

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control Department or Agency Youth Services
Rule No. 950-1-12 Rule Title: Minimum Standards for Outdoor Adventure Treatment Programs
New X Amend _____ Repeal _____ Adopt by Reference _____

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? N/A

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer 

Date 6-19-18

APA-2

Alabama Department of Youth Services

NOTICE OF INTENDED ACTION

AGENCY NAME: Youth Services

RULE NO. & TITLE: 950-1-12 Minimum Standards for Outdoor Adventure Treatment Programs

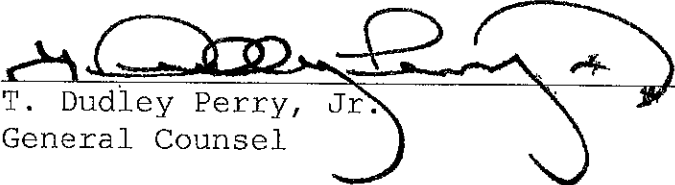
INTENDED ACTION: The Alabama Department of Youth Services proposes to amend Rule 950-1-12 of the Administrative Code.

SUBSTANCE OF PROPOSED ACTION: The Department proposes to amend Rule 950-1-12 to simplify the procedures applicable to licenses for outdoor adventure treatment programs. All procedures applicable to applications for such licenses including required content of such applications, background checks, review of applications, temporary permits, full license, revocations of licenses, and hearings, are found in Rule 950-1-4 and all such procedures in Rule 950-1-12 are repealed. The amendment also corrects typographical errors and omissions...

TIME, PLACE, MANNER OF PRESENTING VIEWS: Comments may be submitted in writing to ADYS Legal Division, P.O. Box 66, Mt. Meigs, AL 36057 or orally at the ADYS Board Room on August 8, 2018 at 10:00 am at 1000 Industrial School Rd., Mt. Meigs, AL 36057.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: August 8, 2018

CONTACT PERSON AT AGENCY: T. Dudley Perry, Jr. (334) 215-3803


T. Dudley Perry, Jr.
General Counsel

ALABAMA DEPARTMENT OF YOUTH SERVICES
ADMINISTRATIVE CODECHAPTER 950-1-12
MINIMUM STANDARDS FOR OUTDOOR ADVENTURE TREATMENT PROGRAMS

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950-1-12-.01 Introduction.

(1) The Alabama Department of Youth Services is committed to the concept of effective rehabilitation of ~~delinquent youth~~ Delinquent Youth through the development and utilization of quality outdoor ~~adventure~~ Adventure programs and facilities operated at a community level.

(2) Outdoor Adventure Treatment Programs (OATP) are those programs which combine physical agility, self discipline, outdoor ~~adventure~~ Adventure experiences, and team-building in a therapeutic, primitive (tents) or non-primitive (barracks, buildings) environment. Every program that incorporates ~~adventure~~ Adventure has the task of balancing the elements of perceived and actual ~~risk~~ Risk, and of determining the appropriate level of "excitement and suspense" without exposing the participants to unreasonable ~~risk~~ Risks. This requires focused planning, continual monitoring and review, and evaluation.

(3) One of the primary goals of establishing a ~~standard~~ Standards process is to identify accepted levels of ~~adventure~~ Adventure programming, service delivery and program management, with aptitude in the variety of methods used to achieve this level.

(4) This OATP program shall meet all life safety ~~standard~~ Standards as a part of the licensing process. Non-mandatory ~~standard~~ Standards will be met in phases over a one-year period of time.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.02 Glossary.

~~(1) "Administrative Segregation." A form of separation from the general population administered by the classification committee or other authorized group when the continued presence of the inmate in the general population would pose a serious threat to life, property, self, staff, or other inmates or to the security or orderly running of the institution. Inmates pending investigation for trial on a criminal act or pending transfer also can be included.~~

~~(2) "Admission." The process of entry into a program. During admission processing the juvenile offender receives an orientation to program goals, rules, and regulations. Assignment to living quarters and to appropriate staff also is completed at this time.~~

~~(3) "Adventure." An undertaking of a hazardous nature; a risky enterprise an unusual experience or course of events marked by excitement and suspense.~~

~~(4) "Aftercare." Control, supervision, and care exercised over juveniles released from facilities through a stated release program.~~

~~(5) "Audit." An examination of a facility's records or accounts to check their accuracy, which is conducted by a person or persons not directly involved in the creation and maintenance of these records or accounts. An independent audit results in an opinion that either affirms or disaffirms the accuracy of records or accounts. All operational or internal audit usually results in a report to management that is not shared with those outside the agency.~~

~~(6) "Boot Camp." A short-term correctional unit designed to combine elements of basic military training programs and appropriate correctional components.~~

~~(7) "CAMP (ACA)." A non-secure residential program located in a relatively remote area. The residents participate in a structured program that emphasizes outdoor work including conservation and related activities. There are often 20 to 60 residents in these facilities.~~

~~(8) "CAMP (DYS)." Community Alternative Management Program — an Adventure Intervention Program that involves youth in a high degree of physical activity, structure, discipline, and individual treatment plans as well as follow up services.~~

~~(9) "Case Conference." A conference between individuals working with juvenile offender to see that court-ordered services are being provided.~~

~~(10) "Casework." The function of the caseworker, social worker, or other professional in providing social services, such as counseling, to individuals in custody.~~

~~(11) "Chemical Agent." An active substance, such as tear gas, used to defer activities that might cause personal injury or property damage.~~

~~(12) "Child Care Facility/Program." Any facility or program, whether residential or nonresidential, established by any person, group or persons, agency, association or organization, whether established for profit or otherwise, who or which receives or arranges for care, treatment, or placement of one or more youth.~~

~~(13) "Classification." A process for determining the needs and requirements of those for whom confinement has been ordered and for assigning them to housing units and programs according to their needs and existing resources.~~

~~(14) "Co-correctional." A facility designed to house both male and female juvenile offenders.~~

~~(15) "Code of Ethics." A set of rules describing acceptable standards of conduct for all employees.~~

~~(16) "Committing Authority." The agency or court responsible for placing a youth in a program.~~

~~(17) "Community Resources." Human services agencies, service clubs, citizen interest groups, self-help groups, and individual citizen volunteers that offer services, facilities, or other functions that can meet the needs of the facility or have the potential to assist residents. These various resources may assist with material and financial support, guidance, counseling, and supportive services.~~

~~(18) "Contraband." Any item possessed by a confined juvenile offender or found within the facility that is illegal by law or expressly prohibited by those legally charged with the administration and operation of the facility or program.~~

~~(19) "Corporal Punishment." Any act of inflicting punishment directly on the body, causing pain or injury.~~

~~(20) "Counseling." Planned use of interpersonal relationships to promote social adjustments. Counseling programs provide opportunities to express feelings verbally with the goal of resolving the individual's problems. At least three types of counseling may be provided: individual, a one to one relationship; small group counseling; and large group counseling in a living unit.~~

~~(21) "Delinquent Youth." Also referred to as a juvenile delinquent or a criminal type offender, a youth who has been charged with or adjudicated for conduct that would, under the law of the jurisdiction in which the offense was committed, be a crime if committed by an adult.~~

~~(22) "Direct Supervision." A method of youth management that ensures continuing direct contact between the delinquent youth and staff by posting an officer(s) inside each housing unit. Officers in general housing units are not separated from inmates by a physical barrier. Officers provide frequent, non-scheduled observation of and personal interaction with youth.~~

~~(23) "Disciplinary Detention." A form of separation from the general population in which residents committing serious violations of conduct regulations are confined by the disciplinary committee or other authorized group for short periods of time to individual areas separated from the general population. Placement in detention may occur only after a finding of rule violation at an impartial hearing and when there is a non adequate alternative disposition to regulate the inmate's behavior.~~

~~(24) "Disciplinary Hearing." A non-judicial administrative procedure to determine if substantial evidence exists to find an inmate guilty of a rule violation.~~

~~(25) "Education Program." A program of formal academic education or a vocational training activity designed to improve employment capability.~~

~~(26) "Educational Release." The designated time when residents leave the program to attend school in the community and return to custody after hours.~~

~~(27) "Environmental Health." All conditions, circumstances, and surrounding influences that affect the health of individuals or groups in the area.~~

~~(28) "Facility." A place that is used for the lawful custody and/or treatment of individuals. It may be owned and/or operated by public or private agencies and includes staff and services as well as the buildings and grounds.~~

~~(29) "Facility Administrator." Any official regardless of local title, who has the ultimate responsibility for managing and operating the facility.~~

~~(30) "First Aid." Care for a condition that required immediate assistance from an individual trained in first aid care and the use of the facility's first aid kit.~~

~~(31) "Furlough or Temporary Leave." A period of time during which a resident is allowed to leave the facility and go into the community unsupervised.~~

~~(32) "Governing Authority." In public/governmental agencies, the administrative department or division to which the agency reports; the policy sitting body. In private agencies, this may be an administrative headquarters, central unit, or the board of directors or trustees.~~

~~(33) "Grievance/Grievance Process." A circumstance or action considered to be unjust and grounds for complaint or resentment and/or a response to that circumstance in the form of a written complaint filed with the appropriate body.~~

