



POLICY

SUBJECT: Classification of Youth in DJS Residential Facilities
NUMBER: RF-716-18
APPLICABLE TO: DJS Staff

APPROVED: _____ /s/ signature on original
Sam Abed, Secretary
DATE: _____ 5/1/18

I. POLICY

The Department of Juvenile Services (DJS) shall ensure a safe, secure and stable environment within its facilities. Each facility shall implement an objective internal classification system to assess youths’ potential vulnerability and supervision needs, and shall utilize the results of the classification assessment to guide appropriate housing decisions. The classification assessment shall be implemented for all youth upon admission to the facility and provide for re-classification and risk screening in response to circumstances or special needs that may require modification of housing assignments.

II. AUTHORITY

- A. Maryland Code, Human Services Article, §9-203, §9-204 and §9-227
- B. American Correctional Association (ACA) standards, 3-JDF-2B-08, 3-JDF-5B-02, 4-JCF-3A-05, 4-JCF-3D-03, 4-JCF-5B-01, 4-JCF-5B-02, 4-JCF-5B-03, and 4-JCF-5B-05
- C. Prison Rape Elimination Act (PREA) Juvenile Facility Standards

III. POLICIES RESCINDED

None

IV. FAILURE TO COMPLY

Failure to comply with the Secretary’s Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

V. STANDARD OPERATING PROCEDURES

Standard operating procedures have been developed.

VI. REVISION HISTORY

DESCRIPTION OF REVISION	DATE OF REVISION
<p>Procedures revised.</p> <ul style="list-style-type: none"> • Added definitions for lesbian, gay, bi-sexual, transgender and intersex. • Added or revised procedures for Placement of Residents in Housing, Bed, Program, Education and Work Assignments. • Section D procedures revised - all overrides of classification tools must be approved by the Facility Administrator or designee. • Procedures for assessment of youth at admissions added • Revised section on documentation for clarity 	1/26/15
<p>Revised policy issued to assess a youth's potential for being a victim or perpetrator of any aggression or sexual assault. Vulnerability assessment procedures added. Placement procedures for lesbian, gay, bisexual or transgendered youth added.</p>	12/3/13
<p>Revised procedures. Added:</p> <ul style="list-style-type: none"> • Updated definitions • Section A: updated language to use both screening tools the Housing classification assessment, along with the Vulnerability Assessment Instrument (VAI), at admission to guide decision-making. • Section A: Superintendents designate low, medium and high risk rooms on each living unit. • Male and female youth do not occupy same units or rooms. • New section on youth with disabilities • Section D housing plans should include designated areas for potentially sexually vulnerable and potentially sexually abusive youth. • When staff conduct the housing re-classification re-assessment and periodically throughout a youth's confinement, information shall be obtained and used about youth's personal history to update youth records and use that updated information to reduce the risk of aggression and sexual abuse by or upon a youth. This information may be obtained through review of sexual abuse or harassment incidents the youth is involved in while in a facility, conversations with staff about behavior, disclosures to health care professionals and qualified behavioral health professionals about sexual vulnerabilities or potential aggression, or by reviewing new or updated court records, case files, incident database behavioral records, ASSIST alerts and prior placements and commitments, and other relevant documentation from the youth's base file and ASSIST database. • New section H- Classifications policy and assessments shall be reviewed annually, updated as necessary, and made available to staff involved in the admissions process. 	5/2/18
<ul style="list-style-type: none"> • Revised procedures in Section A - All housing classification tools shall be administered within 24 hours. 	5/4/18
<ul style="list-style-type: none"> • Revised procedures in Section C to indicate that DJS does not accept youth with severe disabilities and will seek an alternative placement for those youth. 	9/11/18

PROCEDURES

SUBJECT: Classification of Youth in DJS Residential Facilities

NUMBER: RF-716-18

APPLICABLE TO: DJS Staff

APPROVED: _____ /s/ signature on original

Linda McWilliams, Deputy Secretary

DATE: _____ 9/11/18

I. PURPOSE

DJS establishes these procedures to ensure the implementation of an objective internal classification assessment of all youth upon admission to a DJS facility to assess youths' potential vulnerability and supervision needs. The results of the classification assessment shall be used to guide appropriate housing, bed, work, educational and programming decisions.

