

ALABAMA DEPARTMENT OF YOUTH SERVICES
COMMUNITY SERVICES DIVISION
ADMINISTRATIVE CODE

CHAPTER 950-1-6
MINIMUM LICENSURE STANDARDS FOR RESIDENTIAL
FACILITIES AND PROGRAMS

TABLE OF CONTENTS

950-1-6-.01	Introduction
950-1-6-.02	Glossary
950-1-6-.03	Administration
950-1-6-.04	Physical Plant
950-1-6-.05	Physical Standards
950-1-6-.06	Facility Services
950-1-6-.07	Juvenile Services
950-1-6-.08	Manual Of Operating Procedures And Application For License
950-1-6-.09	Revocation Of A License
950-1-6-.10	Appeal For Fair Hearing And Review (Repealed 12/21/18)
950-1-6-.11	Statutory Authority
950-1-6-.12	Effective Date

950-1-6-.01 Introduction.

(1) The Alabama Department of Youth Services is committed to the concept of effective rehabilitation of Delinquent Youth through the licensure of community based and community operated Programs and facilities.

(2) These minimum licensure standards for residential facilities and Programs, to include institutional extensions, were developed in order to assure that the Programs developed within the state meet recognized practices in order to meet the needs of Delinquent Youth who are placed in these Programs and facilities.

(3) Residential Facilities Programs represent small living units within the community as a form of group care and treatment for certain youth, particularly adolescents, and a transition place between large institutional care and return to family life. Such Programs offer adult guidance and professional services to the Youth living away from their home and yet keeps

the Youths in the community setting. They represent a resource that has tremendous flexibility in giving specialized care and supervision for Youth in need of alternative placements to their own homes or institutional care. These group living Programs provide a type of care that is not available through traditional foster families or institutions. They are not meant to replace either of these types of care, but present a unique opportunity to combine different aspects of treatment from both resources. The group living Program should not be considered a panacea of care for all Youths. It is a distinct resource in its own right that is a part of the whole broad spectrum of resources available to troubled Youth.

(4) These minimum standards represent the guidelines established which address the specific programmatic, fiscal, and administrative area necessary to establish a sound effective group living resource.

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.

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950-1-6-.02 Glossary. (REPEALED)

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950-1-6-.03 Administration.

(1) Section A

(a) The Agency operating a Community Residential Program is a legal entity or part of a legal entity.

(b) The Board of Directors, or where established by a local unit of government, the Governing Authority, shall consult with the Department of Youth Services prior to:

1. establishing a new Program or Facility
2. changing the basic program
3. extending services into additional Program or geographic area

(c) The Governing Authority of the Community Residential Program holds meetings at least annually (quarterly recommended) with the administrator and appropriate staff to facilitate communication, establish Policy, and ensure conformity to legal and fiscal requirements.

(d) Written Policy, procedure, and practice provide that the Facility has documented long range goals and objectives.

(e) Written Policy, Procedure, and practice provide that the Facility and its Programs are managed by a single administrative officer.

(f) The qualifications for the position of facility administrator include, at a minimum, a bachelor's degree in an appropriate discipline and demonstrated administrative ability and leadership.

(g) The Facility has a plan in place that ensures a continuity of service. These measures should include provisions for providing service following fire, natural disasters, or other major disruptions in the ongoing operation of the Program.

(h) There is a written document that describes the Facility, including an organizational chart that delineates lines of authority.

(i) The Facility has an Advisory Board that is representative of the community in which it is located, that meets at least annually.

(j) Written Policy, Procedure, and practice provide for operating and maintaining the Facility as specified in a manual that is accessible to all employees and the public.

(k) Written Policy, Procedure, and practice provide that new or revised policies and procedure are disseminated to appropriate staff and volunteers.

(l) Written Policy, Procedure, and practice provide for regular meetings, at least monthly, between the administrator and key staff members.

(m) Written Policy, Procedure, and practice provide that the Facility develops Procedure to assess its progress in meeting its mission as defined by its stated long range goals and objectives. The assessment is conducted at least annually.

(n) Written Policy, Procedure, and practice provide media access to the Facility. These Procedures should include details addressing:

1. juvenile rights to confidentiality and privacy
2. maintenance of order and security
3. a program of public information
4. designation of individuals authorized to speak on behalf of the Facility
5. identification of areas of the Facility accessible to media representatives

(o) The Facility has a written Policy conforming to statutes and regulations governing campaigning, lobbying, and political practices.

(p) Written Policy, Procedure, and practice provide that firearms are not permitted in the Facility or on Facility grounds, except in the instances of police officers in the performance of their duties.

(2) **Section B - FISCAL MANAGEMENT**

(a) Written Policy, Procedure, and practice provide that the administrator is responsible for fiscal policy, management, and control. Management of fiscal operations may be delegated to a designated staff person.

