

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Rules of Conduct
Policy: 3C-01
Page(s): 1 of 2
Standards: ACA 3-JCRF-3C-01
Issue Date: 3/1/2001
Reviewed: September 2020, April 2021, August 2022
Authorized by: William Shaffer, Director

A. **Policy:** It is the written policy, procedure, and practice to provide that there is a written set of disciplinary regulations governing juvenile rule violations. These rules and regulations are reviewed annually and updated, if necessary

B. Definitions:

A. Rule Infraction Form: Formal document noting all disciplinary regulations.

B. Low-Level Ticket: Formal document noting all minor rule violations.

C. Positive Praise Form: Formal document recognizing a resident's use of pro-social skills to avoid conflict and excel in programming.

D. Self-Control Behaviors: These minor rule violations constitute behaviors that demonstrate a youth's struggles with self-discipline within the program.

E. Oppositional Behaviors: These minor rule violations constitute behaviors that demonstrate a youth resisting or combating rules within the program.

F. Aggressive Behaviors: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.

G. Risk Behaviors: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.

C. Procedure

A. Self-Control Behavior Tickets will result in the following process and sanctions:

1. Process:

- i. 1st Step – Verbal Redirection
- ii. 2nd Attempt- Verbal Redirection
- iii. 3rd Step – Receive a Rule Infraction and Sanction.

2. Mandatory Sanction:

- i. Scored in "1's" in areas relating to behavior
- ii. Loss of fifty points

B. Oppositional Behavior Tickets will result in the following process and sanctions::

1. Process:

- i. 1st Step – Verbal Redirection

- ii. 2nd Attempt Verbal Redirection
- iii. 3rd Step – Receive a Rule Infraction and Sanction.

2. Mandatory Sanction:

- i. Scored in “1’s” in areas relating to behavior
- ii. Loss of one hundred points
- iii. Early Bedtime

C. Aggressive Behavioral Infractions will result in the following process and sanctions:

1. Process:

- i. 1st Step – Verbal Redirection, if possible.
- ii. 2nd Step – Receive a Rule Infraction and Sanction.

2. Mandatory Sanction:

- i. Scored in “1’s” in areas relating to behavior
- ii. Loss of two hundred points
- iii. Early Bedtime
- iv. Loss of Evening Recreation
- v. Intervention Hearing
- vi. Loss of fifty percent of home visit, if applicable.

D. Risk Behavioral Infractions will result in the following process and sanctions:

1. Process:

- i. 1st Step – Verbal Redirection, if possible.
- ii. 2nd Step – Receive a Rule Infraction and Sanction.

2. Mandatory Sanction:

- i. Scored in “1’s” in areas relating to behavior
- ii. Loss of three hundred points
- iii. Early Bedtime
- iv. Loss of Evening Recreation
- v. Intervention Hearing
- vi. Loss of one-hundred percent of home visit, if applicable.

E. Positive Praise Forms will result in the following process:

1. Process:

- i. 1st Step – Verbally Recognizing Pro-Social Behavior
- ii. 2nd Step - Process a Positive Praise Form with Youth

2. Reward

- i. Exchange Forms for Incentive

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Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Rules of Conduct
Policy: 3C-02
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- A. **Policy:** Written policy, procedure, and practice provide that all program rules and regulations pertaining to juveniles and staff are conspicuously posted in the facility or included in a handbook that is accessible to all juveniles and staff. When a literacy or communication problem exists, a staff member assists the juvenile in understanding the materials.
- B. **Procedure**
- A. Posting of Rules and Regulations
1. All rules and regulations are posted on each unit.
- B. Orientation to Rules and Regulations
1. Upon admission, each resident receives a copy of the Resident and Parent Handbook of which is designed to inform the resident and parent/guardian of the program rules and regulations.
 2. Rules of conduct are written in common terminology for the resident and parent/guardian.
 3. Family Specialist reviews and discusses Resident and Parent Handbook with all new admissions and parent(s)/guardian(s). All parties sign the following forms acknowledging receipt and understanding of rules and regulations.
 1. The signed original forms are maintained within the residents permanent case file:
 - a. Receipt and Acceptance of Handbook Regulations
 - b. Rule Infraction, Grievance & Disciplinary Hearing Process Form
- C. Communication/Literacy Barrier
1. When a literacy or communication barriers exist, a staff member will assist the resident in understanding the material and/or translation services are provided.

Montgomery County Juvenile Court Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Disciplinary Hearing
Policy: Disciplinary Report
Page(s): 1 of 1
Standards: ACA 3-JCRF-3C-03
Issue Date: 3/1/2001
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I. Policy:

It is the written policy, procedure and practice of the Center for Adolescent Services to require that staff prepare a disciplinary report when they have a reasonable belief that a resident has committed a major behavior violation of facility rules.

D. Definitions:

H. Rule Infraction Form: Formal document noting all disciplinary regulations.

I. Aggressive Behaviors: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.

J. Risk Behaviors: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.

II. Procedure

A. When a staff member has a reasonable belief that a youth has committed a behavior that warrants an Aggressive and/or Risk Rule Infraction(s) the staff person will complete a Rule Infraction Form and submit it to the On-Duty Supervisor for review and approval.

**Montgomery County Juvenile Court
Center for Adolescent Services**

Chapter: Rules and Discipline
Subject: Disciplinary Hearing: Disciplinary Report
Policy: 3C-04
Page(s): 1 of 2
Standards: ACA 3-JCRF-3C-04
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Authorized by: William Shaffer, Director

III. Policy:

Written policy, procedure, and practice provide that a juvenile charged with a major rule violation of facility rules is given a written copy of the alleged rules violation(s) within twenty-four (24) hours of the infraction(s). The hearing may be held within twenty-four (24) hours of the juvenile's written consent.

