action on any proposal for new policy, revision, or deletion of a policy.
2. Upon completion of the department administrative review and revision process, proposed policy not requiring Justice and Public Safety Cabinet approval or Legislative Research Commission (LRC) filing, shall be approved by the Commissioner and become effective immediately.
3. The Assistant Director of Program Services or designee shall forward all the approved revised policies to the designated policy staff within the Justice and Public Safety Cabinet (Cabinet) for review and approval.
4. Upon approval by the Cabinet policies shall be forwarded to the Assistant Director of Program Services or designee for filing with LRC.
5. The policy staff shall work collaboratively with the Office of Legal Counsel for the filing of new or revised policy with the LRC.

H. Policy Distribution

1. The Commissioner's office shall disseminate new or revised policies to all staff on the effective date. The Assistant Director of Program Services or designee shall ensure policies are posted for public access.
2. The Assistant Director of Program Services and Directors shall collaborate to ensure training for appropriate staff on the new or revised policy occurs.

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3. Administrative Managers shall be responsible for distribution of newly effective policy to all staff without e-mail access.
4. Administrative Managers shall be responsible for ensuring that hard copies of the DJJPP Manual are strategically located and available to staff, contracted staff, and volunteers.
5. The DJJPP Manual shall be available to the public through department's government website (<http://djj.ky.gov>).

V. MONITORING MECHANISM

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



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

REFERENCES:
1-CO-08
3-JTS-1A-03, 04, 07-09, 11,
15- 20, 21, 22, 23, 24; 1B-01,
04-06
3-JDF-1A-03, 04, 05, 10, 11, 18, 19,
21, 23, 24, 27, 28, 29; 1B-01, 05-07
3-JCRF-1A-04-06, 09, 10, 12-
14; 1B-01, 04, 05
1-JDTP-1A-03, 04, 06-08, 14-17, 19-
21; 1B-01, 04-06
1-JBC-1A-03, 13-15, 17, 18, 19, 21;
1B-01, 04-06
4-JCF-6A-02, 05, 08-12, 14; 6B 03,
04; 6D-02, 09

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Administrative Responsibility of Managers	
POLICY NUMBER: DJJ 101	
TOTAL PAGES: 6	
EFFECTIVE DATE: November 30, 2018	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

This policy shall apply to administrative managers within DJJ.

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

A. Administrative Managers within Facilities

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

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

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

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

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

3. The written budget request shall include at a minimum the following:
 - a. Daily operations;
 - b. Program development;
 - c. Staffing requirements and training;
 - d. Equipment needs and preventive maintenance; and
 - e. Capital projects.
4. At least monthly, each JSDS and Mental Health Branch Manager shall submit a written report of activities within their district or branch through their chain of command. These reports shall be compiled as directed by the Division Director of Community and Mental Health Services and submitted to the Deputy Commissioner of Community and Mental Health Services.

C. All Administrative Managers

1. Administrative managers shall ensure that DJJPP's are reviewed and discussed with staff, interns, and volunteers within their respective organizational unit as part of their orientation training.
2. Administrative managers shall ensure that staff complete orientation of the performance evaluation system prior to January 1 of the staff person's initial evaluation period. Refer to 101 KAR 2:180.
 - a. The performance evaluation system shall provide an annual written performance review of eligible staff that is based on defined criteria. The evaluation results shall be discussed with the staff on an annual basis.
 - b. Position descriptions for all staff shall be reviewed annually.
3. Administrative managers shall ensure that new or revised policies and procedures are disseminated to staff, interns, volunteers, and when appropriate to juveniles and parents or guardians prior to implementation when possible.
4. Administrative managers shall ensure that staff, interns, and volunteers sign a statement acknowledging they have reviewed DJJPP's and all subsequent changes. These acknowledgements shall remain on file at the facility or office consistent with the records retention schedule.
5. Administrative managers shall be responsible for ensuring all manuals are up to date.
6. Administrative managers shall ensure that copies of the Executive Branch Code of Ethics and the "Guide to the Executive Branch Code of Ethics" are given to each new staff within their organizational unit at the time of hire. These items are available at the Executive Branch Ethics Commission's website: <http://ethics.ky.gov>. Each employee

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

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

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V. MONITORING MECHANISM

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

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

I. POLICY

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

II. APPLICABILITY

This policy shall be applicable to all DJJ staff.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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criminal activity.

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

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them.

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

V. MONITORING MECHANISM

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



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

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

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Outside Employment	
POLICY NUMBER: DJJ 102.1	
TOTAL PAGES: 2	
EFFECTIVE DATE: November 30, 2018	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

POLICY NUMBER DJJ 102.1	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 2 of 2
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2. If in the future the employee realizes that they may be involved in the department's decisions concerning the outside employer, the requesting staff shall immediately notify the department and take steps to avoid any conflict of interest;
 3. The Employee understands that outside employment shall not conflict with the work schedule or job duties as an employee of the department; and
 4. The outside employment shall not present an actual or perceived conflict of interest with the requesting staff's work schedule and official duty for the department.
- E. The appointing authority or designee shall review the request and consider the following factors:
1. The degree of separation between the staff's agency duties and decisions concerning the outside employer;
 2. The staff's level of supervisory or administrative authority, when applicable;
 3. Whether the outside employment may create an appearance of conflict of interest with the state duties or interfere or conflict with the staff's state duties; and
 4. Whether the staff is an auditor, inspector, or other regulatory personnel for the agency which the staff has requested approval for outside employment.
- G. The requesting staff shall receive a decision regarding the requested outside employment.
- H. Staff with an outside employment shall notify their immediate supervisor and the Personnel Branch of termination of employment via the Outside Employment Conclusion form. The form is located on the Department's Portal intranet.
- I. The Personnel Branch shall file quarterly with the Justice and Public Safety Cabinet, a list of staff that have been approved for outside employment, staff that have concluded outside employment, and the name of the outside employer for each staff for the preceding quarter.

V. MONITORING MECHANISM

The Division of Administrative Services and Personnel Branch Manager shall be responsible for monitoring the outside employment process.



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

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

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Personnel Management	
POLICY NUMBER: DJJ 103	
TOTAL PAGES: 4	
EFFECTIVE DATE: November 30, 2018	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

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

B. Responsibilities of the Personnel Branch shall include:

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

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4. Conducting annual assessments of personnel needs and assignments as well as maintaining organizational unit templates.
- C. All personnel actions for DJJ staff, including selection, appointment, probationary periods, promotion, disciplinary actions, performance evaluation, and termination shall be in compliance with KRS 18A and KAR Title 101.
1. Each facility or office shall allow staff access to www.lrc.ky.gov to review and reference personnel statutes and regulations.
 2. Staff shall be selected, retained, and promoted on the basis of merit and specified qualifications from within the agency and from outside sources within the guidelines of personnel regulations. Employment of ex-offenders shall be within existing personnel cabinet regulations and the Prison Rape Elimination Act of 2003, 28 C.F.R. § 115.5.
 3. Staff with the required education, experience, and background shall be eligible for consideration for promotional opportunities within the guidelines of personnel regulations.
 4. Staff who have been appointed or promoted to a new position that are covered by the merit system shall serve a probationary period in accordance with 101 KAR 1:325, subject to the limitations of KRS 18A.111.
 5. As established in personnel regulations, involuntary demotion or dismissal shall be permitted only for cause. Such actions may be appealed to the Personnel Board and may be subject to a formal hearing conducted by an appointed representative of the Personnel Board.
- D. Education and experience qualifications for each position are established by the Personnel Cabinet in classification specifications which shall be reviewed annually by the DJJ Personnel Branch. Refer to <https://personnel.ky.gov>.
- E. Compensation and benefit levels are set by the Personnel Cabinet and are comparable to those for similar occupational groups in the state or region.
- F. Each staff shall be responsible for reviewing and remaining current with all applicable policies, procedures, handbooks, work rules, and conditions of employment. Staff shall sign an acknowledgment that they have received and reviewed this documentation.
- G. Staff shall have access to the Commonwealth of Kentucky Employee Handbook via hard copy or electronic means.
- H. DJJ staff shall have access to the agency's organizational chart.
- I. The Personnel Branch shall be notified of any changes to a staff person's home address.
- J. A Position Description (PD) shall be provided to each staff prior to beginning service detailing the duties and responsibilities of the assigned position. The PD shall be signed by the staff and their Supervisor upon employment.

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

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V. MONITORING MECHANISM

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



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

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

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

I. POLICY

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

II. APPLICABILITY

This policy shall apply to DJJ staff.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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

V. MONITORING MECHANISM

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

	<p align="center">JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES: 3-JCRF-1C-04 1-JDTP-1C-08 1-JBC-1C-07 3-JTS-1C-07-1 3-JDF-1C-05-1 4-JCF-3A-02; 6D-06 2-CO-1C-11 JPAS 2-7032-1</p>
<p>CHAPTER: Administration</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Sexual Harassment and Anti-Harassment</p>		
<p>POLICY NUMBER: DJJ 103.2</p>		
<p>TOTAL PAGES: 3</p>		
<p>EFFECTIVE DATE: March 11, 2019</p>		<p>EFFECTIVE DATE</p>
<p>APPROVAL: Raymond F. DeBolt</p>		<p>, COMMISSIONER</p>

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. Upon employment, DJJ staff shall be assigned the new staff training modules regarding sexual harassment. This training shall be completed within the first thirty (30) days of employment and advises staff to avoid offensive or inappropriate conduct or sexually harassing behavior at work. It shall be the responsibility of the Administrative Manager to ensure training has been completed within the stated timeframe.
- B. The facility or community office shall provide contract personnel, interns, consultants, and volunteers with harassment training and a copy of any applicable policies, these actions shall be documented. This training shall be completed within the first thirty (30) days of assuming duties. It shall be the responsibility of the Administrative Manager to ensure the training has been completed within the stated timeframe.
- C. Questions about offensive or inappropriate behavior shall be referred to the designated Equal Employment Opportunities (EEO) Counselor or the Department EEO Coordinator.

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- D. Complaints of sexual harassment shall be investigated in a prompt, careful manner. Staff shall comply with the Justice and Public Safety Cabinet's EEO policy, including use of the Cabinet's EEO Complaint Form. Appropriate action shall be taken to ensure that any harassment shall not recur.
- E. In addition to the conduct prohibited by 29 C.F.R. § 1604.11 other prohibited behavior shall include:
1. Lewd or sexual comments;
 2. Sexual innuendo, including embarrassing comments or terminology;
 3. Vulgar or indecent gestures, language, or jokes;
 4. Bringing or displaying a sexually suggestive object, book, magazine, photograph, cartoon, calendar, or picture in the workplace;
 5. Use of the computer to transmit, solicit, display, or download an obscene message or material; or
 6. Threatening, demeaning, or offensive conduct directed toward an individual.
- F. The following steps shall be taken by all persons believed to have been subjected to harassment or other prohibited behavior:
1. The person shall make it clear to the harasser that the behavior is considered threatening, offensive, or unwelcome. This notification shall be done using one of the following methods:
 - a. Verbally notify the harasser of the offensive behavior. This shall be done in front of another employee, if possible;
 - b. Provide written notice to the harasser of the offensive behavior; or
 - c. Contact the EEO Counselor within the organizational unit, or the Department EEO Coordinator. The EEO Counselor or Department EEO Coordinator will then contact the alleged harasser and provide notification of the offensive behavior.
 - d. Staff are encouraged to complete the Justice and Public Safety Cabinet's EEO Complaint Form to report any EEO violation.
 2. If after the notification the behavior continues, the person shall report the continued conduct to the EEO Counselor, Department EEO Coordinator, or Branch Manager of Personnel. EEO Counselor, Department EEO Coordinator, and Branch Manager of Personnel shall follow the Justice and Public Safety Cabinet's EEO policy.
 3. The required notification shall not prohibit a person from reporting the alleged offensive behavior to their supervisor. Supervisors shall follow the Justice and Public Safety Cabinet's EEO policy.
 4. Upon report of the offensive behavior, the person may be asked to complete the Justice and Public Safety Cabinet's EEO Complaint Form.
 5. If a person other than the EEO Counselor or Department EEO Coordinator receives a complaint of harassment, they shall immediately contact the EEO Counselor or the Department EEO Coordinator.

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6. Any supervisor receiving a complaint of harassment shall report the complaint to the EEO Coordinator. Failure to do so shall be grounds for disciplinary action.
- G. Upon receipt of a complaint or report of alleged harassment or other prohibited behavior, the EEO Counselor shall ask the complainant to complete the EEO Complaint Form. If the complainant does not provide an EEO Complaint Form, the EEO Counselor shall complete and forward the EEO Complaint Form to the Department EEO Coordinator by close of the next business day.
- H. Investigation of a complaint shall be pursuant to the Justice and Public Safety Cabinet's EEO Policy:
 1. The Department EEO Coordinator, Branch Manager of Personnel, the Office of Legal Counsel, and the appropriate Deputy Commissioner shall meet to determine whether to separate the complainant and the alleged harasser.
 2. The complainant, the alleged harasser, and any witness may be interviewed during the course of the investigation. The alleged harasser and any witness may be asked to submit a written statement.
- I. Final Action
 1. Appropriate action, which may include disciplinary action up to and including dismissal, shall be taken based upon the findings of the investigation.
 2. The victim of harassment shall be referred to appropriate resources, if necessary, to receive help in dealing with the effects of the harassment.
- J. The privacy of the complainant, accused harasser, and witnesses shall be protected to the fullest extent permitted by the circumstances. An individual interviewed in the course of resolving the complaint shall be directed by the interviewer to treat the information as confidential. Breach of this confidentiality may be grounds for disciplinary action.
- K. Retaliation by or against any party involved in a complaint shall be prohibited and may be grounds for disciplinary action.
- L. If a false complaint is filed or if any person provided false information during the course of the investigation, this may be grounds for disciplinary action.
- M. All persons who disrupts the workplace by spreading rumors about others or encourages hostility by making false or malicious statements concerning another person may be subject to disciplinary action.

V. MONITORING MECHANISM

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



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

**REFERENCES:
101 KAR 1:375
4-JCF-6D-04**

CHAPTER: Administration

**AUTHORITY: KRS
15A.065**

SUBJECT: Grievance

POLICY NUMBER: 103.3

TOTAL PAGES: 3

EFFECTIVE DATE: March 11, 2019

POLICY APPROVAL: Raymond F. DeBolt , COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall be committed to resolving staff grievances in the most efficient and fairest possible manner. Each staff may file with the department a grievance in accordance with 101 KAR 1:375. A staff utilizing this procedure is entitled to file a grievance without interference, coercion, discrimination, or reprisal.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. Grievant Responsibilities

1. A grievance shall be submitted on an official grievance form, which can be located on the DJJ Portal.
2. A grievance shall be filed for review with the grievant's immediate supervisor within thirty (30) days following the occurrence of the action or the grievant becoming aware of the action that is the subject of the grievance. If the action or conduct of the grievant's first line supervisor is the basis of the grievance, the grievance may be filed with the second line supervisor.
3. A grievant shall state in writing the basis of the grievance or complaint together with the corrective action desired. If a grievant has additional information or documentation, it should be attached to the grievance form.
4. Grievances shall not be completed during normal working hours.
5. The grievant shall forward the completed grievance to the DJJ Personnel Branch.

POLICY NUMBER DJJ 103.3	EFFECTIVE DATE 3/11/2019	PAGE NUMBER 2 of 3
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6. A grievant shall have the right to have a representative present at each step of the grievance procedure.
7. If the grievance has not been resolved to the satisfaction of the grievant, they may request additional review of the grievance. The grievant shall have the responsibility of forwarding the grievance to the appropriate next level of review.
 - a. A grievant shall submit the request for review of the grievance within five (5) business days of receipt of the decision.
 - b. Grievance appeal levels shall follow a chain of command.
 - c. For purposes of the grievance review process, the Superintendent shall be the second line supervisor for a youth worker and Youth Worker Supervisor (YWS).
8. If the final supervisory review is unable to resolve the grievance to the satisfaction of the grievant, they may request review by the appointing authority for a final determination of the grievance within five (5) business days of receipt of the decision of the final supervisory review. The appointing authority shall have twenty (20) business days to issue a final determination.

B. Supervisor Responsibilities

1. Each office or facility shall be responsible for maintaining blank copies of the grievance form in an area easily accessible to staff that do not have access to the portal and for notifying staff of the location of the grievance documents.
2. If a grievance is filed that alleges discrimination on the basis of race, color, national origin, sex, age, religion, veteran status, genetic information, disability, political affiliation, sexual orientation, gender identity, or ancestry, the recipient of this grievance shall immediately notify the department Equal Employment Opportunity (EEO) Coordinator to apply the affirmative action plan.
3. The supervisor receiving the grievance shall be responsible for handling the grievance according to the instructions on the grievance form. If the receiving supervisor is the second line supervisor, the receiving supervisor shall complete the first level review within ten (10) business days of receiving the grievance.
4. Each supervisor responding to the grievance shall send a copy of their response with their signature to the DJJ Personnel Branch.
5. Grievance forms may be hand delivered, mailed, or electronically transmitted through each level with a copy to the DJJ Personnel Branch.