~~(34) "Hazard." The condition that loss can occur.~~

~~(35) "Health Authority." The physical health administrator, or agency responsible for the provision of health care services at an institution or system of institutions; the responsible physician may be the health authority.~~

~~(36) "Health Care." The sum of all action taken, preventative and therapeutic, to provide for the physical and mental well being of a population. Includes medical and dental services, mental health services, nursing, personal hygiene, dietary services, and environmental conditions.~~

~~(37) "Health Care Personnel." Individuals whose primary duty is to provide health services to residents in~~

~~keeping with their respective levels of health care training or experience.~~

~~(38) "Health Trained Personnel or Medically Trained Personnel." Correctional officers or other correctional personnel who may be trained and appropriately supervised to carry out specific duties with regard to the administration of health care.~~

~~(39) "Informed Consent." The agreement by a patient to a treatment, examination, or procedure after the patient receives the material facts regarding the nature, consequences, risks, and alternatives concerning the proposed treatment, examination, or procedure.~~

~~(40) "Juvenile (Delinquency)." Any person under the age of eighteen years of age, or under the age of nineteen, who has been charged with committing an act of delinquency, or is a child in need of supervision, prior to reaching the age of eighteen; for the purpose of continuing to provide services, juvenile delinquent also means any person under the age of twenty one who already is on probation, aftercare, or in the legal custody of the department.~~

~~(41) "Juvenile Community Residential Program." A program housed in a structure without security fences and security hardware or other major restraining construction typically associated with correctional facilities. They provide twenty four hour care, programs, and supervision to juveniles in residence. Their focus is on providing the juveniles with positive adult models and program activities that assist in resolving problems specific to this age group in an environment conducive to positive behavior in the community.~~

~~(42) "Life Safety Code." A manual published and updated by the National Fire Protection Association specifying minimum standards for fire safety necessary in the public interest.~~

~~(43) "Major Infraction." A rule infraction involving a grievous loss and requiring imposition of due process procedures. Major infractions include (1) violations that may result in disciplinary detention or administrative segregation, (2) violations for which punishment may tend to increase a resident's sentence, (3) violations that may result in forfeiture, such as a loss of good time or work time, (4) violations that may be referred for criminal prosecution.~~

~~(44) "Medical Records." Separate records of medical examinations and diagnosis maintained by the responsible physician. The date and time of all medical examinations and copies of standing or direct medical orders from the physicians to the facility staff should be referred to the resident record.~~

~~(45) "Medical Restraints." Either chemical restraints, such as sedatives, or physical restraints, such as straitjackets, applied only for medical or psychiatric purposes.~~

~~(46) "Medical Screening." A system of structured observation/initial health assessment to identify newly arrived juvenile offenders, and their ability to participate in the program, pose a health threat or safety threat to themselves or others.~~

~~(47) "NFPA." National Fire Protection Association. Publishes the Life Safety Code.~~

~~(48) "Not Applicable." A term used in the licensing process to describe a standard that does not apply to the facility being audited. While the initial determination of applicability is made by licensing staff.~~

~~(49) "Physical Examination." A thorough evaluation of a resident's current physical condition and medical history, conducted by or under the supervision of a licensed professional.~~

~~(50) "Policy." A course or line of action adopted and pursued by an agency that guides and determines present and future decisions and actions. Policies indicate the general course or direction of an organization within which the activities of the personnel must operate. These are statements of guiding principles that should be followed in directing activities toward the attainment of objectives. Their attainment may lead to compliance with standards as well as compliance with the overall goals of the agency or system.~~

~~(51) "Procedure." The detailed and sequential actions that must be executed to ensure that a policy is fully implemented. It is the method of performing an operation or a manner on a course of action. It differs from a policy in that it directs action in a particular situation to perform a specific task within the guidelines of the policy.~~

~~(52) "Professional Staff." Social workers, probation officers, and other staff assigned to juvenile and adult offender cases. These individuals generally possess bachelor's degrees and advance training in the social or behavioral sciences.~~

~~(53) "Program." The plan or system through which a program works to meet its goal; often this program requires a distinct physical setting, such as a correctional institution, community residential facility, group home, or foster home.~~

~~(54) "Program Director." The individual directly in charge of the program, who may also be called the administrator, superintendent, or house parent.~~

~~(55) "Records." Information concerning the individuals' delinquent or criminal, personal, and medical history, and behavior and activities while in custody.~~

~~(56) "Releasing Authority." The decision making body and/or individual that has the responsibility to grant, deny, and revoke release from a juvenile program of supervision.~~

~~(57) "Responsible Physician." An individual licensed to practice medicine and provide health services to the resident population of the facility and/or the physician at an institution with final responsibility for decisions related to medical judgments.~~

~~(58) "Risk." The possibility or probability that loss can occur.~~

~~(59) "Safety Equipment." Primary fire fighting equipment, e.g., chemical extinguishers, hoses, nozzles, water supplies, alarm systems, sprinkler systems, portable breathing devices, gas masks, fans, first aid kits, stretchers, and emergency alarms.~~

~~(60) "Security Devices." Locks, gates, doors, bars, fences, screens, ceilings, floors, walls, and barriers used to confine and control detained individuals. Also included are electronic monitoring equipment, security alarm systems, security lights, auxiliary power supplies, and other equipment used to maintain facility security.~~

~~(61) "Segregation." The confinement of a resident to an individual room/area that is separated from the general~~

~~population. There are three forms of segregation: administrative segregation, disciplinary detention, and protective custody.~~

~~(62) "Serious incident." A situation in which injury serious enough to warrant medical attention occurs involving a resident, employee, or visitor on the grounds of the facility. Also, a situation containing an imminent threat to security of the facility and/or to the safety of residents, employees, or visitors on the grounds of the facility.~~

~~Author: Alabama Department of Youth Services, Office of Licensing and Standards~~Author: Alabama Department of Youth Services

~~Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.~~Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

~~History: New Rule: Filed December 17, 2004; effective January 21, 2005.~~History: New Rule: Filed December 17, 2004; effective January 21, 2005. Repealed Filed June 19, 2018

Effective

950-1-12-.03 Procedures And Application For License.

~~(1) Procedures for Application For License are described in 950-1-4-.05. Interested parties should refer to those sections for the applicable procedures.~~

~~(2) Procedures for granting a six month permit are described in 950-1-4-.06. Interested parties should refer to those sections for the applicable procedures.~~

~~(3) A Manual of Operating Procedures will be required to be prepared by the applicant as a part of the application procedure. Specific guidance will be provided by the Office of Licensing and Standards of the Department of Youth Services to the applicant regarding the elements that must be covered in the manual.~~

~~Author: Alabama Department of Youth Services~~Author: Alabama Department of Youth Services, Office of Licensing and Standards

~~Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.~~Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005. Repealed Filed June 19, 2018

Effective

~~History: New Rule: Filed December 17, 2004; effective January 21, 2005.~~

~~950-1-12-.04 Revocation Of A License.~~

~~(1) Conditions for Revocation of a License are described in 950-1-4-.06. Interested parties should refer to that section for the applicable rule governing revocation of a license.~~

~~Author: Alabama Department of Youth Services~~
~~Author: Alabama Department of Youth Services, Office of Licensing and Standards~~
~~Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.~~
~~Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.~~

History: New Rule: Filed December 17, 2004; effective January 21, 2005. Repealed Filed June 19, 2018 Effective

~~History: New Rule: Filed December 17, 2004; effective January 21, 2005.~~

~~950-1-12-.05 Appeal For Fair Hearing And Review.~~

~~(1) The procedures for Appeal For Fair Hearing and Review are described in 950-1-12-.07. Interested parties should refer to that section for the applicable rule governing the appeal and fair hearing procedures.~~

~~Author: Alabama Department of Youth Services~~
~~Author: Alabama Department of Youth Services, Office of Licensing and Standards~~
~~Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.~~
~~Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.~~

History: New Rule: Filed December 17, 2004; effective January 21, 2005. Repealed Filed June 19, 2018 Effective

~~History: New Rule: Filed December 17, 2004; effective January 21, 2005.~~

950-1-12-.06 Administration And Management: The Managing Board, Fiscal Management, And Personnel Management.

- (1) **ADMINISTRATION.** The Organization will have written policy and procedures that establishes the program's goals and objectives, standard operating procedures, and a system of regular review.
- (2) **BOARD OF DIRECTORS AND PROGRAM OVERSIGHT.** Each program should be incorporated with a Board of Directors or where established by a local unit of government. The governing body should serve as the Board of Directors.
- (a) The public or private agency operating an outdoor adventure program is a legal entity or part of a legal entity.
- (b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~program~~Program meets applicable licensing requirements of the jurisdiction in which it is located.
- (c) There is a written statement that describes the mission, philosophy, goals and purposes of the ~~program~~Program. This statement is reviewed at least annually and updated, if necessary.
- (d) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~program~~Program is managed by a single administrative office to whom all employees or units management are responsible.
- (e) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~program~~Program administrator formulates and reviews goals for the ~~program~~Program at least annually and translates them into measurable objectives.
- (f) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice demonstrates that employees participate in the formulation of policies, procedures and programs.
- (g) The qualifications, authority, and responsibilities of the administrator and other appointed personnel who are not covered by a merit system, civil service regulations, or union contracts, are specified in writing by statute or by the parent agency.

