

**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:

ADMINISTRATIVE RESPONSIBILITY

This new rule, in compliance with 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, provides that staff utilize approved administrative procedures and comply with the chain of authority in operations.

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 proposed rule is accessible on the R.I. Secretary of State's website (<http://www.sec.state.ri.us/ProposedRules/>) and the DCYF website (<http://www.dcyf.ri.gov>) or available in hard copy upon request (401 528-3685). Interested persons should submit data, views or written comments by April 5, 2010 Susan Bowler, Administrator for Families and Children, 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.

Administrative Responsibility

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

Policy: 1200.0003

Effective Date:

Version: 1

RI General Law 42-72-5 empowers the Director of the Department of Children, Youth and Families to establish those administrative and operational divisions determined to be in the best interests of fulfilling the purposes and duties of the Department and to promulgate all rules and regulations necessary for the execution of departmental powers pursuant to the Administrative Procedures Act (Chapter 35 of title 42). The Superintendent of the Division of Juvenile Correctional Services is appointed by the Director and is responsible for operating all units of the Training School in conformance with state and federal law and regulation.

Related Procedure

Administrative Responsibility

Related Policy

Mission, Philosophy, Goals and Purpose

Interstate Compact on Juveniles

Interstate Compact on the Placement of Children

Distribution and Maintenance of Policy and Procedures

Petition for the Adoption of Rules

Administrative Responsibility

Procedure from Policy 1200.000: Administrative Responsibility

- A. The Director of the Department of Children, Youth, and Families (DCYF) or designee is the immediate governing authority of the Division of Juvenile Corrections.
1. The Superintendent of the Division is responsible for the administration, organization, and management of the Training School.
 2. The Superintendent develops, implements, and manages all aspects/units of the facility in accordance with policy and the law.
 3. The qualifications of the Superintendent are established and kept on file by the DCYF. Qualifications include:
 - a. Substantial experience in the management and operation of juvenile offender programs and facilities
 - b. Experience with public administration, personnel and budget management
 - c. Effective oral and written communication skills
 - d. Experience with the federal and state judiciary
 - e. Possession of a Masters Degree from a recognized institution of higher learning in a closely related field or any combination of education and experience substantially equivalent to the above is required.
 4. The Superintendent is appointed and removed in accordance with state personnel policy.
 5. Paragraph A is consistent with American Correctional Association (ACA) Standards 3-JTS-1A-07, 3-JTS-1A-09, 3-JTS-1A-12, 3-JTS-1A-13, 3-JDF-1A-11, 3-JDF-1A-15 and 3-JDF-1A-16.
- B. The Director of DCYF or designee and the Superintendent maintain an open channel of effective communication.
1. The Director of DCYF or designee meets routinely with the Superintendent.
 2. The Superintendent submits reports in writing to the Director or designee no less than quarterly which describe major developments, resident and staff needs and accomplishments and major challenges and strategies for addressing them.
 3. These meetings and reports assist in establishing and/or reviewing policies and procedures, identifying and planning processes for quality improvement and developing and monitoring the budget.
 4. The Superintendent provides information to the Director on the extent and availability of services and programming for residents for inclusion in the Department's annual report. This annual report is submitted to the Governor, General Assembly, Family Court, other state agencies and the public.
 5. Paragraph B is consistent with ACA Standards 3-JTS-1A-07, 3-JTS-1A-22, 3-JTS-1A-24, 3-JTS-1B-04, 3-JTS-1B-05, 3-JTS-1B-06, 3-JDF-1B-05, 3-JDF-1B-06, 3-JDF-1A-25 , 3-JDF-1A-26 ,3-JDF-1A-27, 3-JDF-1A-29 and 3-JDF-1B-07.
- C. In collaboration with the Director of the DCYF or designee, as well as administrators and staff, the Superintendent formulates and/or reviews goals for the Training School annually.
1. Measurable objectives are utilized to assess progress toward identified goals, as well as to periodically analyze programming to ensure that it is effective and congruent with the mission of the Training School.