C. Grievance Levels

1. The timeframes outlined on the grievance form shall be followed by the grievant and supervisors.

POLICY NUMBER DJJ 103.3	EFFECTIVE DATE 3/11/2019	PAGE NUMBER 3 of 3
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2. There shall be a maximum of five (5) supervisory levels of review for any grievance. The grievant may choose to accept the decision at any level of the supervisory review to resolve the grievance.
 3. The final three (3) supervisory review levels of a grievance shall include the Division Director, Deputy Commissioner, and Commissioner.
- D. The Personnel Branch may be contacted for technical assistance regarding filing grievances or grievance appeals.
- E. Interviews to evaluate or investigate a grievance outside of normal work hours, with the grievant or other staff, shall not require the use of leave time and entitles them to compensatory time.
- F. Unless the time limits have been extended by written agreement between the parties, failure of supervisory or management personnel to respond within prescribed time limits shall automatically advance the grievance to the next review level. If the grievant fails to respond to the decision within stated timeframes, the grievance shall be considered closed.
- G. Any intermediate grievance level may be waived by written agreement of the parties.

V. MONITORING MECHANISM

Supervisors shall ensure compliance on an ongoing basis.



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

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

CHAPTER: Administration

**AUTHORITY: KRS
15A.065**

**SUBJECT: Time, Attendance, and Leave
Requirements**

POLICY NUMBER: 103.4

TOTAL PAGES: 5

EFFECTIVE DATE: November 30, 2018

APPROVAL: Carey D. Cockerell , COMMISSIONER

I. POLICY

Department staff are expected to comply with time, attendance, and specific types of leave processes and guidelines set forth in policy. Leave types not outlined in this policy shall be adhered to by staff in accordance with 101 KAR 2:102.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. General Attendance Requirements

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

POLICY NUMBER DJJ 103.4	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 2 of 5
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B. General Timekeeping Requirements

1. Timesheets shall be signed and dated by the staff person and supervisor.
2. A corrected timesheet shall be submitted if there are any errors and corrections are warranted. The corrected timesheet shall be signed and dated by the staff person and supervisor.
3. Staff shall have five (5) workdays per calendar work week on all timesheets submitted. Exception shall be for different work schedules that have been approved.
4. An employee who is directed to work, or who requests and is authorized to work, in excess of the prescribed hours of duty shall be granted compensatory leave or ~~and~~ paid overtime. Refer to 101 KAR 2:102, Section 5, 101 KAR 2:034, and 101 KAR 3:015.
5. Leave and overtime requests and approvals are not required to be attached to the timesheet in office or facilities where such requests and approvals are documented on the schedule and shift reports.

C. Compensatory Time

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

POLICY NUMBER DJJ 103.4	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 3 of 5
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compensatory leave, except if the staff's annual leave balance exceeds the maximum number of hours that may be carried forward in accordance with 101 KAR 2:102.

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

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

1. Adverse Weather Leave

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

2. Military Leave

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

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

POLICY NUMBER DJJ 103.4	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 5 of 5
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- a. Pursuant to 101 KAR 2:102, a staff may be placed on special leave with pay for investigative purposes pending an investigation of an allegation of staff misconduct.
- b. Administrative Managers shall send a written request to place a staff on special leave to the Commissioner's office and Office of General Counsel for consideration. Upon approval the request shall be forwarded to the Personnel Branch for processing.
- c. The Personnel Branch shall contact the Personnel Cabinet's Office of Legal Services for final approval and disposition.
- d. When a staff is placed on special investigative leave, the Personnel Branch shall be responsible for preparing a notification letter to the staff informing them of placement on special investigative leave, along with any agency requirements for the staff.
- e. The appropriate Division Director, Assistant Director, Facilities Regional Administrator (FRA), or Branch Manager, along with another Supervisor as witness, shall hand-deliver the notification letter to the staff.
- f. The Supervisor delivering the notification letter shall verbally explain the contents of the letter to the staff being placed on leave and answer any questions.
- g. The Supervisor delivering the notification letter shall have the receiving staff sign a confirmation sheet provided with the letter and return the signed confirmation sheet to the Personnel Branch. If the receiving staff refuses to sign, this shall be noted on the confirmation sheet, along with the signatures of the delivering Supervisor and the witness.

V. MONITORING MECHANISM

Administrative Managers and the Personnel Branch shall be responsible for monitoring the guidelines set forth in the policy.



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Employee Telecommuting Program

POLICY NUMBER: DJJ 103.5

TOTAL PAGES: 3

EFFECTIVE DATE: 03/13/2020

APPROVAL: LaShana M. Harris

, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall allow telecommuting to maintain agency productivity for critical needs areas particularly where the availability of skilled employees are in high demand and the respective labor pools are limited in supply. Eligibility and selection for participation in a telecommuting program shall be the decision of DJJ, with no implied or specific right to participation being granted to an employee.

II. APPLICABILITY

This policy shall apply to Department of Juvenile Justice staff.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. The telecommuting program is a discretionary alternative work option approved by the Commissioner or designee. Telecommuting is not an automatic employee benefit.
- B. Upon determination that an employee's job position may be conducive for the telecommuting program, the Director or designee for the programmatic area shall submit a written request for an employee to participate in the telecommuting program to the Personnel Branch Manager. The Personnel Branch Manager will consult with the Commissioner or designee for approval or denial of the request.
- C. A DJJ employee that is being considered for a telecommuting arrangement shall

POLICY NUMBER DJJ 103.5	EFFECTIVE DATE: 03/13/2020	PAGE NUMBER 2 of 3
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complete all required telecommuting documentation. The approval process for telecommuting is as follows:


1. An employee that would like to participate in telecommuting shall submit a written request to the employee's immediate supervisor and the written request shall be sent up the chain of command to the Director or designee for that programmatic area;
 2. The Director or designee shall submit the documentation to the Personnel Branch Manager or designee; and
 3. The Commissioner or designee shall have the discretion to approve or deny telecommuting for a DJJ employee with no implied or specific right to participation being granted to employees.
- D. If the Governor has issued an Executive Order declaring a state of emergency, the Commissioner or designee has discretion to approve or deny a request for telecommuting and said discretion may be guided by the terms of said Executive Order.
- E. If there is no active state of emergency declared by the Governor, an employee who is being considered for the telecommuting program shall meet the following criteria:
1. Employee is fulfilling a critical need for the Department and labor supply is limited;
 2. Employee has not had any disciplinary actions within the past 5 years; and
 3. Employee's job position has been approved by the Commissioner or designee for telecommuting.
- F. Once an employee has been approved by the Commissioner or designee, the employee shall complete and sign a telecommuter agreement. The telecommuter agreement details the mandatory policies and practices of the telecommuting protocol.
- G. No employee rights or benefits provided under the Kentucky Revised Statute, Kentucky Administrative Regulations, or personnel policies between the state and the employee are altered by the implementation of the telecommuting program.
- H. The employee work schedule for the telecommuting program shall be determined and approved by the immediate supervisor. Documentation of such shall be forwarded to the Personnel Manager and placed in the employee personnel file.
- I. The Commissioner or designee shall have the authority to terminate an employee's participation in the program without cause at any time with written notice. Termination for cause of an employee's participation in the telecommuting program may be immediate and does not require a written notice.
- J. An employee approved and participating in the telecommuting program may also

POLICY NUMBER DJJ 103.5	EFFECTIVE DATE: 03/13/2020	PAGE NUMBER 3 of 3
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- request cancellation of the telecommuting agreement. The request must be submitted to the Personnel Manager.
- K. An employee approved and participating in the telecommuting program is responsible for the following:
1. Protecting the confidentiality of DJJ data used and accessed during telecommuting;
 2. Protecting the inventory and security of DJJ owned equipment;
 3. Maintaining the same desktop configurations utilized in main office sites;
 4. Signing in and out via email for working start and stop times to immediate supervisor;
 5. Submitting a daily report to the immediate supervisor for work product produced, meetings attended, and calls made on behalf of DJJ and specifically indicate the nature of those communications;
 6. Submitting a monthly report to the immediate supervisor detailing the work product produced for each month and documenting calls made to other staff and clients with the dates and times of such calls;
 7. Copying the immediate supervisor as requested on all work email transmitted;
 8. Submitting timesheets in accordance with DJJ protocol; and
 9. Submitting requests for time off or compensatory time approval in accordance with DJJ protocol.
- L. Employees approved and participating in the telecommuting program shall not use personal equipment to conduct work operations.
- M. DJJ shall reserve the right to inspect work stations and equipment at telecommuting location any time during the designated work hours.
- N. DJJ shall provide support, maintenance, repair and replacement for state-owned equipment issued to telecommuters.
- O. The Personnel Branch Manager or designee shall evaluate the effectiveness of the DJJ telecommuting program annually and submit a recommendation to the Commissioner regarding the continuation or termination of the program.

V. MONITORING MECHANISM

Administrative Managers are responsible for monitoring the actions of staff within their respective organization units for adherence to the requirements of this policy.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 3-JTS-1B-21 3-JDF-1B-21 3-JCRF-1B-17 1-JDTP-1B-19 1-JBC-1B-19 4-JCF-6D-06
CHAPTER: Administration	AUTHORITY: KRS 15A.065	
SUBJECT: Code of Conduct		
POLICY NUMBER: DJJ 104		
TOTAL PAGES: 4		
EFFECTIVE DATE: November 30, 2018		
APPROVAL: Carey D. Cockerell , COMMISSIONER		

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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

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

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youth that within the last five (5) years has resided at the facility the staff works or worked at unless the Facility Superintendent has approved the communication or correspondence. If staff receive any communication or correspondence from a youth that resided at the facility the staff works or worked at within the last five (5) years, then the staff shall immediately forward a copy of the communication or correspondence to the Facility Superintendent.

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

V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

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

POLICY NUMBER: 105

TOTAL PAGES: 4

EFFECTIVE DATE: 12/01/2014

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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

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

D. Request for Disciplinary Action Guidelines

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

POLICY NUMBER DJJ 105	EFFECTIVE DATE 12/01/2014	PAGE NUMBER 4 of 4
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recommendation regarding the recommended level of discipline to be issued based upon the submitted request.

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

V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Emergency and Staff Coverage

POLICY NUMBER: DJJ 106

TOTAL PAGES: 2

EFFECTIVE DATE: November 30, 2018

APPROVAL: Carey D. Cockerell ,COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

A. Emergencies

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

POLICY NUMBER DJJ 106	EFFECTIVE DATE: 11/30/2018	PAGE NUMBER 2 of 2
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- b. Staff shall take a fifteen (15) minute break after each additional 2.5 hours worked and a thirty (30) minute break for meals every four (4) hours.
- c. Staff shall be provided sleeping and leisure area separate from youth residential areas if they are unable to return home during emergencies.
- 3. Staff who are required to work during an emergency shall be compensated in accordance with 101 KAR 2:102 and the Fair Labor Standard Act.
- 4. Staff shall be charged leave without pay for failure to report during an emergency.

B. Maintenance On-Call Staff

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

C. Mental Health and Nursing On-Call Staff

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

- D. On-call staff may be required to carry a cell phone if they are in an area where telephone access is readily available.
- E. The on-call staff shall have no more than 60-minute response time when called, unless policy requires a quicker response time for the position.
- F. Off-duty staff may be required to be available or "on-call".
 - 1. Staff shall receive compensatory time for phone calls and time spent at the office or facility.
 - 2. Travel time to and from the office or facility shall be compensatory time earned except for those trips that a staff would normally incur in relation to their scheduled shift.

V. MONITORING MECHANISM

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



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

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

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Attendance at Professional Meetings

POLICY NUMBER: DJJ 106.1

TOTAL PAGES: 2

DATE ISSUED: 02/15/04

EFFECTIVE DATE: 04/15/04

APPROVAL: Ronald L. Bishop

, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITION

Not Applicable

IV. PROCEDURES

A. Request for Time to Attend Professional Meetings

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

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

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

C. Holding Office in a Professional Organization

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

V. MONITORING MECHANISM

Supervisors shall be responsible for insuring the procedures are followed.



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

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

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Background Checks

POLICY NUMBER: DJJ 106.3

TOTAL PAGES: 2

EFFECTIVE DATE: 12/01/2014

APPROVAL: Bob D. Hayter

,COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

POLICY NUMBER DJJ 106.3	EFFECTIVE DATE 12/01/2014	PAGE NUMBER 2 of 2
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3. Child abuse and neglect registry check.
 - D. DJJ shall require a check of licenses and certifications on all staff who are required by the classification specification to have or maintain a license or certification.
 - E. The Personnel Branch shall complete a background check on each staff, intern, contracted staff, and volunteer prior to the completion of the first thirty (30) days of duty or, in the case of Youth Worker (YW) staff, prior to the completion of the Training Academy.
 - F. The Commissioner shall make the final decision on all positive results from the background check.

V. MONITORING MECHANISM

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



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

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

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Replacement of Damaged or Destroyed Staff Personal Property	
POLICY NUMBER: DJJ 106.4	
TOTAL PAGES: 2	
EFFECTIVE DATE: November 30, 2018	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

This policy shall apply to all staff of DJJ.

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

- A. Any staff who suffers damage to personal property as a direct result of youth activity, may be compensated for the cost of repair or replacement of the damaged articles.
1. An Incident Report describing the incident shall be completed. The report shall state the details of the incident, the items damaged, and the degree of damage.
 2. If damage or replacement request is approved by the supervisor and Superintendent, the documentation shall be forwarded to the facility Fiscal Officer.
 3. The replacement or repair of the item shall be arranged by the staff.

POLICY NUMBER DJJ 106.4	EFFECTIVE DATE: 11/30/2018	PAGE NUMBER 2 of 2
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4. A copy of this incident report, original receipt, and approved replacement request shall be attached to the Travel Voucher and shall be submitted to the Fiscal Branch for processing. The cost of replacing or repairing damaged items shall be limited to the following:

a. Clothing

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

b. Jewelry

- | | |
|---|---------|
| 1. Watch, repair or replace up to | \$75.00 |
| 2. Repair; replace watchband up to | \$15.00 |
| 3. Other items of jewelry shall be evaluated on a per item basis. | |

c. The maximum allowable payment for prescription eyeglasses and contact lens shall be \$350.00 and shall not include payment for an eye examination.

B. Youth may not directly reimburse for personal property of staff. Depending on the severity and degree of youth activity, the youth may be assigned appropriate disciplinary consequences on a case-by-case basis by the facility superintendent.

V. MONITORING MECHANISM

The Fiscal Branch shall monitor this policy.



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Administrative Duty Officer

POLICY NUMBER: 106.5

TOTAL PAGES: 2

EFFECTIVE DATE: 12/01/2014

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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


C. In a YDC and RJDC

POLICY NUMBER DJJ 106.5	EFFECTIVE DATE: 12/01/2014	PAGE NUMBER 2 of 2
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1. The ADO shall be required to be on-site until 8:00 p.m. on weekdays; and
 2. The ADO shall make contact with the facility by phone at least once on Saturdays, Sundays, and holidays.
- D. The ADO shall have on-site administrative authority.
- E. The ADO shall be on twenty-four (24) hour call.
- F. When serving as the ADO, staff shall have no more than remain within a sixty (60) minute response time.
- G. The assignment of ADO shall be rotated and an assignment schedule provided to staff. Community services ADO rotation and assignment schedule of assignment shall be shared with Court Designated Workers (CDW's) and local law enforcement agencies, as needed.
- H. The ADO shall be contacted in matters considered to be of a serious nature as stipulated in the Standard Operating Procedures (SOPs) and shall up-line through the chain of command. Message services or voice mail shall not be utilized, contact is required.
- I. The following expectations shall be adhered to during the period a staff member serves as ADO:
1. No use of alcohol or intoxicants.
 2. Provision of an accurate description of the situation when reporting incidents through the chain of command.
 3. Accessibility by telephone at all times.
- J. The ADO shall receive compensatory time for all ADO related work including phone calls and time spent at the office or facility. Travel time to and from the office or facility shall be compensatory time earned except for those trips that a staff would normally incur in relation to their scheduled shift. In a situation requiring the physical presence of the ADO within the office or facility, mileage shall be reimbursed pursuant to Finance and Administration regulations if a state vehicle is not used.