IV. Definitions:

- A. Rule Infraction Form: Formal document noting all disciplinary regulations.
- B. Aggressive Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.
- C. Risk Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.
- D. Disciplinary Hearing: The formal process of meeting with designated staff to review and evaluate the behavior and to deliver behavior management sanctions appropriate to the findings and validity listed on the behavior infraction.
- E. Disciplinary Hearing Notification Form: Document used to notify youth of time and place of scheduled disciplinary hearing.
- F. Disciplinary Hearing Log: Document notating the details involved in the disciplinary hearing process (i.e., names, dates, timelines, and decision).
- G. Hearing Officer: Designee responsible for conducting Disciplinary Hearings with residents after confirming or denying evidence pertaining to the Rule Infraction Forms.

V. Procedure

- B. Staff members are to process unwanted behaviors that have resulted in the issuance of an infraction upon approval by Supervisor. Processing unwanted behaviors is encouraged to be completed in a reasonable time frame to address alleged behavior.
 - 1. Residents are provided a copy of the alleged rule violation upon completion of processing unwanted behavior, but no later than twenty-four hours of the infraction.
- C. Staff will inform the youth that they will receive a disciplinary hearing when processing an Aggressive or Risk Rule Infraction.
 - 1. Youth may waive a disciplinary hearing.

D. Disciplinary Hearing Timeframe

1. All disciplinary hearing(s) may be held within twenty-four (24) hours but not to exceed seven (7) days, excluding weekends and holidays, after the alleged infraction.

Montgomery County Juvenile Court Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Informal Resolutions for Minor Infractions
Policy: 3C-05
Page(s): 1 of 1
Standards: ACA 3-JCRF-3C-05
Issue Date: 3/1/2001
Reviewed: September 2020, April 2021, August 2022
Authorized by: William Shaffer, Director

- I. **Policy:** It is the written policy; procedure and practice of the Center for Adolescent Services to provide that there are informal resolutions for minor infractions of facility rules made by residents.

- II. **Definitions:**
 - A. Self-Control Behavior Ticket: These minor rule violations constitute behaviors that demonstrate a youth's struggles with self-discipline within the program.

 - B. Oppositional Behavior Ticket: These minor rule violations constitute behaviors that demonstrate a youth resisting or combating rules within the program.

- III. **Procedure**
 1. Informal resolutions include but are not limited to the following:
 1. Verbal redirection
 2. Apology letter
 3. Mediation
 4. Community Service
 5. Loss of Daily Points
 6. Meeting Individually with Treatment Staff

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Conduct of Hearing
Policy: Disciplinary Hearing
Page(s): 1 of 2
Standards: ACA 3-JCRF-3C-06
Revised: April 2019
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VI. Policy: Written policy, procedure, and practice provide that juveniles are scheduled for a hearing as soon as practicable but no later than seven (7) days, excluding weekends and holidays, after being charged with a violation. Juveniles are notified of the time and place of the hearing at least twenty-four (24) hours in advance of the hearing.

VII. Definitions:

- H. Rule Infraction Form: Formal document noting all disciplinary regulations.
- I. Aggressive Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.
- J. Risk Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.
- K. Disciplinary Hearing: The formal process of meeting with designated staff to review and evaluate the behavior and to deliver behavior management sanctions appropriate to the findings and validity listed on the behavior infraction.
- L. Disciplinary Hearing Notification Form: Document used to notify youth of time and place of scheduled disciplinary hearing.
- M. Disciplinary Hearing Log: Document notating the details involved in the disciplinary hearing process (i.e., names, dates, timelines, and decision).
- N. Hearing Officer: Designee responsible for conducting Disciplinary Hearings with residents after confirming or denying evidence pertaining to the Rule Infraction Forms.

VIII. Procedure

- E. Delivery of Rule Infraction(s)
 - 2. Staff completing Rule Infraction(s) will address the following with youth in delivering rule infraction:
 - a. Explain the infraction, justification, and how action(s)/behavior(s) qualify as a rule infraction.
 - b. Ask the resident for a statement and/or explanation for action(s)/behavior(s).
 - c. Request the youth to sign the infraction acknowledging receipt and explain consequences.

- d. Staff will inform the youth of his/her right to request and/or waive a disciplinary hearing.
- e. The youth's request or waiver of disciplinary hearing(s) is documented on the Rule Infraction Form.
- f. Staff needs to sign and indicate the date and time when the rule infraction is processed with the resident.

F. Disciplinary Hearing Timeframe

2. Youth that receive an Aggressive and/or Risk Rule Infraction(s) has the right to a disciplinary hearing.
3. All disciplinary hearing(s) may be held within twenty-four (24) hours but not to exceed seven (7) days, excluding weekends and holidays after the alleged infraction.
4. Hearings not conducted with seven (7) for exceptional circumstances, unavoidable delays, and/or reasonable postponements must be documented in memo form.
5. All disciplinary hearing request(s) are logged using the Disciplinary Hearing Log.
6. Youth receive notification of the time and place of the discipline hearing, via Disciplinary Hearing Notification form, at least twenty-four (24) hours in advance of the hearing.

