

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

PUBLIC NOTICE OF PROPOSED RULE-MAKING

In accordance with Rhode Island General Law (RIGL) 42-35 and 42-72-5, notice is hereby given that the Department of Children, Youth and Families proposes to adopt the following DCYF rule:

RI Training School Personnel Administration

In compliance with best practice in juvenile corrections, the federal court order relating to RI Training School residents and the accreditation standards of the American Correctional Association for Juvenile Training Schools and Juvenile Detention Facilities, this new rule identifies policy and procedures related to personnel for staff at the RI Training School.

In the development of this rule, consideration was given to the following: (1) alternative approaches and (2) overlap or duplication with other statutory and regulatory provisions. No alternative approach or duplication or overlap was identified based upon available information.

This new rule is accessible on the DCYF website (<http://www.dcyf.ri.gov>) or the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) or available in hard copy upon request (401-528-3685). Interested persons should submit written comments by March 18, 2011 to Susan Bowler, Acting Implementation Director for Policy and Programs, Department of Children, Youth and Families, 101 Friendship Street, Providence, RI 02903 (Susan.Bowler@dcyf.ri.gov).

In accordance with RIGL 42-35-3, an oral hearing will be granted if requested by twenty-five (25) persons, by an agency or by an association having at least twenty-five (25) members. A request for an oral hearing must be made within thirty (30) days of this notice.

RI Training School Personnel Administration

Rhode Island Department of Children, Youth and Families
Division of Juvenile Correctional Services: Training School

Policy: 1200.0222

Effective Date:

Version: 1

The Training School (RITS) ensures that the safety and security of residents, staff and the community are continuously maintained and that high quality services to residents are provided by trained and qualified staff. The RITS conforms to the Department of Administration personnel regulations as well as relevant collective bargaining agreements.

Related Procedure

[RI Training School Personnel Administration](#)

Related Policy

[Distribution and Maintenance of Policies and Procedures](#)

[Confidentiality](#)

[Confidentiality: Access to Information Contained in Departmental Service Records](#)

[Reporting Child Abuse and/or Neglect](#)

[Computer Use Policy](#)

[Rhode Island Children's Information System \(RICHIST\)](#)

[Education Program, Structure and Operations](#)

[Supervisor/Supervisee Interactions](#)

[Administrative Responsibility](#)

[Identification Badge/Access Card](#)

[Criminal Background Checks](#)

[Employment Background Checks – Training School](#)

[Legal Establishment](#)

[Training and Professional Development](#)

[Travel Reimbursement](#)

[Code of Ethics](#)

[Sexual Harassment](#)

[Civil Rights: Federal Laws and Regulations Regarding Nondiscrimination](#)

RI Training School Personnel Administration

Procedure from Policy 1200.0222: [RI Training School Personnel Administration](#)