V. MONITORING MECHANISM

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

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 3-JTS-1C-07 3-JDF-1C-05 3-JCRF-1C-03 1-JDTP-1C-07 1-JBC-1C-06
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Equal Employment Opportunity		
POLICY NUMBER: DJJ 106.6		
TOTAL PAGES: 3		
EFFECTIVE DATE: March 11, 2019		
APPROVAL: Raymond F. DeBolt		, COMMISSIONER

I. POLICY

The Department is committed to affirmative action to assure equal employment opportunity for all citizens. The Department shall comply with the Commonwealth of Kentucky Executive Branch Affirmative Action Plan and develop an agency Affirmative Action Plan. The Department shall comply with the Justice and Public Safety Cabinet Equal Employment Opportunity (EEO) policy and procedures.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

POLICY NUMBER DJJ 106.6	EFFECTIVE DATE: 03/11/2019	PAGE NUMBER 2 of 3
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1. Communicate the plan to all appropriate persons;
 2. Ensure compliance with the plan;
 3. Support the objectives and initiatives of the Commonwealth of Kentucky Executive Branch Affirmative Action Plan;
 4. Attend EEO Training and ensure staff EEO Training requirements are met;
 5. Comply with EEO investigations; and
 6. Comply with the Justice and Public Safety Cabinet's EEO policy, including use of the Cabinet's EEO Complaint Form (addendum to this policy).
- D. In accordance with the Commonwealth of Kentucky Executive Branch Affirmative Action Plan, staff shall follow and support the guidelines for EEO in the work place and participate with any EEO investigations. Staff shall comply with the Justice and Public Safety Cabinet's EEO policy, including use of the Cabinet's EEO Complaint Form (addendum to this policy).
- E. The Department shall appoint an EEO and ADA Coordinator. The EEO and ADA Coordinator shall manage the Department's compliance with the Commonwealth of Kentucky Executive Branch Affirmative Action Plan.
- F. Each office or facility shall have a designated EEO Counselor.
1. EEO Counselors shall complete EEO related trainings annually conducted through the Office of Diversity, Equality, and Training and the Department.
 2. The EEO Counselor shall provide assistance to the Department's EEO Coordinator in complaint resolution.
- G. All Department staff shall be advised of the name of the Department EEO Coordinator and the respective office or facility EEO Counselor.
- H. A staff who suspects or believes that they have been subject to EEO violation shall consult with the appropriate EEO Counselor or the Department EEO Coordinator. Staff are encouraged to complete the Justice and Public Safety Cabinet's EEO Complaint Form (addendum to this policy) to report any EEO violation.
- I. Employee Grievance Procedures, as detailed in 101 KAR 1:375, may be used for the purpose of seeking resolution to an EEO complaint. Copies of any grievance filed alleging discrimination shall be immediately forwarded by the recipient to the DJJ EEO Coordinator for tracking. If the grievance relates to alleged discrimination, the EEO Complaint Form (addendum to this policy) shall be completed in accordance with the Justice and Public Safety Cabinet's EEO policy.
- J. Staff shall be notified of the right to pursue resolution of their EEO complaints with agencies outside of DJJ, irrespective of whether they have made use of internal procedures.

POLICY NUMBER DJJ 106.6	EFFECTIVE DATE: 03/11/2019	PAGE NUMBER 3 of 3
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- K. Individuals filing an EEO complaint or assisting in an EEO investigation shall not be subject to retaliation in any manner.
- L. If a false complaint is filed or if any person provided false information during the course of the investigation, this may be grounds for disciplinary action.

V. MONITORING MECHANISM

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

**JUSTICE AND PUBLIC SAFETY CABINET
EEO Complaint Form**

Instructions: The *EEO Complaint* form shall be emailed to JusticeCabinetEEO@ky.gov, faxed to (502)564-0250, (502)564-6686 or mailed to the following:

**Justice and Public Safety Cabinet
Internal Investigations Branch
Or
Cabinet Human Resources Director
125 Holmes Street, 2nd Floor
Frankfort, Kentucky 40601**

-
1. Complainant's Name _____
 2. Address _____
 3. City, State and Zip Code _____
 4. Telephone Number _____
 5. Person discriminated against (if someone other than complainant)
 - a. Name _____
 - b. Address _____
 - c. City, State and Zip Code _____
 - d. Current Position: _____
 6. What was the discrimination based on? (check all that apply)
 - Race (*Specify*) _____
 - Color (*Specify*) _____
 - National Origin (*Specify*) _____
 - Sex (*Specify*) _____
 - Age (*Date of Birth*) _____
 - Religion (*Specify*) _____
 - Veteran Status (*Specify*) _____
 - Genetic Information (*Specify*) _____
 - Disability (*Specify*) _____
 - Political Affiliation (*Specify*) _____
 - Sexual Orientation (*Specify*) _____
 - Gender Identity (*Specify*) _____
 - Ancestry (*Specify*) _____

**JUSTICE AND PUBLIC SAFETY CABINET
EEO Complaint Form**

7. Name/Title of individual(s) responsible for alleged discrimination: _____

8. Date of alleged discrimination: _____


9. Allegation of Discrimination -Describe your claim in specific detail. (For additional space, attach sheets of paper or use back of the form.) _____

10. Have you filed: *check all that apply*
- EEO/civil rights complaint;
 - Grievance; or
 - Appeal to the State Personnel Board.

Please sign below.

Signature

Date

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 200 KAR 2:006 4-JCF-6B-15 3-JCRF-1D-08 3-JDF-1C-18 1-JDTP-1C-21 3-JTS-1C-20
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Travel		
POLICY NUMBER: 106.10		
TOTAL PAGES: 3		
EFFECTIVE DATE: November 30, 2018		
APPROVAL: Carey D. Cockerell		,COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. Individuals traveling on DJJ official business shall be familiar with and follow all guidelines of the Employee Travel Regulations, 200 KAR 2:006. These regulations are available at <http://finance.ky.gov/services/statewideacct/Pages/travel.aspx>.
- B. Prior to signing a Travel Voucher, the authorizing supervisor shall audit the travel voucher data to ensure it is true and correct as well as in compliance with this policy. Travel vouchers found out of compliance may be returned to the supervisor unprocessed. The TRAVEL VOUCHER (eMARS 34), OTHER EXPENSES (eMARS 34b), and TRAVEL VOUCHER CONTINUATION (eMARS 35) is available from Kentucky Finance and Administration Cabinet at <http://finance.ky.gov/services/forms/Pages/default.aspx>.

POLICY NUMBER DJJ 106.10	EFFECTIVE DATE: 11/30/2018	PAGE NUMBER 2 of 3
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- C. Travel expenses shall only be reimbursed for travel for official DJJ business. Travel vouchers shall be submitted at least once per month unless the travel is for an amount less than ten (10) dollars.
- D. All travel vouchers shall be submitted on the appropriate form. Mileage claims shall be calculated based on the Kentucky Official Highway Map, MapQuest website, Google Maps website, or similar web mapping service and may be attached to the Travel Voucher as supporting documentation.
- E. Persons authorized to travel shall use the most economical, standard transportation available, and the most direct and usually traveled routes. Exception may be made with approval of the Administrative Manager or designee if other arrangements will be in the best interest of the Commonwealth.
- F. Vicinity travel shall be claimed on a separate line of the Travel Voucher. Multiple stops within the same city may be combined on a single line.
- G. State vehicles shall be used for travel if available and feasible.
- H. Mileage shall only be claimed for the shorter of the distance between the staff's official workstation and destination or the staff's home and destination, whichever is less.
- I. Per Diem for meals shall only be paid for overnight travel. Staff shall be in travel status for the entire meal period to claim per diem. Per Diem may not be paid when a full meal is provided by conference or lodging.
- J. Per Diem for dinner may be paid without an overnight stay if the staff is at a location more than forty (40) miles from their work station and is in travel status between 5:00 pm and 9:00 pm. Per diem for dinner without an overnight stay shall be W-2 reportable and treated as income for staff.
- K. State-owned facilities shall be used for meetings and lodging if available, practicable and economical.
- L. Group lodging with direct billing to DJJ shall only be established by the department if four (4) or more staff requires overnight lodging. The direct bill account shall be established by the Fiscal Branch.
- M. Receipts are required for all lodging. Parking and other expenses shall also require a receipt for reimbursement over ten (10) dollars. All receipts over ten (10) dollars shall be attached to travel voucher.
- N. Out-of-State
 - 1. Travel to a bordering state that does not require airfare or an overnight stay shall be authorized in the same manner as travel within Kentucky.
 - 2. A written request for Out-of-State travel shall be submitted to the Commissioner a minimum of thirty (30) days prior to the requested trip. The request shall be submitted to the appropriate Deputy Commissioner, Division Director, and Regional or Branch Manager.

POLICY NUMBER DJJ 106.10	EFFECTIVE DATE: 11/30/2018	PAGE NUMBER 3 of 3
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3. If the request is not received in a minimum of thirty (30) days prior to the departure date, there shall be no assurance that the approval process will be completed in time for the staff to attend.
4. Upon approval by the Commissioner, the Fiscal Branch shall submit the written request to the Finance and Administration Cabinet, if applicable, for final approval.
5. Air travel reservations shall not be made without prior approval of the Fiscal Branch.
6. Reservations for air travel made through the state-approved travel agency per direction of the Division of Administrative Services shall be charged to the department's Business Travel Account (BTA).
7. Staff may be required to purchase their own airfare. Staff shall submit the original invoice with their out-of-state travel voucher for reimbursement. Airfare shall be the most economical for the state.
8. Travel vouchers submitted for reimbursement for out-of-state travel shall not include any in-state travel that is not associated with the trip.
9. If a rental car is required while out-of-state, a request shall be submitted in advance to the Commissioner. The justification shall include the reasons that public transportation will not suffice, along with the dates required and the cost. The approved request shall be attached to the travel voucher when submitted for reimbursement.

O. Outside Training Request

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

V. MONITORING MECHANISM

The Division of Administrative Services shall monitor this policy.



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

**REFERENCES:
3-JTS-1D-14
3-JDF-1D-14
3-JCRF-1D-08
1-JDTP-1D-12
1-SJD-1D-07**

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: DJJ Sponsored Training with University Credit

POLICY NUMBER: DJJ 106.12

TOTAL PAGES: 4

DATE ISSUED: 02/15/04

EFFECTIVE DATE: 04/15/04

APPROVAL: Ronald L. Bishop

COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

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

POLICY NUMBER DJJ 106.12	ISSUE DATE 02/15/04	EFFECTIVE DATE 04/15/04	PAGE NUMBER 2 of 4
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IV. FUNDING

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

A. Source of Funds

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

B. Payment of Funds

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

V. PROCEDURES

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

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

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

VI. EMPLOYEE'S OBLIGATION

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

VII. TIME AND TRAVEL

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

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

VIII. EQUAL OPPORTUNITY

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

IX. MONITORING MECHANISM

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



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

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

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Fiscal Management	
POLICY NUMBER: DJJ 107	
TOTAL PAGES: 5	
EFFECTIVE DATE: 12/01/2014	
APPROVAL: Bob D. Hayter, COMMISSIONER	

I. POLICY

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

II. APPLICABILITY

This policy shall apply to all DJJ staff.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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

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

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

POLICY NUMBER DJJ 107	EFFECTIVE DATE 12/01/2014	PAGE NUMBER 4 of 5
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Property Officer by the Inventory Coordinator. The Property Officer shall enter this data into the system.

L. Physical Inventory

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

M. Disposal of Inventory

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

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

N. Vehicle Inventory

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

V. MONITORING MECHANISM

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



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

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

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Procurement and Expenditures

POLICY NUMBER: DJJ 107.1

TOTAL PAGES: 4

EFFECTIVE DATE: November 30, 2018

APPROVAL: Carey D. Cockerell , COMMISSIONER

I. POLICY

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

II. APPLICABILITY

This policy shall apply to DJJ staff.

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

A. The procurement of goods and services for the department from vendors offering the best value to the Commonwealth. This objective shall include the following components:

1. To oversee prompt delivery of commodities;
2. To enforce contractual obligations of persons or agencies having contracts with DJJ;
3. To interpret procurement policies and procedures; and
4. To review and process purchase requests submitted by DJJ staff.

B. The small purchase authority limit for DJJ shall be \$10,000 and shall be in accordance with FAP-111-55-00.

1. One (1) written price quote shall be required for purchase requests up to \$5000 and shall be kept on file.

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2. Additional price quotes may be required by the Fiscal Branch upon review of the justifications and initial price quote.
 3. Three (3) written price quotes are required for purchase requests between \$5000 and \$10,000 and shall be kept on file. One (1) of the three (3) required quotes shall be from a Service Disabled Veteran owned small business or ethnic minority owned business, if available regionally.
 4. When a vendor with the lowest quote is not chosen, documentation of the selection and reasoning for the selection shall be kept on file.
- C. The small purchase authority limit for DJJ Capital Construction and Real Properties shall be \$20,000 and shall be in accordance with FAP 220-10-00.
1. One (1) written price quote shall be required for purchase requests up to \$10,000 and shall be kept on file.
 2. Additional price quotes may be required upon review of the justification and initial price quote.
 3. Three (3) written quotes shall be required for purchase requests between \$10,000 and \$20,000 and shall be kept on file.
 4. When a vendor with the lowest quote is not chosen, documentation of the selection and reasoning for the selection shall be kept on file.
- D. Purchases shall be made from the Catalog Master Agreement if an agreement exists for goods or services. If no Catalog Master Agreement exists for the goods or services, the procurement methods outlined in this policy shall be followed. Goods or services on a Catalog Master Agreement may be purchased from an alternative vendor as stated in FAP-111-37-00.
- E. Goods or services that exceed the small purchase authority of DJJ and are not on a Catalog Master Agreement shall be issued for solicitation by the Finance and Administration Cabinet through an eMARS RQS document created by the Fiscal Branch.
- F. Sole source purchases shall be documented and require Finance and Administration Cabinet approval if the purchase exceeds the small purchase authority of \$10,000 per FAP-111-10-00.
- G. A Strategic Procurement Request (SPR1) shall be approved by either the Fiscal Branch or EO1 Review Committee dependent on the type or cost of the goods or service purchased.
1. SPR1 or SPR1 blanket waiver approvals shall not replace or exempt the purchasing guidelines of the FAP's or KRS 45A.
 2. SPR1 and SPR1 blanket waivers shall be in effect for one (1) year from the date of issuance.
- H. An approved SPR1 shall be attached to the purchase of goods or services exceeding \$1000.

POLICY NUMBER DJJ 107.1	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 3 of 4
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- I. An affidavit shall be mandatory for all purchases over \$1000 from vendors not on a Catalog Master Agreement.
- J. DJJ shall be exempt from state sales tax and federal excise tax.
- K. A filing system shall provide reference to all purchasing documents and readily accessible and available for audit purposes per FAP 111-28-00. These files shall contain, at a minimum, the following documentation:
 1. Copies of purchase requests and expenditures with required documentation;
 2. Copies of receiving reports and invoices;
 3. Copies of reports, price quotes and bids, and any correspondence relating to the purchasing transaction, including vendor complaints relating to the performance or quality of goods; and
 4. Copies of all equipment guarantees or warranties including the expiration dates.
- L. Personal Service Contracts (PSC) for professional services shall be bid out and awarded by the Fiscal Branch. Documentation for the Request for Proposal (RFP) shall be maintained by the Fiscal Branch.
- M. A Memorandum of Agreement (MOA) shall only be entered into with other state agencies, quasi-state agencies, and universities to provide professional services for the department. All MOAs are maintained by the Fiscal Branch.
- N. Expenditures: Purchases and Payments
 1. All purchase requests shall be made by employee through supervisory chain to the Administrative Manager (Superintendent/Branch Manager/Juvenile Services District Supervisor). Once approval is received from the Administrative Manager (Superintendent/Branch Manager/Juvenile Services District Supervisor), the approved purchase request that is \$1000 or greater shall be forwarded to the Division Director for approval then to the Fiscal Branch for purchase, if amount is less than \$1000 then purchase shall be made by the fiscal manager or fiscal officer. See attached flowchart.
 2. The Fiscal Branch may determine that due to departmental budgetary restraints, only expenditures essential for the operation of the facilities and programs shall be processed at that time. If this situation occurs, purchase requests shall be kept on file until funds become available.
 3. Payments and purchases deemed routine or prudent do not require the request for purchase and are exempt from the approval process outlined in the paragraphs above. The following is a list of routine or prudent payments:
 - a. monthly utility payments,
 - b. monthly cable service payments,

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

V. MONITORING MECHANISM

The Administrative Services and Fiscal Branch shall monitor these activities.

Exceptions: See DJJ Policy 107.1 and 107.2

Purchase Request Emailed to Supervisor with Justification

Supervisor Approves-Forwards to Superintendent -Administrative Manager

OR

If Purchased Denied



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

OR

If Purchased Denied



Purchased by Fiscal Manger

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

For Purchases \$1,000 and OVER

Forward to Agency Budget Analyst IPA IV for Funding

Funds Available

Forwards to Fiscal Branch Manager/ Admin Services Director

Forward to Procurement Officer for Purchase

For Purchases \$5000 and OVER

Forward to Agency Budget Analyst IPA IV for Funding

Funds Available

Forwards to Fiscal Branch Manager/ Admin Services Director

FBM forwards to Commissioner

Commissioner Approves

Forwards to Fiscal Branch Manger

Forward to Procurement Officer for Purchase

Funds NOT available



Funds NOT available

Commissioner Denies



*****REMINDER*****
*****Up to \$4,999= 1 Quote*****
*****\$5,000—\$10,000 = 3 Quotes*****



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: 200 KAR 5:021

SUBJECT: Procurement Card

POLICY NUMBER: DJJ 107.2

TOTAL PAGES: 6

EFFECTIVE DATE: 4/17/2015

APPROVAL: Bob D. Hayter, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

This policy shall apply to all DJJ staff.

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

A. ProCard Issuance and Security

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

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

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

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

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

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

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

POLICY NUMBER DJJ 107.2	EFFECTIVE DATE 4/17/2015	PAGE NUMBER 6 of 6
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8. The cardholder shall be responsible for reporting all inventory items purchased (equipment \$500 or over) to the department property officer via e-mail or fax.
 - a. The e-mail shall include the date the item is received, the purchase amount, the serial number, and the inventory tag number.
 - b. The serial number and inventory tag number shall be submitted to the Procurement Card Administrator.
- F. Supervisors shall be responsible for the following:
 1. Providing written approval for each purchase made by the Cardholder.
 2. Signing the Cardholders weekly transaction list.
 3. Approving the Cardholders transactions through the issuing banks online system.
- G. ProCard Administrator shall be responsible for the following:
 1. Ensuring receipts are collected for every transaction and reconciled to transactions within eMARS;
 2. Verifying that each Cardholder and their respective supervisor have electronically signed the Cardholders transactions on the issuing banks online system;
 3. Coordinating the payment process to ensure a complete timely remittance;
 4. Ensuring items purchased, which are required to be documented on the fixed asset inventory, are included and submitted to the Property Officer;
 5. Reconciling the monthly billing statement; and
 6. Extracting transactions from the issuing bank's online system.