(h) The qualifications for the position of program administrator include at a minimum, the following: a bachelor's degree in an appropriate discipline, two years of related administrative experience, and demonstrated administrative ability and leadership. The degree requirement may be satisfied by completion of a career development program that includes work related experience, ~~training~~ Training, or college credits at a level of achievement equivalent to the bachelor's degree.

(i) There is a written document describing the ~~program~~ Program's organization. The description includes an organizational chart that groups similar functions, services, and activities in administrative sub units. This document is reviewed annually and updated as needed.

(j) The role and functions of employees of public or private agencies providing a service to the ~~program~~ Program are covered by written policy and procedure that specify their relation to the authority and responsibility of the program administrator. These policies and procedures are reviewed at least annually and updated as needed.

(k) The ~~program~~ Program shall have a policy and procedure manual that is reviewed and updated, if necessary, approved at least annually by the ~~governing authority~~ Governing Authority or administrator and made available to all staff and volunteers.

1. Written ~~policy~~ Policy, ~~P~~ procedure, and practice provide that new or revised policies and procedures are disseminated to designated staff and volunteers and when appropriate, to juveniles prior to implementation.

2. Written ~~policy~~ Policy, ~~procedure~~ Procedure, and practice should provide for regular meetings between the program administrator and all department heads and between department heads and their key staff members. These meetings are to be conducted at least monthly.

3. Written ~~policy~~ Policy, ~~procedure~~ Procedure, and practice provide that the administrator attends meetings of the ~~governing authority~~ Governing Authority at least annually to facilitate communications, establish ~~policy~~ Policy, and ensure conformity to legal and fiscal requirements.

(l) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for a system to monitor space requirements, operations, and ~~program~~Programs through inspections and reviews. This monitoring includes measuring progress toward achieving previously identified goals and objectives and is conducted by the program administrator or designated staff at least annually.

(m) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide that the program administrator submits a written report of the ~~program~~Program's activities monthly to the parent agency. These monthly reports include major developments in each ~~department~~Department or administrative unit, major incidents, population data, assessment of staff and juvenile morale, and major problems and plans for solving them.

(n) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice establish the ~~program~~Program's commitment to informing the public and the media of events within the ~~program~~Program's areas of responsibility. The procedures address emergency and non-emergency responses to the media and, at a minimum, include:

1. Identification of areas in the ~~program~~Program that are accessible to media representatives.
2. The contact person for routine requests for information.
3. Identification of data and information protected by federal or state privacy laws, or federal and state freedom of information laws.
4. Special events coverage.
5. A news release policy.
6. Designation of individuals or positions within the ~~program~~Program authorized to speak with the media on behalf of the ~~program~~Program.

(o) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice specify the circumstances for the program administrator and other staff to obtain legal assistance as needed in the performance of their duties.

(p) There should be a written ~~policy~~Policy regarding campaigning, lobbying, and political practices. This

~~policy~~Policy conforms to governmental statutes and regulations and is known and available to all employees.

(g) Written ~~policy~~Policy, ~~procedure~~Procedures, and practice should prohibit conflict of interest. This ~~policy~~Policy specifically states that no employee connected with the ~~program~~Program can use his or her official position to secure privileges or advantages.

(3) **FISCAL MANAGEMENT.** The OATP shall have a written body of policy and procedure that establishes the ~~program~~Program's fiscal planning, budgeting, and accounting procedures and establishes a system of regular review.

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice cover, at a minimum, the following fiscal areas: internal controls, petty cash, bonding for all appropriate staff, signature control in checks, and the issuance or use of vouchers.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~program~~Program operates under an annual budget of anticipated revenues and expenditures that is approved by its ~~governing authority~~Governing Authority.

(c) The program administrator should participate in budget deliberations conducted by the parent agency of the next higher level of government. This participation should include requests for funds for: maintaining the ~~program~~Program's daily operations; financing capital projects; and supporting long-range objectives, program development, and additional staff requirements.

(d) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for budget revisions.

(e) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice demonstrate that the ~~procedure~~Procedures for the collection, safeguarding, and disbursing of monies comply with the accounting procedures established by the governing jurisdiction. These ~~procedure~~Procedures are reviewed annually and updated as needed.

(f) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the accounting system is designed to show the current status of income and expenditures.

(g) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that all monies collected at the ~~program~~Program are placed in an officially designated and secure location.

(h) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide for ongoing monitoring of the ~~program~~Program's fiscal activities. The results are reported in writing annually and are forwarded to the Department of Youth Services Regional Coordinator.

(i) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for an independent ~~audit~~Audit of the ~~program~~Program. This ~~audit~~Audit is conducted annually or as stipulated by statute or regulation, but should be conducted at least every three years. A copy of this ~~audit~~Audit shall be provided to the Department upon request.

(j) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice govern the requisition and purchase of supplies and equipment, including at a minimum the purchasing procedures and criteria for the selection of bidders and venders.

(k) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice govern inventory control of property, supplies and other assets. Inventories are conducted at time periods stipulated by applicable statutes, but at least every two years.

(l) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide for ~~program~~Program liability insurance.

(m) Written ~~policy~~Policy, ~~procedure~~Procedure and practice govern the operation of any fund established for juveniles, and provide that when allowed any financial transactions permitted between juveniles, juveniles and staff or juveniles and volunteers be approved by designated staff.

(4) Personnel Management.

(a) Written ~~policy~~Policy, ~~procedure~~Procedure and practice provide that a personnel ~~policy~~Policy manual is available for employee reference and covers, at a minimum, the following areas:

1. organization chart (table of organization)
2. equal employment opportunity provisions

3. job descriptions and qualifications and physical fitness ~~policy~~Policy
4. benefits, holidays, leave, and work hours
5. personnel records and employee evaluations
6. staff development and ~~training~~Training
7. retirement, resignation, and termination
8. disciplinary procedures and grievance and appeals procedures
9. statutes relating to political activities
10. insurance/professional liability requirements

(b) The staffing requirements for all categories of personnel are determined to ensure that juveniles have access to staff, ~~program~~Programs, and services. OATP licensed programs should have at least one trained staff member on duty for every eight ~~y~~youths during daylight hours, with a minimum of one staff per twelve ~~y~~youths in each living unit during sleep hours to monitor and supervise ~~youth~~Youth movement and/or activity.

(c) Any staff member having full responsibility for the safety and well being of a juvenile shall be at least nineteen years old.

(d) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice prohibit sexual harassment.

(e) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide that there are written job descriptions for all positions. Each job description includes: job title, responsibilities of the position, required experience, and education.

(f) A criminal record check shall be conducted on all new employees and volunteers in accordance with state and federal statutes.

(g) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that employees who have direct contact with juveniles receive a ~~physical examination~~Physical

| Examination prior to job assignment. Employees receive reexaminations according to a defined need or schedule.

| (h) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice specify support for a drug-free workplace for all employees.

| (i) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide for a written, annual performance review of all employees; this review is based on defined criteria, reviewed and discussed with the employee, and signed by both the employee and evaluator.

| (j) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~program~~Program maintains a confidential personnel record on each employee. This personnel record should contain the following:

1. initial application
2. reference letters
3. results of employment investigations
- | 4. verification of ~~training~~Training and experience
5. medical evaluations
6. job performance evaluations
7. incident reports, if any
8. commendations/disciplinary reports

| (k) A written ~~code of ethics~~Code of Ethics should prohibit employees from using there official positions to secure privileges for themselves or others and from engaging in activities that constitute a conflict of interest. This code is available to all employees..

| 1. Staff should conduct activities with an appropriate level of competence and ~~training~~Training specific to the activities.

2. Staff should conduct activities in a responsible manner, with respect for the rights and dignity of the participant.

(1) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that employees, consultants, volunteers, and contract personnel who work with juveniles are informed in writing about the program's policies on confidentiality of information and agree in writing to abide by them.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.07 Training And Staff Development.

(1) **PROGRAM COORDINATION AND SUPERVISION**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~program~~Program's staff development and training program is planned, coordinated, and supervised by a qualified supervisory employee. The ~~training~~Training plan is reviewed annually.

(2) **TRAINING PLAN**

(a) The ~~program~~Program's ~~training~~Training plan is developed by a committee composed of the ~~program~~Program's training coordinator and representatives from other program departments. The committee meets at least quarterly to review progress and resolve problems, and a written record of these meetings is forwarded to the program administrator.

(3) **TRAINING EVALUATION**

(a) The ~~program~~Program's ~~training~~Training plan provides for ongoing formal evaluation of all pre service, in-service, and specialized ~~training~~Training ~~program~~Programs. A written report is prepared annually.

(4) **ORIENTATION**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that initial orientation is provided for all employees during their first week of employment at the

~~program~~Program. Orientation ~~training~~Training includes, at a minimum:

1. program philosophy and goals
2. use of discipline regulations
3. legal responsibilities of staff
4. juvenile legal rights and responsibilities
5. juvenile rules and sanctions
6. chain of command
7. suicide prevention
8. emergency procedures
9. security procedures
10. first aid
11. report writing
12. supervision of juveniles

Each employee signs and dates a statement that orientation has been received.