II. DEFINITIONS

Admission Officer means the designated employee trained in facility procedures for admitting a new youth.

Bisexual means a person who is attracted to, and may form sexual and romantic relationships with more than one gender or sexual category.

Gay means a male who is emotionally, romantically, and sexually attracted to other males; it is preferred over the term homosexual.

Health Care Practitioner means clinicians trained to diagnose and treat patients to include, physicians, dentists, psychologists, podiatrists, optometrists, nurse practitioners and physician assistants.

Health Care Professional means staff who perform clinical duties to include, health care practitioners, nurses, social workers, dietitians, emergency medical technicians in accordance with each health care professional's scope of training and applicable licensing, certification, and regulatory requirements.

Housing Classification Assessment or Re-Assessment means the assessment tool used to determine the appropriate level of supervision and housing assignment.

Housing Plan means a written protocol describing each housing unit in a residential facility, its population type, specific attributes and corresponding supervision level.

Intersex means an individual born with external genitalia, internal reproductive organs, chromosome patterns, and/or an endocrine system that do not seem to fit typical definitions of male or female.

Lesbian means a female who is emotionally, romantically, and sexually attracted to other females; it is preferred over the term homosexual.

Qualified Behavioral Health Professional (QBHP) means the individuals employed by or contracted with DJS who provide evaluation, treatment, care, or rehabilitation to DJS youth for mental health and substance abuse services which may include their families. These include all licensed staff or a doctoral level psychologist under the supervision of a licensed psychologist; and alcohol and drug counselors who are licensed and certified to provide mental health and substance abuse treatment to youth.

Special Needs means youth identified as having behavioral health and/or medical issues, suicide risk, developmental or intellectual disabilities, or physical disabilities that may require special supervision.

Transgender means individuals whose gender identity (internal sense of being male or female) is different than his or her sex at birth.

Vulnerability Assessment Instrument (VAI) means the screening tool used to assess a youth's risk of being victimized sexually or being sexually aggressive towards others.

Vulnerable youth means a youth who may be susceptible to becoming a victim of sexual abuse or harassment. Vulnerable youth may include, but are not limited to, youth who are lesbian, gay, bi-sexual, transgender, intersex, gender non-conforming, prior victim of sexual abuse, limited English proficiency, small in stature, young, or who have cognitive, physical, developmental, or mental health impairment.

III. PROCEDURES

A. Assessment of Youth

1. Housing classification assessment tools, along with the Vulnerability Assessment Instrument (VAI), shall be administered within 24 hours of admission and shall guide decision-making regarding the appropriate housing assignment for each youth.
2. Staff shall complete the **Housing Classification Assessment (Appendix 1)** to determine the youth's supervision level and special needs. Instructions for completing this form are found in the **Housing Classification/Re-Assessment User's Guide (Appendix 2)**.
3. Staff shall complete the **Vulnerability Assessment Instrument (VAI) (Appendix 3)** to determine the youth's risk of being victimized sexually or being sexually aggressive towards others.
4. The Admission Officer will make an initial classification decision utilizing the results of the screenings identified in Section III. A. 3 and III. A. 4 above.

5. The Superintendent shall designate low, medium and high risk rooms on each living unit. The overall risk score will determine the risk level and placement in one the following rooms:
 - a. High risk-rooms closest to staff
 - b. Medium or low risk - all other rooms.
 - c. The Superintendent must approve all overrides of room designations.
6. Copies of the completed **VAI** and the **Housing Classification Assessment Forms** shall be placed in the youth's base file. The information obtained from the classification and VAI assessments shall be shared only with designated staff who have a need to know. Staff shall ensure confidentiality of all youth information.
7. Criteria for assigning housing classification and supervision level for a youth shall include, but are not limited to:
 - a. The severity of the current charge or adjudication;
 - b. The severity of the most serious prior adjudication;
 - c. The number of prior serious incidents in custody (youth on youth or youth on staff assaults, group disturbances, restraints and escapes or attempted escapes);
 - d. Age, size and offense history of youth, especially when assigning two or more youth to a room;
 - e. Special needs including suicide risk, behavioral health, medical disabilities, developmental or intellectual disabilities, or physical disabilities or other concerns that may merit higher or special supervision; and
 - f. Vulnerability to victimization and/or sexually aggressive behaviors or being the perpetrator of such behaviors.