V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: 200 KAR 5:021

SUBJECT: Procurement Card

POLICY NUMBER: DJJ 107.2

TOTAL PAGES: 6

EFFECTIVE DATE: November 30, 2018

APPROVAL: Carey D. Cockerell

, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

This policy shall apply to all DJJ staff.

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

A. ProCard Issuance and Security

1. The authorized staff shall:

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

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

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- g. Services or goods provided under contract that are not prohibited by FAP-11-58-00 or the terms and conditions of the Catalog Master Agreement.
3. A ProCard may be used for 1099 reportable services in accordance with FAP-111-58-00. The vendor's Federal Tax Identification number shall be included on the original receipt or invoice when submitted to the Procurement Card Administrator. Services, which are 1099 reportable, shall include the following:
 - a. Purchased labor associated with maintenance and repairs. Supplies or parts for repairs shall not be included;
 - b. Lawn care and snow removal;
 - c. Elevator maintenance;
 - d. Fire extinguisher service;
 - e. Advertising;
 - f. Pest control;
 - g. Laundry and linen services;
 - h. Bottled water;
 - i. Cable TV and satellite TV services;
 - j. Garbage and sanitation services; and
 - k. Veterinary services.
 4. Cardholders shall not make purchases with suppliers in the Merchant Category Code (MCC) group 86. Specifically, if a cardholder attempts to use the procurement card with a supplier of any of the following, the transaction will be denied immediately:
 - a. Airlines;
 - b. Automobile rental;
 - c. Hotels and motels;
 - d. Eating places and restaurants (except with prior written approval from the Finance and Administrative Cabinet via Procurement Card Program Administrator);
 - e. Bars, cocktail lounges, discotheques, nightclubs, and taverns;
 - f. Quick payment service, for example fast food restaurants;
 - g. Package stores, beer, wine, liquor; and
 - h. Financial institutions, cash advances, traveler's cheques, securities, and insurance.
 5. Cardholders shall request approval from the Procurement Card Administrator prior to a transaction from a supplier in the MCC group 5.
 6. DJJ ProCards shall not be used for the following items:
 - a. Travel expenses;

POLICY NUMBER DJJ 107.2	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 4 of 6
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- b. Entertainment expenses;
- c. Alcoholic beverages;
- d. Tobacco products;
- e. Automotive gasoline (fuel for lawn and garden equipment is allowable);
- f. Car washes;
- g. Cash advances;
- h. Salaries and wages;
- i. Legal services;
- j. Lease purchases;
- k. Insurance premiums and bonds;
- l. Personal service contract payments;
- m. Printing services (except copying costs if the cardholders workstation is outside of Franklin County); and
- n. Medical expenses (except with the Fiscal Branch Manager's written approval).

7. No hardware or software purchases shall be made using the procurement card. Exceptions for purchasing computer accessories shall be granted with prior written approval from the Information Systems Manager.

E. Cardholder Responsibilities

- 1. Each cardholder shall be assigned single purchase and cycle limits per the Cardholder Agreement. Single purchase amounts shall include the costs of delivery, shipping, and handling.
- 2. Procurement transactions shall not be split, parceled, or divided over a period of time in order to avoid exceeding the cardholder limit. A split purchase exists when there is intent to purchase items at any time interval to avoid the cardholder's single purchase limit.
- 3. Cardholders shall inform all vendors that the Commonwealth of Kentucky is a tax-exempt institution. The Kentucky tax-exempt number is on the card.
 - a. Cardholders are responsible for ensuring sales tax is not charged on procurement card purchases.
 - b. Transactions shall not be made with vendors that refuse to exempt a purchase from sales tax.
 - c. Cardholders shall obtain a copy of the Kentucky and the DJJ sales tax exemption letter from the Fiscal Branch and can provide a copy to a vendor upon request.

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

POLICY NUMBER DJJ 107.2	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 6 of 6
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second billing cycle following the purchase, the card shall be revoked and the cardholder shall be held personally liable for the charge and subject to disciplinary action.

8. The cardholder shall be responsible for submitting the serial number and inventory tag number of all inventory items purchased (equipment \$500 or over) to the department property officer.

F. Supervisors shall be responsible for the following:


1. Providing written approval for each purchase made by the Cardholder;
2. Signing the Cardholders weekly transaction list; and
3. Approving the Cardholders transactions through the issuing banks online system.

G. Procurement Card Administrator shall be responsible for the following:

1. Ensuring receipts are collected for every transaction and reconciled to transactions within eMARS;
2. Verifying that each Cardholder and their respective supervisor have electronically signed the Cardholders transactions on the issuing banks online system;
3. Coordinating the payment process to ensure a complete timely remittance;
4. Reconciling the monthly billing statement; and
5. Extracting transactions from the issuing bank's online system.

V. MONITORING MECHANISM

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

 <p>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	REFERENCES:
CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Professional Fees and Dues	
POLICY NUMBER: DJJ 108	
TOTAL PAGES: 2	
EFFECTIVE DATE: 5/15/2017	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

POLICY NUMBER DJJ 108	EFFECTIVE DATE 5/15/2017	PAGE NUMBER 2 of 2
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- C. Staff shall submit a written request, including the invoice for payment or a travel voucher with the invoice attached for reimbursement and the Commissioner's approval when applicable, through their chain of command to the Fiscal Branch.
- D. Payment or reimbursement shall not be granted for late fees, unless incurred due to inaction by the department.
- E. Staff receiving payment or reimbursement of licenses, certifications, professional insurance, or organizational membership shall sign a promissory note acknowledging all obligations and authorizing the department to recover an prorated amount based on service time with the agency if:
 - 1. Staff have received duplicate reimbursement for the dues or fees from some other source; or
 - 2. Staff have been dismissed or voluntarily terminated prior to the time limit specified in the promissory note with the department.
- F. The requirements of this section shall not apply to staff who do not meet the service requirement because of layoffs, reduction of work force, or actions resulting from internal mobility programs.
- G. Offices and facilities of the department shall ensure that race, color, religion, national origin, sex, disability, sexual orientation, gender identity, genetic information, veteran's status, or age shall not be factors in approval for payment or reimbursement of professional license and certification fees, professional insurance premiums, and dues for memberships in professional organizations.

V. MONITORING MECHANISM

Monitoring shall be the responsibility of the Administrative Managers and Fiscal Branch.



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

REFERENCES:

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Employee Exit Interview	
POLICY NUMBER: 109	
TOTAL PAGES: 1	
EFFECTIVE DATE: November 30, 2018	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

V. MONITORING MECHANISM

Supervisors shall ensure compliance on an ongoing basis.



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

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

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: General Security Guidelines in Facilities and Programs	
POLICY NUMBER: 110	
TOTAL PAGES: 4	
EFFECTIVE DATE: 9/15/2016	
APPROVAL: LaDonna L. Koebel	,ACTING COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

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

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

POLICY NUMBER DJJ 110	EFFECTIVE DATE: 9/15/2016	PAGE NUMBER 2 of 4
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- b. Communication system that includes alternate communication systems to supplement direct staff supervision activities between the control center and, the juvenile living areas.
 - c. Access to a washbasin and toilet.
- 2. A key control system, including the use of an automated key exchange system if available. This system shall:
 - a. Account for vehicle and facility keys;
 - b. Require that keys be individually numbered or labeled according to a system that is clearly explained in facility SOPs;
 - c. Require that keys permanently assigned to individual staff be signed for and kept secure;
 - d. Prohibit youth access to keys;
 - e. Require the use of soldered or safety key rings, in YDCs and RJDCs, that do not allow keys to be removed from rings without special tools not available to youth;
 - f. Include signing in and out documentation of the removal and return of keys each time keys are removed from a key box; and
 - g. Require a quarterly inventory of facility keys that includes a physical check of each key. The inventory shall be documented on a form that lists all keys by number or label and includes the date that each key was checked. The inventory documentation shall be signed by two (2) staff, one of which shall be the Superintendent, Assistant Superintendent, or youth services program supervisor (YSPS);
- 3. A system for logging youth head counts during the following times: shift change, after visitation, before and after activities conducted outside the facility area, after evacuations, or other times as needed;
- 4. Means of reporting to the Superintendent any increase or decrease in the population on a shift-by-shift basis;
- 5. Duty assignments for the disbursement of staff;
- 6. Observation/Bed checks;
 - a. Staff shall observe residents and conduct bed checks at random, staggered intervals not to exceed 15 minutes during sleep hours and anytime a youth is secured in a cell / room for any reason, including but not limited to, intake, isolation, time-out, room restriction, sick-call, bed rest, or known AWOL risk. Precise 15 minute checks are not acceptable since such checks allow youth to predict and monitor the movements of staff.
 - b. Staff shall accurately document all observations / bed checks, including actual time the staff conducted the check on resident.

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

POLICY NUMBER DJJ 110	EFFECTIVE DATE: 9/15/2016	PAGE NUMBER 4 of 4
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other than facility staff performing work in those areas permitting contact with youth;

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


V. MONITORING MECHANISM

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



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

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

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Use of Vehicles	
POLICY NUMBER: DJJ 111	
TOTAL PAGES: 3	
EFFECTIVE DATE: May 30, 2018	
APPROVAL: Carey D. Cockerell , COMMISSIONER	

I. POLICY

Staff shall operate motor vehicles, irrespective of ownership, in a safe and lawful manner when in an on-duty status. Staff shall utilize and maintain Kentucky Transportation Cabinet (KYTC) leased vehicles that have been assigned to the department for use (DJJ vehicle) in accordance with 200 KAR 40:020.

II. APPLICABILITY

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

III. DEFINITIONS

Refer in Chapter 100.

IV. PROCEDURES

- A. Staff shall comply with Finance and Administration Cabinet's *Guide for Drivers of the Commonwealth's Vehicles*. DJJ shall comply with the Finance and Administration Cabinet's *Agency Guide for the Commonwealth's Vehicles*.
- B. Staff operating a DJJ vehicle or a privately owned vehicle in performance of official duties shall be properly licensed. Documentation of valid licensure shall be maintained in the staff's personnel file. Staff shall be obligated to report a suspension or loss of driving privileges to their immediate supervisor within twenty-four (24) hours. Failure to do so may result in disciplinary action.
- C. Each facility or office shall designate one staff to be the DJJ vehicle administrator and oversee vehicle control and scheduling. If the vehicle administrator is not available, the respective supervisor shall designate another staff to facilitate this process.


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- D. The vehicle administrator shall maintain possession and control keys for each DJJ vehicle assigned to the facility. The DJJ vehicle administrator shall be responsible for determining vehicle type and assignment of vehicle to requesting staff.
- E. Staff located in offices without access to a DJJ vehicle shall be excluded from IV F., G., and H of this policy.
- F. If a DJJ vehicle is available and absent a justifiable reason pursuant to paragraph H. of this section, staff shall utilize the vehicle for departmental travel. Staff shall email the vehicle administrator and carbon copy (cc:) their supervisor requesting to reserve the DJJ vehicle for noted date and time.
- G. If a DJJ vehicle is not available, staff shall obtain documentation from the vehicle administrator stating that no DJJ vehicle is available. Staff shall obtain email approval from their respective supervisor to use their privately owned vehicle for noted purpose, date, and time. The email chain denoting the state car's unavailability and approval to drive a privately owned car shall be attached to the staff's travel voucher for mileage reimbursement.
- H. If a DJJ vehicle is available, but staff would like to use a private vehicle and seek mileage reimbursement, staff shall obtain approval from their respective supervisor, via electronic mail, prior to use of private vehicle. The supervisor shall indicate the reason the use of a private vehicle was justified on the approval documentation. The approval documentation shall be attached to the staff's travel voucher when submitting for reimbursement.
- I. In the facility or office, the DJJ vehicle administrator shall conduct and document weekly safety inspections. Mechanical and safety defects shall be noted in the vehicle mileage log and promptly reported to the vehicle administrator. The vehicle administrator shall ensure that all defects are repaired.
- J. A vehicle mileage log shall be maintained on each DJJ vehicle and controlled by the DJJ vehicle administrator. Staff utilizing a DJJ vehicle shall be provided the log, along with the vehicle keys when using the vehicle. Staff shall complete their entry into the log and return the log, along with the keys and any fuel or maintenance receipts obtained while using the vehicle, to the DJJ vehicle administrator upon returning the vehicle.
- K. All DJJ vehicle maintenance and cleaning shall be coordinated with KYTC. An authorization number shall be received from KYTC by calling (800) 928-4649 prior to maintenance being performed. The authorization number shall be included on the invoice submitted by the vendor to KYTC.
- L. All accidents involving a DJJ vehicles shall be reported to KYTC by calling (800) 928-4649 and all accidents shall be reported to staff's immediate Supervisor as soon as possible.

- M. Mileage reports on all DJJ vehicles shall be completed for each calendar month and submitted to the vehicle administrator by the 5th of each month. The vehicle administrator shall submit monthly mileage reports on all DJJ vehicles to the Division of Administrative Services, Fiscal Branch by the 10th day of the following month.
- N. Fuel cards shall be controlled by the Administrative Manager or designee. Vehicle assigned fuel cards shall remain with the vehicle keys at all times.
- O. Under no circumstances shall a youth in a DJJ operated program or detention facility operate a motor vehicle.
- P. Youth shall not be left unattended in a DJJ vehicle or privately owned vehicle.
- Q. Staff, while on duty and operating a DJJ or privately owned vehicle, shall operate that vehicle in a safe and lawful manner and shall comply with all posted speed limits and all traffic control signs and signals.
- R. Staff shall use the seat belts in any vehicle so equipped in performance of their official duties. All passengers riding in any vehicle operated by DJJ staff in performance of their official duties shall be required to use the seat belts.
- S. The vehicle administrator shall be responsible for the scheduling of routine services for all DJJ vehicles. An annual inspection by a certified mechanic shall be documented in each vehicle's service log.
- T. At least one DJJ vehicle shall be kept on grounds at all times in areas where ambulance service is not readily available for the transfer of a resident for medical care. Reference Chapter 4 (Emergency Medical Services).
- U. Staff shall not use a cell phone to text or email in a DJJ vehicle after the vehicle has been placed in the on position, while the vehicle's motor is running, or while the vehicle is in motion.

V. MONITORING MECHANISM

Administrative Managers shall monitor these procedures and report any issues to the Director of Administrative Services.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 3-JTS-1G-01—09 3-JDF-1G-01—09 3-JCRF-1G-01—09 1-JDTP-1G-01—09 1-JBC-1G-01—09 4-JCF-6G-09-14 2-CO-1G-01-10
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Volunteers and Interns		
POLICY NUMBER: DJJ 112		
TOTAL PAGES: 8		
EFFECTIVE DATE: November 30, 2018		
APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

This policy shall apply to all DJJ program and offices.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

POLICY NUMBER DJJ 112	EFFECTIVE DATE: 11/30/2018	PAGE NUMBER 2 of 8
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5. Meet with Volunteer Coordinators annually to review volunteer program protocol.
- B. Administrative Managers shall appoint a Volunteer Coordinator. The Volunteer Coordinator responsibilities shall include:
1. Development of a recruiting program to establish procedures for contacting civic organizations, appropriate education institutions, and individuals. Recruitment efforts shall focus on all cultural and socio-economic segments of the community.
 2. Use agency eligibility requirements to determine suitable candidates.
 3. Establish orientation and required training.
 4. Shall maintain a current list of volunteers and interns to be used for admittance in facilities.
- C. Eligibility for Volunteer:
1. Shall be at least eighteen (18) years of age and successfully complete the initial interview process.
 2. Relatives of a youth may not serve as a volunteer within the same facility which the youth is housed.
 3. Volunteers shall complete all required applications and forms prior to beginning their volunteer work.
 5. Volunteers shall interview with the Administrative Managers or designee.
 6. All volunteers must successfully complete training and background protocol which includes a criminal background or records check, sexual offender registry check, and child abuse and neglect registry check prior to beginning their volunteer work.
- D. Eligibility for Intern:
1. Shall be at least eighteen (18) years of age and successfully complete the initial interview process.
 2. Relatives of a youth may not serve as an intern within the same facility which the youth is housed.
 3. Interns shall enter into an intern agreement with DJJ.
 4. Graduates shall receive first priority for intern assignments with the department.
 5. Interns shall interview with the Administrative Managers or designee.
 6. All volunteers must successfully complete training and background protocol which includes a criminal background or records check, sexual offender

POLICY NUMBER DJJ 112	EFFECTIVE DATE: 11/30/2018	PAGE NUMBER 3 of 8
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registry check, and child abuse and neglect registry check prior to beginning their volunteer work.

E. Intern Process:

1. DJJ and the accredited college or university shall sign a Memorandum of Understanding (MOU) for the intern program.
2. The MOU shall outline the school, intern, and DJJ responsibilities.
3. The MOU shall specify that the department shall not assume liability for injury to interns or university or college faculty advisor.
4. DJJ staff shall provide supervision to interns and assign tasks.