(5) **ADMINISTRATIVE AND MANAGERIAL STAFF**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that all administrative and managerial staff receive 40 hours of ~~training~~Training in addition to orientation during their first year of employment and 40 hours of ~~training~~Training each year thereafter. At a minimum, this ~~training~~Training covers the following areas:

1. General management
2. Labor law
3. Employee - management relations
4. Relationships with other agencies

(6) **PROFESSIONAL SPECIALISTS AND JUVENILE CARE
WORKERS: TRAINING REQUIREMENTS**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure and practice shall provide that all newly hired professional specialists and juvenile care workers receive 120 hours of ~~training~~Training in addition to orientation during their first year of employment and 40 hours of ~~training~~Training each subsequent year. At a minimum the ~~training~~Training covers the following areas:

Security procedures

1. Supervision of juveniles
2. Signs of suicide risks and suicide precautions
3. Use of discipline
4. Use of force regulations/restraint techniques
5. Report writing
6. Juvenile rules and regulations
7. Program rules and regulations
8. Rights and responsibilities of juveniles
9. Fire and emergency procedures
10. Safety procedures
11. Key control
12. Interpersonal relations
13. First aid/CPR
14. Counseling Techniques
15. Crisis Intervention
16. Sexual harassment
17. Specialized ~~training~~Training, such as physical fitness, drill and ceremonies, various program components, aftercare issues, etc.

18. Sexual abuse/assault

(7) SUPPORT STAFF

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that all support employees who have regular or daily contact with juveniles receive 40 hours of ~~training~~Training in addition to orientation ~~training~~Training during their first year of employment and 40 hours of ~~T~~training each year after. At a minimum, this ~~training~~Training covers the following areas:

1. Security procedures
2. Supervision of juveniles
3. Signs of suicide risks and precautions
4. Use of discipline
5. Use of force regulations and restraint techniques
6. Report writing
7. Juvenile rules and regulations
8. Program rules and regulations
9. Rights and responsibilities of juveniles
10. Fire and emergency procedures
11. Safety procedures
12. Key control
13. Communications skills
14. First aid/CPR
15. Crisis intervention
16. Sexual harassment
17. Legal issues

18. Specialized ~~training~~ Training, such as physical fitness, drill and ceremonies, various program components, aftercare issues, etc.

(8) **PART-TIME STAFF/VOLUNTEERS**

(a) Written ~~policy~~ Policy, ~~procedure~~ Procedure, and practice provide that all part-time staff, volunteers, and contract personnel receive formal orientation appropriate to their assignments and additional ~~training~~ Training as needed.

(9) **SPECIALIZED TRAINING - CHEMICAL AGENTS/USE OF FORCE/FIREARMS TRAINING**

(a) Personnel shall receive appropriate ~~training~~ Training prior to the use of a ~~chemical agent~~ Chemical Agent. This ~~training~~ Training shall cover the safety, care, and use of the chemicals.

(b) All personnel shall be trained in approved methods of self defense and the use of force as a last resort to control disruptive juveniles.

(c) The Use of Firearms shall be specifically prohibited by the ~~facility~~ Facility. All staff shall receive instruction that no staff member shall bring a firearm onto the premises and that having such a weapon on the premises will result in severe sanctions.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.08 **Case Records.**

(1) **CASE RECORD MANAGEMENT**

(a) Written ~~policy~~ Policy ~~procedure~~ Procedure and practice shall provide that a record is maintained for each juvenile and includes, at a minimum, the following information:

1. Name, age, sex, place of birth, and race or nationality

2. initial intake information form
3. authority to accept juvenile
4. referral source
5. case history/social history
6. medical consent forms
7. name, relationship, address, and phone number of parent(s)/guardian(s) and person(s) juvenile resides with at time of ~~admission~~Admission
8. driver's license number, social security number, and Medicaid number, when available
9. court orders and disposition
10. individual treatment plan or program
11. signed release of information forms
12. progress reports on program involvement
13. program rules and disciplinary policy, signed by juvenile
14. grievance and disciplinary record
15. referrals to other agencies and final discharge or transfer report

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that new juveniles receive written orientation materials and/or translations in their own language if they do not understand English. When a literacy problem exists, a staff member assists the juvenile in understanding the material. Completion of orientation shall be documented by a signed statement signed and dated by the juvenile and participating staff.

(2) **TRANSFER OF RECORDS**

(a) Written policy and procedure and practice provide that a juvenile's updated case file is transferred within 72

hours of a change from one ~~program~~Program to another ~~program~~Program.

(3) **CASE ASSIGNMENT**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for assigning the case management of each juvenile to a staff member who meets with and counsels that juvenile.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice require that all entries in the case record are signed and dated by the person making the entry.

(4) **REPORTS**

(a) A report is prepared at the termination of program participation that reviews the juvenile's performance and aftercare plans.

(5) **RELEASE OF INFORMATION**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~program~~Program uses a "release of information consent form" that complies with applicable federal and state regulations. An executed copy of the form is maintained in the juvenile's case record.

(6) **CONFIDENTIALITY**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that records are safeguarded from unauthorized and improper disclosure. Manual records are marked "Confidential." Written policy and procedure provide that when any part of the information system is computerized, security ensures confidentiality.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.09 Information System And Research.

(1) INFORMATION SYSTEM

(a) The ~~program~~Program contributes to, and has access to, an organized system of information storage, retrieval, and review.

(2) RESEARCH ACTIVITIES

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~program~~Program or parent agency supports, engages, and uses research activities relevant to its ~~program~~Programs, services, and operations.

(3) JUVENILE PARTICIPATION IN RESEARCH

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice govern voluntary participation in non medical, non pharmaceutical, and non cosmetic research programs.

(4) ACCESS TO RECORDS

(a) Consistent with statutes, written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that individuals and agencies may have access to records for the purpose of research, evaluation, and statistical analysis, in accordance with a formal written agreement that authorizes access, specifies use of data, and ensures confidentiality.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.10 Citizen Involvement And Volunteers.

(1) PROGRAM COORDINATION

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for the screening, orientation, ~~training~~Training and use of volunteers.

(b) The supervisor of volunteer services should maintain records and reports pertinent to services rendered by volunteers.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for an official registration and identification system for volunteers.

(d) Written ~~policy~~Policy specifies that volunteers may perform professional services only when they are certified or licensed to do so.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.11 Building And Safety Codes.

(1) BUILDING CODES

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~faeility~~Facility conforms to applicable federal, state, and or local building codes.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~faeility~~Facility conforms to applicable zoning ordinances or, through legal means, is attempting to comply with or change such laws, codes, or zoning ordinances.

(2) FIRE CODES

(a) The ~~faeility~~Facility shall conform to applicable federal, state, and/or local fire safety codes. Compliance shall be documented by the authority having jurisdiction. A fire alarm and automatic detection system are required as approved by the authority having jurisdiction, or there is a plan for addressing these or other deficiencies within a reasonable time period. The authority approves any variances, exceptions, or equivalencies that do not constitute a serious life safety threat to the occupants of the OATP program.

(3) FINISHING MATERIALS

(a) There is documentation by a qualified source that the interior finishing material in juvenile living areas, exit

areas, and places of public assembly are in accordance with recognized codes.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.12 Size, Organization, And Location.

(1) **STAFF/JUVENILE INTERACTION**

(a) Staff offices in living units are located so that staff are readily accessible to juveniles.

(2) **FACILITY SIZE**

(a) The OATP program operates with no more than 96 juveniles.

(3) **LOCATION**

(a) When the OATP is a part of or attached to another correctional unit, ~~program~~Program participants are housed and programmed separately from other juveniles.

(4) **RATED CAPACITY**

(a) The number of juveniles not exceeds the ~~program~~Programs rated bed capacity.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.13 Outdoor Campsites Size, Organization, And Location.

(1) **STAFF/JUVENILES INTERACTION**

(a) Physical plant design facilitates personal contact and interaction between staff and juveniles.

1. Facility is conducive to ~~program~~Program activities and services to juveniles.

2. Fosters an atmosphere promoting quality of live.

3. Enables service delivery and acquisition of ~~program~~Program goals.

4. Is safe and well maintained.

(b) Staff offices/living units are located so that staff are readily accessible to the juveniles.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.14 Juvenile Housing.

(1) Each sleeping area has at a minimum, the following:

(a) sleeping areas that are compatible with the OATP mission

(b) adequate and appropriate space for personal hygiene needs

(c) adequate space for ~~program~~Program activities

(d) 25 square feet of unencumbered space per occupant.

(e) access to toilets and a wash basin with hot and cold running water 24 hours a day without staff assistance

(f) a bed, mattress, pillow, personal storage space

(g) temperatures that are appropriate to the summer and winter comfort zones

(2) Dayrooms provide sufficient seating and writing surfaces for every juvenile using the room at one time. Dayroom furnishings are consistent with the security needs of the juveniles assigned.

(3) **TOILETS**

(a) Toilets shall be provided at a minimum ratio of one for every 12 juveniles in male facilities. Urinals may be substituted for up to one-half of the toilets in male facilities. All housing units with three or more juveniles have a minimum of two toilets.

(4) **SHOWERS**

(a) Juveniles shall have access to operable showers with temperature controlled hot and cold running water at a minimum ratio of one shower for every eight juveniles. Water for showers is thermostatically controlled to temperatures ranging from 100 degrees Fahrenheit to 120 degrees Fahrenheit to ensure the safety of juveniles and to promote hygienic practices.