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Chapter: Rules and Discipline
Subject: Disciplinary Hearing
Policy: 3C-07
Page(s): 1 of 2
Standards: ACA 3-JCRF-3C-07
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Authorized by: William Shaffer, Director

- IX. **Policy:** Written policy, procedure and practice that a juvenile may waive the right to a hearing, provided that the waiver is documented and reviewed by the facility administrator or designee.
- X. **Definitions:**
- O. Rule Infraction Form: Formal document noting all disciplinary regulations.
 - P. Aggressive Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.
 - Q. Risk Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.
 - R. Disciplinary Hearing: The formal process of meeting with designated staff to review and evaluate the behavior and to deliver behavior management sanctions appropriate to the findings and validity listed on the behavior infraction.
 - S. Disciplinary Hearing Notification Form: Document used to notify youth of time and place of scheduled disciplinary hearing.
 - T. Disciplinary Hearing Log: Document notating the details involved in the disciplinary hearing process (i.e., names, dates, timelines, and decision).
 - U. Hearing Officer: Designee responsible for conducting Disciplinary Hearings with residents after confirming or denying evidence pertaining to the Rule Infraction Forms.
- XI. **Procedure**
- G. Delivery of Rule Infraction(s)
 - 3. Staff completing Rule Infraction(s) will address the following with youth in delivering rule infraction:
 - a. Explain the infraction, justification, and how action(s)/behavior(s) qualify as a rule infraction.
 - b. Ask the resident for a statement and/or explanation for action(s)/behavior(s).
 - c. Request the youth to sign the infraction acknowledging receipt and explain consequences.
 - d. Staff will inform the youth of his/her right to a disciplinary hearing.
 - B. Youth have the right to waive disciplinary hearing.

- C. The youth's waiver of disciplinary hearing(s) is documented on the Rule Infraction Form.
- D. Waiver does not negate any additional interventions required by the clinical team.
- e. Staff needs to sign and indicate the date and time when the rule infraction is processed with the resident.

H. Administrative Review

- 1. All Aggressive & Risk Rule Infractions and waiver of disciplinary hearings are reviewed by administrative designee.

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Restriction More Than 48 Hours
Policy: 3C-08
Page(s): 1 of 1
Standards: ACA 3-JCRF-3C-08
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Authorized by: William Shaffer, Director

- I. **Policy:** It is the written policy, procedure and practice of the Center for Adolescent Services to ensure that before a resident is placed on facility restriction for more than forty-eight (48) hours, there is an administrative hearing by a person or panel of staff who are not directly involved in the incident leading to the restriction. A written, signed, and dated report is completed and submitted to the facility administrator.
- II. **Definition:**
 - A. Emergency Behavior Contract (EBC): Document used by the Youth Specialist Supervisor to recommend and approve immediate facility restrictions when administration is unavailable.
 - B. Behavior Contract (BC): Document used by Clinical Designee or Administrative Designee to recommend and approve facility restrictions that exceed 48 hours.
- III. **Procedure for Emergency Behavior Contract (EBC)**
 - A. Youth Specialist Supervisor (YSS) creates the EBC to approve immediate facility restrictions when administration is unavailable to address negative behaviors.
 - B. YSS reviews EBC with resident.
 - C. Within 48 hours, Administrative Designee or Clinical Team will review and make the determination to terminate the EBC or place youth on an official behavior contract.
- IV. **Procedure for Behavior Contract**
 - A. Within 48 hours the Director or Administrative Designee will review all documentation related to the EBC and will conduct an administrative review with the youth. The Clinical Team and/or Administrative Designee will determine the termination of the EBC or the placement on an official behavior contract.
 - B. Administrative Designee will review, update, or terminate current behavior contracts every 72 hours.
- V. **Room restrictions will not exceed 48 non-sleeping hours, with the exception of the following:**
 - a. Medical Isolation;
 - b. Threat or risk to safety and security of staff, youth, and facility.
 - c. Sexual Abuse/Assault

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Disciplinary Hearing Postponement
Policy: 3C-09
Page(s): 1 of 2
Standards: ACA 3-JCRF-3C-09
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XII. Policy: It also is the written policy, procedure and practice provide for postponement or continuance of disciplinary hearing for a reasonable period of time.

XIII. Definitions

- V. Rule Infraction Form: Formal document noting all disciplinary regulations.
- W. Aggressive Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.
- X. Risk Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.
- Y. Disciplinary Hearing: The formal process of meeting with designated staff to review and evaluate the behavior and to deliver behavior management sanctions appropriate to the findings and validity listed on the behavior infraction.
- Z. Disciplinary Hearing Notification Form: Document used to notify youth of time and place of scheduled disciplinary hearing.
- AA. Disciplinary Hearing Log: Document notating the details involved in the disciplinary hearing process (i.e., names, dates, timelines, and decision).
- BB. Hearing Officer: Designee responsible for conducting Disciplinary Hearings with residents after confirming or denying evidence pertaining to the Rule Infraction Forms.

XIV. Procedure

- A. Postponement or Continuance of Disciplinary Hearing(s)
 - 1. The hearing may be postponed or continued for a reasonable period of time. Examples may include but are not limited to the following:
 - i. Preparation of defense
 - ii. Illness
 - iii. Unavailability of juvenile(s) and/or staff member(s)
 - iv. Further investigation of factual matters relevant to the hearing
 - v. Pending Juvenile Court prosecution
 - 2. All disciplinary hearing(s) may be held within twenty-four (24) hours but not to exceed seven (7) days, excluding weekends and holidays after the alleged infraction.
 - 3. Hearings not conducted with seven (7) for exceptional circumstances, unavoidable delays, and/or reasonable postponements must be documented in memo form.

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Hearing Decisions
Policy: Disciplinary Hearing
Page(s): 1 of 2
Standards: ACA 3-JCRF-3C-10
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Policy: It is written, policy, procedure and practice of the Center for Adolescent Services to provide that disciplinary decision(s) are based solely on information obtained in the hearing process, including staff reports, the statements of the juvenile charged, and evidence derived from witnesses and documents.