E. Application Process:

1. All volunteers and intern candidates shall apply with the Volunteer Coordinator at the desired location.
2. Selection of volunteers and interns shall not be based on race, color, sex, disability, age, national origin, religion, sexual orientation, gender identity, genetic information, political affiliation, or veteran status.
3. Volunteers and interns shall complete all required applications and forms prior to beginning their services and shall be forwarded to the Department Volunteer Administrator for processing.
4. Volunteers and interns may apply to a geographical area. The Volunteer Coordinator shall forward such request to the Division Director of the desired area for approval. Intern requests shall indicate the desired geographical area of placement, length of placement, and educational needs of the intern.
5. Interns shall submit for approval a written outline containing the learning objectives to the Administrative Manager and the intern's university or college faculty advisor.

F. Orientation and Training

1. Administrative Managers shall ensure the volunteer or intern is oriented to mandatory policies and procedures and has completed training.
2. The training plan for volunteers and interns shall be appropriate to their assigned responsibilities and approved by the Administrative Managers. DJJPP Chapter 5 shall be referenced for training requirements.

G. Volunteer and Intern Identification and Control:

1. Volunteers and interns shall be issued identification cards. The Administrative Manager or designee shall make arrangements for return of the identification card upon completion of internship or termination of services.

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2. Volunteers and interns shall follow established entry and exit procedures.

H. General Guidelines for Volunteer and Intern Program

1. Contact with youth shall be made in the presence of a DJJ staff assigned to work with the individual.
2. Volunteers shall not be permitted access to youth records.
3. Interns may have access to youth records if applicable to the practicum.
4. Volunteer and interns shall not function as an employee of DJJ. Volunteers and interns shall not make decisions or supervise youth under the custody, care, or supervision of DJJ.
5. Volunteer and interns shall not be permitted to transport youth under the custody, care, or supervision of DJJ.
6. Interns shall not conduct research projects, except for those approved by DJJ.
7. Volunteer and intern tasks and responsibilities shall be documented by the Volunteer Coordinator.
8. Volunteers may perform professional services only when they are certified or licensed to do so.
9. Administrative Managers may limit, postpone, or terminate the services or participation of a volunteer or intern without cause.

I. Evaluation and Reports for Interns

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

V. MONITORING MECHANISM

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

Appendix A

**The Approval Process
and Orientation Packet
for Interns and Volunteers**

4-26-2018

Approval Process for Interns and Volunteers

Step 1: The facility/community office Volunteer/Intern Coordinator will meet with the potential Volunteer or Intern. During this meeting, the Volunteer/Intern will complete:

- Either the Volunteer application form **or** Intern application form
- Child Abuse-Neglect (CAN) form
- National Crime Information Center (NCIC) form
- Non-Related form (Explanation - the Volunteer/Intern cannot be related to anyone committed youth at your facility or on the community's active caseload.)
- Dianna Screen
- Interns only - University Memorandum of Understanding (MOU)
- Interns only - Student Agreement Form

The facility/community office Volunteer/Intern Coordinator will make two (2) copies of the Volunteer/Intern Driver's License. It is important to make sure the license is not expired and the copy legible. Interns may use a College/University ID to substitute for a valid Driver's License as long as College/University ID has a current photo **and** the Intern's home address.

Step 2: The facility/community office Volunteer/Intern Coordinator will keep a copy of the above documentation for the facility/office file **and** send a copy of the above documentation to the Central Office Volunteer/Intern Coordinator, Rick Partin. Mr. Partin will maintain a copy of paperwork for the Central Office file.

Step 3: Central Office Volunteer/Intern Coordinator, Rick Partin, will send the CAN form, NCIC form and two copies of the Volunteer or Intern's driver license to DJJ's Personnel (Becca Raney or her designee) to process.

Step 4: Central Office Volunteer/Intern Coordinator, Rick Partin, will send the completed Dianna screen to DJJ's Personnel (Maria Noble or her designee) to process.

Step 5: Central Office Volunteer/Intern Coordinator, Rick Partin will complete the background check related to the pass or no pass DJJ protocol.

Step 6: The Volunteer/Intern is **not** allowed to start work until the background check results come back.

Step 7: Personnel staff will notify the Central Office Volunteer/Intern Coordinator, Rick Partin if the Volunteer/Intern has passed the background checks.

Step 8: Central Office Volunteer/Intern Coordinator, Rick Partin will notify your facility/community office Volunteer/Intern Coordinator whether the Volunteer/Intern is approved or not to work at your facility or office.

IMPORTANT: According to PREA DJJPP 902 Section E – "A newly hired employee, volunteer, intern, or contractor shall not interact with or have access to juveniles in the custody, care, or supervision of DJJ without the supervision of a qualified DJJ staff, until the Personnel Branch has cleared the individual to work with juveniles." Therefore, you must have received authorization before the Intern or Volunteer is allowed to work with any youth.

Intern Orientation Packet

Once Central Office has approved the Intern, the Intern must read, review and completed the following items at your facility /office. Please note all of the below items must be completed before the Intern is allowed contact with any youth.

- ___ DJJPP 112 Volunteers and Interns
- ___ DJJPP 505 Trainings #17 – Cultural Awareness and Diversity
- ___ DJJPP 902 PREA/Personnel
- ___ DJJPP PREA/conduct
- ___ PREA training (video)
- ___ PREA Acknowledgement form
- ___ Affirmative Action Plan (AAP) Informational Sheet
- ___ Confidentiality/Security Agreement
- ___ Executive Ethics Branch Advisory Opinion 13-02
- ___ Tobacco Free Policy Acknowledgement
- ___ Internet and Electronic Mail Policy (CIO-060) if applicable
- ___ Volunteer ethics policy
- ___ Transport non-state employee passengers form
- ___ COT Agreement form
- ___ HIPPA online training
- ___ Sexual Harassment online training (DJJPP 103.2)
- ___ SSA online training (only Interns complete this training)
- ___ Discuss entry/exit procedures
- ___ Discuss sign in/out procedures

The facility/office Volunteer and Intern Coordinator please make sure to review all policies and forms with the Intern. All completed/signed policy forms shall be kept in an “Intern/Volunteer folder” at your facility/office. These documents are subject to PREA or ACA audit. The retention for intern/volunteer files after completion of service to your facility/office is five (5) years. Electronic files are acceptable.

Intern (print name) Signature of Intern Date

Intern Coordinator (print name) Signature of Intern Coordinator Date

Superintendent, JSDS, Office Manager initial Date


Volunteer Orientation Packet

Once Central Office has approved the Volunteer, the Volunteer must read, review and completed the following items at your facility /office. Please note all of the below items must be completed before the Volunteer is allowed contact with any youth.

- ___ DJJPP 112 Interns and Volunteers
- ___ DJJPP 505 Trainings #17
- ___ DJJPP 902 PREA/Personnel
- ___ DJJPP PREA/conduct
- ___ PREA training (video)
- ___ PREA Acknowledgement form
- ___ Affirmative Action Plan (AAP) Informational Sheet
- ___ Confidentiality/Security Agreement (DJJ-219)
- ___ Executive Ethics Branch Advisory Opinion 13-02
- ___ Tobacco Free Policy Acknowledgement
- ___ Internet and Electronic Mail Policy (CIO-060) if applicable
- ___ Volunteer ethics policy
- ___ Transport non-state employee passengers form
- ___ COT Agreement form
- ___ HIPPA online training
- ___ Sexual Harassment online training (DJJPP 103.2)
- ___ Discuss entry/exit procedures
- ___ Discuss sign in/out procedures

The facility/office Volunteer and Intern Coordinator please make sure to review all policies and forms with the Intern. All completed/signed policy forms shall be kept in an "Intern/Volunteer folder" at your facility/office. These documents are subject to PREA or ACA audit. The retention for intern/volunteer files after completion of service to your facility/office is five (5) years. Electronic files are acceptable.

Volunteer (print name)	Signature of Volunteer	Date
Volunteer Coordinator (print name)	Signature of Volunteer Coordinator	Date
Superintendent, JSDS, Office Manager initial		Date

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 3-JTS-1A-10 3-JDF-1A-12 4-JCRF-1A-11 1-JDTP-1A-09 1-JBC-1A-17 4-JCF-6G-01
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Citizen Advisory Committees		
POLICY NUMBER: DJJ 113		
TOTAL PAGES: 4		
EFFECTIVE DATE: November 30, 2018		
APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

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

POLICY NUMBER DJJ 113	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 2 of 4
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- termination of services. Members shall follow sign-in and sign-out procedures when on facility grounds.
- G. The Superintendent or designee shall provide an orientation for members. Members shall agree in writing to abide by facility policies relating to confidentiality of information.
- H. The Citizens Advisory Committee shall:
1. Meet at least annually;
 2. Establish bylaws for operations that are approved by the Superintendent and the respective Regional Facilities Administrator or Regional Manager. The by-laws of the Citizens Advisory Committee shall include provisions for the selection, training, term of service, and the termination of service for members. A definition of tasks, responsibilities, and authority for members shall be provided.
 3. Meals served at DJJ facilities shall be free of charge. Off-site meals for the CAC will be reimbursed to staff by travel voucher. Meals served to staff accompanying the CAC are subject to DJJPP 100 (Staff Meals) within facilities and DJJPP 100 (Travel) if served off site;
 4. Have the Superintendent or designee in attendance at each meeting to answer questions and provide technical assistance.
 5. Encourage communication between residents, staff, and committee members.
 6. Elect a chairperson and other officers in accordance with the established bylaws; however, officers serving on the committee may not be employees of the DJJ.
 7. Submit minutes for each meeting with a copy to the appropriate Branch Manager and a copy kept on file at the program. The Superintendent shall maintain documentation of responses, actions, or lack thereof, to the committee's recommendations.
 8. Ensure that any monies under the responsibility of the CAC be controlled in accordance with DJJ Policy and Procedures. CAC funds are to be maintained in a separate bank account from Youth Activity Funds. Documentation for CAC funds and requirements for a charter shall be equal to the Youth Activity Funds as detailed in DJJPP 300 (Youth Activity Funds).
 8. Ensure that any monies under the responsibility of the CAC be controlled in accordance with DJJ Policy and Procedures. When all funds are kept in one (1) Youth Activity Fund bank account, the facility shall maintain separate ledgers to document records of receipts, disbursements, and balances to each fund. Funds shall be expended in the manner outlined in the Youth Activity Fund account charter. If the facility maintains a CAC Fund account separate from the Youth Activity Fund, a written charter shall be established that outlines the following:
 - a. Definition and purpose of the fund.
 - b. Goals and objectives of the fund.

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- c. Specific accounting procedures, including the approval levels for contributions and disbursements to the fund, record keeping procedures and periodic internal and external auditing of accounts.
- d. Checks written from accounts shall require double endorsements from the trustees.
- e. The Superintendent and Regional Facilities Administrator or Regional Manager shall approve the written charter. The charter shall remain in effect until it is amended, in which case, a new charter shall be issued.
- f. Residents shall not engage in any fund raising activity without approval from the Superintendent and Regional Facilities Administrator or Regional Manager.
- g. If for any reason the facility discontinues operation or discontinues a fund, the assets of the fund shall be frozen with no new activity obligations. The Superintendent or secondary trustee of the fund shall notify the bank and ask for an ending statement within 45 days of the closure date. All records concerning the fund shall be forwarded to the Director of Administrative Services. Upon receipt of this material, the Director of Administrative Services shall issue specific instructions for the disposition of all cash and properties belonging to the fund.

9. Reporting of CAC funds shall be included within the Quarterly Report entitled “Community Advisory Committee Account” in accordance with the requirements of DJJ Policy and Procedures.

I. Termination of Committee Membership or Services

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

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V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Staff and Visitor Meals

POLICY NUMBER: DJJ 114

TOTAL PAGES: 2

EFFECTIVE DATE: November 30, 2018

APPROVAL: Carey D. Cockerell

, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. All youth worker series staff shall be permitted, free of charge, meals while on duty during regularly scheduled meal times.
- B. All staff, excluding youth worker series staff, and visitors shall be required to pay a \$2.00 meal charge for each meal eaten in a DJJ facility.
 1. Each Superintendent shall appoint a person in charge of collecting money at the point of sale for each meal.
 2. The money collected shall be placed and kept in a secured, locked box. The box shall be affixed to the wall or maintained by the appointed staff person.
 3. The money shall be transferred to the Fiscal Manager or Fiscal Officer each business day and kept in a secured, locked box or safe until it is deposited or forwarded to the Fiscal Branch.

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4. The Fiscal Manager or Fiscal Officer shall forward a check or money order and a copy of the supporting meal log to the Fiscal Branch at least monthly. The check or money order shall be made payable to the Kentucky State Treasurer.
 5. Any youth worker series staff that would like to purchase an additional meal, outside of what is designated as a free meal, shall be required to pay a \$2.00 meal charge for each additional meal requested.
- C. Each facility shall maintain a daily meal log of staff and visitors eating meals.
1. When purchasing a meal, each staff or visitor shall sign the daily meal log at the point of sale.
 2. The daily meal log shall designate the date and the specific meal. (Breakfast, Lunch, or Dinner).
 3. The daily meal log shall be submitted to the Fiscal Manager or Fiscal Officer daily with the meal money receipts.
 4. At the end of the month the log shall be submitted to the designated person to be kept as records for meals purchased.
- D. The Community Advisory Committee (CAC) members shall not be charged for meals when meeting for CAC purposes per DJJPP 100 (Community Advisory Committee).

V. MONITORING MECHANISM

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



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

**REFERENCES:
CIO-060**

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Email and Internet Access

POLICY NUMBER: DJJ 115

TOTAL PAGES: 6

EFFECTIVE DATE: 12/01/2014

APPROVAL: Bob D. Hayter

,COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

POLICY NUMBER DJJ 115	EFFECTIVE DATE 12/01/2014	PAGE NUMBER 2 of 6
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2. These resources shall be used for state business purposes in serving the interests of state government, citizens, and customers in the course of normal business operations.
 3. Intentional, inappropriate use of Internet and E-mail resources may result in disciplinary action pursuant to KRS 18A up to and including dismissal.
- D. DJJ staff shall use the Internet and E-mail to accomplish job responsibilities more effectively and to enrich their performance skills.
1. The acceptable use of Internet and E-mail represents the proper management of a state business resource.
 2. The ability to connect with a specific Internet site shall not in itself imply that staff are permitted to visit that site.
 3. Monitoring tools shall be in place to monitor staffs use of E-mail and the Internet.
 4. Staff shall have no expectation of privacy associated with E-mail transmissions and the information they publish, store, or access on the Internet using the Commonwealth's resources.
 - a. E-mail may be subject to an open records request under KRS Chapter 61; therefore, any request for inspecting a transmission or obtaining a copy shall be subject to the procedures of DJJPP Chapter 1, Open Records, and the requirements and protections of KRS Chapter 61, KRS 197.025 and KRS 439.510.
 - b. If a subpoena for E-mail is received, the Office of General Counsel shall be contacted immediately.
 5. Incidental personal uses of Internet and E-mail resources shall be permissible, but not encouraged. Excessive personal use shall lead to loss of the resource privileges and may result in disciplinary action pursuant to KRS 18.A, up to and including dismissal. Staff shall be responsible for exercising good judgment regarding incidental personal use. Any incidental personal use of Internet or E-mail resources shall adhere to the following limitations:
 - a. It shall not cause any additional expense to the Commonwealth or the staff's agency;
 - b. It shall be infrequent and brief;
 - c. It shall not have any negative impact on the staff's overall productivity;
 - d. It shall not interfere with the normal operation of the staff's agency or work unit;
 - e. It shall not compromise the staff's agency or the Commonwealth in any way; and

POLICY NUMBER DJJ 115	EFFECTIVE DATE 12/01/2014	PAGE NUMBER 3 of 6
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f. It shall be ethical and responsible.

E. Staff and User Responsibilities

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

F. Supervisor Responsibilities

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

G. Agency Responsibilities

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

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origin, color, sexual orientation, gender identity, genetic information, or veteran's status.

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

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I. YOUTH ACCESS TO EMAIL AND INTERNET SERVICES


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

J. ATTORNEY-CLIENT PRIVILEGE

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

V. MONITORING MECHANISM

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

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES:
	CHAPTER: Administration	AUTHORITY:
SUBJECT: Staff Dress and Appearance	KRS 15A.065	
POLICY NUMBER: DJJ116		
TOTAL PAGES: 4		
EFFECTIVE DATE: June 1, 2018		
APPROVAL: Carey D. Cockerell <i>CDC</i>		, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

This policy shall apply to all DJJ staff.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. General Guidelines for Staff

1. Male and Female Dress and Appearance

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

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

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jeans shall be worn at the waist and underwear shall not show. Jeans must be free from holes and frays.

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

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V. MONITORING MECHANISM

The policy shall be monitored by the Administrative Managers.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 3-JTS-1B-16 3-JDF-1B-17; 3A-25 4-JCRF-1B-15; 4-JCF-6B-02 1-JDTP-1B-16 1-JBC-1B-15 2-CO-1B-11
CHAPTER: Administration	AUTHORITY: KRS 15A.065	
SUBJECT: Insurance		
POLICY NUMBER: DJJ 118		
TOTAL PAGES: 2		
EFFECTIVE DATE: November 30, 2018		
APPROVAL: Carey D. Cockerell , COMMISSIONER		

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Not Applicable

IV. PROCEDURES

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

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

V. MONITORING MECHANISM

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



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

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

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: News Media Contacts

POLICY NUMBER: DJJ 119

TOTAL PAGES: 3

EFFECTIVE DATE: 12/01/2014

APPROVAL: Bob D. Hayter

,COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. The Commissioner shall designate a Public Information Officer (PIO) for the Department who shall have authority for all public information and media relations. The Commissioner's Office shall inform all staff of who the PIO is on at least an annual basis or any time the PIO changes.
- B. Dissemination of Information
 1. The PIO shall be informed of all correspondence from representatives of the media directly after the correspondence is received.
 2. Except as discussed in Section IV.E below, the PIO shall be informed of all correspondence to representatives of the media and shall approve all outgoing correspondence prior to its release.