B. Placement of Youth in Housing, Bed, Program, Education, and Work Assignments

1. DJS shall use all information obtained in the initial classification and any information obtained thereafter to make housing, bed, program, education, and work assignments for youth with the goal of keeping all youth safe and free from all forms of abuse.
2. Male and female youth do not occupy the same sleeping units or rooms.
3. Youth may be separated from others only as a last resort when less restrictive measures are inadequate to keep them and/or other youth safe and then only until an alternative means of keeping all youth safe can be arranged. During any period of seclusion, youth shall not be denied daily large-muscle exercise, or any legally required educational programming or special education services. Youth shall be seen daily by health care professionals and qualified behavioral health professionals. Youth shall also have access to other programs and work opportunities to the extent possible. If a youth is in seclusion, the Superintendent must ensure that

documentation placed in the youth's file identifies the basis for the concern for the youth's safety, and the reason why no alternative means of separation can be arranged.

4. The Superintendent shall ensure that **each youth separated from the general population is reviewed every 30 days** to determine whether there is a continuing need for the separation.
5. Lesbian, gay, bisexual, transgender, or intersex youth shall not be placed in particular housing, bed, or other assignments solely based on such identification or status, nor shall lesbian, gay, bisexual, transgender, or intersex identification or status be considered as an indicator of likelihood of being sexually abusive.
6. Transgender and intersex youth shall be given the opportunity to shower separately from other youth.
7. In deciding whether to assign a transgender or intersex youth to a facility for male or female youth, and in making other housing and programming assignments, the Superintendent shall consider on a case-by-case basis whether placement would ensure the youth's health and safety, and whether the placement would present management or security problems. Within 72 hours of admission, the youth's placement shall be reviewed by the Facility Review Committee. The Facility Review Committee will be chaired by the Superintendent or designee and will consist of the following members: a qualified behavioral health professional, nursing supervisor or designee, education representative, and a GLM II or other direct care staff. The case shall be presented to the committee by the facility CMS. The FRC decision will be reviewed by the assigned Executive Director for Residential Services and the Deputy Secretary for Operations.
8. Placement and programming assignments for **each transgender or intersex youth shall be reassessed twice a year** to review for any threats to safety experienced by the youth. A transgender or intersex youth views with respect to his or her safety shall be given serious consideration.
9. The Superintendent shall monitor to ensure heightened protection and supervision of vulnerable youth and youth who have been the victim of sexual abuse or harassment. Only designated staff should be made aware of supervision needs. Staff shall ensure confidentiality of all youth information.

C. Youth with Disabilities

DJS Residential Facilities cannot accept youth with severe disabilities. The Department will seek to find placements for youth with severe disabilities unable to perform basic life functions.

D. Facility Housing Plans

1. The Superintendent shall develop a Housing Plan for each living unit that shall include, but is not limited to:
 - a. Physical plant description;
 - b. Capacity;
 - c. Staffing pattern for each shift;
 - d. Safety, security and supervision practices;
 - e. Identification of single and double bed sleeping rooms, and who may be assigned to include housing and bed determinations for those youth who score as potentially sexually vulnerable and those who score as potentially sexually abusive;
 - f. Youth classification levels and specific population assigned;
 - g. General programming; and
 - h. Special services and/or accommodations.
2. Housing plans shall be approved by the assigned Executive Director of Residential Services or designee. All modifications must be approved in writing by the Executive Director.
3. Youth shall be assigned to a living unit in keeping with the approved facility housing plan.