(b) The Facility has written fiscal policies and procedure adopted by the Governing Authority sufficient to meet Facility fiscal operations.

(c) The Facility prepares an annual written budget of anticipated revenues and expenditures that is approved by the appropriate Governing Authority.

(d) The facility administrator participates in budget reviews conducted by the governing board.

(e) Written Policy, Procedure, and practice provide that when Facility services are provided on a regional basis, all contract users are charged an equal per diem rate.

(f) Written Policy, Procedure, and practice provide that all the monies collected at the Facility are placed in an officially designated and secure location.

(g) The Facility, at a minimum, prepares and distributes to its Governing Authority, income and expenditure statements, funding sources, financial reports, and independent Audit reports.

(h) Written Policy, Procedure, and practice provide for an independent financial Audit of the Facility, conducted at least every three years. The Audit is available to DYS upon request.

(i) The Facility utilizes a system of property inventory and control for purchasing and requisitioning supplies and equipment.

(j) The Facility maintains insurance on its building and properties. It is highly encouraged to maintain comprehensive general liability insurance.

(k) Written, Policy, Procedure, and practice provide that any financial transaction permitted between juveniles, juveniles and staff, or juveniles and volunteers, must be approved by the facility administrator.

(3) **Section C - PERSONNEL**

(a) The Facility maintains a personnel manual that is available to all employees and is approved by the Governing Authority, that covers, at a minimum, the following areas:

1. Organizational chart
2. Recruitment and selection
3. Promotion
4. Job qualifications and job descriptions
5. Affirmative action
6. Sexual harassment
7. Grievance and appeal procedure

8. Orientation
9. Employee evaluation
10. Staff development and Training
11. Personnel records
12. Benefits
13. Holidays
14. Leave
15. Hours of work
16. Compensation
17. Travel
18. Disciplinary procedures
19. Termination
20. Resignation

(b) The facility administrator reviews the Facility's personnel policies on an annual basis and submits any recommended changes to the Governing Authority.

(c) Written Policy and Procedure specifies that equal employment opportunities exist for all positions.

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

(e) Written policy and procedure specifies support for a drug-free workplace for all employees.

(f) Written Policy, Procedure, and practice provide that there are written job descriptions for all positions in the Facility. Each job description includes, at a minimum, the following: job title, responsibilities of the position, required minimum experience, and education.

(g) Compensation and benefit levels for all personnel are comparable to similar occupational groups in the community.

(h) A criminal record check and a clearance check of the Alabama Department of Human Resources Central Registry of Child Abuse and Neglect is conducted on all new employees.

(i) Written Policy, Procedure, and practice provide that employees who work with juveniles receive a Physical Examination.

(j) All employees are appointed initially for a probationary term of at least six months, but no longer than one year.

(k) After a probationary period, involuntary termination or demotion is permitted only for a good cause.

(l) The Facility maintains a current, accurate, confidential personnel record of each employee.

(m) Written Policy, Procedure, and practice provide that employees may challenge information in their personnel file. The information is corrected or removed if proven inaccurate.

(n) An annual written performance review of each employee is provided. The review is based on defined criteria, and the results are discussed with the employee.

(o) Employees, consultants, and contract personnel who work with juveniles are informed in writing about the Facility's policies on confidentiality of information and agree in writing to abide by them. This agreement is made a part of the personnel file.

(4) **Section D - TRAINING AND STAFF DEVELOPMENT**

(a) The Facility provides forty hours of initial orientation for all new employees prior to assuming duties. This orientation/Training includes, at a minimum, the following: a historical perspective of the Facility, Facility emergency plans, Facility goals and objectives, program rules and regulations, job responsibilities, personnel policies, juvenile supervision, report preparation, and medical administration. The employee signs and dates a statement indicating that orientation has been received. Up to twenty hours can be on the job training working with knowledgeable fellow employees.

(b) Written Policy, Procedure, and practice provide that the Facility's Training and staff development program uses Community Resources.

(c) Written Policy, Procedure, and practice encourage continuing staff development by providing administrative leave and/or reimbursement for attending approved educational programs, professional meetings, seminars, or similar work related activities.

(d) All administrative, managerial, and professional staff receives forty hours of Training in addition to orientation Training during their first year of employment and forty hours of Training each year thereafter. It is recommended that this Training include general management, labor law, employee-management relations, the juvenile justice system and relationships with other service agencies.

(e) In addition to orientation, all new Juvenile Careworkers receive an additional forty hours of Training during their first year of employment and forty hours of Training each subsequent year. At a minimum this Training should cover the following:

1. security procedures
2. supervision of juveniles
3. signs of suicide risks and suicide precautions
4. report writing
5. use of force regulations/restraint techniques
6. juvenile rules and regulations
7. rights and responsibilities of juveniles
8. fire and emergency procedures
9. safety procedures
10. key control
11. interpersonal relations
12. social/cultural lifestyles of the juvenile population
13. communication skills
14. First Aid/CPR
15. communicable diseases

16. Counseling techniques

17. cultural diversity

(f) All clerical/support employees who have minimal contact with juveniles receive an additional sixteen hours of Training in addition to orientation during their first year of employment and sixteen hours each year thereafter.