POLICY NUMBER DJJ 119	EFFECTIVE DATE 12/01/2014	PAGE NUMBER 2 of 3
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3. Notifications may be done via email or phone contact, with the appropriate members of the staff's supervisory chain copied or verbally briefed regarding the notification and any direction received from the PIO.
4. Interview requests from the media shall be made in writing and consent to interview DJJ youth shall be provided to the requestor in writing including, parent or legal guardian consent where applicable.
5. The PIO may, upon approval of the Commissioner, designate individual staff whom are authorized to speak to the media without prior approval or notification to the PIO. These individuals shall be notified in writing by the PIO of this status, with the notification copied to all members of their supervisory chain up to and including the Commissioner.
6. All staff with permission to speak to the media shall restrict their comments to DJJ representation only, omitting personal views or opinions. Staff shall direct any questions or information requests that go beyond their area of expertise or authority to the PIO.
7. Staff without permission to speak to the media shall refer representatives of the media to the PIO. Staff shall inform their immediate supervisor of any media contact.

C. Media Visits to Facilities or DJJ Offices

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

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

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

V. MONITORING MECHANISM

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



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

REFERENCES:

4-JCF-3A-01

3-JDF-3D-01, 02

3-JCRF-3D-01, 02

1-JDTP-3D-26

1-SJD-3D-01, 02

1-JBC-3D-01, 02

CHAPTER: Administration

AUTHORITY: KRS 15A.065

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

POLICY NUMBER: DJJ 121

TOTAL PAGES: 2

EFFECTIVE DATE: 5/15/2017

APPROVAL: Carey D. Cockerell, COMMISSIONER

I. POLICY

Youth in a Department of Juvenile Justice (DJJ) operated or contracted program shall have access to legal representation and access to the courts.

II. APPLICABILITY

This policy shall apply to DJJ operated and contracted programs.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

B. Access to Legal Representation

1. Youth in DJJ operated and contracted programs shall have the right to consult with an attorney of their choice at a time reasonably convenient for all parties concerned, including management of the facility.
2. Upon admission to a youth development center (YDC), group home (GH), or regional juvenile detention center (RJDC) youth shall be informed both verbally and in writing of the method by which they may access a Department of Public Advocacy (DPA) attorney. This information shall

POLICY NUMBER DJJ 121	EFFECTIVE DATE 5/15/2017	PAGE NUMBER 2 of 2
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also be contained in the youth's orientation handbook. Youth shall sign an acknowledgement form indicating receipt of this information.

3. A sign-up system shall be implemented in each YDC for youth who desire to speak with an attorney from DPA.
4. Attorneys shall not be permitted to conduct blanket interviews with youth not signed up for legal consultation.

C. Interviews by Law Enforcement Officials

1. The Superintendent or designee shall notify the Office of Legal Counsel if a youth is to be interviewed by a law enforcement.
2. Youth shall be informed of their right to refuse and have an attorney of their choice present during questioning.
3. There may be exceptional cases involving children who are emotionally disturbed, have an intellectual disability, or who for some other reason may not be able to give a coherent, meaningful statement. The Office of Legal Counsel shall be notified for consultation for those exceptional cases.
4. When the youth does not wish to talk to law enforcement personnel, a staff member shall advise the law enforcement official of the youth's refusal and document the refusal.

V. MONITORING MECHANISM

This policy will be monitored by the Superintendent and the Facilities Regional Administrator on a continual basis.



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

**REFERENCES:
4-JCF-6D-05
3-JDF-1A-32
3-JCRF-1A-19
1-JDTP-1A-25
1-JPAS-2-7022**

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Legal Assistance for Department of Juvenile Justice Staff	KRS 12.212
POLICY NUMBER: DJJ 122	
TOTAL PAGES: 3	
EFFECTIVE DATE: 5/15/2017	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

Department of Juvenile Justice (DJJ) staff may be provided appropriate legal advice and assistance in the performance of their duties and with legal representation in all civil actions arising from legitimate performance of those duties.

II. APPLICABILITY

This policy shall apply to all DJJ staff.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. Counsel Availability

1. The Office of Legal Counsel may be available to provide advice, consultation, and representation to Department staff for the following:
 - a. Legal actions against the agency or institution;
 - b. Court decisions;
 - c. Youth rights;
 - d. Civil legal actions against Department employees for actions taken during the legitimate performance of their duties; or
 - e. Administrative hearings.
2. The Office of Legal Counsel may decline to provide for the defense of a civil action brought against a staff or former staff if it is determined:

POLICY NUMBER DJJ 122	EFFECTIVE DATE 5/15/2017	PAGE NUMBER 2 of 3
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- a. The act or omission was not within the scope and course of employment of a state employee;
- b. The staff or former staff acted or failed to act because of fraud, corruption, or malice;
- c. Defense of the action by the department would create a conflict of interest between the department and the employee or former employee;
- d. Defense of the action would not be in the best interests of the department; or
- e. The staff or former staff acted in bad faith.

B. Legal Advice

DJJ staff shall have the ability to seek legal consultation on policy information, court requirements, and operational matters.

C. Requests for Legal Assistance

1. Requests for advice or representation shall be directed to the Administrative Manager.
 - a. The Administrative Manager shall forward the request with any comments or recommendations through channels to the appropriate Deputy Commissioner, who shall review the request and forward it to the Office of Legal Counsel.
 - b. Adequate background information and the reason for the request shall also be forwarded to the Office of Legal Counsel.
2. Department employees may make inquiries for legal advice directly to the Office of Legal Counsel when situations arise which require immediate legal counsel. When making such requests, reasons for the assistance requested and the advice given shall be documented in writing by the employee or his supervisor.
3. If evidence indicates the staff's conduct was negligent, illegal, or outside his scope of authority, legal representation may be denied as per KRS 12.212. Upon the denial of legal representation, the Office of Legal Counsel may provide notification to the employee.

D. Routing of Summons or Law Suits


1. Upon receipt of a summons or lawsuit, Department staff shall adhere to the following procedure:
 - a. Once served the staff member against whom the summons or lawsuit is directed shall sign the receipt and record the date, time of receipt, and signature on the document.

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- b. Immediately upon receipt of the summons or lawsuit a copy shall be electronically submitted to the Office of Legal Counsel, Office of the Commissioner, and Administrative Manager.
 - c. The original summons or lawsuit shall be mailed to the Office of Legal Counsel.
2. The Office of Legal Counsel will confer with the Office of the Attorney General when appropriate.

V. MONITORING MECHANISM

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

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

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITION

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

IV. PROCEDURES

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

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

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

V. MONITORING MECHANISM

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



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

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

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

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITION

Not Applicable

IV. PROCEDURES

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


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for all program functions. The facility operates with living units of no more than rated capacity.

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

V. MONITORING MECHANISM

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

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES:
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Workstation Assignment		
POLICY NUMBER: DJJ 126.2		101 KAR 2:095, KRS 18A
TOTAL PAGES: 2		101 KAR 2:055, 200 KAR 2:006
EFFECTIVE DATE: 5/15/2017		
APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

This Policy shall govern the Department of Juvenile Justice (DJJ) procedures for assignment, oversight, and review of workstations for departmental personnel.

II. APPLICABILITY

This policy shall apply to administrative managers within DJJ.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES


- A. All DJJ personnel positions shall be assigned a permanent workstation within a DJJ controlled space.
- B. If a DJJ personnel position is newly established, becomes vacant, or is being reviewed for relocation of the permanent workstation, the Administrative Manager shall consult with the Division of Administrative Services. When the perspective assigned workstation would be located in a different division's space, both Division Directors shall approve.
- C. If the Administrative Manager requests the workstation to be relocated, a justification shall be completed outlining the specifics of how relocation will best meet the needs of the agency. The justification shall be submitted through the supervisory channels of the Administrative Manager for approval, to include the Deputy Commissioner. Approved request shall be forwarded to the Division of Administrative Services.

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- D. The Division of Administrative Services shall review the following criteria for newly established, vacant, or the possibility of relocating positions.
 - 1. There shall be an available space suitable for the job classification of the position.
 - 2. The geographical location of assigned duties and the cost associated with travel for the position.
 - 3. All decisions shall be in the best interest of the Department.
- E. Position and workstation requests that meet the criteria shall revert back to the Deputy Commissioner for approval and notification.
- F. Requests that do not meet the criteria by Administrative Services shall be forwarded to the Commissioner or designee for approval.
- G. The requesting manager shall submit approved position request to the Personnel Branch.
- H. Once a register has been approved with an assigned workstation, the workstation shall remain open and available until the register is closed.
- I. Transient Office Space shall not be used as a permanent workspace.
 - 1. It is incumbent upon an Administrative Manger to ensure that employees utilize their assigned workstation.
 - 2. No position shall have more than one assigned workstation.
- J. Administrative Managers shall consult with Administrative Services on a case by case basis for needed workspace for contractors, interns, and volunteers.

V. MONITORING MECHANISM

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

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 4-JCF-6F-06; 4C-48 3-JDF-1F-03-08; 4C-43, 44 3-JCRF-1F-05-09; 4C-26 1-JDTP-1F-04-08; 3B-14 1-JBC-1F-03-06; 4C-40, 41 1-SJD-1F-02-07; 4C-36, 37 NCCHC Y-71
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Research Projects		
POLICY NUMBER: DJJ 127		
TOTAL PAGES: 4		
EFFECTIVE DATE: 5/15/2017		
APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

It shall be the policy of the Department to support, engage in, and use research activities relevant to its programs services and operations. The research shall be conducted in a responsible manner, which ensures the confidentiality of youth.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. All research requests shall be submitted to the Division Director of Program Services.

B. Research Proposal Submission Requirements

A research proposal shall contain the following:

1. Full name of the researcher, researcher's qualifications, and sponsoring organization, if any.
2. Statement of the purpose of the research.
3. Description of the methodology.
4. Specification of the information to be obtained and sources.

If information is obtained directly from subjects a copy of any questionnaires, tests, or interviews to be used on subjects, shall be provided with proposal.

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5. If identifiable information is to be obtained, the specific procedure to be utilized in order to comply with the conditions stated herein.
6. A signed statement of agreement to abide by the conditions of participation.

C. Conditions of Participation

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

1. Information which identifies an individual may be used only for research or statistical purposes. Identifiable information shall not be revealed for any purpose other than approved research; shall not be included in reports or publications; and shall be maintained under physically secure conditions. At the termination of the project, identifying information, specifically name and identifying numbers shall be destroyed or otherwise separated from the data.
2. Information may be collected directly from the research subject only with informed and voluntary consent of the youth and parent or guardian. The researcher is responsible for retaining a signed consent form which clearly states the purpose of the project and the activities in which the subject will be involved.
3. Information designated as privileged in statutes shall not be disclosed by the researcher subject to the penalties specified.
4. All information or data obtained under the auspices of a cooperative research project shall be made available to the Department upon request. This may include, but is not limited to, all raw data stored on electronic data processing equipment. Full documentation shall be required, including a comprehensive code listing as well as all computer programs, statistical techniques, etc. which were used to collect, analyze, or store the data. Data, when requested, shall be made available upon completion of the project. The researcher shall furnish the Department with a copy of the completed research, unless prior arrangements have been made to the contrary.
5. Information collected or obtained through cooperative research shall not be transferred to a third party without the approval of the Department. Recipients of transferred data are subject to the same conditions of participation stated herein.
6. The offering of incentives to youth or employees for participation in research shall not be permitted.

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7. All research results shall be made available to the Commissioner for review and comments prior to release or dissemination outside of the Department.

D. Processing of Proposed Research

1. Review

- a. The Division Director of Programs Services or designee shall review the proposal to determine if it meets the submission requirements and conditions of participation.
- b. If the Division Director of Program Services or designee finds the proposal does not meet the submission requirements and conditions of participation, the researcher shall be informed of the denial or of additional information needed to process the request.
- c. If the proposal meets the guidelines, and involves facility or community services personnel or youth, the proposal shall be forwarded to the respective Facilities Regional Administrator (FRA) or Division Director of Community and Mental Health Services. The respective FRA or Division Director of Community and Mental Health Services shall be responsible for discussing the proposal with the supervisor of impacted programs and operations for evaluation. Any concerns regarding the research proposal shall be directed to the Division Director of Program Services or designee and communicated to research staff.

2. Approval

The Division Director of Program Services or designee shall submit the final research proposal to the Commissioner's Office for approval.

E. Publication Rights

All publications shall contain a statement which acknowledges Department of Juvenile Justice participation in the project, but disclaims approval or endorsement of the findings. In the case of films, manuals, books, articles, or other copyright material, the Department reserves a royalty-free, non-exclusive and irrevocable license to reproduce and use such materials.

F. Medical Experimentation Upon Youth

No youth under the jurisdiction of the Department shall be the subject of medical, pharmaceutical, cosmetic, or experimental behavior modification research.


G. Non-Compliance

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

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V. MONITORING MECHANISM

The Division Director of Program Services, or designee, shall monitor this policy.

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

I. POLICY

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

II. APPLICABILITY

This policy shall apply to all DJJ offices and programs.

III. DEFINITION

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

IV. PROCEDURES

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

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

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B. Community Planning Efforts

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

V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Light Duty Assignment	
POLICY NUMBER: 131	
TOTAL PAGES: 2	
EFFECTIVE DATE: November 30, 2018	
APPROVAL: Carey D. Cockerell	, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. Staff requesting light duty assignment shall submit supporting documentation from an appropriate medical professional. Documentation shall be on the physician's letterhead, prescription pad, or stamped documentation to include restrictions and date of follow up medical appointment.
- B. The Supervisor shall forward a Temporary Light Duty Assignment request electronically through their chain of command to the Division Director for approval or denial. The Temporary Light Duty Assignment templates can be located on the Departments Portal intranet.
- C. DJJ shall have the option to request staff to submit a completed Medical Status Report (MSR).
- D. The Division Director shall consult with the Supervisor and Personnel Branch, if necessary.

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- E. The Division Director shall provide the approval or denial to the staff, with a copy to the staff's chain of command and Personnel Branch.
- F. Light duty assignments shall be approved only in circumstances where there are light duties available and shall not exceed twelve (12) weeks.
- G. Staff shall submit requests for extensions through their chain of command to the Commissioner or designee for disposition.

V. MONITORING MECHANISM

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



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

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

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: DJJ Americans With Disabilities Amendments Act and Reasonable Accommodations Protocol	
POLICY NUMBER: 131.1	
TOTAL PAGES: 2	
EFFECTIVE DATE: November 30, 2018	
APPROVAL: Carey D. Cockerell , COMMISSIONER	

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES


- A. Staff requesting accommodations shall submit a verbal or written request, to their immediate Supervisor or to the Personnel Branch, along with supporting documentation from an appropriate medical professional. The Supervisor shall forward the request to the Personnel Branch.
- B. DJJ shall have the option to request staff to submit a completed Medical Status Report (MSR).

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

V. MONITORING MECHANISM

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

	<p align="center">JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</p>	<p>REFERENCES:</p>
<p>CHAPTER: Administration</p>		<p>AUTHORITY: KRS 15A.065</p>
<p>SUBJECT: Privacy of Health Information</p>		
<p>POLICY NUMBER: 132</p>		
<p>TOTAL PAGES: 11</p>		
<p>DATE ISSUED: 03/04/03</p>		<p>EFFECTIVE DATE: 04/14/03</p>
<p>APPROVAL: Ronald L. Bishop</p>		<p>, COMMISSIONER</p>

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

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

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

IV. PROCEDURES

A. Notice of Privacy Practices

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

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

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

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

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

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

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

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

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

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

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

D. Access to PHI by DJJ Employees

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

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

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

B. Authorization for the Disclosure of PHI

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

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

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C. Accounting of Disclosures

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

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

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

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

D. Verification of Identity of Requestor

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

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

E. Complaint Process

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

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

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

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

C. Judicial and Administrative Proceedings

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

D. Psychotherapy Notes

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

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

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

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

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

E. Training


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

F. Privacy Officer

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

V. MONITORING MECHANISM

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

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

I. POLICY

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

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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

V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Records Request

POLICY NUMBER: DJJ 134

TOTAL PAGES: 7

EFFECTIVE DATE: 12/01/2014

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. Open Records Requests:

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

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

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

B. Youth Record Requests:

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

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

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

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

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

V. MONITORING MECHANISM

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

	JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 1-JPAS-2-7108-15
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Foster Care		
POLICY NUMBER: DJJ 135		
TOTAL PAGES: 2		
EFFECTIVE DATE: November 30, 2018		
APPROVAL: Carey D. Cockerell		,COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall provide a placement continuum for youth committed to its care that allows for the least restrictive placement that commensurates with each youth's needs. DJJ shall contract with licensed, qualified providers to provide foster care services to the appropriate youth. Emergency placement shall be available when necessary.