XV. Definitions:

- CC. Rule Infraction Form: Formal document noting all disciplinary regulations.
- DD. Aggressive Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.
- EE. Risk Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.
- FF. Disciplinary Hearing: The formal process of meeting with designated staff to review and evaluate the behavior and to deliver behavior management sanctions appropriate to the findings and validity listed on the behavior infraction.
- GG. Disciplinary Hearing Notification Form: Document used to notify youth of time and place of scheduled disciplinary hearing.
- HH. Disciplinary Hearing Log: Document notating the details involved in the disciplinary hearing process (i.e., names, dates, timelines, and decision).
- II. Hearing Officer: Designee responsible for conducting Disciplinary Hearings with residents after confirming or denying evidence pertaining to the Rule Infraction Forms.

XVI. Procedure

- I. Disciplinary Hearing Decision Process
1. All disciplinary decision(s) are based solely on information obtained in the rule infraction and hearing process.
 2. Information obtained in the rule infraction and hearing process includes but is not limited to the following:
 1. Staff statements and/or reports.
 2. Statement(s) of the youth
 3. Evidence derived from witnesses and documents
 4. Video evidence

3. The Disciplinary Hearing Form is completed by the Hearing Officer noting the findings and decision based upon the following:

1. Staff statements and/or reports
2. Statement(s) of the youth
3. Evidence derived from witnesses and documents
4. Video evidence

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Room Restriction More Than 8 Hours
Page: 1 of 3
Policy: 3C-11
Standards: ACA-3-JCRF-3C-11
Issue Date: 3/1/2001
Reviewed: September 2020, April 2021, August 2022
Authorized by: William Shaffer, Director

Policy: Written policy, procedure and practice ensure that room restriction does not exceed eight (8) hours without review and administrative authorization. It is used only when the resident is dangerous to himself/herself or others.

I. Definitions

- A. Room Restriction: The process of managing a resident by securing the door as a result of one or more of the following behaviors:
1. Resident is a threat to self.
 2. Resident is a threat to others.
 3. Self Confinement
 4. Medical Observation
- B. Room Restriction Form: process of formally documenting youth's behavior justifying the use of room restriction coupled with the process of observing youth while in room.

II. Procedure

1. The use of room restriction for sole use of punishment is strictly prohibited.
2. The Director or designee approves all instances of room restriction(s) exceeding eight hours.
3. A youth may be restricted to his/her room after all attempts at de-escalation have occurred when a youth's behavior is such that he/she is a threat to self and/or is a threat to others.
4. The use of room restriction must be documented on the Room Restriction Form noting the youth's behavior and all subsequent observations until the youth is removed from room restriction.
5. The youth must be assessed at a minimum of every thirty (30) minutes during room restriction by a Youth Specialist/ designee, non-sleep observation, until the youth is removed from room restriction by completing the Safe to Release (STR) process.
6. All youth will participate in the decision to be removed from room restriction by demonstrating that he/she is no longer a threat to self and/or is a threat to others; this can be determined by a therapeutic discussion with staff.
7. In no instance may the following youth rights be denied:
 1. Regular Scheduled Meals;

2. Clothing;
3. Sleep;
4. Health Care;
5. Religious needs;
6. Restroom breaks;
7. Staff assistance, as needed.

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Basis for Decisions
Policy: 3C-12
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Standards: ACA 3-JCRF-3C-12
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Authorized by: William Shaffer, Director

XVII. **Policy:** It is the written policy, procedure and practice of the Center for Adolescent Services to ensure that before facility restriction or privilege suspension, the reasons for the restriction is discussed, and the juvenile has the opportunity to explain the behavior.

XVIII. **Definitions:**

JJ. Rule Infraction Form: Formal document noting all disciplinary regulations.

KK. Aggressive Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.

LL. Risk Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.

MM. Disciplinary Hearing: The formal process of meeting with designated staff to review and evaluate the behavior and to deliver behavior management sanctions appropriate to the findings and validity listed on the behavior infraction.

NN. Disciplinary Hearing Notification Form: Document used to notify youth of time and place of scheduled disciplinary hearing.

OO. Disciplinary Hearing Log: Document notating the details involved in the disciplinary hearing process (i.e., names, dates, timelines, and decision).

PP. Hearing Officer: Designee responsible for conducting Disciplinary Hearings with residents after confirming or denying evidence pertaining to the Rule Infraction Forms.

A.

XIX. **Procedure**

J. Delivery of Rule Infraction(s)

4. Staff completing Rule Infraction(s) will communicate the following with youth in delivering Rule Infraction:

a. Explain the infraction, justification, and how action(s)/behavior(s) qualify as a Rule Infraction.

B. Explanation of the above mentioned criteria will occur both verbally and in writing as documented on the Rule Infraction Form.

b. Ask the resident for a statement and/or explanation for action(s)/behavior(s).

c. Request the youth to sign the infraction acknowledging receipt and the explanation of consequences.

- d. Staff will inform youth a disciplinary hearing will be assigned for major-rule infraction. Youth may waive their right to the disciplinary hearing on the Rule Infraction Form.
- e. Staff needs to sign and indicate the date and time when the rule infraction is processed with the resident.