(5) **HOUSING FOR JUVENILES WITH DISABILITIES**

(a) Juveniles with disabilities are housed in a manner that provides for their safety and security. Rooms or housing units used by juveniles with disabilities are designed for their use and provide for integration with the general population. Appropriate ~~program~~Programs and activities are accessible to juveniles with disabilities.

(6) **MALE/FEMALE SLEEPING AREAS**

(a) Male and females do not occupy the same sleeping room.

(7) **JUVENILE HOUSING (WILDERNESS)**

(a) Wilderness facilities shall promote the safety and well-being of juveniles and staff.

(b) The ~~facility~~Facility will have:

1. sleeping areas that are compatible with the OATP mission
 2. adequate and appropriate space for personal hygiene needs
 3. adequate space for ~~program~~Program activities
- (c) Housing in tents shall be structurally sound and in good repair, maintained in a sanitary condition, and shall provide adequate protection to the occupants from the elements.
- (d) Heating during the winter months shall be provided in tents occupied by juveniles or staff. Program participants shall be provided with adequate clothing for cold weather conditions.
- (e) Each sleeping area has at a minimum:
1. 25-square feet of unencumbered space per occupant
 2. access to toilets and a wash basin with hot and cold running water 24 hours a day without staff assistance
 3. a bed, cot, or bunk, mattress, or ground pad, sleeping bag, pillow, personal storage space
 4. natural light

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.15 Program And Service Areas.

(1) Adequate space is available for the various programs and service functions conducted within the ~~facility~~Facility.

(2) **VISITING SPACE**

(a) Written ~~policy~~Policy, ~~procedure~~Procedures, and practice provide for sufficient space for a visiting room. There is adequately designed space to permit screening and

searching of both juveniles and visitors. Space is provided for the proper storage of visitors' coats, hand bags, and other personal items not allowed into the visiting area.

(3) **PROGRAM AREAS**

(a) School classrooms shall be in conformance with local or state educational requirements.

(4) **FOOD SERVICE AREA**

(a) There is at least 15 square feet of floor space for each person using the dining room or dining area; space is provided for group dining, except where security or safety considerations justify otherwise.

(b) The food preparation area includes a space for food preparation based on population size, type of food preparation, and methods of meal service.

(c) Toilet and wash basin facilities are available to food service personnel and juveniles in the vicinity of the food preparation area.

(4) **CLOTHING AND SUPPLIES**

(a) Space is provided in the ~~program~~Program to store and issue clothing, bedding, cleaning supplies, and other items required for daily operations.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall specify the personal property juveniles can retain in their possession, and shall govern control and safeguarding of juvenile personal property. Personal property retained at the program shall be itemized in a written list that is kept in the case file; the juvenile shall receive a copy of the list.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.16 Administrative And Staff Areas.

(1) **ADMINISTRATIVE AREAS**

(a) Adequate space is provided for administrative, security, professional, and clerical staff. This space includes: conference rooms, storage for records, and access to toilet facilities.

(2) **ACCESSIBILITY TO PERSONS WITH DISABILITIES**

(a) All parts of the ~~program~~Program that are accessible (Barracks Only) to the public are accessible to and usable by staff and visitors with disabilities.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.17 **Security.**

(1) Physical plant shall support the orderly and secure operation of the ~~program~~Program

(2) **CONTROL CENTER**

(a) Written ~~policy~~Policy, ~~procedure~~Procedures, and practice **shall** provide space for a 24 hour control center for monitoring and coordinating the ~~program~~Program's security, safety, and communication systems.

(3) **PERIMETER SECURITY**

(a) The ~~program~~Program's perimeter is controlled by appropriate means to provide that juveniles remain within the perimeter and to prevent access by the general public without proper authorization.

(b) Pedestrians and vehicles enter and leave at designated points in the perimeter.

(4) **SECURITY AND EQUIPMENT STORAGE**

(a) Security equipment is stored in a secure but readily accessible depository outside of juvenile housing and activity areas.

(5) **OUTDOOR ADVENTURE TREATMENT PROGRAM OPERATIONS
SECURITY AND CONTROL:**

(a) Maintain a combination of supervision inspection, accountability, and policies and procedures, to promote safe, secure, and orderly operations.

(b) Institute security and control practices.

(c) Establish alternative plans in the event of work stoppage.

(d) Initiate inspections and searches to maintain security and control.

(e) Maintain control and an inventory of all tools, equipment, and keys.

(6) **SECURITY MANUAL**

(a) There shall be a manual containing all ~~procedure~~Procedures for ~~program~~Program security and control, with detailed instructions for implementing these ~~procedure~~Procedures. This manual shall be available to all staff and is reviewed at least annually and updated as necessary.

(7) **COMMUNICATION SYSTEM**

(a) The ~~program~~Program has a communication system between the control center and juvenile activity areas.

(8) **JUVENILE CARE WORKERS**

(a) Juvenile care worker positions are located in or immediately adjacent to juvenile living areas to permit workers to hear and respond promptly to emergency situations.

(b) There shall be operational shift assignments that shall state the duties and responsibilities for each assigned position in the ~~program~~Program; these shift assignments are reviewed at least annually and updated, if necessary.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for personnel to read the appropriate shift assignment each time they assume a new position and to sign and date the assignment.

(d) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall require that when both males and females are housed in the ~~program~~Program, at least one male and one female staff member are on duty at all times.

(9) **PERMANENT LOG**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall require that staff maintain a permanent log and shift reports that record routine information, emergency situations, and unusual incidents.

(10) **PATROLS AND INSPECTIONS**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should require that supervisory staff conduct a daily inspection, including holidays and weekends, of all areas occupied by juveniles and submit a daily written report to their supervisor. Unoccupied areas are to be inspected weekly.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall require at least weekly inspections and maintenance of all ~~security devices~~Security Devices, and taking corrective action, when necessary.

(11) **JUVENILE COUNT**

(a) The ~~program~~Program shall have a system for physically counting juveniles. The system shall include strict accountability for juveniles assigned to off-site service projects, educational field trips, home pass, or any off-site excursion.

(b) The ~~program~~Program maintains a daily report on juvenile population movement.

(12) **USE OF FORCE**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall restrict the use of physical force to instances of justifiable self protection, protection of others, protection of property, and prevention of escapes, and then only as a last

resort, and in accordance with appropriate statutory authority. In no event is physical force justifiable as punishment. A written report is prepared following all uses of force and is submitted to administrative staff for review.

(b) All special incidents, including but not limited to the taking of hostages, use of restraint equipment, or use of physical force, are reported in writing, dated, and signed by the staff person reporting the incident. The report is placed in the juvenile's case record and is reviewed by the ~~program~~Program.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that written reports are submitted to the administrator or designee no later than the conclusion of their shift, when any of the following occur:

1. Use of ~~chemical agent~~Chemical Agents to control juveniles

2. Use of force to control juveniles

3. Juveniles remain in restraints at the end of shift

(13) **USE OF RESTRAINTS**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that instruments of restraint such as handcuffs, leg irons, and straight jackets, are never applied as punishment and are applied only with the approval of the boot camp program administrator or designee.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that the ~~program~~Program maintains a written record of routine and emergency distribution of restraint equipment.

(14) **CONTROL OF CONTRABAND/SEARCHES**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for searches of facilities and juveniles to control ~~contraband~~Contraband and provide for its disposition.

(15) **CONTROL OF KEYS, TOOLS, EQUIPMENT**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall govern the control and use of keys, tools, culinary, and medical equipment.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall govern the availability, control, and use of ~~chemical-agent~~Chemical Agents and related ~~security-devices~~Security Devices and specify the level of authority required for their access and use. ~~Chemical-agent~~Chemical Agents are used only with the authorization of the boot camp program administrator or designee. ~~Chemical-agent~~Chemical Agents and related security equipment are inventoried at least monthly to determine their condition and expiration date.

(c) Firearms are not permitted in the ~~program~~Program, except in emergency situations by law enforcement personnel.

(16) **PROGRAM VEHICLE**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should govern the use and security of ~~program~~Program vehicles to include:

1. Established forms should be in place for all ground transportation activities
2. There should be driver screening testing, and ~~training~~Training procedures in place according to state law
3. Vehicles and drivers should have appropriate licenses for operation

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should govern the use of personal vehicles for official purposes, and include provisions for insurance coverage.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.18 **Safety And Emergency Procedures.**

(1) **FIRE SAFETY**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice **shall** specify the ~~facility~~Facility's fire prevention regulations and practices. These include provision for an adequate fire protection service, including but not limited to the following:

1. A system of fire inspection and testing of equipment at least quarterly or at intervals approved by the authority having jurisdiction, following the ~~procedure~~Procedures stated for variances, exceptions, or equivalencies.

2. Annual inspection by local or state officials or other qualified persons.

3. Availability of fire protection equipment at appropriate locations throughout the ~~facility~~Facility.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice **shall** provide for a comprehensive and thorough monthly inspection of the ~~facility~~Facility by a qualified fire and safety officer for compliance with safety and fire prevention standards. There is a weekly fire and safety inspection of the ~~facility~~Facility by a qualified departmental staff member. This ~~policy~~Policy and ~~procedure~~Procedure is reviewed annually and updates, as needed.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice **shall** govern the control and use of all flammable, toxic, and caustic materials.