E. Housing Classification Re-Assessment

1. Classification reassessments shall be completed to determine housing re-assignments and supervision levels for youth given consideration for program participation, behavioral adjustment, and response to services. Re-assessments shall be completed utilizing the **Housing Classification Re-Assessment Form (Appendix 4)**. Instructions for completing this form may be found in the **Housing Classification/Re-Assessment User's Guide (Appendix 2)**.
2. Routine classification reassessments shall be completed by the Facility Case Management Specialist (CMS) and the Treatment Team **not more than 60 days from the date of completion of the initial VAI, and the Housing Classification Assessment**. All reassessment shall be documented in ASSIST. Re-assessment forms shall be placed in the youth's base file.
3. Non-routine re-assessments shall be completed in the following circumstances:
 - a. within 24 hours of a youth being involved in a third incident involving aggressive and assaultive behavior, to include fighting;
 - b. within 24 hours of an attempt or actual escape or AWOL, suicide attempt, or involvement in a serious incident that jeopardizes the security and safety of the youth and others.
 - c. any time the youth's housing and supervision level is increased or decreased.
4. Periodically throughout a youth's confinement, information shall be obtained and used about the youth's personal history to update youth records and use that updated information to reduce the risk of aggression

and sexual abuse by or upon a youth. This information may be obtained through review of sexual abuse or harassment incidents the youth is involved in while in a facility, conversations with staff about behavior, disclosures to health care professionals and qualified behavioral health professionals about sexual vulnerabilities or potential aggression, or by reviewing new or updated court records, case files, incident database behavioral records, ASSIST alerts and prior placements and commitments, and other relevant documentation from the youth's base file and ASSIST database.

F. Documentation

A completed **VAI** and the **Housing Classification Assessment or Re-Assessment forms** shall be placed in the youth's base file.

1. A copy of the **VAI** and the **Housing Classification Assessment or Re-Assessment forms** shall accompany a youth when youth are transferred between DJS facilities.
2. The **Housing Classification Assessment or Re-Assessment forms** received with youth transferred between DJS facilities shall be reviewed during the admissions process and a new **Housing Classification Re-Assessment tool (Appendix 4)** shall be completed by the receiving facility.
3. All overrides of the **Housing Classification Assessment or Re-Assessment tools** shall be approved by the Superintendent or designee.

G. Training

All employees involved in the administration of the **VAI**, the **Housing Classification Assessment or Re-Assessment** shall receive training regarding the proper scoring and utilization of the assessment instruments.

H. Annual Review

The *Classification of Youth Policy and Procedure* and instruments shall be reviewed annually, updated as necessary, and made available to staff involved in the admissions process.

IV. RESPONSIBILITY

The Superintendent is responsible for implementation and compliance with these procedures.

V. INTERPRETATION

All exceptions to these procedures must be approved by the Deputy Secretary for Operations.

VI. DIRECTIVES/POLICIES REFERENCED

None

VII. LOCAL OPERATING PROCEDURE REQUIRED

Yes

VII. APPENDICES

All forms can be found on the intranet under Forms/Youth Related/Classification.

1. Housing Classification Assessment
2. Housing Classification Assessment/Re-Assessment User's Guide
3. Vulnerability Assessment Instrument (VAI)
4. Housing Classification Re-Assessment



DJS POLICY AND STANDARD OPERATING PROCEDURES

Statement of Receipt and Acknowledgment of Review And Understanding

SUBJECT: Classification of Youth in DJS Residential Facilities
NUMBER: RF-716-18
APPLICABLE TO: DJS Staff
REVISED: September 11, 2018

I have received and reviewed a copy (electronic or paper) of the above titled policy and I understand its contents. I understand the contents of the policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

SIGNATURE

PRINT FULL NAME

DATE

WORK LOCATION

SEND THE ORIGINAL, SIGNED COPY TO DIRECTOR OF THE DJS OFFICE OF HUMAN RESOURCES FOR PLACEMENT IN YOUR PERSONNEL FILE.