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: 30 Minute Visual and Verbal Checks
Page: 1 of 4
Policy: 3C-13
Standards: ACA-3-JCRF-3C-13
Issue Date: 3/1/2001
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Revised: April 2022
Authorized by: William Shaffer, Director

- A. **Policy:** Written policy, procedure and practice provide that during room restriction, visual and verbal contact by staff is made with the juvenile at least every 30 minutes. This contact is recorded and retained by staff. The juvenile assists in determining the end of the restriction period.
- B. **Definitions**
- A. **Room Restriction:** The process of managing a resident by securing the door as a result of one or more of the following behaviors:
1. Resident is a threat to others.
 2. Resident is a threat to self.
 3. Self-Confinement (after 60 min Leisure Time Separation, or when not participating in programming).
 4. Medical Observation
- B. **Room Restriction Form:** process of formally documenting youth's behavior justifying the use of room restriction coupled with the process of observing youth while in room.
- C. **Medical Observation:** precautions that are taken to prevent the spread of an infectious agent from an infected resident(s) to susceptible individuals, or any other necessary medical reason.
- D. **Leisure Time Separation (LTS):** the process of a youth requesting to separate themselves from other youth alone in their room during scheduled leisure time for a period of no longer than sixty (60) minutes (one hour). The youth is secured behind their door and may request to return to the unit and their peers at any time during the sixty (60) minutes, and will be released by staff.
- E. **Leisure Time Separation (LTS) Monitoring Log:** the formal documentation of a youth's request to be separated during scheduled Leisure Time for no longer than sixty (60) minutes (one hour).
- F. **Self Confinement:** A youth who chooses to remain confined in their room past the LTS time limit. A Room Restriction form will be completed for "Self-Confinement" for the duration of time past sixty (60) minutes that a youth chooses to remain confined.
- G. **Threat to others:** Verbal threats, aggressive acts, or physical contact, which may lead to serious injury, rapid escalation and/or disruption of safely operating the facility.
- H. **Youth Safety Observation (Threat to Self):** Residents assessed as being suicidal risks should be monitored in room based upon suicidal risk assessment and required frequency.

- i. Risk Levels:
 - a. Low-Risk Observation: Low risk observation checks do not exceed random fifteen (15) minute intervals. Observation checks must also be accompanied by the responsible staff completing a visual and verbal check of the youth each time.
 - b. Moderate-Risk Observation: Moderate Risk Observation checks do not exceed random ten (10) minute intervals. Observation checks must also be accompanied by the responsible staff completing visual and verbal check of the youth each time.
 - c. High-Risk Observation: The most intensive level of staff observation, active behavior management, and supervision of resident activity. This level of supervision would include one-on-one direct observation, constant/continual, and in immediate physical proximity of the youth at all times.

- I. Safe-to-Release (STR) Check Form: the process of determining if a youth is safe to release from a threatening room restriction through a series of specific checks, followed by a Safe-to-Release Interview.
- J. Safe-to-Release (STR) Interview: the process of verbally interviewing a youth on threatening room restriction to ensure that the youth has processed their feelings regarding the incident and is ready to follow unit expectations upon release.
- K. Watch Tour: Process of staff members, using the Watch Tour System, to check on the safety of youth that are on room restriction or sleep observation.
- L. Watch Tour System: Electronic computer program that captures, records, and documents staffs' visual observations of residents while residents are on room restriction or sleep observation.
- M. Station: The key lock unit that staff keys to indicate a staff observation has occurred. The station has a certain number that identifies its specific location.

Harbor Unit Stations
Station 1/Harbor Rm 1
Station 2/Harbor Rm 2
Station 3/Harbor Rm 3
Station 4/Harbor Rm 4
Station 5/Harbor Rm 5
Station 6/Harbor Rm 6
Station 7/Harbor Rm 7
Station 8/Harbor Rm 8
Station 9/Harbor Rm 9
Station 10/Harbor Rm 10

Pier Unit Stations
Station 25/Pier Rm 1
Station 24/Pier Rm 2
Station 23/Pier Rm 3
Station 22/Pier Rm 4
Station 21/Pier Rm 5
Station 20/Pier Rm 6
Station 19/Pier Rm 7
Station 18/Pier Rm 8
Station 17/Pier Rm 9
Station 16/Pier Rm 10
Station 15/Pier Rm 11
Station 14/Pier Rm 12
Station 13/Pier Rm 13
Station 12/Pier Rm 14
Station 11/ Pier Rm 15

Dock Unit Stations
Station 26/Dock Rm 1
Station 27/Dock Rm 2
Station 28/Dock Rm 3
Station 29/Dock Rm 4
Station 30/Dock Rm 5
Station 31/Dock Rm 6
Station 32/Dock Rm 7
Station 33/Dock Rm 8
Station 34/Dock Rm 9
Station 35/Dock Rm 10
Station 36/ Dock Rm 11
Station 37/ Dock Rm 12
Station 38/ Dock Rm 13
Station 39/ Dock Rm 14
Station 40/ Dock Rm 15
Station 41/ Dock Observation Room

Bay Unit Stations
Station 51/Bay Rm 1
Station 50/Bay Rm 2
Station 49/Bay Rm 3
Station 48/Bay Rm 4
Station 47/Bay Rm 5
Station 46/Bay Rm 6
Station 45/Bay Rm 7
Station 44/Bay Rm 8
Station 43/Bay Rm 9
Station 42/Bay Rm 10

N. Watch Tour Report: A report generated by the Watch Tour System that gives details of each Watch Tour performed.

A. Procedure

1) Leisure Time Separation (LTS)

1. Criteria

- a. The resident is requesting to separate themselves from other youth alone in their room (with their room door secured) during scheduled leisure time for a period of no longer than sixty (60) minutes (one hour).
- b. A resident must get approval from the Youth Specialist (YS) assigned to their unit, and verbal approval from the Youth Specialist Supervisor (YSS) for LTS.
- c. Staff is not permitted to authorize LTS if it conflicts with education, scheduled treatment (individual or group), unit programming, scheduled meal times, or if it is disruptive to the overall operations of the unit.