(g) All volunteers and contract personnel receive formal orientation appropriate to their assignment and additional Training as needed.

(5) **Section E - JUVENILE RECORDS**

(a) Written Policy, Procedure, and practice govern case record management, including at a minimum; the establishment, use and content of juvenile records; rights to privacy; secure placement and preservation of records; and schedule for retiring or destroying inactive records. These policies and procedure are reviewed annually.

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

1. court order
2. face sheet detailing vital basic information
3. information from referral source, if available
4. social history
5. medical record, when available
6. individual service plan
7. signed release of information forms, where applicable
8. evaluation or progress reports
9. Program rules and disciplinary policy, signed by juvenile
10. court order placing Youth in Facility, when applicable

- 11. grievance and disciplinary record
- 12. documentation of treatment provided in accomplishing ISP
- (c) Written Policy, Procedure, and practice provide for the review of juvenile records at least monthly.
- (d) Written Policy, Procedure, and practice require that entries in juvenile files are dated and that the author is identified.
- (e) Appropriate safeguards exist to minimize the possibility of theft, loss or destruction of records.
- (f) Appropriate safeguards exist to protect from unauthorized or improper disclosure of records. Records are marked as confidential and access is limited to appropriate personnel.

(6) **Section F - RESEARCH**

- (a) Written Policy, Procedure, and practice provide that the administrator reviews and approves all research projects prior to implementation to ensure conformity with state and federal guidelines for legal consent and release of information.
- (b) The Facility/Agency participates in providing monthly statistical data to the Department of Youth Services and, when appropriate, other state agencies to define the population being served, document the services being provided, and the plan for future needs.
- (c) Written Policy, Procedure, and practice provide that all research results are made available to the facility administrator for review and comment prior to publication or dissemination.
- (d) Written Policy, Procedure, and practice govern the voluntary participation of juveniles in non-medical, non-pharmaceutical, and non-cosmetic research programs.

(7) **Section G - VOLUNTEERS**

- (a) There is a staff member who is responsible for the supervision of a citizen involvement and volunteer service program for the benefit of juveniles.

(b) A file shall be established for each volunteer who individually has direct contact on a continuing basis with juveniles in circumstances other than under direct supervision of Agency staff. The files include at least the following:

1. an application for a volunteer position
2. information regarding the character and suitability of the person, to include a criminal background check and clearance of the Alabama Department of Human Resources Central Registry of Abuse and Neglect
3. documentation that the volunteer has completed an appropriate orientation and Training program prior to beginning their assignment. Both the volunteer and staff member providing the Training certify its provision

(c) Written Policy specifies that volunteers may perform professional services only when they are certified or licensed to do so. The certification is made a part of the volunteer's file.

(d) Written Policy, Procedure, and practice provide that the Program director may curtail, postpone, or terminate the services of a volunteer or volunteer organization when there are substantial reasons for doing so.

(e) Volunteers agree in writing to abide by Facility policies, particularly those relating to the security and confidentiality of information.

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.

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950-1-6-.04 Physical Plant.

(1) **Section A - SAFETY CODES AND FACILITY SIZE**

(a) The Facility conforms to all applicable state and local building codes.

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

(c) The Facility does not exceed its licensed capacity.

(d) The Facility complies with the regulations of Zoning, Health, and the State or Local Fire Safety Authority, whichever has primary jurisdiction over the Facility.

(2) **Section B - HOUSING**

(a) Each sleeping room has at a minimum:

1. some degree of privacy for the juvenile
2. thirty square feet of unencumbered floor space per occupant
3. no more than three persons in a sleeping area
4. access to toilets and a wash basin with hot and cold running water twenty-four hours a day
5. a bed, mattress, pillow, desk, chair or stool, and adequate storage space
6. natural light
7. temperatures that are appropriate to summer and winter comfort zones
8. access to writing and seating space

(i) "UNENCUMBERED SPACE" is usable space that is not encumbered by furnishing or fixtures. At least one dimension of the unencumbered space is no less than seven feet.

(b) Living rooms with space for varied activities are available.

(c) The Facility has, at a minimum, one operable toilet for every eight juveniles. Urinals may be substituted for up to one-half of the toilets in all-male facilities.

(d) Juveniles have access to operable showers with temperature- controlled hot and cold running water, at a minimum ratio of one shower for every eight juveniles, unless local building or health codes specify a different ratio. 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.

