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| (A) Document the reasons for <u>continued</u> room confinement and the basis for the extension, the date and time the youth was first placed in room confinement, and when he or she is eventually released from room confinement. | <ul style="list-style-type: none"> • This should be done at time of placement. |
| (B) Develop an individualized plan that includes the goals and objectives to be met in order to integrate the youth to general population. | |
| (C) Obtain documented authorization by the facility superintendent or his or her designee every four hours thereafter. | <ul style="list-style-type: none"> ▪ Best practice should be on-going reviews |
| (5) This section is not intended to limit the use of single-person rooms or cells for the housing of youth in juvenile facilities and does not apply to normal sleeping hours. | |
| (6) This section does not apply to youth or wards in court holding facilities or adult facilities. | |
| (7) Nothing in this section shall be construed to conflict with any law providing greater or additional protections to youth. | |
| (8) This section does not apply during an extraordinary emergency circumstance that requires a significant departure from normal institutional operations, including a natural disaster or facility-wide threat that poses an imminent and substantial risk of harm to multiple staff or youth. This exception shall apply for the shortest amount of time needed to address this imminent and substantial risk of harm. | |
| (9) This section does not apply when a youth is placed in a locked cell or sleeping room to treat and protect against the spread of a communicable disease for the shortest amount of time required to reduce the risk of infection, with the written approval of a licensed physician or nurse practitioner, when the youth is not required to be in an infirmary for an illness. Additionally, this section does not apply when a youth is placed in a locked cell or sleeping room for required extended care after medical treatment with the written approval of a licensed physician or nurse practitioner, when the youth is not required to be in an infirmary for illness. | |
| <p>1355 INSTITUTIONAL—<u>YOUTH</u> ASSESSMENT AND <u>CASE</u> PLAN</p> <p>The facility administrator shall develop and implement written policies and procedures for assessment and case planning.</p> | <ul style="list-style-type: none"> • Do these sections (or any within) need to be updated to account for SYTF youth? • What about 6-month assessment required by <u>WIC 875 (e)</u> ? Court can release at that point. • Define ASSESSMENT |

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| <p>(a) Assessment: The assessment is based on information collected during the admission process with periodic review, which includes the youth's risk factors, needs and strengths including, but not limited to, identification of substance abuse history, educational, vocational, counseling, behavioral health, consideration of known history of trauma, and family strengths and needs.</p> | <ul style="list-style-type: none"> • Define or clarify PERIODIC REVIEW and PERIODIC EVALUATION • Periodic should be defined: 90 days. To update case plan, but don't most programs do that? Formal every 6 months or when something major happens. What about those that are released before that time? • "Occurring or recurring at regular intervals" and add to definitions. Don't force counties to use the same "periodic." |
| <p>(b) Institutional Case Plan: (1) A case plan shall be developed for each youth held for at least 30 days or more and created within 40 days of admission.</p> | |
| <p>(2) The institutional <u>case</u> plan shall include, but not be limited to, written documentation that provides:</p> | |
| <p>(A) objectives and time frame for the resolution of problems identified in the assessment;</p> | |
| <p>(B) a plan for meeting the objectives that includes a description of program resources needed and individuals responsible for assuring that the <u>case</u> plan is implemented;</p> | |
| <p>(3) periodic evaluation of progress towards meeting the objectives, including periodic review and discussion of the plan with the youth;</p> | |
| <p>1357 USE OF FORCE The facility administrator, in cooperation with the responsible physician, shall develop and implement written policies and procedures for the use of force, which may include chemical agents. Force shall never be applied as punishment, discipline, retaliation or treatment. (a) At a minimum, each facility shall develop policies and procedures which:</p> | <ul style="list-style-type: none"> • SYTF and making phone calls for older youth. At what point do we "elevate their voice" and treat them as adults. |
| <p>(a)(5) define a standardized reporting format that includes time period and procedure for documenting and reporting the use of force, including reporting requirements of management and line staff and procedures for reviewing and tracking use of force incidents by supervisory and or management staff, which include procedures for debriefing a particular incident with staff and/or youth for the purposes of training as well as mitigating the effects of trauma that may have been experienced by staff and /or the youth involved.</p> | <ul style="list-style-type: none"> • Merge 5 and 7. Should be more clear. • Standardized report. 7: after action report. |