II. APPLICABILITY

This policy shall apply to all DJJ staff and contracted Private Child Care providers.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES


- A. All foster care services shall be provided for the Department through contracted services. All contracts for foster care services shall specify the range of services that are provided to youth and the responsibilities of each party in providing specific services.
- B. Contracts for foster care services shall be the joint responsibility of the Classification Branch and the Fiscal Branch. All contracts shall be approved by the Commissioner.
- C. Persons providing foster care services shall be selected for their childcare abilities and their conduct shall be governed by clear standards of conduct.
 1. All contracted foster care agencies shall be in compliance with the requirements of 922 KAR 1:310 and 922 KAR 1:350. These regulations include personnel standards, criminal background checks, and hiring standards.
 2. Contracts with foster care agencies shall specify that employed staff are bound by the contracting agency's code of conduct in addition to the DJJ Code of Ethics and Code of Conduct, both of which are to be provided to all staff with childcare responsibilities.

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- D. Persons providing foster care services shall be provided orientation and training to ensure that they understand their rights and responsibilities, the rights and responsibilities of DJJ and the contracting agency, and the rights of the youth under their care.
- E. All contracted foster care agencies shall ensure their staff are trained as required in 922 KAR 1:350, Section 9.
- F. Foster care parents shall have twenty-four (24) hour access to agency personnel. Contracting agencies shall provide mechanisms for their staff to contact supervisory staff after hours.
- G. Foster care agencies shall be provided all DJJ policies regarding youth discipline. Agencies shall be responsible for providing foster care parents with these policies and enforcing them within their agency. Agencies are also responsible for informing foster care parents in writing that the following actions are strictly prohibited: corporal punishments of any kind; threats, derogatory remarks, or other verbal abuse directed toward the youth or their natural parents; deprivation of meals; deprivation of visits with the natural parents without prior consultation with the youth's Juvenile Services Worker (JSW); and any unusual or unnecessary punishment.
- H. DJJ shall budget and provide compensation for foster home care rates equal to those being paid by other human service agencies in the same jurisdiction.
- I. Foster care agencies shall specify the amount and method of compensation for foster home parents.
- J. Contracts with foster care agencies shall specify the contracting agency's responsibility for providing for the special financial needs of youth in foster care placement.

V. MONITORING MECHANISM

This policy shall be monitored by the Classification Branch and the Fiscal Branch on an ongoing basis. The Quality Assurance Branch shall review foster care contracts for compliance with this policy on a regular basis.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES:
CHAPTER: ADMINISTRATION		AUTHORITY: KRS 15A.065
SUBJECT: DNA Sampling		KRS 17.170
POLICY NUMBER: DJJ 138		KRS 17.510
TOTAL PAGES: 4		
DATE ISSUED: 5/15/2017		
APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall collect DNA samples from probated, committed, or sentenced youth with qualifying offenses as mandated by KRS 17.170.

II. APPLICABILITY

This policy shall apply to all DJJ community offices, group homes, detention centers, and residential programs.

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

A. Probated, Committed, or Sentenced Youth

1. A list of all eligible offenses committed by youth who shall receive DNA sampling is attached (See Appendix A). The JSW shall verify by reviewing court documents that the youth was adjudicated or convicted on a qualifying offense before the sample is taken.
2. Qualifying offenders shall be sampled within two (2) weeks.
3. If the qualifying offender is committed, probated, or sentenced to DJJ and placed in the community, the DNA sample collection shall be included as a requirement in the conditions of supervision. The JSW shall schedule for the DNA sample to be collected at a DJJ facility.
4. If the qualifying offender is in an out-of-home placement, the JSW or the JSS shall notify the program Superintendent and nurse that the youth is required to have a DNA sample collected. Notification may be sent by e-mail. If the youth is placed under community supervision, the JSW shall schedule a DNA sample to be collected at a DJJ facility.

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B. Procedure for DNA Collection

1. Prior to collection of a sample, the nurse shall send an electronic message to Kentucky State Police (KSP) Forensic Laboratory personnel to determine whether a sample for the youth is currently on file.
2. If a DNA sample is not on file, a trained nurse shall explain the collection procedure to the youth and that collection is required by law.
3. Upon receipt of a request for DNA collection, the nurse shall collect the DNA sample within three (3) business days.
4. The trained nurse shall collect the DNA sample in the DNA collection kit provided by the KSP Forensics Laboratory. The DNA sample shall be collected in strict accordance with the instructions provided on the DNA SAMPLE INFORMATION SHEET (Form KSP 47). The youth's right and left thumbprints shall also be taken by facility staff and placed in the appropriate areas described on the DNA SAMPLE INFORMATION SHEET (Form KSP 47).
5. The trained nurse taking the sample is responsible for forwarding the DNA collection kit and sample to the KSP Forensic Laboratory in accordance with KSP procedures.
6. Once the sample has been taken, the trained nurse shall notify the JSW by email.
7. If the youth refuses to provide a sample, the trained nurse shall notify the JSW of the youth's refusal and attempt to obtain a signed declination. The trained nurse shall retain a copy of the request for DNA collection and the declination. The JSW shall notify the Court of the youth's refusal to submit to a DNA collection.
8. The JSW shall update the youth's individual client record to reflect that the sample was collected.

C. DNA SAMPLE KITS

The KSP Forensics Laboratory provides the DNA sample kits. The kits may be ordered by contacting the DNA Database Supervisor, at (502) 564-5230. DNA collection kits shall not be warehoused or stored in large quantities as they have a one-year shelf life. Only a trained nurse can order DNA sample kits.

D. NOTIFICATION

1. After the sample has been collected, the nurse shall immediately notify the JSW or JSS by e-mail that the sample has been collected and sent to the KSP Forensics Laboratory. The notification shall include all information necessary to properly identify the youth.
2. If the youth is in a DJJ residential placement or detention center, the trained nurse shall copy the Superintendent on e-mail. If the youth is in a private childcare facility, foster home, or community placement, the trained nurse shall forward a copy of the e-mail to the appropriate community Regional Manager.

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E. FILING THE DNA SAMPLE

1. The DNA SAMPLE INFORMATION SHEET shall be secured with the DNA sample in the kit mailer, and sent to the KSP Forensics Laboratory via first class mail, by the trained nurse who collects the sample. First Class postage must be placed on the outside of the collection kit.
2. The address of the KSP Forensics Laboratory is:

KENTUCKY STATE POLICE
FORENSICS LABORATORY
100 SOWER BLVD, SUITE 102
FRANKFORT, KY 40601-8272
TELEPHONE: (502) 564-5230

V. MONITORING MECHANISM

DNA sampling procedures shall be reviewed annually by the Office of Legal Services.

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Appendix A

CRITERIA FOR DNA COLLECTION


YOUTHFUL OFFENDERS

Any youthful offender (regardless of age) *convicted* of a felony offense under Kentucky Revised Statutes

PUBLIC OFFENDERS

Any juvenile, *who was at least fourteen (14) years of age at the commission of the offense*, who has been adjudicated delinquent of being a public offender of:

1. Any felony sexual offense described in MIS Chapter 510
 - Rape in the first degree (KRS 510.040)
 - Rape in the second degree (KRS 510.050)
 - Rape in the third degree (KRS 510.060)
 - Sodomy in the first degree (KRS 510.070)
 - Sodomy in the second degree (KRS 510.080)
 - Sodomy in the third degree (KRS 510.090)
 - Sexual abuse in the first degree (XRS 510.110)
 - Indecent exposure in the first degree, third or subsequent offense within three years of the prior offense (KRS 10.148(2)(c)&(d))
 - Unlawful use of electronic means to induce a minor to engage in sexual or other prohibited activities (KRS 510. 155)
2. Incest (KRS 530.020)
3. Criminal attempt or criminal conspiracy to commit a felony sexual offense under KRS Chapter 510, i.e., criminal attempt or criminal conspiracy to commit one of the following offenses:
 - Rape in the first degree (KRS 510.040)
 - Rape in the second degree (KRS 510.050)
 - Rape in the third degree (KRS 510.060)
 - Sodomy in the first degree (KRS 510.070)
 - Sodomy in the second degree (KRS 510.080)
 - Sodomy in the third degree (KRS 510.090)
 - Sexual abuse in the first degree (KRS 510.110)
 - Indecent exposure in the first degree third or subsequent offense within three years of the prior offense (KRS 510.1482c&(d))
 - Unlawful. use of electronic means to induce a minor to engage in sexual or other prohibited activities (KRS 51 0.155)
4. Criminal attempt or criminal conspiracy to commit incest under KRS 530.020
5. Juvenile Sexual Offender (KRS 635.510)

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

I. POLICY

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

II. APPLICABILITY

This policy shall apply to all staff of DJJ.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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

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

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

V. MONITORING MECHANISM

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

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

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. ALLEGATION

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

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

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

B. SUBSTANTIATED INVESTIGATIONS

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

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

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

V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration	AUTHORITY: KRS 15A.065
SUBJECT: Confidential Information and Documentation for the Social Security Administration	
POLICY NUMBER: DJJ 143	
TOTAL PAGES: 4	
EFFECTIVE DATE: 6/22/17	
APPROVAL: Carey D. Cockerell <i>Carey D. Cockerell</i> COMMISSIONER	

I. POLICY

The Department of Juvenile Justice (DJJ) shall maintain all Social Security Administration information in a secure and confidential manor and pursuant to the Information Exchange Agreement between the Social Security Administration and state or local government.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. Social Security Administration (SSA) provided information shall be granted based on least privilege, need-to-know, and separation of duties.
- B. Access to the Cabinet for Health and Family Services (CHFS) Mainframe and Kentucky Online Gateway (KOG) shall be limited to a need-to-know basis. The Deputy Commissioner of Community and Mental Health Services shall approve requests for access. The Information Systems (IS) Branch Manager or designee shall submit the form to the CHFS Office of Information Technology (OIT) Security Helpdesk.
- C. All employees shall take the SSA Provided Information Security Awareness Training before access is granted. Additionally, all DJJ employees shall complete the awareness training annually, regardless of access.

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- D. Acceptable Access and Use of SSA Information
1. Public Assistance Program Specialists (PAPS)
 - a. PAPS shall have access to and review the below programs to evaluate current benefits being received and to determine eligibility status on all DJJ committed youth.
 - i. Cabinet for Health and Family Services (CHFS) Mainframe
 - a) Kentucky Automated Management Eligibility System (KAMES);
 - b) Kentucky Information Management System (KYIMS);
 - c) Wage Record inquiry;
 - d) Driver's License inquiry; and
 - e) Vehicle Registration inquiry
 - ii. Kentucky Online Gateway (KOG)
 - a) Child Support External Search;
 - b) Birth Record Index;
 - c) BENEFIND;
 - d) Worker Portal;
 - e) State Data Exchange (SDX) Supplemental Security Income (SSI); and
 - f) Beneficiary Data Exchange (BDX) Retirement, Survivors, and Disability Insurance (RSDI)
 - b. PAPS shall have view-only access to all noted above systems.
 - c. PAPS shall only view data on DJJ committed youth and for legitimate business purposes.
 - d. PAPS shall not print any SSA data.
 - e. If a DJJ committed youth is receiving SSA benefits, the PAPS shall notify the local SSA representative requesting a change in payee.
 - f. PAPS shall not share or allow direct access to any SSA provided data with any other state or private entity.
 2. The Fiscal Branch Internal Policy Analyst assigned as the Child Support Administrator shall:
 - a. Have access to and review the CHFS Report Distribution System (RDS) to evaluate current benefits being received, in order to request child support reimbursement from CHFS on all DJJ committed youth.
 - b. Have view-only access to the CHFS RDS.
 - c. Only view data on DJJ committed youth and for legitimate business purposes.
 - d. Print the Foster Care Distribution Report pages that contain DJJ committed youth information and shred said report immediately upon retrieving necessary information for legitimate business purposes.
 - e. Not share or allow direct access to any SSA provided data with any private entities. Child Support Coordinator shall only share, not allowing direct access too, DJJ's child support information with appropriate contacts at CHFS via encrypted email and password-protected file for legitimate business purposes.

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3. Printed SSA provided information shall be locked in a filing cabinet when the employee is not in the office, and immediately shredded in a personal shredder. Printed documents may not be placed in a trashcan or a locked or unlocked shred bin.
4. E-mail communication containing SSA provided information shall be encrypted.
5. The audit trail for all DJJ employees with access to SSA provide information accessed through CHFS mainframe at least twice yearly from the designated CHFS contact. The audit trail shall be distributed to the Deputy Commissioner of Community and Mental Health Services and the Fiscal Branch Manager.
6. A periodic review of access to SSA provided information shall be conducted at the time of performance evaluations or prior to extended leave for each employee, granted access to SSA provided information. The review shall include ensuring that each employee has access to the least amount of SSA provide information necessary to complete job duties.
7. The Deputy Commissioner of Community and Mental Health Services shall periodically review and document access granted to PAPS assigned to the Community and Mental Health Services Division and the Fiscal Branch Manager shall periodically review and document access granted to the Internal Policy Analyst assigned as the Child Support Administrator. If access to SSA provided information is granted to an employee outside of the Community and Mental Health Services Division or the Fiscal Branch, the employee's supervisor shall be responsible to conduct and document the periodic review of access.
8. If access is no longer needed, access shall be revoked by notifying CHFS OIT Security Help Desk. Access shall be revoked prior to termination of employment.
9. It is unlawful for employees, contractors, and former employees to willfully disclose any information that is unauthorized. Violations may include punishment including:
 - a. Fine for each occurrence of violation;
 - b. Imprisonment;
 - c. Or both a and b, together with the cost of prosecution.
 - d. Additionally, an employee that willfully discloses any information that is unauthorized shall face discipline at work pursuant to KRS 18A up to and including termination.
10. Act, 5 U.S.C. Â§ 552a(i)(1) Criminal Penalties
 - a. Any officer or employee of an agency, who by virtue of their employment or official position, has possession of, or access to, agency records which contain individually identifiable information the disclosure of which is prohibited by this section or by rules or regulations established thereunder, and who knowing that disclosure of the specific material is so prohibited, willfully discloses the material in any manner to any person or agency not entitled to receive it, shall be guilty of a misdemeanor and as described below.

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- b. Any officer or employee of any agency who willfully maintains a system of records without meeting the notice requirements of subsection (e)(4) of this section shall be guilty of a misdemeanor and fined not more than \$5,000.
- c. Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretenses shall be guilty of a misdemeanor and fined not more than \$5,000.

V. MONITORING MECHANISM

The Fiscal Branch Manager or designee shall review annually the requirements of Information Exchange Agreement between the Social Security Administration and the Department of Juvenile Justice.



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

**SUBJECT: Potential Data Breaches or
Personally Identifiable Information**

POLICY NUMBER: DJJ 144

TOTAL PAGES: 2

EFFECTIVE DATE: November 30, 2018

APPROVAL: Carey D. Cockerell

, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) shall maintain all Social Security or personally identifiable information in a confidential and secure manner. If a suspected breach has occurred, the department staff shall rectify the situation pursuant to the Information Exchange Agreement between the Social Security Administration and DJJ.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. If there is a suspected breach, security breach, security incident, security violation, personally identifiable information (PII), or loss of Social Security Administration (SSA) provided information, contact your supervisor and the Information Systems Branch Manager or designee immediately.
- B. The Information Systems Branch Manager or designee responsible for system security must notify the SSA Systems Security Contact within one hour.
- C. If, for any reason, the responsible State official or delegate is unable to notify the SSA Systems Security Contact within one hour, the responsible State Agency official or delegate must report the incident by contacting SSA's

POLICY NUMBER DJJ	EFFECTIVE DATE 11/30/2018	PAGE NUMBER 2 of 2
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National Network Service Center (NNSC) toll free at 877-697-4889 (select “Security and PII Reporting” from the options list).

- D. If the SSA’s National Network Services Center is to be contacted instead of the SSA Regional Office Contact or the SSA Systems Security contact, the caller shall contact the following individual:


Brooks Hansen
IT Specialist/ATL Region Data Exchange
Center for Automation, Security and Integrity
Email: Brooks.Hansen@ssa.gov

(205) 801-1819 Office
(205) 530.1515 Telework Days

1. The caller must have the name, email, and phone number of the SSA Systems Security Contact or the NNSC will not take the report.
 2. In addition to the Social Security Administration, the Information Systems Branch Manager or designee shall also notify:
 - a. The Commissioner of the Kentucky State Police
 - b. The Auditor of Public Accounts
 - c. The Attorney General
 - d. The Secretary of Finance or designee
 - e. Notify the Commonwealth Office of Technology
 - f. Notify the CHFS OATS Security Team
- E. When reporting a breach, the Information Systems Branch Manager shall use the Attachment 5 (PII Loss Reporting Worksheet) of the Information Exchange Agreement between the Social Security Administration and the Department of Juvenile Justice.

V. MONITORING MECHANISM

- A. The Fiscal Branch Manager or designee shall review and analyze any system breaches at the time of the breach and resolve such breach in accordance with the Information Exchange Agreement between the Social Security Administration.
- B. The Fiscal Branch Manager or designee shall implement any system changes needed to resolve such breaches and address any concerns for future processing.
- C. The Fiscal Branch Manager or designee shall convene a committee annually to analyze the current system security for the purpose of quality improvement.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 3-JCRF-1A-15 1-JPAS-2-7013, 7105
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Quality Assurance Monitoring Program		
POLICY NUMBER: DJJ 145		
TOTAL PAGES: 2		
EFFECTIVE DATE: 5/15/2017		
APPROVAL: Carey D. Cockerell, COMMISSIONER		

I. POLICY

The Department of Juvenile Justice (DJJ) shall develop a comprehensive program to monitor its operations through periodic inspections and program audits.