(e) Juveniles with disabilities are housed in a manner that provides for their safety and security. Housing used by juveniles with disabilities is designed for their use and provides for integration with other juveniles. Programs and services are accessible to juveniles with disabilities who reside in the Facility.

(f) The Facility has, at a minimum, one operable wash basin with hot and cold water running water for every eight juveniles.

(g) The Facility has, at a minimum, one operable washer and one operable dryer for every sixteen juveniles.

(3) **Section C - YOUTH CARE STAFF QUARTERS**

(a) Living quarters for a live-in staff member shall be located in close proximity to the sleeping area of the juveniles.

(b) The live-in staff shall be provided with convenient, attractive and comfortable living quarters.

(c) Staff shall have bathroom facilities separate from those used by juveniles.

(4) **Section D - PROGRAM AND SERVICE AREAS**

(a) Adequate space and furnishings to accommodate activities, such as group meetings of the juveniles, are provided in the Facility.

(b) Adequate private Counseling space is provided in the Facility.

(c) Written policy, procedure, and practice provide for adequate and appropriate areas for visiting and recreation programs.

(d) When the Facility has a kitchen, the kitchen, dining, and food storage areas are properly ventilated, furnished, and cleaned.

(e) Adequate dining space is provided for juveniles.

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

(g) Space is provided in the Facility to store and issue clothing, bedding, cleaning supplies, and other items required for daily operations.

(h) Adequate space is provided for storing the personal property of juveniles.

(i) Temperatures in indoor living and work areas are appropriate to summer and winter comfort zones.

(j) Reasonable accommodation is made to ensure that all parts of the Facility that are accessible to the public are accessible and usable by staff and visitors with disabilities.

(k) The Facility is controlled by appropriate means to provide that juveniles remain safely within the Facility to prevent access by the general public without proper authorization.

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.

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950-1-6-.05 Physical Standards.

(1) **Section A - FACILITY OPERATIONS**

(a) There is an operations manual containing all Procedure for Facility supervision. The manual is available to all staff and is reviewed at least annually and updated if necessary. At a minimum this manual contains:

1. policies and procedure
2. orientation information for staff
3. orientation information for juveniles
4. Facility emergency procedures to include
 - (i) absconders
 - (ii) medical emergency

- (iii) severe weather and fire emergencies
- (iv) suicide precautions and actions to be taken in the event of a suicide attempt
- 5. Facility inspection procedures for maintenance, safety, sanitation, and hygiene
- 6. rules and consequences
- 7. levels of responsibility for juveniles
- 8. Program description
- 9. relevant Facility forms
- (b) Written Policy, Procedure, and practice limit the use of physical force to instances of self-protection, protection of the juvenile or others, prevention of property damage, prevention of escape, 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 the facility administrator.
- (c) Program residents are never left unsupervised.
- (d) Licensed facilities will maintain at a minimum the following resident to staff ratios for each shift when residents are under Facility care:
 - 1 to 8 residents/1 staff member
 - 9 to 16 residents/2 staff members
- (e) The Facility staffing pattern concentrates staff when most residents are in the Facility.
- (f) Written Policy, Procedure, and practice provide that no resident or group of residents is in a position of control over other residents.
- (g) Written Policy, Procedure, and practice require that Careworkers maintain a permanent log that includes routine information, emergency situations, and unusual incidents that occur in the Facility.
- (h) There is a daily inspection including holidays and weekends of all occupied areas of the Facility. Unoccupied areas of the Facility are inspected weekly. Notation of the inspection is maintained and reviewed by the administrator.

(i) Written Policy, Procedure, and practice provide for the detection and reporting of absconders.

(j) Student movement into and out of the Facility is monitored by staff members.

(k) Juveniles and staff members do not share the same sleeping rooms.

(l) Male and female residents do not occupy the same sleeping rooms. Co-ed programs develop means to prevent unsupervised contact between males and females.

(m) Written Policy, Procedure, and practice provide for searches to control contraband and its disposition at a level commensurate with security needs. This Policy is made available to staff and juveniles. Policy and procedure are reviewed at least annually and updated, if necessary. Body cavity searches are not allowed in the Facility.

(n) Written Policy, Procedure, and practice govern the control and use of tools, equipment, and keys.

(o) Written Policy, Procedure, and practice provide for prompt notification of the licensing agent in any of the following situations:

1. Accidents or injuries to residents of the Program requiring medical treatment outside the Facility

2. Situations which require an interruption of program services

3. Suicidal gestures or ideation on the part of a resident requiring the intervention of a mental health professional

4. Any violation of health or fire safety codes

5. Any other Standards which require verbal or written notification of the licensing agent

(2) **Section B - SAFETY AND EMERGENCY PROCEDURE**

(a) The Facility complies with the annual regulations of the state or local fire authority, whichever has primary jurisdiction over the Facility. Reports of periodic inspections and actions taken to correct deficiencies are to be maintained.

