

Title 15 Minimum Standards for Juvenile Facilities

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Article 1. General Instructions

§ 1302. Definitions.

The following definitions shall apply:

“Administering medication,” as it relates to pharmaceutical management, means the act by which a single dose of medication is given to a patient by licensed health care staff. The single dose of medication may be taken either from stock (undispensed) or dispensed supplies.

“Alternate means of compliance” means a process for meeting or exceeding the intent of the standards in an innovative way as approved by the Board pursuant to an application.

“Appeal hearing” means an administrative procedure providing an appellant with an opportunity to present the facts of the appeal for the formal decision concerning matters raised pursuant to the purposes set forth in these regulations. Such hearing may be conducted using oral and/or written testimony as specified by the Executive Director of the Board or the Board.

“Appellant” means a county or city which files a request for an appeal hearing.

“Authorized representative” means an individual authorized by the appellant to act as its representative in any or all aspects of the hearing.

“Behavioral health” means mental/emotional well-being and/or actions that affect wellness. Behavioral health problems include: substance use disorders, alcohol and drug addiction, and serious psychological distress, suicide, and mental disorders.

“Behavioral/Mental Health Director” means that individual who is designated by contract, written agreement or job description to have administrative responsibility for the behavioral/mental health program of the facility or system. The health administrator shall work in cooperation with the behavioral/mental health director to develop and implement mental health policies and procedures.

“Board” means the Board of State and Community Corrections, which acts by and through its executive director, deputy directors, and field representatives.

“Camp” means a juvenile camp, ranch, forestry camp or boot camp established in accordance with Section 881 of the Welfare and Institutions Code, to which youth made wards of the court on the grounds of fitting the description in Section 602 of the Welfare and Institutions Code may be committed.

“Cisgender” means a person whose gender identity corresponds to the gender they were assigned at birth.

“Clergy” means persons ordained for religious duties.

“Committed” means placed in a jail or juvenile facility pursuant to a court order for a specific period of time, independent of, or in connection with, other sentencing alternatives.

“Contraband” is any object, writing or substance, the possession of which would constitute a crime under the laws of the State of California, pose a danger within a juvenile facility, would interfere with the orderly day-to-day operation of a juvenile facility, or violate facility rules.

“Control Room” is a continuously staffed secure area within the facility that contains staff responsible for safety, security, emergency response, communication, electronics, and movement.

“Court holding facility for youth” means a local detention facility constructed within a court building used for the confinement of youth or youth and adults for the purpose of a court appearance, for a period not to exceed 12 hours.

“Culturally Responsive” means considering the diverse population of a facility with regard to race, language, ethnicity, sexual orientation, gender, gender expression, immigration status and values.

“De-escalation” in regard to use of force, is the use and application of efforts and techniques, including conflict resolution, to discourage, decrease or prevent threatening, disruptive or violent behavior.

“Delivering medication,” as it relates to pharmaceutical management, means the act of providing one or more doses of a prescribed and dispensed medication to a youth.

“Developmental disability” applies to those persons who have a disability which originates before an individual attains age 18, continues, or can be expected to continue indefinitely, and constitutes a substantial disability for that individual. This term includes intellectual disability, cerebral palsy, epilepsy, and autism, as well as disabling conditions found to be closely related to intellectual disabilities or to require treatment similar to that required for individuals with intellectual disabilities, but shall not include other disabilities that are solely physical in nature.

“Direct visual observation” means staff must personally see youth's movement and/or skin. Audio/video monitoring and mirrors may supplement, but not substitute, for direct visual observation.

“Direct visual supervision” means staff are constantly in the presence of the youth. Audio/video monitoring and mirrors may supplement, but not substitute, for direct visual supervision.

“Dispensing,” as it relates to pharmaceutical management and pursuant to Business and Professions Code Section 4024, means the placing of one or more doses of a prescribed medication into containers that are correctly labeled to indicate the name of the youth, the contents of the container, and all other vital information.

“Disposal,” as it relates to pharmaceutical management, means the destruction of medication or its return to the manufacturer or supplier on its expiration date or when retention is no longer necessary or suitable (e.g. upon youth discharge from the facility) or the provision of medication to the patient upon discharge.