- A. Staff access DCYF and RI Training School (RITS) policy and procedure in conformance with [DCYF Policy 100.0065, Distribution and Maintenance of Policies and Procedures](#).
1. Staff sign statement acknowledging access to personnel policies/regulations and responsibility for being aware of contents at the time of hiring.
 2. Any staff who has knowledge of a policy violation has a duty to report the incident(s) to his/her supervisor as soon as possible, but no later than twenty four (24) hours of his/her becoming aware of the violation. Failure to report such violations of policy may result in disciplinary action up to and including termination.
 3. Staff are invited to comment on proposed changes in policy and procedure and are notified when such changes are finalized.
 4. The Superintendent reviews the RITS internal personnel procedures annually and submits recommendations for change to the Director of the Department of Children, Youth and Families (DCYF).
 5. In the event that the on line policy manual is unavailable, Staff contact the Administrator on Call to resolve any questions or concerns.
 6. Paragraph A is consistent with American Correctional Association (ACA) Standards 3-JDF-1C-01; 3-JTS-1C-01; 3-JDF-1C-02; 3-JTS-1C-02; 3-JDF-1C-03 and 3-JTS-1C-03.
- B. In all circumstances, Staff comply with [DCYF Policy 100.0000, Confidentiality](#) and [DCYF Policy 100.0005, Confidentiality: Access to Information Contained in Departmental Service Records](#). Paragraph B is consistent with ACA Standards 3-JDF-1C-22 and 3-JTS-1C-24.
- C. In all circumstances, Staff who know of or suspect abuse or neglect of any resident promptly report in conformance with [DCYF Policy 500.0000, Reporting Child Abuse and/or Neglect](#).
- D. Staff may not bring personal items into any unit or facility of the RITS unless prior permission is granted by the Unit Manager or the Superintendent or designee.
1. Under no circumstances is staff to have valuable jewelry and large sums of money in his/her possession when on duty.
 2. The Department assumes no responsibility or liability for the loss of or damage to personal items.
- E. The RITS restricts staff telephone calls to official Department business. Staff:
1. Identify their location and their name to the caller when answering the telephone.
 2. Display a courteous, polite attitude when speaking on the telephone and assist callers in a professional manner.
 3. Do not to give any information regarding residents to persons making telephone inquiries.
 4. Do not give other staff's personal telephone numbers to callers.
 5. Are allowed to make and receive personal telephone calls only in an emergency.
- F. Staff perform duties free of distraction and in a manner which ensures prompt and immediate response. The possession of cellular telephones, any personal electronic equipment or any unauthorized equipment within any Training School building or unit by staff, vendors or visitors is strictly prohibited. Exceptions to paragraph F must be granted in advance and in writing by the Superintendent or designee.
- G. Staff utilize computers in conformance with [DCYF Policy 100.0195, Computer Use Policy](#)

and consistent with the State of RI, Department of Administration, Division of Information Technology Acceptable Use Policy (#00-02) Issued 2/1/07 and Last Revised 2/26/08, which is available at: <http://www.doit.ri.gov/policy/>.

- H. Staff maintain documentation in conformance with [DCYF Policy 700.0100, Rhode Island Children's Information System \(RICHIST\)](#). Paragraph H is consistent with ACA Standards 3-JDF-1C-15; 3-JTS-1C-173-JDF-1F-01; and 3-JTS-1F-01.
- I. It is necessary that each staff's address and telephone number are current.
 - 1. Staff notifies his/her immediate supervisor of a change in address or telephone number and complete a Notification of Change of Address Form.
 - 2. The supervisor forwards the Notification of Change of Address Form to the Superintendent or designee.
 - 3. The Superintendent or designee forwards the Notification of Change of Address Form to the Office of Health and Human Services.
- J. Staff conform to the RITS daily reporting system.
 - 1. Juvenile Program Workers (JPWs) report to the Master Control Center (MCC) upon arrival and/or departure or report their arrival and/or departure to the MCC. JPWs arriving at or departing from the Roosevelt Benton Center or the Female Correctional Treatment Facility report this information to the MCC by utilizing these facilities' telephones.
 - 2. All other staff signs in at the Unit/Facility or designated area to which he/she is regularly assigned or is directed to report.
 - 3. The MCC maintains the daily attendance report for JPWs and forwards it to the Unit Managers.
 - 4. The MCC documents discharge of sick, personal or vacation time or leave without pay for JPWs.
 - 5. All other staff record discharge of sick, personal or vacation time or leave without pay on the Daily Sign in/Sign out Sheets.
 - 6. Unit Managers and Department Heads ensure consistency between the Daily Sign in/Sign out Sheets and Weekly Attendance Report submitted by staff.
 - 7. MCC ensures that accurate Weekly Attendance Reports and the unit/facility's master payroll sheet are submitted to Human Resources weekly.
- K. Staff report to their designated post/assignment in a timely manner. Failure to report in a timely manner may result in disciplinary action.
 - 1. All staff report to their designated posts or assignments at the beginning of the shift or scheduled tour of duty.
 - a. Juvenile Program Workers anticipating possible lateness contact the MCC as much in advance as possible.
 - b. Support staff anticipating possible lateness contact their supervisor as much in advance as possible.
 - c. Except in the case of an emergency, at least one hour notice of lateness is required.
 - d. Staff reporting late to his/her post or assignment may be subject to leave without pay and/or disciplinary action.
 - e. Staff reporting to his/her post or assignment more than ten (10) minutes late is placed on leave without pay for the duration of the lateness, unless approved as an emergency situation, by the Superintendent or designee.
 - 2. If staff fails to report to his/her post or assignment more than one (1) hour after the beginning of his/her shift or assignment without proper prior authorization, he/she is considered absent and subject to leave without pay for the duration of the shift or tour of duty.
 - 3. Staff attendance is monitored to ensure appropriate discharge of time related to