(b) Written Policy, Procedure, and practice specifies the Facility's regulations and practices to ensure the safety of juveniles, staff, and visitors. These include, but are not limited to, the following:

1. Provisions for the fire inspections and testing of fire safety equipment (smoke detectors, emergency lighting, extinguishers, pull alarms, etc.) at least quarterly

2. Annual inspections by local or state fire officials

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

4. Documentation of the organization providing fire protection service to the Facility

(c) Facility furnishings (i.e. mattresses, cushions, curtains, etc.) meet fire safety performance requirements. Annual fire inspections shall denote the inspector's approval of Facility furnishings.

(d) Written Policy, Procedure, and practice govern the control and use of all flammable, toxic, and caustic materials.

(e) The Facility has a written evacuation plan prepared in the event of a fire or major emergency that is approved by the state or local fire authority that has jurisdiction. The plan is distributed to the local fire protection service and emergency management personnel having jurisdiction over the Facility. The plan is reviewed annually, updated if necessary and reissued. The plan includes:

1. location of building/room floor plan

2. use of exit signs and directional arrows

3. locations of exits, fire extinguishers, First Aid equipment and other emergency equipment

4. corresponding diagrams are posted throughout the Facility

(f) Written Policy, Procedure, and practice provide that fire drills are conducted at least monthly.

(g) All Facility personnel are trained in the implementation of written emergency plans as a part of

orientation. The Training is repeated as the plan is updated, at least annually.

(h) The Facility has a fire alarm and detection system that is approved by the authority having jurisdiction. All elements are tested monthly by Facility personnel to ensure the systems' operation. The system is re-approved annually by the fire authority.

(i) Facility vehicles used primarily for transportation of residents receive an annual safety inspection by a qualified mechanic. Recommended repairs are immediately completed and a record of the repairs is kept on file.

(3) **Section C - RULES AND DISCIPLINE**

(a) There is a written set of disciplinary regulations governing juvenile rule violations. These are reviewed annually and updated, if necessary.

(b) All Program rules and regulations pertaining to residents are conspicuously posted in the Facility or included in a handbook that is accessible to all juveniles and staff. When a literacy, language, or communication problem exists, a staff person assists the juvenile in understanding the materials.

(c) Written Policy, Procedure, and practice require that employees prepare a disciplinary report when they have reasonable belief that a resident has committed a major violation of Facility rules.

(d) Written Policy, Procedure, and practice provide that a juvenile charged with a major violation of Facility rules is given a copy of the alleged violation and has the opportunity to have the violation reviewed by a supervisor not involved with the incident within 24-hours.

(e) Written Policy, Procedure, and practice provide that there are informal resolutions available for minor infractions of Facility rules.

(f) Written Policy, Procedure, and practice provide that those facilities using a time-out or isolation room provide fifteen minute room checks on Youth placed in isolation or time-out. Youth placed in isolation who present suicidal ideation or gestures are placed under continual observation.

(g) Written Policy, Procedure, and practice provide that room restriction or time-out does not exceed eight hours without review and administrative authorization.

(h) All instances of room restrictions, Facility restrictions, and privilege suspension are recorded, dated and signed by staff. The record is reviewed and signed by supervising staff on a daily basis.

(i) Before disciplinary action is taken, the reason(s) for the action is discussed and the juvenile has the opportunity to explain his/her behavior.

(4) **Section D - JUVENILE RIGHTS**

(a) Written Policy, Procedure, and practice ensure the right of the juvenile to have access to the Courts.

(b) Written Policy, Procedure, and practice prohibit discrimination based on a juvenile's race, religion, national origin, sex, disability or political views in making administrative decisions and in providing access to Programs.

(c) Written, Policy, Procedure, and practice specify that juveniles are not subjected to corporal or unusual punishment, humiliation, mental abuse, or punitive interference with the daily functions of living, such as eating or sleeping.

(d) Written Policy, Procedure, and practice provide for the reporting of all instances of child abuse and/or neglect consistent with appropriate state laws or local laws.

(e) In any investigation of a complaint, the executive and staff shall cooperate in gathering facts relating to the allegation and shall make accessible to the investigation: all personnel, residents, and records, directly or indirectly associated with the complaint.

(f) Written Policy, Procedure, and practice specify the personal property juveniles can retain in their possession and govern the control and safeguarding of such property. Personal property retained in the Facility is itemized in a written list that is kept in a permanent file; the juvenile receives a copy listing the property retained for storage.

(g) There is a written grievance and appeal process for juveniles. The process ensures that grievances are transmitted without alteration, interference, or delay to the person responsible for its receipt and investigation. A written report as to the final disposition of the grievance should 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.

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950-1-6-.06 Facility Services.

(1) **Section A - FOOD SERVICE**

(a) A certified nutritionist, certified dietician, or licensed physician annually approves the menus provided in the Facility.