“DNA” or Deoxyribonucleic acid means a chromosomal double-stranded molecule that exists in each living cell. DNA determines an individual's hereditary characteristics and can be used to distinguish and identify an individual from another person. This becomes critical when blood, hair, skin, or any other part of the body is used to prove one's involvement or lack of involvement, in a crime scene.

“Emergency” means a significant disruption of normal facility procedure, policy or operation caused by civil disorder, single incident of mass arrest of youth or natural disasters such as flood, fire or earthquake; and which requires immediate action to avert death or injury and to maintain security.

“Executive Director” means the Executive Director of the Board of State and Community Corrections.

“Exercise” means an activity that requires physical exertion of the large muscle groups.

“Exigent” means an urgent and unanticipated event that requires immediate action.

“Facility administrator” means chief probation officer, sheriff, marshal, chief of police or other official charged by law with administration of the facility.

“Facility manager” means director, superintendent, police or sheriff commander or other person in charge of the day-to-day operation of a facility holding youth.

“Filing date” means the date a request for an appeal hearing is received by the Executive Director of the Board.

“Food” means any nourishing substance that is eaten, drunk, or otherwise taken in to the body to sustain life, provide energy, and/or promote growth.

“504 plan” means a written educational plan developed by a group of educators, administrators, parents and other relevant participants that addresses the needs of a student with a physical or mental impairment which may substantially limit major life activities, including, but not limited to, caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks and learning as defined under Section 504 of the Rehabilitation Act of 1973.

“Furlough” means the conditional or temporary release of a youth from the facility.

“Gender expression” means the manner in which gender is expressed through clothing, appearance, behavior, speech, etc.

“Gender identity” means a person's sense of being male, female, some combination of male or female, or either male or female.

“Gender fluidity” means a gender identity which can vary over time. A gender fluid person may at any time identify as male, female, neutrois, any other non-binary identity, or some combination of identities. Their gender can also vary at random or vary in response to different circumstances. Gender fluid people may also identify as multi-gender, non-binary, and/or transgender.

“Gender Nonconforming” means a youth whose appearance or manner does not conform to traditional masculine and feminine gender norms.

“Group Punishment,” which is not allowed, means sanctioning a group of uninvolved youth based on the actions of one or more youth.

“Health administrator” means that individual or agency that is designated with responsibility for health care policy and procedures pursuant to a written agreement, contract or job description. The health administrator may be a physician, an individual or a health agency.

“Health care” means behavioral/medical, mental health and dental services.

“Health care clearance” means a non-confidential statement which indicates to youth supervision staff that there are no health contraindications to a youth being admitted to a facility and specifies any limitations to full program participation.

“Health care provider” is an individual appropriately licensed by the State and is designated by contract, written agreement, or job description to have responsibility to provide preventive, curative, promotional, or rehabilitative health care in a systematic way to youth.

“Hearing panel” means a panel comprised of three members of the Board who shall be selected by the Chair at the time an appeal is filed. A fourth member may be designated as alternate. Members designated to the hearing panel shall not be employed by, or citizens of, the county or city submitting an appeal.

“Human trafficking” means the trade of humans, most commonly for the purpose of forced labor, sexual slavery, or commercial sexual exploitation for the benefit of the trafficker or others.

“Individual Education Program” (IEP) means a written statement for each individual with exceptional needs that is developed, reviewed and revised in a meeting in accordance with Education Code Section 56345 and applicable federal laws and regulation.

“Intersex” means a youth whose sexual or reproductive anatomy or chromosomal pattern does not fit typical definitions of male or female.

“Juvenile facility” means a juvenile hall ranch or camp, forestry camp, regional youth education facility, boot camp, [secure youth treatment facility](#) or special purpose juvenile hall.

“Juvenile hall” means a county facility designed for the reception and care of youth detained in accordance with the provisions of this subchapter and the juvenile court law.

“Labeling,” as it relates to pharmaceutical management and pursuant to Business and Professions Code Sections 4076 and 4076.5, means the act of preparing and affixing an appropriate label to a medication container.