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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- d. Be subject to oversight from the Commissioner or his designee.
- B. The QA Branch Manager shall be responsible for developing Standard Operating Procedures (SOPs) for the monitoring of DJJ operated residential facilities, Day Treatment Programs, Community and Mental Health offices and PCC monitoring. The SOPs shall:
 - 1. Consider input from field staff;
 - 2. Be revised continuously as needed, and;
 - 3. Be subject to oversight from the Commissioner or designee.

V. STAFF TRAINING

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

VI. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Naloxone

POLICY NUMBER: DJJ 146

TOTAL PAGES: 3

EFFECTIVE DATE: July 5, 2019

APPROVAL: Raymond F. DeBolt

, COMMISSIONER

I. POLICY

The Department of Juvenile Justice shall provide and maintain Naloxone (Narcan®) on-site in each facility to treat a case of suspected opioid overdose in a facility setting. Trained staff may administer Naloxone during an emergency, to any person having an opioid-related drug overdose.

II. APPLICABILITY

This policy shall apply to DJJ operated or contracted youth development centers, detention centers, and group homes.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. The Medical Director shall appoint a nurse to be the Naloxone coordinator for the department. The responsibilities of the Naloxone coordinator include the following:

1. Ensure that the Naloxone kits are current and not past expiration date.
2. Ensure proper and efficient deployment of Naloxone for field use.
3. Ensure that staff are adequately trained in use and storage.
4. Ensure that any use of Naloxone on a subject is documented in a Case Report.
5. Replace Naloxone kits that are damaged, unusable, expired or used.
6. Ensure proper reporting of Naloxone to the Medical Director within 24 hours of utilization.

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- B. Only nurses and staff trained in the use of Naloxone are authorized to administer Naloxone in the field.
- C. Each Naloxone kit shall include:
 - 1. Instructions for administration of Naloxone; and,
 - 2. Two (2) Mucosal Atomization Device (MAD).
- D. Naloxone kits will be stored as directed by the Naloxone Coordinator. Any kit that is used shall be disposed of in a Sharps Container.
- E. Authorized nurses and trained staff shall utilize Naloxone on youth or any person believed to be suffering from an opioid overdose. Information that a youth or person, who is suffering from an opioid overdose may include:
 - 1. Pinpoint pupils, even in a darkened environment;
 - 2. Depressed or slow respirations;
 - 3. Difficulty breathing (labored breathing, shallow breaths);
 - 4. Blue skin, lips or fingernails;
 - 5. Decreased pulse rate;
 - 6. Low blood pressure;
 - 7. Loss of alertness (drowsiness);
 - 8. Unresponsiveness;
 - 9. Evidence of ingestions, inhalation, and injection (needles, spoons, tourniquets, needle tracks, bloody nose, etc.)
 - 10. Blood-shot eyes; and
 - 11. Past history of opioid use/abuse.
- F. Nurses and trained staff shall follow protocols outlined in their Naloxone training.
- G. When using Naloxone kits, nurses and trained staff will maintain universal precautions against pathogens, perform patient assessment, and determine unresponsiveness, absence of breathing and/or pulse.
- H. Staff shall promptly notify 911 or emergency medical provider once a youth or person is administered Narcan.
- I. Nurses and staff should alert the Medical Director that a patient was in a potential overdose state and Naloxone was administered.
- J. Nurses and trained staff shall ensure accurate communication to Emergency Medical Services (EMS)/Paramedics for proper patient record documentation before transport to hospital emergency department.
- K. Supervisor notification should be made as soon as practicable, in addition to formal documentation in a written case report.
- L. Nurses or staff trained to use Naloxone kits are responsible for inspecting the kit prior to each shift.

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- M. Nurses or trained staff shall immediately report any missing or damaged Naloxone kits to the Medical Director as well as written notification made to the Naloxone Coordinator.
- N. The Naloxone Coordinator shall be promptly notified if a Naloxone kit is taken off the facility premises or needs replacement/maintenance and shall replace the kit as soon as practicable.
- O. Upon completion of a medical assist with Naloxone administration, the nurse or trained staff shall submit a written report detailing the incident, the care the patient received, and that Naloxone was administered intranasal (IN) and outcome the Naloxone usage on the youth or person.
- P. The nurse or trained staff shall complete the Naloxone usage documentation and forward the completed copy via the chain of command to the Naloxone Coordinator and Medical Director.

V. MONITORING MECHANISM

Monitoring shall be accomplished by the Superintendent, or designee, the Naloxone coordinator, and the Medical Director of the department.

	JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES	REFERENCES: 2-CO-4E-01 4-JCF-4C-43 3-JDF-4C-45 3-JCRF-4C-27 1-JDTP-3B-19 1-JBC-4C-42, 43 1-SJD-4C-27 NCCHC Y-10, 11
CHAPTER: Administration		AUTHORITY: KRS 15A.065
SUBJECT: Death of a Youth		KRS 72.020
POLICY NUMBER: DJJ 147		
TOTAL PAGES: 4		
EFFECTIVE DATE: 5/15/2017		
APPROVAL: Carey D. Cockerell		, COMMISSIONER

I. POLICY

In the event of the death of a youth in an out-of-home placement prompt notification shall be provided to Emergency Medical Services (EMS), law enforcement officials, the coroner, to the parent or caregiver of the youth, the Internal Investigations Branch (IIB), and to Department of Juvenile Justice (DJJ) officials.

II. APPLICABILITY

This policy shall be applicable to all youth under the supervision and custody of (DJJ) operated and contracted programs.

III. DEFINITION

Refer to Chapter 100.

IV. PROCEDURES

A. Staff shall follow these procedures when the death of youth occurs in a DJJ operated program:

1. Staff on duty shall immediately notify the Emergency Medical Services (EMS) and law enforcement via 911 services, the Superintendent or ADO, and the program nurse, where applicable.
2. Staff on duty shall not disturb the body or the immediate area beyond any action necessary to check for vital signs or provide emergency resuscitation techniques.

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3. The Superintendent or ADO shall immediately notify the respective Facilities Regional Administrator (FRA) or Regional Director, Deputy Commissioner of Operations, Commissioner, and the Office of Legal Counsel.
 4. Staff shall immediately report the incident to IIB.
 5. Notification to the parent or caregiver for death of a youth in an out-of-home placement shall be made by the Commissioner's Office, the Chief of Medical Services, or designee.
 6. Staff shall not provide statements to the press. All inquiries from the press shall be referred to the Public Information Officer or designee.
 7. All staff with direct information regarding events surrounding the death shall document this information on an Incident Report. Detailed documentation of the incident shall be entered in the youth's Individual Client Record (ICR) by staff as soon as possible, including the time the Coroner was notified and pronouncement of death given, names of all staff involved, and all subsequent notifications of parents and guardians. All pertinent notifications and significant facts related to the death shall be fully documented in the ICR.
 8. A final written report, including a copy of the coroner's report, autopsy report when applicable, and any other relevant documentation shall be submitted by the Superintendent to the FRA and up-lined through the chain of command to the Office of the Commissioner.
 9. A complete copy of all records relating to the youth shall be forwarded to the Office of Legal Counsel.
- B. Staff shall follow these procedures when the death of youth occurs off campus while the youth is not under DJJ staff supervision (i.e., AWOL, furlough, off-campus work site, school, etc.):
1. The Superintendent or ADO shall immediately notify the respective Facilities Regional Administrator (FRA) or Regional Director, Deputy Commissioner of Operations, Commissioner, and the Office of Legal Counsel.
 2. The Superintendent or ADO shall cooperate and communicate with the person in charge at the location of the death.
 3. Notification to the parent or caregiver for death of a youth shall be made by the Commissioner's Office, the Chief of Medical Services, or designee.
 4. A final written report, including a copy of the coroner's report, autopsy report when applicable, and any other relevant documentation shall be submitted by the Superintendent to the FRA and up-lined through the chain of command to the Office of the Commissioner.

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5. A complete copy of all records relating to the youth shall be forwarded to the Office of Legal Counsel.
 6. The reason the youth was off campus and out of staff supervision shall be included on the incident report.
- C. Staff shall follow these procedures when the death of a youth occurs in a contracted or DJJ arranged private placement:
1. The private provider shall notify the JSW and DJJ Classification Branch.
 2. The JSW shall immediately notify the Juvenile Services District Supervisor (JSDS), Juvenile Services Regional Manager, Director of Community and Mental Health Services, Deputy Commissioner of Community and Mental Health, Commissioner, and the Office of Legal Counsel.
 3. The JSDS shall immediately report the incident to IIB.
 4. If notification to the parent or caregiver has not already been made by the placement, the Commissioner's Office, the Chief of Medical Services, or designee shall provide the notification.
 5. Service providers having direct knowledge of the events surrounding the death shall be requested by the JSW to supply a written narrative regarding the death for inclusion in the client file.
 6. A final written report, including a copy of the coroner's report, autopsy report when applicable, and any other relevant documentation shall be submitted by the JSDS to the Regional Manager, Director of Community and Mental Health, Deputy Commissioner of Community and Mental Health, Commissioner, and Office of Legal Counsel.
- D. Staff shall follow these procedures if the death of youth occurs in an Alternative to Detention program:
1. Upon the death of a youth in an Alternative to Detention program, the Detention Alternatives Coordinator (DAC) shall immediately notify the Alternatives Services Branch Manager, Director of Placement Services, Deputy Commissioner of Program Operations, the Commissioner, and Office of Legal Counsel.
 2. The DAC shall notify the court that approved the Alternative to Detention placement.
 3. If notification to the parent or caregiver has not already been made by the placement, the Commissioner's Office, the Chief of Medical Services, or designee shall provide the notification.
 4. Service providers having direct knowledge of the events surrounding the death shall be requested by the DAC to supply a written narrative regarding the death for inclusion in the client file.

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5. A final written report, including a copy of the coroner’s report, autopsy report when applicable, and any other relevant documentation shall be submitted by the Alternative to Detention Branch Manager, Director of Placement Services, Deputy Commissioner of Program Services, Commissioner, and Office of Legal Counsel.
- E. Staff shall follow these procedures when the death of a probated, committed, or sentenced youth occurs in the community:
 1. JSW shall immediately notify the JSDS, Regional Manager, Director of Community and Mental Health, Deputy Commissioner of Community and Mental Health, Commissioner, and the Office of Legal Counsel.
 2. If notification has not already been made, staff shall immediately report the incident to law enforcement.
 3. A final written report, including a copy of the coroner’s report, autopsy report when applicable, and any other relevant documentation shall be submitted by the JSDS to the Regional Manager, Director of Community and Mental Health, Deputy Commissioner of Community and Mental Health, Commissioner, and the Office of Legal Counsel.
 - F. A complete copy of the deceased youth’s records shall be forwarded within seventy-two (72) hours for the internal review committee process to occur. Reference DJJPP 617 “Incident Reports”.
 - G. If a plan of corrective action is recommended by the Commissioner, the Regional Manager or Regional Division Director shall submit a subsequent report regarding the implementation and results of the corrective action to the Commissioner within thirty (30) calendar days of receiving the report.
 - H. All family and personal resources shall be exhausted prior to recommending expenditure of Departmental funds for funeral and burial expenditures. Requests of this nature shall be forwarded through the supervisory channels to the Office of the Commissioner. Only the Commissioner may approve this request.

V. MONITORING MECHANISM

This policy shall be monitored by the Commissioner’s Office.



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

**REFERENCES:
3-JTS-1F-01, 08
3-JDF-1A-06, 1F-01, 02
3-JCRF-1E-07, 1F-01, 02, 04
1-JDTP-1F-01-03
1-JBC-1F-01, 02
4-JCF-6F-05, 07
1-JPAS-2-7070, 7078
2-CO-1E-06, 08; 1F-01, 04, 06**

CHAPTER: Administration

AUTHORITY: KRS 15A.065

SUBJECT: Information Systems

POLICY NUMBER: DJJ 149

TOTAL PAGES: 3

EFFECTIVE DATE: 12/01/2014

APPROVAL: Bob D. Hayter

, COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

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

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

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

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

V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Administration

**AUTHORITY:
KRS 15A. 065**

SUBJECT: Video Surveillance

POLICY NUMBER: 150

TOTAL PAGES: 2

EFFECTIVE DATE: 12/01/2014

APPROVAL: Bob D. Hayter

,COMMISSIONER

I. POLICY

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

II. APPLICABILITY

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

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

A. Maintenance

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

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B. Operation

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

V. MONITORING MECHANISM

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



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

REFERENCES:

CHAPTER: Transportation Mobile Video	AUTHORITY: KRS 15A.065
SUBJECT: Administrative	
POLICY NUMBER: 151	
TOTAL PAGES: 3	
EFFECTIVE DATE: May 24, 2019	
APPROVAL: Raymond F. DeBolt	, COMMISSIONER

I. POLICY

The Department of Juvenile Justice (DJJ) staff may use a mobile video recorder (MVR) within state vehicles used by DJJ staff during the transport of youth.

II. APPLICABILITY

This policy shall apply to all DJJ staff when a portable MVR is available and assigned.

III. DEFINITIONS

Refer to Chapter 100.

IV. PROCEDURES

- A. DJJ staff may be assigned a portable MVR when transporting youth. The staff shall be responsible for the proper use and storage of the equipment.
- B. Prior to use, staff shall ensure that the MVR is working properly. Any equipment failures shall be brought to the attention of the Transportation Branch Manager as soon as possible. The Transportation Branch Manager shall notify DJJ Information System (IS) Branch the next business day of any technical issues or malfunctioning equipment.
- C. Staff shall not erase, alter, modify, or tamper with the MVR or the MVR equipment.
- D. In preparation for a transport, the MVR shall be installed by DJJ staff. The MVR shall be positioned in the vehicle so that the vehicle interior, specifically the youth being transported and the compartment housing the driver, can be recorded. If the MVR is not capable of capturing the interior of the vehicle, the

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MVR shall be positioned to ensure the youth are within view at all times of the transport and include as much of the compartment housing the driver.

- E. DJJ staff shall not intentionally interfere with the capability of the MVR system to record video or audio data.
- F. When a youth is being transported, DJJ staff shall begin recording immediately after the youth is placed in the vehicle prior to the movement of the vehicle and continue recording until the vehicle has reached the final destination and the youth has been removed.
- G. The MVR shall only be used to record a youth being transported by staff. Any other usage of the MVR shall be approved by the Transportation Branch Manager.
- H. DJJ staff shall remove the data storage cards once the media card reaches capacity. Staff shall secure and protect data cards that have reached capacity and submit the data cards to the Transportation Branch Manager in order to preserve and to protect the data or video recordings.
- I. After the data card has been removed and the data is stored, the device shall be reset for the next scheduled transport.
- J. Each data card shall be maintained for thirty (30) days after a transport is completed.
- K. If during the thirty (30) days, an incident report or youth grievance is generated due to the transport, the data shall be sent to the Transportation Branch Manager within two (2) business days of the incident report or grievance. The Transportation Branch Manager shall send the data storage card to the Director of Placement Services within two (2) business days. The data recording shall be archived in accordance with DJJPP Chapter 1 (Video Surveillance).
- L. If the DJJ staff involved in the transport, DJJ management staff or the DJJ Transportation Branch Manager becomes aware of reasonably foreseeable litigation or receive notice of litigation concerning the transport, then the DJJ staff involved in the transport shall send the data storage card to the Transportation Branch Manager within two (2) business days of the incident. The Transportation Branch Manager shall send the data storage card to the Director of Placement Services within two (2) business days. The Director of Placement Services shall be responsible for making sure that the data recording of the transport is archived in accordance with DJJPP Chapter 1 (Video Surveillance).
- M. If a data card is not needed thirty (30) days after a transport, the data card may be reused by staff.
- N. All imagery, video and audio recordings, or other similar items that are taken, recorded or obtained while within the scope of the DJJ business or authority is the property of the department. Storage, destruction, copying, releasing, or other

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dissemination is prohibited unless approved by the DJJ Office of Legal Services and the Commissioner.

- O. All viewing or listening to any recordings generated by a transport shall only be conducted by the Information Services Branch Manager, the Director of Placement Services, the Transportation Branch Manager, the Ombudsman or IIB staff, DJJ Office of Legal Services, the Deputy Commissioner, or Commissioner. No copies or images from the MVR shall be made by anyone except the Information Services Branch Manager or a designee specified by IS.
- P. To prevent damage to or alteration of an original recording generated by a MVR, the original recording shall not be copied, viewed, or otherwise inserted into any device not approved by the Information System Branch Manager or a designee specified by IS.
- Q. In the event of a MVR malfunction, either at the beginning or during a transport, DJJ staff shall report the issue immediately to the Transportation Branch Manager at the first available opportunity to stop.
- R. The MVR shall remain in the recording mode the entire transport. The recording shall be in record mode during all stops and breaks even when the youth is not in the vehicle. The MVR shall not be stopped until the final transportation destination.

V. MONITORING MECHANISM

DJJ Transportation Branch Manager shall have the responsibility for monitoring the MVR equipment and compliance with this policy.