2. Leisure Time Separation (LTS) Monitoring

- a. Youth Specialists or designee must complete visual and verbal checks that do not exceed thirty (15) minutes with staggered intervals on the Leisure Time Separation Monitoring Log.
 - i. Staff will document the date/time the LTS begins and ends (not to exceed sixty (60) minutes).
 - ii. Staff will provide any additional observations in the comments section of the LTS Monitoring Log.
- b. The youth may request to come out at any time within the sixty (60) minutes.
- c. LTS shall not exceed sixty (60) minutes. If resident refuses to comply with time limit, the On Duty Supervisor is notified and the resident is placed on Self-Confinement Room Restriction. Youth may be issued an infraction, but at a minimum a loss of points for leisure time is reflected on the residents Permanent Log.
 - i. The Room Restriction form is to be paired with the existing LTS Monitoring Report and submitted together upon completion of the Self-Confinement to the On Duty Supervisor.
 - ii. If a youth is missing programming during this Self-Confinement, they shall receive the appropriate infraction.
- d. Youth Specialist or designee must provide all LTS Monitoring Logs and Room Restriction Forms to the On-Duty Supervisor when seclusion ends and before the end of the shift for review.
- e. All LTS Monitoring Logs and Room Restriction Forms are submitted to Administration at the conclusion of night shift.

2) Room Restriction

A. Criteria

- A. The resident is a threat to others.
- B. The resident is a threat to self.
- C. Self-Confinement, following the 60 minute Leisure Time Separation period.
- D. Medical observation.

B. Room Restriction Form

- a. The use of room restriction (non-sleep observation) must be clearly documented on the Room Restriction Form justifying the reason for restriction. The form

- needs to specifically explain how the youth is a threat to others, threat to self, voluntary self-confinement, or medical observation.
- b. All uses of room restriction are approved by the On Duty Supervisor and documented on the Supervisor Shift Report. The On Duty Supervisor will notify medical and behavioral health services of the resident in room restriction.
 - c. Youth Specialist or designee must complete visual and verbal checks that do not exceed thirty (30) minutes with staggered intervals on the room restriction form until the resident is released from room restriction.
 - d. Residents who are a threat to others or threat to self must complete the Safe to Release Process by the On Duty Supervisor or Supervisory Designee in order to be released from room restriction.

C. Safe-to-Release (STR) Process

- a. A resident may be restricted to his/her room after all attempts at de-escalation have occurred when a resident's behavior is such that he/she is a threat to self and/or is a threat to others.
- b. The use of threatening room restriction shall be brief in duration and conclude when deemed safe. Every effort shall be made by staff to safely return youth to his/her normal schedule or programming. Release from threatening room restriction shall occur via STR process when the youth is able to demonstrate safe behaviors and communication with the On Duty Supervisor.
- c. All residents will participate in the decision to be removed from threatening room restriction by demonstrating that he/she is no longer a threat to self, or threat to others; this will be determined by the Safe-to-Release Process, completed by the following staff based on availability: **Youth Specialist Supervisor (YSS), Family Specialist Supervisor (FSS), Medical Supervisor, Treatment Staff, or Administration/designee.**
- d. The resident shall be offered the opportunity to engage in the STR process at any point they are able to demonstrate calm and safe behaviors. This initial offer needs to occur within the first two (2) hours of restriction. If the youth is unable to demonstrate calm and safe behaviors, or is unwilling to engage in the STR process, staff shall engage with youth at a minimum of every two (2) hours thereafter. This should be documented on the Safe-to-Release (STR) Check form, **and if the youth refuses to sign, staff shall document on the signature line the youth's refusal and TWO staff shall sign as witness to the refusal.** The STR Check form will be used alongside the threatening room restriction form, not in place of it.
 1. If the two (2) hour mark is during sleep observation, staff can engage youth and provide them the opportunity to participate in the STR process by 9:00am the following morning, utilizing the STR Check Form.
 2. If 24 hours (including sleep observation) is reached and the youth still refuses to participate in the STR process, any additional restriction must be authorized by the Director.
- e. Once a resident is displaying calm and safe behaviors, and is willing to participate in the STR process, the Safe-to-Release Interview shall be completed by a staff member listed above. The interview shall determine if the youth is ready to resume regular programming. Interventions may also be assigned to positively support integration back into the community/unit. The release from room restriction will be at the discretion of the staff completing the interview and On Duty Supervisor.

D. Juvenile Rights

A. In no instance may the following rights be denied:

- i. Regular Scheduled Meals;
- ii. Clothing;
- iii. Sleep;
- iv. Health Care;
- v. Religious needs;
- vi. Restroom breaks;
- vii. Staff assistance, as needed.

3) Watch Tour Checks

- a. When a resident is in their designated room, a staff member must “initiate” watch tour on the specified room to complete safety checks. The staff member will radio to the Control Desk Clerk the unit and room number where the Watch Tour needs to be activated.
- b. Staff member will complete checks not to exceed fifteen (15) minutes utilizing the Key Lock Unit outside of each room.
 - i. Visual and/or verbal checks are completed to ensure youth safety while on room restriction.
 - ii. Failed/completed Watch Tour checks will be documented and alerted by the Watch Tour System at the Control Desk.
 - iii. Control Desk Clerk will alert all staff, via radio, if Watch Tour checks have failed.
- c. Upon release from room restriction, the staff member will radio to control the unit and room number to “end “the watch tour.

4) Room Restriction Form: checklist used by staff to record room checks of residents on room restrictions in the event of the Watch Tour System being inoperable.

- a) Staff maintains the Room Restriction Checklist on the Unit’s Control Desk.
- b) Staff will document the date/time the room restriction begins and ends.
- c) Staff will indicate the type of room restriction on the Room Restriction Checklist.
- d) Staff initiates verbal and/or visual contacts not to exceed thirty (30) minutes and records their detailed observations of the youth.
- e) Staff provides all Room Restriction Checklists to the On-Duty Supervisor prior to the end of shift.
- f) At the end of seclusion, the on-duty supervisor must review and approve all Room Restriction Checklists for their scheduled shift.
- g) All Room Restriction Checklists are submitted to Administration at the conclusion of night shift.