(b) Facility personnel develop advanced planned menus and substantially follow that schedule. In the planning and preparation of all meals, food flavor, texture, temperature, appearance, and palatability are taken into consideration.

(c) There is a single menu for staff and juveniles.

(d) Special diets as prescribed by medical or dental personnel are provided.

(e) The Facility provides:

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

2. sanitary, temperature-controlled storage areas for all food

3. daily checks of refrigerator and water temperatures

(f) Written Policy, Procedure, and practice provide that staff members supervise juveniles during meals.

(2) **Section B - SANITATION AND HYGIENE**

(a) Safety and sanitation inspections of all internal and external areas and equipment are conducted weekly.

(b) All areas of the Facility comply with the sanitation and health codes of the County Health Department.

(c) The Facility makes provisions for routine vermin and pest control and trash and garbage removal.

(d) The Facility's potable water source, when derived from a private well, is annually inspected and approved by the County Health Department. If the water is provided through a public source, there is documentation that it is tested and approved by a recognized source annually.

(e) There is a housekeeping and maintenance plan in effect to ensure that the Facility is clean and in good repair. Specific duties and responsibilities should be assigned to both staff and juveniles.

(f) The Facility provides for the thorough cleaning, and when necessary, disinfecting of juvenile's clothing before being stored or before allowing the juveniles to keep or wear personal clothing.

(g) The Facility provides for the issue of suitable, clean bedding, and linens, including two sheets, pillow and pillowcase, one mattress, and sufficient blankets to provide comfort. There is provision for linen exchange, including towels, at least weekly.

(h) Written Policy, Procedure, and practice require that articles necessary for maintaining proper personal hygiene are provided to all juveniles.

(3) **Section C - HEALTH CARE**

(a) Written Policy, Procedure, and practice provide that the Facility has a designated Health Authority with responsibility for Health Care pursuant to a written agreement, contract, or job description. The Health Authority may be a physician, health administrator, or health agency.

(b) Written Policy, Procedure, and practice provide for access to Health Care. These policies are communicated in writing and orally to juveniles upon their arrival in the Facility in a language clearly understood by each juvenile.

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

(d) Financial arrangements for the provision of medical and dental services, including routine services, hospitalization and/or emergency medical or surgical treatment, are made a part of the placement agreements for juveniles.

(e) Written Policy, Procedure, and practice provide that medical treatments carried out by Facility staff are performed pursuant to written standing orders or direct orders by personnel authorized by law to give such orders. Written standing orders are reviewed and approved annually; such approval is documented.

(f) The Facility arranges for the provision of mental health services to residents.

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

(h) Written Policy, Procedure, and practice provide for the proper and safe storage and distribution of medication. This should include but is not limited to:

1. prescription and non-prescription medication
2. administering or distributing medications in a timely manner according to physician orders

(i) Written Policy, Procedure, and practice require medical, dental, and mental health screening be performed by health-trained staff on each juvenile at the time of entry into the Program. The screening includes:

1. Inquiry into:
 - (i) current illnesses and health problems, including sexually transmitted and other infectious diseases
 - (ii) dental problems
 - (iii) suicide ideation and/or history of attempts for suicide
 - (iv) mental health problems
 - (v) use of alcohol and other drugs, which includes types of drugs used, mode of use, amounts used, frequency, date and time of last use, and a history of problems that may have occurred after ceasing use

(vi) past and present treatment or hospitalization for mental disturbance or suicide attempts

2. Observation of:

(i) behavior, which includes state of consciousness, mental status, appearance, conduct, tremors, and sweating

(ii) body deformities, ease of movement, etc.

(iii) condition of skin, including trauma markings, bruises, lesions, jaundice, rashes, and infestations and needle marks or other indications of drug abuse

(j) Program staff are informed of juveniles' special medical needs.

(k) Written Policy, Procedure, and practice provide for medical examination of any employee or juvenile suspected of having a communicable disease.

(l) There is a written plan which provides for twenty-four hour emergency medical, dental, and mental health care availability. It includes arrangements for:

1. on-site emergency first-aid and crisis intervention

2. emergency evacuation of the juvenile from the Facility

3. use of an emergency medical vehicle

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

5. emergency on-call physician, dentist, and mental health professional services when the emergency health facility is not located in a nearby community

6. security procedures providing for the immediate transfer of juveniles when appropriate

(m) Written Policy, Procedure, and practice ensure that all staff either part or full-time, who provide supervision to Youth, are trained and currently certified in CPR and First Aid. This Training should include:

1. recognition of signs and symptoms and knowledge of action required in potential emergency situations

2. administration of First Aid and cardiopulmonary resuscitation (CPR)

3. methods of obtaining assistance

4. signs and symptoms of mental illness, retardation, and chemical dependency

5. Procedures for patient transfer to appropriate medical facilities or Health Care providers

(n) The Facility has available at all times First Aid equipment approved by a recognized Health Authority. The Health Authority may be a physician, health administrator, or organization that has the expertise to determine the potential First Aid needs of the Facility and to evaluate the condition of the First Aid supplies and equipment.