- sick, vacation, personal and leave without pay.
4. Staff who are excessively late or absent may be subject to progressive disciplinary action up to and including suspension, and termination.
 5. Education staff report in conformance with [DYCF Policy 1200.1702, Education Program, Structure and Operations](#).
 6. Staff does not leave his/her post, assignment, unit or facility without permission.
 - a. Staff assignments outside the unit or facility are approved by a supervisor.
 - b. Any errand off grounds by Juvenile Program Workers, which includes but is not limited to store runs for food or items of personal hygiene for staff or residents, requires the approval of the Unit Manager or the MCC.
 - I. The Unit Manager and MCC confer before approval is given to ensure adequate coordination of staffing.
 - II. Such approval is given for a clearly specified period of time.
 - c. Any errand off grounds by staff other than Juvenile Program Workers, which includes but is not limited to store runs for food or items of personal hygiene for staff or residents, requires the approval of the supervisor. Such approval is given for a clearly specified period of time.
 - d. Paragraph K 6 is consistent with American Correctional Association Standards 3-JDF-3A-05 and 3-JTS-3A-05.
- L. To ensure adequate and appropriate staffing and to accommodate special requests of employees, substitute staffing is allowed.
1. A Request for Substitute Staffing Form (Form No. 024) is completed and submitted to the MCC for approval twenty four (24) hours prior to the requested substitution.
 2. The Superintendent or designee may consider previous work performance in granting the substitute staffing.
 3. Individual substitutions are only allowed for one day at a time.
 - a. Consecutive day substitutions for the same staff is not allowed.
 - b. Each Staff is limited to two substitutions per month and one per pay period.
 4. The MCC documents substitute staffing.
 5. If a substituting staff fails to provide coverage during the agreed upon substitution, he/she may be subject to applicable contract provisions and Departmental policies and procedures.
 6. The substitution payback date must occur within the same pay period as the date of substitution.
- M. Leave practices conform to rules established by the Department of Administration, the Office of Health and Human Services, and the DCYF as well as relevant collective bargaining agreements provided however that:
1. Juvenile Program Workers (JPWs) have an opportunity to request Vacation or Personal Leave quarterly.
 - a. Such requests are submitted to the MCC.
 - b. Leave requests are approved and posted according to seniority.
 - c. No more than four (4) JPWs are granted leave per shift per day.
 - d. Approval for leave for more than four (4) JPWs must be granted by the Superintendent or designee.
 - e. JPWs submit additional requests for vacation leave seventy two (72) hours in advance and for Personal Leave twenty four (24) hours in advance to the MCC.
 2. Other RITS staff request vacation and/or personal leave through their direct supervisor. Staff request vacation leave no less than 72 hours in advance and personal leave no less than 24 hours in advance.

