

**BOARD OF STATE AND COMMUNITY CORRECTIONS
TITLE 15, DIVISION 1, CHAPTER 1, SUBCHAPTER 5
MINIMUM STANDARDS FOR JUVENILE FACILITIES**

INITIAL STATEMENT OF REASONS

Welfare and Institutions Code sections 210, 210.2, 875, and 885 authorizes the Board of State and Community Corrections (BSCC) to establish minimum standards for juvenile facilities.

ARTICLE 2. APPLICATION OF STANDARDS AND INSPECTIONS

§ 1315. Corrective Action Plan for Noncompliance.

Section 1315 would outline minimum standards related to a corrective action plan (CAP) if a juvenile facility is found, upon inspection, to be out of compliance with any minimum standards for juvenile facilities set forth in Title 15 and Title 24 of the California Code of Regulations.

On June 27, 2025, Governor Newsom approved Assembly Bill (AB) 134 (Chapter 10, Statutes of 2025), which amended section 209 of the Welfare and Institutions Code (WIC) as it relates to the BSCC's responsibility to inspect juvenile facilities and requirements for a CAP if a juvenile facility is found to be out of compliance with one or more of the minimum standards for juvenile facilities. WIC section 209 requires the BSCC to conduct a biennial inspection of each juvenile facility and was amended to include "at a minimum" (WIC § 209, subd. (a)(3)(A)), reinforcing the BSCC's current practice of conducting inspections more frequently than biennially, as needed, typically when a juvenile facility is found to be out of compliance with a minimum standard for juvenile facilities. WIC section 209 requires a juvenile facility to complete a CAP if found to be out of compliance with one or more of the minimum standards and was amended to authorize the BSCC Board to delegate authority to approve or deny a CAP to the Board's executive director or deputy director, and if such authority is delegated, requires the delegee to approve or deny the CAP in accordance with criteria and considerations developed by the Board, and subsequently requires the Board to ratify or overrule the delegee's decision (WIC § 209, subd. (d)(1)(B)).

The proposed regulations would specify requirements for a notice of noncompliance if a juvenile facility is found to be out of compliance with one or more of the minimum standards for juvenile facilities; the CAP submission process, including timelines, documentation requirements, and requests for technical assistance; the CAP review and approval process, including timelines and criteria for approval; requirements for a notice of unsuitability if a juvenile facility fails to submit an approved CAP; the Board's process and timeline to ratify or overrule a delegee's decision to approve or deny a CAP; verification for compliance; and requirements for a notice of determination of suitability if a juvenile facility fails to remedy all items of noncompliance. The proposed regulations are necessary to clarify minimum standards related to a CAP in accordance

with the provisions of Welfare and Institutions Code section 209, that became effective June 27, 2025.

The proposed regulations reflects the BSCC's current practices related to a CAP, therefore no fiscal or operational impacts are anticipated.

PURPOSE

These revisions are proposed to enhance standards and uniformity in CAP completion by juvenile facilities, consistency in determination of CAP approval or denial by the Board and their delegee, and provide clarity on the potential outcomes if a juvenile facility fails to comply with CAP requirements. The proposed adoption of section 1315 would be consistent with, and make specific, section 209 of the Welfare and Institutions Code as amended by Assembly Bill (AB) 134 (Chapter 10, Statutes of 2025).

PROBLEMS THIS PROPOSED REGULATION SEEKS TO ADDRESS

There are no specific problems that the revisions address, they reflect relevant changes in applicable statute and BSCC's current practices related to a CAP.

BENEFITS ANTICIPATED FROM THE PROPOSED REGULATIONS

The BSCC anticipates several benefits from the proposed regulation amendment. In addition to those benefits outlined in the Notice of Proposed Action, BSCC anticipates improved protection of the safety, security, and health of youth and staff in juvenile facilities, and improved clarity in the CAP process when noncompliance is identified.

TECHNICAL, THEORETICAL, AND/OR EMPIRICAL STUDY, REPORTS, OR DOCUMENTS

The BSCC did not rely upon any technical, theoretical, or empirical studies, reports, or documents in proposing the adoption of these regulations.

REASONABLE ALTERNATIVES TO THE REGULATION AND THE AGENCY'S REASONS FOR REJECTING THOSE ALTERNATIVES

No other reasonable alternatives were presented to or considered by the BSCC.

REASONABLE ALTERNATIVES TO THE PROPOSED REGULATORY ACTION THAT WOULD LESSEN ANY ADVERSE IMPACT ON SMALL BUSINESS

The BSCC has not identified any alternatives that would lessen any adverse impact on small businesses.

EVIDENCE SUPPORTING FINDING OF NO SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESSES

The BSCC has determined that the proposed regulations would not have a significant statewide adverse economic impact directly affecting business based on the Economic Impact Assessment, as discussed below.

LOCAL MANDATE DETERMINATION

As required by Government Code section 11346.9(a)(2), the BSCC has determined that there will be no mandates imposed on local agencies or school districts as a result of the adoption of the Title 15 regulation amendments.

ECONOMIC IMPACT ASSESSMENT

PURPOSE

The BSCC is required by Welfare and Institutions Code sections 210, 210.2, 875, and 885 to establish minimum standards for juvenile facilities. The proposed revisions were made to incorporate necessary requirements for the operation of juvenile facilities in accordance with section 209 of the Welfare and Institutions Code.

THE CREATION OR ELIMINATION OF JOBS WITHIN THE STATE OF CALIFORNIA

The proposed amendments will not create or eliminate jobs within the state of California.

THE CREATION OF NEW BUSINESSES OR THE ELIMINATION OF EXISTING BUSINESSES WITHIN THE STATE OF CALIFORNIA

The proposed amendments will not create new businesses or eliminate existing businesses within the state of California.

THE EXPANSION OF BUSINESSES CURRENTLY DOING BUSINESS WITHIN THE STATE OF CALIFORNIA

The proposed amendments will not expand businesses currently doing business within the state of California.

BENEFITS OF THE REGULATIONS TO THE HEALTH AND WELFARE OF CALIFORNIA RESIDENTS, WORKER SAFETY, AND THE STATE'S ENVIRONMENT

The anticipated benefits from the proposed regulation amendments are enhanced standards and uniformity in CAP completion by juvenile facilities, consistency in determination of CAP approval or denial by the Board and their delegee, and clarity on the potential outcomes if a juvenile facility fails to comply with CAP requirements. These benefits support the mission of the BSCC to review, inspect, and promote legal and safe conditions in juvenile facilities. Additional benefits of the amended regulations are the advancement of authority to enforce minimum standards that improve the overall safety, security, and welfare of youth and staff in juvenile facilities.

The BSCC has determined that the state's environment will not be affected by the adoption of these regulations because the regulations pertain to the minimum standards for juvenile facilities. Requirements of these regulations do not address any factors that would cause a positive or negative effect on the environment.