(o) Any person injured in an incident receives immediate medical examination and treatment.

(p) Instructions and assistance in personal hygiene, grooming, and Health Care are provided to all Program participants.

(q) There is a written plan which addresses the management of serious and infectious diseases to include tuberculosis, hepatitis-B, HIV, and AIDS within the facility. This plan should be developed in conjunction with the local health department. It should address control, treatment, and prevention strategies. The plan is to be updated as new information becomes available, and reviewed annually.

(r) All juveniles, juvenile careworkers, and Counseling staff receive Training relevant to communicable diseases and sexually transmitted diseases among at-risk Youth. This Training is developed in conjunction with the local health department.

(s) Written Policy, Procedure, and practice specify methods for monitoring alcohol and drug abuse among juveniles. These policies and procedures are reviewed and approved by an individual or Agency with expertise in this field and are consistent with Program needs.

(t) The Program seeks medical consent authorization from each juvenile's parent, guardian, or Committing Authority as a part of the Admissions process.

(u) Written Policy prohibits the use of juveniles for medical, pharmaceutical or cosmetic experiments. This Policy would not preclude individual treatment of a juvenile based on his/her need for a specific medical procedure that is not generally available.

(v) Written Policy, Procedure, and practice provide for the prompt notification to the juvenile's parent(s)/guardian and referring Agency in case of serious illness, surgery, injury or death. Any death in the Program is reported immediately to the appropriate law enforcement officials.

(w) Each juvenile's file will contain a health record which would consist of, at a minimum:

1. complete receiving screening form
2. all findings, diagnosis, treatments, dispositions
3. medical consent forms
4. place, date, and time of health encounters
5. prescribed medications and records of their administration

(x) For juveniles being transferred to other facilities, copies of the health record and medications are forwarded to the receiving facility prior to or at the time of arrival.

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. **Amended Rule:** Filed November 6, 2018; effective December 21, 2018.

950-1-6-.07 Juvenile Services.

(1) The facility has clearly defined written policies, Procedures, and practices governing Admission.

(2) The facility records information on each juvenile being admitted, that includes at a minimum:

- (a) name

- (b) address
 - (c) date of birth
 - (d) sex
 - (e) race or ethnic origin
 - (f) social security number
 - (g) reason for referral
 - (h) whom to notify in case of emergency
 - (i) date information is gathered
 - (j) name of referring Agency and the person with primary planning responsibility
 - (k) educational/school history
 - (l) social history, where available
 - (m) special medical needs
 - (n) legal status
 - (o) signature of Youth and person gathering information
- (3) The facility advises the person or Agency making a referral when a prospective juvenile is not accepted into the Program, stating specific reasons.
- (4) At the time of Admission, facility staff discuss Program goals, services available, rules governing conduct, Program rules, emergency and medical procedures, and possible disciplinary actions with the juvenile. This is documented by employee and juvenile signature. Orientation is provided in a language understood by the juvenile.
- (5) The facility administrator or designee receives appropriate information on each juvenile being considered for Admission to the Program.
- (6) The Facility does not discriminate on Admission on the basis of race, religion, national origin, or disability.

(7) The Facility provides that a quarterly progress report is made available to the parent/legal guardian and referral source of each juvenile.

(8) The Facility provides or makes arrangements for the provision of the following services:

- (a) educational/vocational programs
- (b) individual and group Counseling activities
- (c) appropriate recreation and leisure activities
- (d) consistent family contact
- (e) food service
- (f) assistance with transportation
- (g) medical health services
- (h) mental health services
- (i) employment Counseling and placement (when appropriate)

(9) **Section B - CLASSIFICATION**

(a) Program staff design and complete the juvenile's Individual Service Plan within the first twenty-one days of Admission. The plan is documented with staff and juvenile signatures and is shared with the juvenile's parents as soon as possible.

(b) Juveniles are provided with an opportunity to have input into planning, problem solving, and decision making related to their participation in the Program.

(c) The juvenile's progress in the Program is reviewed either through staff meetings or by individual staff monthly. The review is documented in writing.

(d) The community residential program systematically and periodically identifies the needs of its residents by review of the case files, staff meetings, and through group meetings with juveniles.

(e) Prior to release, a progress report is made available to the Agency with primary planning responsibility. The report includes a current and complete history of the

juvenile's activities in the Facility and a proposed release plan.

(10) **Section C - SOCIAL SERVICES**

(a) Written Policy, Procedure, and practice provide for a social service program that makes available a range of resources appropriate to the needs of its residents.