- N. If staff wishes to leave his/her post or work assignment due to illness or an emergency, he/she must receive approval from supervisory staff or the Administrator on Call. Staff remains on duty until approval of the request is secured.
- O. To provide safe and adequate staffing, it may be necessary to request staff to work overtime or to mandate staff to work overtime.
1. Supervisory staff make overtime calls and record the name of staff given the overtime, the date, and the shift in the Overtime Log Book.
 2. Supervisory staff completes an overtime call sheet listing all calls made and the responses; this record is maintained in the MCC.
 3. When there is more than one overtime slot for two different shifts, slots are filled in the order in which they occur.
 4. Staff cannot be considered for overtime if he/she is working on that shift or if accepting overtime would cause staff to work more than twenty (20) consecutive hours.
 5. Supervisory staff utilizes the Overtime Call List, which is a seniority listing of staff within a classification.
 - a. The Overtime Call List is continuous with each call beginning where the previous call left off.
 - b. Staff making calls begins at the designated point.
 - c. "DNC" (Do not contact) indicates that staff do not wish to be called for overtime.
 6. When the procedures above have been exhausted, mandating staff overtime may be necessary to provide coverage or in an emergency. In such circumstances, the least senior employee on duty is mandated to remain on duty as long as this would not require him/her to work more than sixteen (16) consecutive hours.
- P. Staff are physically well and alert to perform all duties which are normally expected and within their position requirements. Staff:
1. Unable to function in accordance with their position requirements notify their supervisors and request to be relieved of duty.
 2. Except as described below, staff observed lying down or inattentive to duty, in possession of bedding materials, and/or sleeping on duty, are subject to progressive discipline:
 - a. On the first occasion, staff is subject to a four (4) day suspension.
 - b. On the second occasion, staff are subject to a thirty (30) day suspension.
 - c. Further offenses are cause for disciplinary action up to and including termination.
 3. Any staff assigned to a special watch of a resident who is found to be improperly lying down or inattentive to duty, in possession of bedding materials, and/or sleeping on duty are subject to an eight (8) day suspension for a first offense. Further offenses are cause for disciplinary action up to and including termination.
 4. Staff do not sleep during their coffee breaks.
 5. In unusual situations, such as snow emergencies, personnel are sometimes required to work long periods of time.
 - d. The Superintendent or designee may waive this policy.
 - e. Staff who believe such a circumstance exists obtain prior approval of the Superintendent or designee.
- Q. The utilization of reading material, either electronic or hard copy, is strictly prohibited while staff are on duty unless this reading material is utilized to aid in the performance of staff's duty.
1. Staff observed with prohibited reading materials may be subject to disciplinary action.

2. Repeated infractions are cause for progressive disciplinary action up to and including termination.
- R. The RITS maintains an orderly and efficient process for staff to certify work hours and exception hours.
1. Staff submits an accurate and signed, individual Weekly Attendance Report, including his/her social security number, for approval of his/her supervisor in conformance with the designated schedule.
 2. MCC submits Weekly Attendance Reports to the Office of Health and Human Services according to the designated schedule.
 3. Staff' completes Weekly Attendance Report in advance for planned absences. Staff absence at the end of the week does not remove responsibility for submitting a Weekly Attendance/Time Sheet.
 4. If Staff is absent for a full week due to illness, a supervisor completes, signs and initials the Weekly Attendance Report.
 5. Amendments to Weekly Attendance Report are made in conformance with policy of the Office of Health and Human Services.
- S. The RITS assists staff in achieving exemplary job performance.
1. Newly hired staff or Staff placed in a new position is subject to performance reviews during the probationary period, which is the first six (6) months in the position.
 2. Formal annual performance assessment of each Staff's competencies and job function relates directly to the identification of individual and organizational training and development needs.
 - a. Performance Assessments take place each year on the anniversary date of the Staff's employment.
 - b. A written summary of the Performance Assessment is completed by the designated supervisor and provided to Staff.
 - c. Annual Performance Assessments are not utilized for disciplinary processes, but as a means for the supervisor and Staff to review essential job functions in the context of on going and emerging work environments and to assist Staff in meeting job requirements.
 3. Paragraph S is consistent with ACA Standards 3-JDF-1C-16 and 3-JTS-1C-18.
- T. Staff, contract employees, and/or contractors store required prescription medications in such a way that it is not accessible to the residents.
1. Staff, contract employees, and/or contractors store prescription medication in its original container and limit quantity to a 24 hour supply.
 2. In an emergency in which a staff member is held over 24 hours, he/she notifies the MCC of the need to replenish the prescription medication.
 3. Non-prescription medications are not permitted at the RITS.
 4. The RITS complies with state and federal laws and regulations requiring a drug free workplace.
 5. Paragraph T is consistent with ACA Standards 3-JDF-1C-15 and 3-JTS-1C-17.
- U. Supervision is provided in conformance with [DCYF Policy 200.0080, Supervisor/Supervisee Interactions](#) and [DCYF Policy 1200.0003, Administrative Responsibility](#).
- V. Identification Badges/Access Cards are utilized in conformance with [DCYF Policy 100.0135, Identification Badge/Access Card](#).
- W. Designated union members or officers are granted time with pay during working hours to investigate and seek to settle grievances and attend hearings, meetings and conferences on contract negotiations with state officials.
- a. Such time is granted with the approval of the department director and is not