| <p>(a)(8) define the role, notification, and follow-up procedures required after use of force incidents for medical, mental health staff and parents or legal guardians.</p> | <ul style="list-style-type: none"> • Merge with 5 |

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| <p>(b)(3) outline the facility’s approved methods and timelines for <u>immediate</u> decontamination from chemical agents. This shall include that youth who have been exposed to chemical agents shall not be left unattended<u>remain under direct visual observation</u> until that youth is fully decontaminated or is no longer suffering the effects of the chemical agent.</p> | <ul style="list-style-type: none"> • Add “immediate” decontamination for clarity • Replace “unattended” with in direct visual observation – this is consistent with definitions • Remove “fully” in regard to decontaminated • Define decontamination |
| <p>(b)(4) define the role, notification, and follow-up procedures required after use of force incidents involving chemical agents for medical, mental health staff and parents or legal guardians.</p> | <ul style="list-style-type: none"> • This should be documented • Combine #4 and #5. Includes defining and documenting • Consideration of older youth |
| <p>(b)(5) provide for the documentation of each incident of use of chemical agents, including the reasons for which it was used, efforts to de-escalate prior to use, youth and staff involved, the date, time and location of use, decontamination procedures applied and identification of any injuries sustained as a result of such use.</p> | |
| <p>1359 SAFETY ROOM PROCEDURES</p> <p>(a) The facility administrator, and where applicable, in cooperation with the responsible physician, shall develop and implement written policies and procedures governing the use of safety rooms, as described in Title 24, Part 2, Section 1230.1.13. The room shall be used to hold only those youth who present an immediate danger to themselves or others, who exhibit behavior which results in the destruction of property, or reveals the intent to cause self-inflicted physical harm. A safety room shall not be used for punishment or discipline, or as a substitute for treatment. Policies and procedures shall:</p> | |
| <p>(a)(4) provide that the youth shall be evaluated by the facility manager, or designee, every four hours;</p> | <ul style="list-style-type: none"> • Designee or manager every 4 hours; in practice these things happen continuously, some document every hour. Should be continuous evaluation. |
| <p>(c) A youth may be held up to four hours in the safety room. After the youth has been held in the safety room for a period of four hours, staff shall do one or more of the following:</p> | <ul style="list-style-type: none"> • Should be a continuous evaluation and review, not just 4 hours. Best practice and actual operations is that they’re continuously reviewed. • Youth should be removed once they do not pose a safety risk or risk to their overall well being |
| <p>1360 SEARCHES</p> <p>The facility administrator shall develop and implement written policies and procedures governing the search of youth, the facility, and visitors. Policies and procedures shall provide that:</p> | |
| <p>(g) Cross-gender pat-down searches and strip searches are prohibited except in exigent circumstances or when conducted by a medical professional. Such searches must be justified and documented in writing.</p> | <ul style="list-style-type: none"> • Relocate the language of subsection (f) to subsection (g) because they seem to contradict each other while separated. |

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| <p>1361 GRIEVANCE PROCEDURE</p> <p>The facility administrator shall develop and implement written policies and procedures whereby any youth <u>have the right to file</u>, may appeal and have resolved grievances relating to any condition of confinement, including but not limited to health care services, classification decisions, program participation, telephone, mail or visiting procedures, food, clothing, bedding, mistreatment, harassment or violations of the nondiscrimination policy. There shall be no time limit on filing grievances <u>while in custody</u>. Policies and procedures shall include provisions whereby the facility manager ensures:</p> | <ul style="list-style-type: none"> Youth should have the right to file an appeal (see strike and underline). Also added while in custody |
| <p>(d) provision for a prompt review and initial response to grievances within three (3) business-days, grievances that relate to health and safety issues must be addressed immediately;</p> | <ul style="list-style-type: none"> Change “business” days to “working” days because facilities do not operate on business hours, they’re 24 hours. Define health, physical mental. Define immediately, without unnecessary delay, e.g. if there’s an incident. Define safety, what does that mean. Grievances that relate to health and safety issues must be addressed “upon receipt.” |
| <p>(d)(2) Provision for a staff representative approved by the facility administrator to assist the youth <u>throughout the grievance process</u>.</p> | |
| <p>(e) provision for a written response to the grievance which includes the reasons for the decisions;</p> | <ul style="list-style-type: none"> Merge with c above |
| <p>(g) resolution of the grievance must occur within ten (10) business-days unless circumstances dictate a longer time frame. The youth shall be notified of any delay; and,</p> | <ul style="list-style-type: none"> Out of place, maybe put under d |