2. Paragraph C is consistent with ACA Standards 3-JTS-1A-08, 3-JDF-1A-05, and JDF-1A-10.

D. The Superintendent may delegate authority to other administrators and supervisory personnel to ensure continuity in the management of daily operations.

1. The Superintendent develops an organizational chart which clearly delineates delegated administrative responsibilities and which groups similar functions, services and activities in appropriate administrative sub-units.
2. This organizational chart is kept on file in the Superintendent's office and is reviewed annually for updates as needed.
3. The Superintendent and administrators routinely monitor space requirements, operations and programs in the areas of responsibility identified in the organizational chart. Assessment of space requirements, operations and programs is measured against goals and objectives as well as the mission of the Department and the Training School at least annually.
4. Paragraph D is consistent with ACA Standards 3-JTS-1A-15, 3-JDF-1A-18, 3-JTS-1A-23 and 3-JDF-1A-28.

E. The Superintendent ensures that all service personnel and personnel employed by external public and private agencies follow facility rules with appropriate supervision by Training School staff.

1. All external service personnel have direct supervision by facility staff when they are working in areas that permit contact with juveniles.
2. The Superintendent ensures that the duties and responsibilities of personnel employed by outside public or private agencies, who work at the Training School, are described in contract or other written agreements.
3. These contracts and agreements are kept on file in the Superintendent's office and reviewed annually.
4. Paragraph E is consistent with ACA Standards 3-JTS-1A-16, 3-JDF-1A-19, 3-JTS-1A-30 and 3-JDF-1A-34.

F. The Superintendent meets at least monthly with administrators and each administrator meets at least monthly with supervisory staff to maintain channels of communication necessary for orderly operation of the facility.

1. Regular meetings with administrators, supervisory personnel, and staff ensure broad employee participation in the formulation and review of goals, objectives, policies, procedures and programs.
2. Unit Managers meet at least monthly with staff to review goals, objectives, policies, procedures and programs.
3. Paragraph F is consistent with ACA Standards 3-JTS-1A-11, 3-JDF-1A-13, 3-JDF-1A-05, 3-JTS-1A-20 and 3-JDF-1A-23.

G. The Superintendent meets with representatives of the residents at least quarterly to ensure two way communications and to solicit residents' suggestions for the improvement of operations.

1. Unit Managers interact with residents daily and meet with residents weekly to ensure two-way communication.
2. Paragraph G is consistent with ACA Standards 3-JTS-1A-21 and 3-JDF-1A-24.

- H. The Superintendent meets at least quarterly with the citizen advisory committee to ensure that the Training School is closely linked with the community, consistent with ACA Standards 3-JTS-1A-10 and 3-JDF1A-12.

- I. The Superintendent ensures that staff cooperate with the Department's Administrator of the Interstate Compact on Juveniles to assist with the timely, safe and appropriate placement of residents, consistent with ACA Standard 3-JDF-1A-14.

- J. The Superintendent ensures that a comprehensive Policy and Procedures Manual for the Training School, which is consistent with ACA Standards, is developed, continuously implemented, annually reviewed and revised as necessary.
 - 1. The Superintendent ensures that this policy manual and any revisions are accessible to staff, residents and the public.
 - 2. The Superintendent ensures that administrative, supervisory and line staff as well as residents, family members and community partners participate as appropriate in the development of policy, procedure and programming.
 - 3. The Superintendent ensures that all policy and procedure is distributed and maintained in accordance with DCYF Policy 100.0065, Distribution and Maintenance of Policy and Procedures.
 - 4. New or revised policies are disseminated to staff, residents and the public prior to implementation.
 - 5. In compliance with the Administrative Procedures Act, all policy and procedure is available on line without restriction through the Secretary of State's office.
 - 6. Paragraph J is consistent with ACA Standards 3-JTS-1A-11, 3-JDF-1A-13, 3-JTS-1A-17, 3-JDF-1A-21, 3-JTS-1A-18, 3JTS-1A-19 and 3-JDF-1A-22.