

	<b>JUSTICE AND PUBLIC SAFETY CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 1-JDTP-3D-16; 3E-01, 02, 05-07</b>
<b>CHAPTER: Day Treatment Services</b>	<b>AUTHORITY: KRS 15A.0652</b>	
<b>SUBJECT: Graduated Responses, Sanctions, and Incentives</b>		
<b>POLICY NUMBER: DJJ 1015</b>		
<b>TOTAL PAGES: 4</b>		
<b>EFFECTIVE DATE: 4/05/2019</b>		
<b>APPROVAL: Carey D. Cockerell , COMMISSIONER</b>		

**I. POLICY**

Department of Juvenile Justice (DJJ) day treatment programs shall use a range of graduated responses, sanctions, and incentives to reward, motivate, or establish consequences for a student’s behavior. The use of mechanical restraints and the interference with daily functions of living, such as eating shall be prohibited. The use of physical restraints, the denial of meals, snacks, or changes in the established menus shall be prohibited as punitive consequences.

**II. APPLICABILITY**

This policy shall apply to DJJ operated day treatment programs.

**III. DEFINITIONS**

Refer to Chapter 1000.

**IV. PROCEDURES**

- A. Students shall be made aware of the rules, consequences, and safety and security responses as part of the day treatment orientation process. Each student shall receive a resident handbook at the time of admission, and shall sign an acknowledgement of such. When a literacy or communication problem exists, a staff member shall assist the student in understanding the materials. Rules and sanctions shall be conspicuously posted in the facility.
- B. DJJ shall recognize that in some specific circumstances precautionary measures may need to be imposed prior to the occurrence of a problem behavior based upon the student’s past behavioral history or assessments.
- C. All staff shall receive sufficient training in facility sanctioning procedures, informal resolution of minor behavior, and ways to effectively use incentives to reward and motivate behavioral compliance.
- D. Program graduated responses shall include the following:

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1. Graduated sanctions and responses for minor rule violations;
  2. Graduated sanctions and responses for major rule violations;
  3. Safety and security responses; and
  4. Incentives.
- E. Incentives approved by the treatment team may be used to reward or motivate a student's positive behavior.
- F. Sanctions may be used to teach students more constructive and socially acceptable methods of responding to their environment and provide a safe and secure facility for students and staff.
- G. Sanctions shall:
1. Be used when dealing with unacceptable behavior; and
  2. Be natural, logical, and appropriate to the student's age, functioning, maturity level, and the behavior for which the student is being disciplined.
- H. Sanctions shall not:
1. Be used as a means to demonstrate a staff member's authority over residents;
  2. Be physically abusive, verbally abusive, or used to dehumanize or humiliate students; and
  3. Include the withholding of meals, snacks, educational access, required recreation.
- I. Graduated Responses for Rule Violations
1. Each day treatment program shall develop a written set of disciplinary procedures governing methods to address student rule violations.
  2. These procedures shall be established to assist with the day to day management of a student's non-compliant behavior.
  3. These procedures shall be reviewed annually and updated as needed.
  4. Sanctions shall be reasonably time-limited and be imposed promptly, calmly, and consistently.
  6. Sanctions shall be preceded by a verbal warning that discipline may be forthcoming, in order to provide the student the opportunity to think and decide whether to continue the negative behavior and accept the consequences for it or to cease the behavior.
  7. The student shall have the reasons for the sanction explained and be given the opportunity to explain the behavior before the consequence is issued.
  8. Possible sanctions may include removal of a privilege, loss of an activity, removal from the group, placement on a behavior contract, written treatment assignments, use of staff directed time out, or school suspension.
  9. If a student is placed in a staff directed time out, the following guidelines shall be used:

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- a. Time out shall always take place within staff's sight or sound. If the student is only within sound of staff, staff shall visually make contact every fifteen (15) minutes;
  - b. Students shall never be placed in a locked room for time out;
  - c. Time out shall not exceed sixty (60) minutes. The student shall participate in determining the end of the timeout. Upon completion of a time out period, the student shall discuss the situation with a staff member; and
  - d. Staff shall document each time out in the student's individual client record (ICR), to include time in and out, reason for time out, time and observation at each fifteen (15) minute check, and brief summary of staff processing at the conclusion of the time out period.
- J. Sanctions that are issued for a rule violation shall be documented in the student's ICR. Documentation shall include:
1. Name;
  2. Date and time of the behavior;
  3. Type of sanction issued;
  4. Date and time of the sanction; and
  5. Date and time the sanction is finished.
- K. Safety and Security Responses
1. Safety and security responses shall be imposed when a student's behavior becomes a threat to the overall safety and orderly operation of the program.
  2. Approved safety and security responses shall be:
    - a. One-to-one Supervision
      - i. Students may be placed on one-to-one supervision with staff.
      - ii. Students may still participate in regular programming while staying within close proximity to the staff; and
    - b. Facility restriction which shall include privilege suspension, time outs, or in-program suspensions. Supervisory staff shall review and sign daily the documentation for any of these instances.
- L. Incentives
1. Incentives may be used to motivate and reward a student's behavioral compliance.
  2. Written procedures regarding any rewards unique to the program shall be developed and be included in the resident handbook.
  3. Special social incentives, such as giving a student extra time on a favorite project, an outing or special activity, or additional community contacts shall be recommended by the treatment team, approved by the Superintendent or designee, and shall be consistent with the treatment level expectations.

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**V. MONITORING MECHANISM**

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