| <p><u>(i) Youth shall be able to contact they OYCR Ombudsperson at any time.</u></p> | <ul style="list-style-type: none"> Clear in the process but that its separate from the grievance process. |
| <p>1370 EDUCATION PROGRAM</p> <p>(a) School Programs</p> <p>The County Board of Education shall provide for the administration and operation of juvenile court schools in conjunction with the Chief Probation Officer, or designee pursuant to applicable State laws. The school and facility administrators shall develop and implement written policy and procedures to ensure communication and coordination between educators and probation staff. Culturally responsive and trauma-informed approaches should be applied when providing instruction. Education staff should collaborate with the facility administrator to use technology to facilitate learning and ensure safe technology practices. The facility administrator shall request an annual review of each required element of the program by the Superintendent of Schools, and a report or review checklist on compliance, deficiencies, and corrective action needed to achieve compliance with this section. Such a review, when conducted, cannot be</p> | |

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| delegated to the principal or any other staff of any juvenile court school site. The Superintendent of Schools shall conduct this review in conjunction with a qualified outside agency or individual. Upon receipt of the review, the facility administrator or designee shall review each item with the Superintendent of Schools and shall take whatever corrective action is necessary to address each deficiency and to fully protect the educational interests of all youth in the facility. | |
| (b) Required Elements The facility school program shall comply with the State Education Code and County Board of Education policies, all applicable federal education statutes and regulations and provide for an annual evaluation of the educational program offerings. As stated in the 2009 California Standards for the Teaching Profession, teachers shall establish and maintain learning environments that are physically, emotionally, and intellectually safe. Youth shall be provided a rigorous, quality educational program that responds to the different learning styles and abilities of students and prepares them for high school graduation, career entry, and post-secondary education. | |
| All youth shall be treated equally, and the education program shall be free from discriminatory action. Staff shall refer to transgender, intersex and gender-nonconforming youth by their preferred name and gender. | |
| (1) The course of study shall comply with the State Education Code and include, but not be limited to, courses required for high school graduation. | |
| (2) Information and preparation for the High School Equivalency Test as approved by the California Department of Education shall be made available to eligible youth. | |
| (3) Youth shall be informed of <u>provided with</u> post-secondary education and vocational opportunities. | <ul style="list-style-type: none"> Impact: staffing, space, funding. BOE provides this, not probation. |
| (4) Administration of the High School Equivalency Tests as approved by the California Department of Education, shall be made available when possible. | |
| (5) Supplemental instruction shall be afforded to youth who do not demonstrate sufficient progress towards grade level standards. | |
| (6) The minimum school day shall be consistent with State Education Code Requirements for juvenile court schools. The facility administrator, in conjunction with education staff, must ensure that operational procedures do not interfere with the time afforded for the minimum instructional day. Absences, time out of class or educational instruction, both excused and unexcused, shall be documented. | |

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| <p>(7) Education shall be provided to all youth regardless of classification, housing, security status, disciplinary or separation status, including room confinement, except when providing education poses an immediate threat to the safety of self or others. Education includes, but is not limited to, related services as provided in a youth's Section 504 Plan or Individualized Education Program (IEP).</p> | <ul style="list-style-type: none"> • add "offered" after provided. |
| <p>(c) School Discipline (1) Positive behavior management will be implemented to reduce the need for disciplinary action in the school setting and be integrated into the facility's overall behavioral management plan and security system.</p> | |
| <p>(2) School staff shall be advised of administrative decisions made by probation staff that may affect the educational programming of students.</p> | <ul style="list-style-type: none"> • Leave language as is and make this #8. • Add #9, <u>Staff shall document any instance of any youth who refuses to participate in school and remains in their room.</u> • School staff shall be made aware of decisions that affect youth's education, including, but not limited to room confinement. |