5) Room restriction exceeding eight (8) hours:

- a) Room restriction exceeding eight (8) hours, administrative approval must be obtained and a Special Incident Report (SIR) must be completed by the On-Duty Supervisor/designee indicating the reason for a room restriction exceeding eight (8) hours.

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Basis for Decisions
Recording of Room Restriction
Page: 1 of 1
Policy: 3C-14
Standards: ACA-3-JCRF-3C-14
Issue Date: 3/1/2001
Reviewed: September 2020, April 2021, August 2022
Authorized by: William Shaffer, Director

I. **Policy:** Written policy, procedure and practice provide that all instances of room restriction, privilege suspension, and facility restriction are recorded, dated, and signed by staff. The record is reviewed and signed by a supervisory staff member daily.

II. Definitions

- A. Room Restriction Form: process of formally documenting youth's behavior justifying the use of room restriction coupled with the process of observing youth while in room.
- B. Room Restriction: The process of managing a resident by securing the door as a result of one or more of the following behaviors:
 - 1. Resident is a threat to self.
 - 2. Resident is a threat to others.
 - 3. Self Confinement
 - 4. Medical Observation

III. Procedure

K. Room Restriction

- 2. When a staff member has a reasonable belief that a youth has engaged in behavior justifying a threat to self and/or others, the staff person completes a Room Restriction form by noting the date of the alleged behavior, noting the behavior justifying the Room Restriction and privilege suspension.
- 3. The Room Restriction Form is submitted to the On-Duty Supervisor for review and approval.

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: **Hearing Record**
Policy: 3C-15
Page(s): 1 of 3
Standards: **ACA 3-JCRF-3C-15**
Issue Date: 3/1/2001
Reviewed: September 2020, April 2021, August 2022
Authorized by: William Shaffer, Director

I. Policy: It is the written policy, procedure and practice provide that a written record is made of the disciplinary hearing decision and the supporting reasons, and a copy is provided to the juvenile. The hearing record and the supporting documents are maintained in the juvenile's file.

II. Definitions

- A. Rule Infraction Form: Formal document noting all disciplinary regulations.
- B. Aggressive Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.
- C. Risk Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.
- D. Disciplinary Hearing: The formal process of meeting with designated staff to review and evaluate the behavior and to deliver behavior management sanctions appropriate to the findings and validity listed on the behavior infraction.
- E. Disciplinary Hearing Notification Form: Document used to notify youth of time and place of scheduled disciplinary hearing.
- F. Disciplinary Hearing Log: Document notating the details involved in the disciplinary hearing process (i.e., names, dates, timelines, and decision).
- G. Hearing Officer: Designee responsible for conducting Disciplinary Hearings with residents after confirming or denying evidence pertaining to the Rule Infraction Forms.

III. Procedure

- L. Disciplinary Hearing Decision Process
 - 4. All disciplinary decision(s) are based solely on information obtained in the Rule Infraction and hearing process.
 - 5. Information obtained in the Rule Infraction and hearing process includes but is not limited to the following:
 - 1. Staff statements and/or reports.
 - 2. Statement(s) of the youth.
 - 3. Evidence derived from witnesses and documents.
 - 4. Video evidence
 - 6. The Disciplinary Hearing Form is completed by the Hearing Officer noting the findings and decision based upon the following:

1. Staff statements and/or reports.
 2. Statement(s) of the youth.
 3. Evidence derived from witnesses and documents.
 4. Video evidence
7. The Hearing Officer meets with youth to discuss and review information pertaining to Rule Infraction(s).
8. The Hearing Officer determines whether to overturn or uphold the Rule Infraction(s).
1. Upholding Rule Infraction(s)
 - i. The Hearing Officer completes the Disciplinary Hearing Decision Form and provides a record of the hearing to youth, and forwards the original to Administration to file within the resident's case file.
 - ii. The Disciplinary Hearing Decision Form includes the following: the decision, the disposition, and the reason for the action.
 2. Overturning Rule Infraction(s)
 - i. The Hearing Officer completes the Disciplinary Hearing Decision Form.
 - ii. The Hearing Decision Form includes the following: the decision, the disposition, and the reason for the action.
 - iii. A copy of the Disciplinary Hearing Decision Form is provided to youth.
 - iv. The original Disciplinary Hearing Decision Form is forwarded to Administration to file within the resident's case file.
9. Appealing Hearing Officer's Decision
1. The Hearing Decision Form is forwarded to the Director or designee, if a resident wishes to appeal the decision made during the Disciplinary hearing.
 2. The Director or designee meets with youth to discuss and review information pertaining to rule infraction(s) and the decision of the previous disciplinary hearing.
 3. The Director or designee determines whether to overturn or uphold the rule infraction(s). This is the final appeal.
 - i. Upholding Rule Infraction(s)
 1. The Director or designee completes the Disciplinary Hearing Decision Form and provides a record of the hearing to youth, and forwards the original to Administration to file within the resident's case file.
 2. The written record includes the following: the decision, the disposition, and the reason for the action.
 - ii. Overturning Rule Infraction(s)
 1. The Director or designee completes the Disciplinary Hearing Decision Form.
 2. The Disciplinary Hearing Decision Form includes the following: the decision, the disposition, and the reason for the action.
 3. A copy of the Disciplinary Hearing Decision Form is provided to youth.
 4. The original Disciplinary Hearing Decision Form is forwarded to Administration to file within the resident's case file.
4. The decision of the Director or designee shall be final.