(d) Facilities **shall** be equipped with non combustibile receptacles for smoking materials and separate containers for other combustibile refuse at accessible locations throughout living quarters in the ~~program~~Program. Special containers are provided for flammable liquids and for rags used with flammable liquids. All receptacles and containers are emptied and cleaned daily.

(e) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide for a communication system within the ~~program~~Program and between the ~~program~~Program and community in the event of urgent, special or unusual incidents or emergency situations.

(2) **EMERGENCY PLANS**

(a) The ~~program~~Program **shall** have a written evacuation plan prepared in the event of a fire or major emergency that is approved by a person trained in the application of appropriate codes. The plan is reviewed annually, updated if necessary, and reissued to the local fire jurisdiction and/or other responding agencies. The plan includes the following:

1. Location of building/room floor plan.
2. Location of public posted plan.
3. Staff drills for the evacuation of residents.
4. Use of exit signs and directional arrows for traffic flow.
5. Monthly fire drills in all occupied locations of the ~~program~~Program.

(b) All ~~program~~Program personnel **shall** be trained in the implementation of written emergency plans.

(c) There **shall** be a written plan that specifies the ~~procedure~~Procedure to be followed in situations that threatens program security that include but not limited to:

1. Riots
2. Hunger strikes
3. Disturbances
4. Taking of hostages
5. Work stoppage

(d) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice **shall** specify the means for the immediate release of juveniles from locked areas in case of emergency and provide for a back up system.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.19 Rules And Discipline.(1) **RULES OF CONDUCT**

(a) Written rules of juvenile conduct specify acts prohibited within the ~~program~~Program and penalties that can be imposed for various degrees of violation.

(b) A rule book that contains all chargeable offenses, ranges of penalties, and disciplinary procedures shall be given to each juvenile and staff member and is translated into those languages spoken by significant numbers of juveniles. Signed acknowledgment of receipt of the rule book is maintained in the juvenile's file. When literacy or language problems prevent the juvenile from understanding the rule book, a staff member will explain and go over it with the juvenile.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice require that prior to area and/or privilege restriction, the juvenile is explained the reasons for the restriction and has an opportunity to explain the behavior leading to the restriction.

(d) During room/area restriction, staff contact is made with the juvenile at least every 15 minutes, depending on the emotional state of the juvenile. The juvenile assist in determining the end of the restriction period.

(2) **DISCIPLINARY REPORTS**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice, shall require that employees prepare a disciplinary report when they have a reasonable belief that a juvenile has committed a major violation of the ~~program~~Program's rules or reportable minor violations.

(3) **PRE-HEARING ACTION**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice specify that when major rule violation is reported, an appropriate investigation is begun within 24 hours of the time the violation is reported and is completed without unreasonable delay, unless there are exceptional circumstances for delaying the investigation. The juvenile shall receive a written copy of

the alleged major rule violation within 24 hours of the infraction.

(4) **DISCIPLINARY HEARING**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that disciplinary hearings are scheduled as soon as practicable within seven days, (excluding weekends and holidays) after the violation. Hearings are conducted by an impartial person or panel of persons. Juveniles receive a 24-hour advance notice of the hearing, and a written record of the hearing is maintained for at least six months.

(5) **CONDUCT OF HEARING**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provides that juveniles have an opportunity to:

1. Be present at their ~~hearing~~Hearings unless they waive that right in writing or through their behavior

2. To make a statement and present documentary evidence at the ~~hearing~~Hearing

3. Request any staff member to represent them at disciplinary hearings, request witnesses on their behalf, the reason for denying such a request are stated in writing. Staff representatives are appointed when it is apparent that juveniles are not capable of effectively collecting or presenting evidence on their own behalf.

(6) **HEARING RECORD**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide that a written record is made of the decision and the supporting reasons and that a copy is given to the juvenile. The ~~hearing~~Hearing record and the supporting documents are kept in the juvenile's file only if found to be guilty, also in the disciplinary committee's record.

(7) **REVIEW**

1. Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for review of all disciplinary hearings and dispositions by the program administrator or designee to assure conformity with ~~policy~~Policy and regulations.

(8) APPEAL

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice grant juveniles the right to appeal decisions of the disciplinary committee. Juveniles have up to 72 hours of receipt of the decision to submit an appeal. The appeal is decided within 7 days of its receipt, the juvenile is notified in writing.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.20 Juvenile Rights.

(1) ACCESS TO COURTS AND TO COUNSEL

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice ensure the right of juveniles to have access to ~~court~~Courts, to ensure and facilitate juvenile access to counsel and assist juveniles in making confidential contact with attorneys and their authorized representatives. Such contact includes, but is not limited to, telephone communications, uncensored, correspondence, and visits.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice, shall provide that juveniles are not subjected to corporal or unusual punishment, humiliation, verbal abuse, mental abuse, or punitive interference with the daily functions of living, such as eating and sleeping.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for the reporting of all instances of suspected child abuse and/or neglect by staff, program monitors, visitors, medical personnel, or others consistent with appropriate state and local laws.

(d) There is a written juvenile grievance procedure that is made available to all juveniles and includes at least one level of appeal.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.21 Food Services.

(1) FOOD SERVICE MANAGEMENT

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice, provide that a staff member supervises food service operations.

(2) DIETARY ALLOWANCES

(a) There shall be documentation that the programs' system of dietary allowance is reviewed at least annually by a dietician to ensure compliance with nationally recommended food allowances.

(3) SPECIAL DIETS

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide for special diets as prescribed by appropriate medical or dental personnel, and whose religious beliefs require adherence to religious dietary regimens.

(4) HEALTH AND SAFETY REGULATIONS

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice, shall provide that the food services comply with the applicable sanitation and health codes as promulgated by federal, state, and local authorities.

(5) INSPECTIONS

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for the following:

1. Weekly inspection of all food service areas, including dining and food preparation areas and equipment.

2. Sanitary, temperature - controlled storage facilities for all foods. Food shall be covered and stored off the floor; refrigerated food shall also be covered. Milk

products shall be pasteurized and/or approved by the Alabama Department of Health.

3. Daily checks of refrigerator and water temperatures by administrative, medical, or dietary personnel. Potentially hazardous food should be stored within proper temperatures. Shelf goods 45 - 80 degrees, refrigerated foods 35 - 40 degrees, and frozen foods, 0 or below, or as required by the Health Authority

(6) **MEAL SERVICE**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall require that at least three meals, of which two are hot meals, are provided at regular meal times during each 24 hour period, with no more than 14 hours between the evening meal and breakfast. Provided basic nutritional goals are met, variations may be allowed based on weekend and holiday food service demands.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure and practice shall provide for adequate health protection for all juveniles and staff in the ~~program~~Program and juveniles and other persons working in food services, including the following:

1. Where required by the laws and/or regulations applicable to food service employees in the community where the ~~program~~Program is located, all personnel involved in the preparation of food receive a pre assignment medical examination and periodic reexaminations to ensure freedom from diarrhea, skin infections, and other illnesses transmissible by food or utensils; all examinations are conducted in accordance with local requirements.

2. When the ~~program~~Program's food services are provided by an outside ~~agency~~Agency or individual, the program has written verification that the outside provider complies with the state and local regulations regarding food service.

3. All food handlers are instructed to wash their hands on reporting to duty and after using toilet facilities.

4. Juveniles and other persons working in food service are monitored each day for health and cleanliness by the director of food services (or designee)

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.22 Sanitation And Hygiene.

(1) SANITATION INSPECTIONS

(a) The ~~program~~Program provides for a waste disposal system in accordance with an approved plan by the appropriate regulatory ~~agency~~Agency (federal, state, and local sanitation codes).

(2) WATER SUPPLY

(a) The ~~program~~Program's potable water source and supply, whether owned and operated by the public water department or the ~~program~~Program, **shall** be approved by an independent, outside source to be in compliance with jurisdictional laws and regulations.

(3) HOUSE KEEPING

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice **shall** provide for vermin and pest control, and trash and garbage removal.

(4) CLOTHING AND BEDDING SUPPLIES

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice specify accountability for clothing and bedding issued to juveniles.

(b) Juveniles **shall** be provided the opportunity to have three complete sets of clean clothing per week. The ~~program~~Program may provide this clean clothing in several ways, including access to self-serve washer facilities, central clothing, or a combination of the two.

(5) BEDDING AND LINEN ISSUE

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice **shall** provide for the issue of suitable, clean bedding and linen, including sheets, pillows, pillowcase, mattress,

sufficient blankets (sleeping bags) to provide comfort under existing temperature controls. All bedding shall be laundered weekly and between assignments to different campers.

(b) Adequate personal storage area should be available for each ~~youth~~Youth to separate their clothing from other ~~youth~~Youth's personal belongings.

(6) **BATHING AND PERSONAL HYGIENE**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide a program of instruction in personal hygiene for all ~~youth~~Youths.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for an approved shower schedule that allows daily showers and showers after strenuous exercise.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should require that articles necessary for maintaining proper personal hygiene is provided to all juveniles.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.23 **Health Care.**

(1) **RESPONSIBLE AUTHORITY**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that the OATP program has a designated ~~health-authority~~Health Authority with responsibility for ~~health-care~~Health Care pursuant to a written agreement, contract, or job description. The ~~health-authority~~Health Authority may be a physician, health administrator, or a ~~health agency~~Agency. When the authority is other than a physician, final judgment rest with a physician.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the ~~health-authority~~Health Authority meets with the program administrator and submits annual statistical

summaries and reports on the health care delivery system and health environment.