(b) The Facility provides that each resident is assigned a Facility staff member who meets with and counsels that resident.

(c) The Facility maintains and periodically updates an inventory and evaluation of community agencies that can provide services to its residents.

(11) **Section D - EDUCATION/VOCATION**

(a) There is a designated staff member who coordinates the juvenile's enrollment and attendance at educational, vocational, and work Programs.

(b) Special education programs are available to meet the needs of special education students as defined in public law.

(c) The Facility only enrolls residents in educational, vocational, and Training programs whose credits, certificates, and diplomas are transferable following release.

(d) Juvenile work programs do not interfere with educational and treatment programs.

(e) Juveniles employed outside the Program either full-time or part-time comply with legal and wage and hour guidelines.

(12) **Section E - RECREATION**

(a) The Facility provides for indoor and outdoor recreational and leisure time needs for juveniles. Juveniles should be encouraged to be physically active and receive at least one hour of planned recreation (excluding school physical fitness) on weekdays and two hours on weekends and school holidays.

(b) The residential Facility staff seek the cooperation of various community groups offering recreational activities that benefit juveniles.

(13) **Section F - RELIGION**

(a) Written Policy, Procedure, and practice provide that juveniles have the opportunity to participate in the practice of their religious faith.

(14) **Section G - MAIL, TELEPHONE, VISITING**

(a) The Facility makes provisions that indigent juveniles receive a specified postage allowance to maintain community ties.

(b) Written Policy, Procedure, and practice defines the juveniles' access to publications in the Facility.

(c) Written Policy, Procedure, and practice provide that juveniles' mail, both incoming and outgoing, may be opened and inspected for contraband. When based on legitimate Facility interests of order and security, mail may be read or rejected. The juvenile is notified when incoming mail is returned or outgoing mail is withheld.

(d) The Facility provides for the forwarding of first-class letters and packages after transfer or release.

(e) Juveniles shall have access to a telephone to initiate and receive personal calls.

(f) Written, Policy, Procedure, and practice provide that juveniles receive approved visitors during normal visiting hours, except when there is substantial evidence that a visitor poses a threat to the safety of the juvenile or the security of the Program.

(g) Written Policy, Procedure, and practice provides for special visits in the event of an emergency or circumstances which require special visitation needs.

(15) **Section H - RELEASE**

(a) Written review of performance is used in planning for release and is placed in the juvenile's file.

(b) Each juvenile should be given gradual increased responsibility in the community prior to release.

(c) Written Policy, Procedure, and practice provide whenever possible, opportunities for involvement with family and participation in community activities before final release.

(d) Written Policy, Procedure, and practice provide that whenever possible, staff members counsel the parent(s)/guardian in preparation for the resident's return to their home; provision is made for trial visits before such decisions are made.

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. **Amended:** Filed November 6, 2018; effective December 21, 2018.

950-1-6-.08 Manual Of Operating Procedures.

(1) Examination and Investigation of Operation Manual

(a) Upon receipt of the completed operation manual, an examination of the premises of the Program or Facility and an investigation of the persons responsible for the function of the Program or Facility shall be made by a representative of the Department.

(b) The examination and investigation will include, but not be limited to, visits to the Facility and interviews with appropriate officers and staff, and with other persons who can help to verify the allegations of the manual.

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. **Amended:** Filed November 6, 2018; effective December 21, 2018.

950-1-6-.09 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, 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. **Amended:** Filed November 6, 2018; effective December 21, 2018.

950-1-6-.10 Appeal For Fair Hearing And Review. (REPEALED)

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. **Repealed:** Filed November 6, 2018; effective December 21, 2018.

950-1-6-.11 Statutory Authority.

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

(2) §44-1-27(b) - "No county, or city in the state nor any public or private agency, group, corporation, partnership, or individual shall establish, maintain, or operate any detention facility or foster care facility for Youths found delinquent or in need of supervision by a juvenile Court, without a license from the Department. A license shall be required on an annual basis or as determined by the Department. The 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 Youths alleged or adjudged to be delinquent or in need of supervision, that fails to meet the Standards prescribed by the Department. The 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 of Youth Services shall perform the following: (4) "License and subsidize foster care facilities or group homes for Youths alleged to be delinquent pending Hearing before a juvenile Court or adjudged delinquent following Hearing, including detention, examination, study, care, treatment, and 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 by law with respect to youth services and which do not conflict with or exceed the provisions of law vesting the 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. **Amended:** Filed November 6, 2018; effective December 21, 2018.

950-1-6.-12 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. **Amended:** Filed November 6, 2018; effective December 21, 2018.

ED NOTE: Chapter content was previously Chapter 950-4-1, Minimum Standards for Residential Facilities and Programs, as per certification filed December 17, 2004; effective January 21, 2005. See Chapter 950-4-1 for previous history.