

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 amend the following Department rule:

Legal Establishment

This rule is amended to reflect changes in utilization of facilities and to conform with changes made by the RI General Assembly in the FY 2014 budget. The Rhode Island Department of Children, Youth and Families partnered with families, stakeholders and advocates to identify the Juvenile Detention Alternatives rubric as an appropriate tool and this facility usage is consistent with this instrument. This policy also proceeds from the requirements of RI General Law, Federal Law, RI Supreme Court Decisions, the Federal Consent Decree in *Inmates of the RI Training School v. Janice DeFrances*, and /or federal regulation. In the amendment of this rule, consideration was given to: (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 amended 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/>). Interested persons may submit written comments by June 11, 2014 to Susan Bowler, 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.

Posted May 9, 2014

Legal Establishment

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

Policy: 1200.0000

Effective Date: May 17, 2010

Revised: 2014

Version: 12

RI General Law (RIGL) 42-72-1 establishes within the executive branch of state government the Department of Children, Youth, and Families (DCYF). RIGL 42-72-5 establishes the Department as the principal agency of the state to mobilize the human, physical and financial resources available to plan, develop and evaluate a comprehensive and integrated statewide program of services designed to ensure the opportunity for children to reach their full potential. Further, the statute empowers the Director to establish those administrative and operational divisions of the Department determined to be in the best interest of fulfilling the purposes and duties of this chapter and to promulgate all rules and regulations necessary for the execution of Departmental powers pursuant to the Administrative Procedures Act (RIGL 42-35). RIGL 42-72-17.2 requires that the Department maintain the Rhode Island Training School, which consists of a Youth Development Center and, a Youth Assessment Center ~~and a Female Correctional Treatment Facility~~.

The Division of Juvenile Corrections complies with state law and policy with respect to enumerated professions in hiring employees as well as in retaining vendors that provide services to residents of the Training School. The Training School medical clinic is approved by the Department of Health and the educational program is certified by the Department of Elementary and Secondary Education.

Related Procedure

[Legal Establishment](#)

Legal Establishment

Procedure from Policy 1200.0000: Legal Establishment

- A. The Department of Children, Youth and Families is the governing authority for the Division of Juvenile Corrections.
- B. The Division of Juvenile Corrections maintains the Training School as required by statute to meet the rehabilitation and community safety needs of male and female youth placed by order of the Family Court.
 1. The Roosevelt Benton Youth Assessment Center provides services to male youth who are held awaiting disposition or for male youth newly adjudicated and sentenced.
 2. The Youth Development Center provides services to male youth who have been adjudicated and sentenced and female youth who are held awaiting disposition or who have been adjudicated and sentenced.
 - ~~3. The Female Correctional Treatment Unit provides services to female youth who are held awaiting disposition or who have been sentenced.~~
- C. The Superintendent and administrators of the Training School ensure that all employees and/or vendors providing services to residents are licensed and/or certified and/or qualified as required by the Department of Children, Youth and Families, the Department of Health and the Department of Elementary and Secondary Education.
- D. Paragraphs A and B are consistent with American Correctional Association (ACA) Standards 3-JDF-1A-01 and 3-JTS-1A-01; Paragraph C is consistent with ACA Standards 3-JDF-1A-02 and 3-JTS-1A-02.