(2) **UNIMPEDED ACCESS TO CARE**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for unimpeded access to ~~health-care~~Health Care and for a system for processing complaints regarding ~~health-care~~Health Care. These policies are communicated orally and in writing to juveniles on arrival in the ~~program~~Program and are put in a language clearly understood by each juvenile.

(3) **SICK CALL**

(a) Sick call for non-emergency medical services, conducted by a physician and/or other qualified medical personnel is available to each juvenile as follows:

1. Facilities of less than 50 juveniles hold sick call once per week at a minimum.
2. Facilities of 50 to 200 juveniles hold sick call at least three times per week.

(b) When sick call is not conducted by a physician, a physician is available once each week to respond to juvenile complaints regarding services that they did or did not receive from other ~~health-care personnel~~Health Care Personnel.

(c) The specific duties of qualified medical personnel are governed by written job descriptions approved by the ~~responsible physician~~Responsible Physician and the program administrator.

(d) In facilities housing females obstetrical, gynecological, family planning, and health education services are provided.

(4) **HEALTH TRAINED STAFF MEMBER**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice, approved by the appropriate mental health authority, shall provide for all activities carried out by mental health services personnel.

(5) **PHARMACEUTICALS**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for the proper management of pharmaceuticals and address the following subjects:

1. A formulary specifically developed for the ~~program~~Program prescription practices that requires

(i) Prescription, practices, including requirements that psycho tropic medications are prescribed only when clinically indicated as one facet of a program of therapy

(ii) "Stop Order" time periods for all medications

(iii) The prescribing provider to reevaluate a prescription prior to its renewal

2. Procedures for medication receipt, storage, dispensing, and its administration or distribution

3. Maximum security storage and periodic inventory of all controlled substances, syringes, and needles

4. Dispensing of medicine in conformance with appropriate federal and state laws.

5. Administration of medication by persons properly trained and under the supervision of the ~~health authority~~Health Authority and program administrator or designee.

6. Accountability for administering and distributing medications in a timely manner and according to physicians order.

(b) The person administering medications has ~~training~~Training from the ~~responsible physician~~Responsible Physician and the official responsible for the ~~program~~Program, and records the administration of medications in a manner and on a form approved by the ~~responsible physician~~Responsible Physician.

(6) **HEALTH SCREENINGS AND EXAMINATIONS**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall require that all juveniles receive written medical clearance from a ~~health authority~~Health Authority prior to participation in the ~~program~~Program.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall require medical, dental, and mental health screening to be performed by health trained or qualified ~~health-care personnel~~Health Care Personnel on all juveniles' arrival at the ~~program~~Program. All findings are recorded on a form approved by the ~~health authority~~Health Authority. The screening form shall include at least the following:

1. Inquiry into:
 - (i) Dental problems
 - (ii) Whether the juvenile is presently on medication
 - (iii) Use of alcohol and other drugs, which includes types of drugs used, mode of use, amounts used, frequency used, date or time of last use, and a history of problems that may have occurred after ceasing use (e.g. convulsions)
2. Observations of:
 - (i) Behavior, which includes state of consciousness, mental status, appearance, conduct, tremor, and sweating
 - (ii) Body deformities, ease of movement, etc.
 - (iii) Condition of skin, including trauma markings, bruises, lesions, rashes, infestations, and needle marks or other indications of drug abuse
3. Medical classification of juvenile:
 - (i) General population
 - (ii) General population with appropriate referral to health care service

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide for the collection and recording of health appraisal data and require the following:

1. Health history and vital signs are collected by health trained or qualified health personnel
2. Review of the results of the medical examination, tests, and identification of problems is performed by a physician

3. Collection of all other health appraisal data is performed only by qualified health personnel

(d) Program staff shall be informed in writing of juveniles' special medical problems. At the time of admission, staff are informed of any physical problems that might require medical attention.

(7) **DENTAL SCREENINGS AND EXAMINATIONS**

(a) Dental care is provided to each juvenile under the direction and supervision of a dentist licensed in the state. This care includes the following:

1. Dental examinations within seven days, if indicated

2. Dental treatment, not limited to extractions, when the health of the juvenile would otherwise be adversely affected

(8) **EMERGENCY CARE**

(a) Written ~~policy~~ Policy, ~~procedure~~ Procedure, and practice shall provide for 24 hour emergency medical, dental, and mental health care availability as outlined in a written plan. The plan includes arrangements for the following:

1. Emergency ~~first-aid~~ First Aid and crisis intervention

2. Emergency evacuation of the juvenile from the program

3. Use of an emergency medical vehicle

4. Use of one or more designated hospital emergency rooms or other appropriate health facilities

5. Emergency access to physicians, dentists and mental health professionals

6. Security procedures providing for juveniles transfer (transport) during emergency medical situations.

(9) **FIRST AID**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that line staff and other personnel are trained to respond to health related situations within a four minute response time. A ~~training~~Training program is established by the responsible ~~health authority~~Health Authority in cooperation with the program administrator that includes the following:

1. Recognition of signs and symptoms and knowledge of action required in potential emergency situations
2. Administration of ~~first aid~~First Aid and cardiopulmonary resuscitation (CPR)
3. Procedures of obtaining assistance
4. Procedures for patient transfers to appropriate medical facilities or health care providers

(b) There shall be at least one staff member present on each shift trained in emergency ~~first aid~~First Aid ~~procedure~~Procedures including cardiopulmonary resuscitation (CPR).

(c) Written ~~policy~~Policy, ~~procedure~~Procedure and practice shall require that ~~first aid~~First Aid kit(s) are available at all activity sites. The responsible ~~health authority~~Health Authority shall approve the contents, number, location, and ~~procedure~~Procedure for periodic inspection of the kits.

(10) **PREGNANCY MANAGEMENT**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that pregnancy management is specific as it relates to the following:

1. Pregnancy testing
2. Routine prenatal care
3. High risk prenatal care

(11) **SUICIDE PREVENTION AND INTERVENTION**

(a) There shall be a written suicide prevention and intervention program that is reviewed and approved by a qualified medical or mental health professional. All staff with responsibility for juvenile supervision are trained in the implementation of the ~~program~~Program. The ~~program~~Program includes specific ~~procedure~~Procedures for intake screening, identification, and supervision of suicide-prone juveniles.

(12) **SERIOUS AND INFECTIOUS DISEASES**

(a) Written ~~policy~~Policy and ~~procedure~~Procedure, and practice address the management of serious and infectious diseases. These policies and procedures are updated as new information becomes available.

(13) **INFORMED CONSENT**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that all ~~informed consent~~Informed Consent standards in the jurisdiction are observed and documented for medical care. The ~~informed consent~~Informed Consent of parent, guardian, or legal custodian applies, when required by law. When ~~health care~~Health Care is rendered against the patient's will, it is in accordance with state and federal laws and regulations.

(14) **NOTIFICATION OF DESIGNATED INDIVIDUALS**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for the prompt notification of juvenile's parents/ guardians and the responsible ~~agency~~Agency in case of serious illness, surgery, injury, and shall specify and govern the actions to be taken in the event of a juvenile's serious injury or death.

(15) **HEALTH RECORD FILES**

(a) The health record file of each ~~program~~Program resident should contain the following:

1. The completed receiving form
2. Health appraisal data forms
3. All findings, diagnosis, treatments, dispositions

4. List of prescribed medications and their administration
 5. Laboratory, x-ray, and diagnostic studies
 6. Consent/refusal forms
 7. Release of information forms
 8. Discharge summary of hospitalization or other termination summaries
- (b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should uphold the principal of confidentiality of the health record and support the following requirements:
1. The active health record is maintained separately from the confinement record
 2. The ~~health authority~~Health Authority shares with the program administrator information regarding a resident's medical management, and ability to participate in the ~~program~~Program
- Author:** Alabama Department of Youth Services, Office of Licensing and Standards
- Statutory Authority:** Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.
- History: New Rule:** Filed December 17, 2004; effective January 21, 2005.

950-1-12-.24 Juvenile Services Reception And Orientation.

- (1) **ADMISSION**
 - (a) Written ~~procedure~~Procedures for ~~admission~~Admission of juveniles new to the system include, but are not limited to the following:
 1. Determination that the juvenile is legally committed to the ~~program~~Program
 2. Complete search of the juvenile and possessions
 3. Disposition of personal property

4. Shower and hair care
 5. Issuance of clean, laundered clothing (as needed)
 6. Issuance of personal hygiene articles
 7. ~~Medical screening~~ Medical Screening
 8. Recording of basic personal data and information to be used for mail and visiting lists
 9. Assistance to juveniles in notifying their families of their ~~admission~~ Admission and ~~procedure~~ Procedures for mailing and visiting
 10. Provision of written orientation materials to the juveniles
- (b) For each juvenile, an initial intake information form is completed and includes, unless prohibited by statute, at a minimum, the following information:
1. Name
 2. Address
 3. Date of birth
 4. Sex
 5. Race or ethnic origin
 6. Reason for referral
 7. Who to notify in case of emergency
 8. Date of information gathered
 9. Name of referring ~~agency~~ Agency or ~~committing-~~ authority Committing Authority
 10. Special medical problems or needs
 11. Personal physician, if applicable
 12. Legal status

13. Identifying number (juvenile case numbers)
14. Signature of both interviewer and employee taking information

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that new juveniles receive written orientation materials and/or translations in their own language if they do not understand English. When literacy problem exists, a staff member helps the juvenile in understanding the material. Completion of orientation is documented by a statement signed and dated by the juvenile.