| <p>(3) Except as otherwise provided by the State Education Code, expulsion/suspension from school shall be imposed only when other means of correction fails to bring about proper conduct. School staff shall follow the appropriate due process safeguards as set forth in the State Education Code including the rights of students with special needs. School staff shall document the other means of correction used prior to imposing expulsion/ suspension if an expulsion/suspension is ultimately imposed.</p> | |
| <p>(4) The facility administrator, in conjunction with education staff will develop policies and procedures that address the rights of any student who has continuing difficulty completing a school day.</p> | <ul style="list-style-type: none"> • Does this apply to SYTF? |
| <p>(d) Provisions for Special Populations (1) State and federal laws and regulations shall be observed for all individuals with disabilities or suspected disabilities. This includes but is not limited to child find, assessment, continuum of alternative placements, manifestation determination reviews, and implementation of Section 504 Plans and Individualized Education Programs.</p> | <ul style="list-style-type: none"> • STYF Youth that have graduated, what are their rights? |

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| <p>1371 PROGRAMS, RECREATION, AND EXERCISE.</p> <p>The facility administrator shall develop and implement written policies and procedures for programs, recreation, and exercise for all youth. The intent is to minimize the amount of time youth are in their rooms or their bed area.</p> | <ul style="list-style-type: none"> • Intent is to minimize time in their room, but “programming” should be defined. They should be out of their rooms, but can we clarify? • Instead of hours specifying, change regulation to state seven hours total per week, not just one hour here and there. This may provide flexibility for when programming is provided, especially with staffing issues, maybe do 1.5 hours on day, or shift schedules when there are staffing or programming issues. |
| <p>Juvenile facilities shall provide the opportunity for programs, recreation, and exercise a minimum of three hours a day during the week and five hours a day each Saturday, Sunday or other non-school days, of which one hour shall be an outdoor activity, weather permitting. A youth’s participation in programs, recreation, and exercise may be suspended only upon a written finding by the administrator/manager or designee that a youth represents a threat to the safety and security of the facility. Such program, recreation, and exercise schedule shall be posted in the living units. There will be a written annual review of the programs, recreation, and exercise by the responsible agency to ensure content offered is current, consistent, and relevant to the population.</p> | <ul style="list-style-type: none"> • Participation or non-participation should be documented for each youth. • “Non-school” day is currently defined as: means a day when school is not in operation. It also applies when an individual youth is both not enrolled in school and not required to be in attendance. <ul style="list-style-type: none"> ○ Who does this apply to? Does it apply to kids that have graduated HS and are taking college courses? ○ Either the definition or the regulation needs to be clear. ○ This could have impact to SYTF youth. • Staff shall document any instance of any youth who refuses to participate in any program, recreational activity, or exercise and remains in their room. • add “and unit” because it may not be facility wide |
| <p>(a) Programs. All youth shall be provided with the opportunity for <u>a minimum of 7 hours a week of programming</u> at least one hour of daily programming to include, but not be limited to, trauma focused, cognitive, evidence-based, best practice interventions that are culturally relevant and linguistically appropriate, or pro-social interventions and activities designed to reduce recidivism. These programs should be based on the youth’s individual needs as required by Sections 1355 and 1356. Such programs may be provided under the direction of the Chief Probation Officer or the County Office of Education and can be administered by county partners such as mental health agencies, community based organizations, faith-based organizations or Probation staff.</p> <p>Programs may include but are not limited to:</p> | <ul style="list-style-type: none"> • See above, what requirements need to be mandatory to be “programming.” • Define credible messenger. |
| <p>(b) Recreation. All youth shall be provided the opportunity for at least one hour of daily access to unscheduled activities such as leisure reading, letter writing, and entertainment. Activities shall be supervised and include orientation and may include coaching of youth.</p> | <ul style="list-style-type: none"> • add definition of “entertainment”: <u>The action of providing or being provided with amusement or enjoyment; an event, performance, or activity designed to entertain others.</u> |
| <p>(c) Exercise. All youth shall be provided with the opportunity for at least one hour of large muscle activity each day.</p> | |

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| <p>1374 VISITING</p> <p>The facility administrator shall develop and implement written policies and procedures for visiting, that include provisions for special visits. Youth shall be allowed to receive visits by parents, guardians or persons standing in loco parentis, and children of youth. Other family members, such as grandparents and siblings, and supportive adults, may be allowed to visit with the approval of the facility administrator or designee, and in conjunction with the youth's case plan or in the best interest of the youth.</p> | <ul style="list-style-type: none"> • Does “supportive adults” need to be defined? Concern about inappropriate visitors. • Define supportive adults for SYTF to address adult relationships for older youth. Spouses, partners, co-parents. • Be consistent with language, approval of facility administrator is what guides who visits. • If youth is married, spouse shall be allowed to visit. |