Montgomery County Juvenile Court

Center for Adolescent Services

Chapter: Rules and Discipline
Subject: Appeal
Policy: 3C-16
Page(s): 1 of 3
Standards: ACA 3-JCRF-3C-16
Issue Date: 3/1/2001
Reviewed: September 2020, April 2021, August 2022
Authorized by: William Shaffer, Director

IV. Policy: It is the written policy; procedure and practice provide that juveniles are granted the right to appeal disciplinary decisions to the facility administrator or designee. Juveniles have up to 15 days of receipt of the decision to submit an appeal. The appeal is decided within 30 days of its receipt, and the juvenile is promptly notified in writing of the results.

XX. Definitions

- H. Rule Infraction Form: Formal document noting all disciplinary regulations.
- I. Aggressive Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth's antagonistic and/or hostile violation of program rules.
- J. Risk Behavioral Infractions: These major rule violations constitute behaviors that demonstrate a youth engaging in dangerous, violent, and/or delinquent behavior.
- K. Disciplinary Hearing: The formal process of meeting with designated staff to review and evaluate the behavior and to deliver behavior management sanctions appropriate to the findings and validity listed on the behavior infraction.
- L. Disciplinary Hearing Notification Form: Document used to notify youth of time and place of scheduled disciplinary hearing.
- M. Disciplinary Hearing Log: Document notating the details involved in the disciplinary hearing process (i.e., names, dates, timelines, and decision).
- N. Hearing Officer: Designee responsible for conducting Disciplinary Hearings with residents after confirming or denying evidence pertaining to the Rule Infraction Forms.

XXI. Procedure

- M. Delivery of Rule Infraction(s)
 - 5. Staff completing Rule Infraction(s) will address the following with youth in delivering rule infraction:
 - a. Explain the infraction, justification, and how action(s)/behavior(s) qualify as a rule infraction.
 - b. Ask the resident for a statement and/or explanation for action(s)/behavior(s).
 - c. Request the youth to sign the infraction acknowledging receipt and explain consequences.

- d. Staff will inform youth a disciplinary hearing will be assigned for major-rule infraction. Youth may waive their right to the disciplinary hearing on the Rule Infraction Form.
- e. Staff needs to sign and indicate the date and time when the rule infraction is processed with the resident.

N. Disciplinary Hearing Timeframe

7. Youth who receive an Aggressive and/or Risk Rule Infraction(s) has the right to a disciplinary hearing.
8. All disciplinary hearing(s) may be held within twenty-four (24) hours but not to exceed seven (7) days, excluding weekends and holidays after the alleged infraction.
9. Hearings not conducted with seven (7) for exceptional circumstances, unavoidable delays, and/or reasonable postponements must be documented in memo form.
10. Youth receive notification of the time and place of the discipline hearing, via the Disciplinary Hearing Notification form at least twenty-four (24) hours in advance of the hearing.

O. Disciplinary Hearing Decision Process

10. All disciplinary decision(s) are based solely on information obtained in the rule infraction and hearing process.
11. Information obtained in the rule infraction and hearing process includes but is not limited to the following:
 - a. Staff statements and/or reports.
 - b. Statement(s) of the youth charged.
 - c. Evidence derived from witnesses and documents.
12. The Disciplinary Hearing Officer meets with youth to discuss and review information pertaining to rule infraction(s).
13. The Disciplinary Hearing Officer determines whether to overturn or uphold the rule infraction(s).
 - a. Upholding Rule Infraction(s)
 - i. The Disciplinary Hearing Officer completes the Disciplinary Hearing Decision Form and provides a record of the hearing to youth, and forwards the original to Administration to file within the resident's case file.
 - ii. The Disciplinary Hearing Decision Form includes the following: the decision, the disposition, and the reason for the action.
 - b. Overturning Rule Infraction(s)
 - i. The Disciplinary Hearing Officer completes the Disciplinary Hearing Decision Form.
 - ii. The Disciplinary Hearing Decision Form includes the following: the decision, the disposition, and the reason for the action.
 - iii. A copy of the Disciplinary Hearing Decision Form is provided to youth.
 - iv. The original Disciplinary Hearing Decision Form is forwarded to Administration to file within the resident's case file.
14. Appealing Disciplinary Hearing Officer's Decision
 1. Youth have up to fifteen (15) days to submit an appeal.
 2. The Disciplinary Hearing Decision Form is forwarded to the Director or designee.

3. The Director or designee meets with youth to discuss and review information pertaining to rule infraction(s) and the decision of the previous disciplinary hearing.
4. The Director or designee determines whether to overturn or uphold the rule infraction(s).
 - i. The appeal process should consider the following three factors:
 1. Was there substantial compliance with facility standards and procedures in handling juvenile discipline?
 2. Was the decision based on substantial evidence?
 3. Was the proposed solution appropriate?
 - ii. Upholding Rule Infraction(s)
 1. The Director or designee completes the Disciplinary Hearing Decision Form and provides a record of the hearing to youth, and forwards the original to Administration to file within the resident's case file.
 2. The written record includes the following: the decision, the disposition, and the reason for the action.
 - iii. Overturning Rule Infraction(s)
 1. The Director or designee completes the Disciplinary Hearing Decision Form.
 2. The Disciplinary Hearing Decision Form includes the following: the decision, the disposition, and the reason for the action.
 3. A copy of the Disciplinary Hearing Decision Form is provided to youth.
 4. The original Disciplinary Hearing Decision Form is forwarded to Administration to file within the resident's case file.
5. The appeal is decided upon by the Director or designee within thirty (30) days of its receipt, and the youth is promptly notified in writing of the results.
6. The decision of the Director or designee shall be final.