(2) **PERSONAL PROPERTY**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice specify the personal property that juveniles can retain in their possession. Personal property retained in the ~~program~~Program is itemized in a written list that is kept in the permanent case file; the juveniles receive a current copy of this list.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.25 **Classification.**

(1) **CLASSIFICATION PLAN**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice classify juveniles on the basis of: level of riskRisk (suicide, AWOL, etc.) medical, level of participation in the ~~program~~Program (off-site excursions, community projects, etc.).

(2) **CLASSIFICATION STATUS REVIEW**

(a) The written plan for juvenile ~~classification~~Classification specifies criteria and ~~procedure~~Procedures for determining and changing the status of a juvenile.

(3) **PERSONALIZED PROGRAMS**

(a) A personalized program is designed for and with each juvenile which shall include measurable criteria of expected behavior and accomplishments and a time schedule for achievement. This personalized program is documented by staff and juvenile signatures.

(b) The personalized program plan of care shall be reviewed and evaluated through regularly held evaluation conferences (not to exceed three weeks). This evaluation conference should include a review of the resident's behavior and goals of his personalized program plan, and a list of the persons participating in the conference shall be maintained.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.26 Social Services.

(1) SCOPE OF SERVICES

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for a social services program that makes available a range of resources appropriate to the ~~program~~Program needs of the juveniles, including; individual, group, family counseling, drug and alcohol education, HIV and AIDS education, and special needs treatment.

(b) The OATP program encourages and fosters the development and use of ~~community resources~~Community Resources to help juveniles.

(2) PROGRAM COORDINATION AND SUPERVISION

(a) The social services program shall be administered and supervised by a person qualified and trained in the social or behavioral sciences.

(b) Counseling personnel shall be available at a minimum of one to every 25 juveniles to provide ~~counseling~~Counseling and social services to juveniles.

(3) COUNSELING

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that staff members are available to assist juveniles at their request; provision is made for staff intervention on an emergency basis.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for juvenile access to mental health counseling and crises intervention services in accordance with their needs.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.27 Academic And Vocational Education.

(1) COMPREHENSIVE EDUCATION PROGRAM

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for a comprehensive education ~~program~~Education Program that is available to all juveniles. There is a written, standardized, competency based curriculum supported by appropriate materials and classroom resources.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide for a system of academic and/or vocational assistance, as well as initial screening, assessment, and evaluation to determine each juvenile's educational needs.

(c) The educational and/or vocational programs provide instruction to juveniles to develop basic literacy and job skills. Juveniles who have not attained basic literacy skills should be required to attend remedial education classes on a daily basis.

(2) CERTIFICATION AND EVALUATION

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall provide that the academic and vocational education programs are recognized, certified, or licensed by the state department of education or other recognized ~~agency~~Agency having jurisdiction.

(b) All academic and vocational training personnel are certified by a state department of education or other comparable authority.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.28 Library Services.

(1) COMPREHENSIVE LIBRARY SERVICES

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that the OATP program maintains/or provides access to comprehensive library services that include, but are not limited to, a reference collection containing general and specialized materials.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.29 Recreation And Activities.

(1) COMPREHENSIVE RECREATIONAL PROGRAMS

(a) An OATP program of 50 or more juveniles should have a full-time, qualified recreation director who plans and supervises all recreation ~~program~~Programs.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for recreation schedules and a plan for constructive leisure time and activities.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.30 Religious Programs.

(1) There is a systematic approach to determine the personnel requirements for the religious programs to ensure all juveniles access to staff and services.

(2) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should provide for juveniles to participate in religious services and assistance on a voluntary basis.

(3) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide that juveniles have the opportunity to participate in practices of their religious faith that are deemed essential by the faith's judicatory, limited only by documentation showing a threat to the safety of persons involved in such activity or that the activity itself disrupts order in the OATP program.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.31 Mail, Telephone, Visiting.

(1) **MAIL**

(a) When the juvenile bears the mailing cost, there should be no limit on the volume of letters juveniles can send or receive.

(b) Written ~~policy~~Policy ~~procedure~~Procedure and practice should provide that indigent juveniles, as defined in ~~policy~~Policy, receive a specified postage allowance to maintain community ties.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice grant juveniles the right to communicate or correspond

with persons or organizations subject only to the limitations necessary to maintain ~~program~~Program order and security.

(2) **INSPECTION OF LETTERS AND PACKAGES**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure and practice provide that juvenile's mail, both incoming and outgoing, may be opened and inspected for ~~contraband~~Contraband. When based on legitimate ~~program~~Program interests of order and security, mail may be read, censored, or rejected. The juvenile is notified when incoming or outgoing letters are with held in part or full.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should require that all cases received through the mail is held for the juvenile in accordance with the ~~procedure~~Procedures approved by the parent ~~agency~~Agency.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice require that incoming and outgoing letters are held for no more than 24 hours, excluding weekends and holidays.

(3) **TELEPHONE**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for juvenile access to the telephone to make and receive personal calls.

(4) **VISITATION**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice shall govern special visits.

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice should specify that visitors should register on entry into the ~~program~~Program and the circumstances under which visitors are searched and supervised during the visit.

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

(1) **RELEASE PREPARATION**

(a) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide a need specific and integrated aftercare service program to enable juveniles reintegration into the community. (CAMP only) This ~~program~~Program includes, at a minimum, the following:

1. Individual Service Plan
2. Educational/Vocational Plans
3. Living Arrangements/Placement
4. Life Skills Information
5. Conditions of Probation

(b) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice include graduated release through a systematic decrease in supervision and corresponding increase in juvenile responsibility as part of the ~~classification~~Classification program.

(2) **FINAL RELEASE**

(a) The criteria that are employed by the ~~releasing~~Releasing Authority in making decisions are available in written form and are specific enough to permit consistent application to individual cases.

(b) Juveniles should be given the reasons for deferral of release in writing, and the decision is recorded in the case record.

(c) Written ~~policy~~Policy, ~~procedure~~Procedure, and practice provide for a process for releasing juveniles at the end of their term that includes, but is not limited to the following:

1. completion of release arrangements, including notification of legal guardians, probation officer, and ~~court~~Courts
2. return of personnel effects

3. verification that no program property leaves the program
4. completion of any pending actions (grievances, etc.)
5. transportation arrangements

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.33 Statutory Authority: Title 44, Code Of Ala. 1975:

(1) §44-1-27(a) - "The Department is authorized and directed to establish and promulgate reasonable minimum ~~standard~~Standards for the construction and operation of detention facilities, ~~program~~Programs for the prevention and correction of ~~youth~~Youth delinquency, in service ~~training~~Training for probation officers, consultation from local officials and subsidies to local delinquency projects. The ~~standard~~Standards shall include, but not be limited to, reasonable minimum ~~standard~~Standards for detention facilities, foster care facilities, group homes, and correctional institutions."

(2) §44-1-27(b)- "No county, city, public or private agency, group, corporation, partnership, or individual shall establish, maintain, or operate any detention facility or foster care facility for ~~youth~~Youths found delinquent or in need of supervision by a juvenile court, without a license from the ~~department~~Department. A license shall be required on an annual basis or as determined by the ~~department~~Department. The ~~department~~Department shall revoke the license of any city, county, or public or private agency, group, corporation, or individual conducting, operating, or acting as a detention facility, or foster care facility caring for children and ~~youth~~Youths alleged or adjudged to be delinquent or in need of supervision, that fails to meet the ~~standard~~Standards prescribed by the ~~department~~Department. The ~~department~~Department is authorized to visit and inspect any public or voluntary

detention facility, foster care facility or group homes as it deems necessary."

(3) §44-1-24 - The Department shall perform the following duties and functions: (4) "License and subsidize foster care facilities or group homes for ~~youth~~ Youths alleged to be delinquent pending ~~hearing~~ Hearing before a juvenile court or adjudged delinquent following ~~hearing~~ Hearing, including detention, examination, study, care, treatment, and ~~training~~ Training." (6) "Make and enforce all rules and regulations which are necessary and appropriate to the proper accomplishment of the duties and functions vested in the ~~department~~ Department by law with respect to youth services and which do not conflict with or exceed the provisions of law vesting such duties and functions in the Department."

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

950-1-12-.34 Effective Date:

Author: Alabama Department of Youth Services, Office of Licensing and Standards

Statutory Authority: Code of Ala. 1975, §§44-1-27(a), (b), 44-1-24(4), (6), 38-13-4.

History: New Rule: Filed December 17, 2004; effective January 21, 2005.

ED NOTE: Chapter content was previously Chapter 950-4-8, Minimum Standards for Outdoor Adventure Treatment Programs, as per certification filed December 17, 2004; effective January 21, 2005. See Chapter 950-4-8 for previous history.