| <p>1375 CORRESPONDENCE</p> <p>The facility administrator shall develop and implement written policies and procedures for correspondence which provide that:</p> | |
| <p>(a) there is no limitation on the volume of mail that youth may send or receive;</p> | <ul style="list-style-type: none"> • Combine a and b. law was passed that there is no limit and all postage is paid. |
| <p>(b) youth may send two <u>unlimited</u> letters per week postage free;</p> | <ul style="list-style-type: none"> • Need to correct error made in last go around. • Outdated, aren't all counties allowing unlimited? |
| <p>(c) youth may correspond confidentially with state and federal courts, any member of the State Bar or holder of public office, and the Board; however, authorized facility staff may open and inspect such mail only to search for contraband and in the presence of the youth; and,</p> | |
| <p>(d) incoming and outgoing mail, other than that described in (c), may be read by staff only when there is reasonable cause to believe facility safety and security, public safety, or youth safety is jeopardized.</p> | <ul style="list-style-type: none"> • Scan, not read |
| <p>1376 TELEPHONE ACCESS</p> <p>The administrator of each juvenile facility shall develop and implement written policies and procedures to provide youth with access to telephone communications.</p> | <ul style="list-style-type: none"> • Impact of <u>SB 1008</u>: free calls. |
| <p>1390 DISCIPLINE</p> <p>The facility administrator shall develop and implement written policies and procedures for the discipline of youth that shall promote acceptable behavior; including the use of positive behavior interventions and supports. Discipline shall be imposed at the least restrictive level which promotes the desired behavior and shall not include corporal punishment, group punishment, physical or psychological degradation. Deprivation of the following is not permitted:</p> | <ul style="list-style-type: none"> • Add definition for corporal punishment: <u>Punishment (action) intended to cause physical pain to a person.</u> • Change degradation to humiliation or include a definition for degradation and include humiliation. • Replace discipline with accountability • If depriving, then you must document. |
| <p>(b) daily shower, access to drinking fountain, <u>water</u> toilet and personal hygiene items, and clean clothing;</p> | <ul style="list-style-type: none"> • Replacing with water will assure that counties without access to fountains can be in compliance. Minimal or positive impact. |
| <p>(d) contact with parent or attorney;</p> | <ul style="list-style-type: none"> • Update to include supportive adults |

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| <p>The facility administrator shall establish rules of conduct and disciplinary penalties to guide the conduct of youth. Such rules and penalties shall include both major violations and minor violations, be stated simply and affirmatively, and be made available to all youth. Provision shall be made to provide accessible information to youth with disabilities, limited English proficiency, or limited literacy.</p> | <ul style="list-style-type: none"> • Replace with consequences for actions • Establish rules of conduct (or expectations) and consequences to guide the behavior of youth and provide opportunities. • Progression of accountability versus (major / minor rule violations). Steering committee should evaluate the wording of major / minor rule violations. Instead look at accountability / rehabilitative efforts. |
| <p>1391 DISCIPLINE PROCESS</p> <p>The facility administrator shall develop and implement written policies and procedures for the administration of discipline which shall include, but not be limited to:</p> | <ul style="list-style-type: none"> • Use the word accountability |
| <p>(b) prohibiting discipline to be delegated to any youth;</p> | <ul style="list-style-type: none"> • Add prohibit youth from imposing consequences on other youth |
| <p>(e) minor rule violations may be handled informally by counseling, advising the youth of expected conduct imposing a minor consequence. Discipline shall be accompanied by written documentation and a policy of review and appeal to a supervisor; and,</p> | <ul style="list-style-type: none"> • Define minor and major |
| <p>(f)(1) written notice of violation prior to a hearing;</p> | <ul style="list-style-type: none"> • Require youth signature. • add acknowledgement of receipt, documentation of refusal to sign with secondary signature. |
| <p>1433 REQUESTS FOR HEALTH CARE SERVICES (EXCERPT)</p> <p>The health administrator, in cooperation with the facility administrator, shall develop policy and procedures to establish a daily routine for youth to convey requests for emergency and non-emergency medical, dental and behavioral/mental health care services.</p> | <ul style="list-style-type: none"> • Youth shall be able to have confidential access and request for medical and/or MH services. |