- unreasonably withheld.
 - b. Accountability for the use of such time is a legitimate management concern.
- X. Staff comply with policy and procedures of the Office of Health and Human Services and the Department of Administration in reporting and documenting any injury on duty.
- Y. Hiring, promotion, compensation, retention, discipline practices conform to rules established by the Department of Administration, the Office of Health and Human Services, and the DCYF as well as relevant collective bargaining agreements.
 1. Background checks are conducted in conformance with [DCYF Policy 900.0040 Criminal Background Checks](#) and [DCYF Policy 200.0065, Employment Background Checks – Training School](#).
 2. Staff are credentialed in conformance with [DCYF Policy 1200.0000, Legal Establishment](#).
 3. Staff receive orientation and training in conformance with [DCYF Policy 400.0000, Training and Professional Development](#).
 4. An Employee Assistance Program is available to staff.
 5. Staff receive compensation for travel in conformance with [DCYF Policy 100.0050, Travel Reimbursement](#).
 6. In all cases, Staff perform responsibilities in conformance with [DCYF Policy 100.0160, Code of Ethics](#).
 7. To ensure a work atmosphere which is free of harassment of a sexual nature, all Staff perform responsibilities in conformance with [DCYF Policy 200.0075, Sexual Harassment](#).
 8. The DCYF ensures equal opportunity to all persons in conformance with [DCYF Policy 100.0140, Civil Rights: Federal Laws and Regulations Regarding Nondiscrimination](#).
 9. To ensure safety and security, staff must be capable of performing duties associated with his/her classification.
 - a. Certain job classifications require a physical examination and/or psychological testing prior to appointment.
 - b. Physical examinations are administered by a physician designated by the Department or a physician of the applicant's choice.
 - c. Psychological testing is administered by the Clinical Director of the RITS.
 - d. Staff receive re-examination according to a defined need.
 10. Paragraph Y is consistent with ACA Standards 3-JDF-1A-33; 3-JTS-1A-29; 3-JDF-1C-05; 3-JDF-1C-05-2; 3-JDF-1C-05-1; 3-JDF-1C-06; 3-JDF-1C-07; 3-JTS-1C-07-2; 3-JTS-1C-07; 3-JTS-1C-07-1; 3-JDF-1C-08; 3-JTS-1C-08; 3-JDF-1C-09; 3-JTS-1C-09; 3-JDF-1C-10; 3-JTS-1C-10; 3-JDF-1C-11; 3-JTS-1C-11; 3-JDF-1C-12; 3-JTS-1C-12; 3-JDF-1C-13; 3-JTS-1C-13; 3-JDF-1C-14; 3-JTS-1C-14; 3-JDF-1C-15; 3-JTS-1C-15; 3-JDF-1C-16; 3-JTS-1C-16; 3-JDF-1C-17; 3-JTS-1C-17; 3-JDF-1C-18; 3-JTS-1C-18; 3-JDF-1C-19; 3-JTS-1C-19; 3-JDF-1C-20; 3-JTS-1C-20; 3-JDF-1C-21; 3-JTS-1C-21; 3-JTS-1C-22; 3-JDF-1C-23; 3-JTS-1C-23 and 3-JTS-1C-25.