“Legend drugs” are any drugs defined as “dangerous drugs” under Chapter 9, Division 2, Section 4022 of the California Business and Professions Code. These drugs bear the legend, “Caution Federal Law Prohibits Dispensing Without a Prescription.” The Food and Drug Administration (FDA) has determined, because of toxicity or other potentially harmful effects, that these drugs are not safe for use except under the supervision of a health care practitioner licensed by law to prescribe legend drugs.

“Lesbian, Gay, Bisexual, Transgender, Questioning, Intersex (LGBTQI)” is a diversity of sexuality and gender identity-based cultures. It may be used to refer to anyone who is non-heterosexual or non-cisgender, instead of exclusively to people who are lesbian, gay, bisexual, or transgender. To recognize this inclusion, the letter Q is for those who identify

as queer or are questioning their sexual identity. The letter I stands for “intersex” which is defined above.

“Linguistically appropriate” means delivered in a manner that effectively communicates with persons of limited English proficiency, those who have low literacy or are not literate, and individuals with disabilities.

“Living unit” shall be a self-contained unit containing locked sleeping rooms, single and double occupancy sleeping rooms, or dormitories, day room space, water closets, wash basins, drinking fountains and showers commensurate to the number of youth housed. A living unit shall not be divided in a way that hinders direct access, supervision, immediate intervention or other action if needed.

“Local Health Officer” means that licensed physician who is appointed by the Board of Supervisors pursuant to Health and Safety Code Section 101000 to carry out duly authorized orders and statutes related to public health within his/her jurisdiction.

“Meal” means the food served and eaten, especially at one of the customary or regular occasions for taking food during the day, such as breakfast, lunch or dinner.

“Minor” means a person under 18 years of age and includes individuals whose cases are under the jurisdiction of the adult criminal court.

“Non-school day” means a day when school is not in operation. It also applies when an individual youth is both not enrolled in school and not required to be in attendance.

“Notice of decision” means a written statement by the Executive Director of the Board which contains the formal decision of the Executive Director and the reason for that decision.

“On-site health care staff ” means licensed, certified or registered health care personnel who provide regularly scheduled health care services at the facility pursuant to a contract, written agreement or job description. It does not extend to emergency medical personnel or other health care personnel who may be on-site to respond to an emergency or an unusual situation.

“Over-the-counter (OTC) drugs,” as it relates to pharmaceutical management, are medications which do not require a prescription (non-legend).

“Pilot project” means an initial short-term method to test or apply an innovation or concept related to the operation, management or design of a juvenile facility, jail or lockup pursuant to an application to, and approval by, the Board.

“Podular design” means a design concept for detention facilities in which housing cells, dormitories or sleeping rooms are positioned around the perimeter of a common dayroom, forming a housing/living unit. Generally, the majority of services for each housing/living unit (such as dining, medical exam/sick call, programming, school, etc.) occur in specified locations within the unit.

“Post-dispositional youth” means a youth detained in a facility after a dispositional order by the Court.

“Procurement,” as it relates to pharmaceutical management, means the system for ordering and obtaining medications for facility stock.

“Proposed decision” means a written recommendation from the hearing panel/hearing officer to the full Board containing a summary of facts and a recommended decision on an appeal.

“Prostheses” means artificial devices to replace missing body parts or to compensate for defective bodily function. Prostheses are distinguished from slings, crutches, or other similar assistive devices.

“Psychotropic medication” means those drugs that are used to treat psychiatric symptoms. Drugs used to reduce the toxic side effects of psychotropic medications are not included.

“Rated capacity” means the number of beds approved by the Board that can be utilized by a Juvenile Facility based on the design requirements of Title 24, Part 1, Article 2, Section 13-201(c)6, of the California Code of Regulations.

“Reasonable and necessary force” refers to the amount and type of force that an objective, similarly trained, experienced and competent youth supervision staff, faced with similar facts and circumstances, would consider necessary and reasonable to ensure the safety and security of youth, staff, others, and the facility.

“Recreation” means the youth's free time to choose from activities that occupy the attention and offer the opportunity for relaxation. Such activities may include ping-pong, TV, reading, board games, and letter writing.

“Regional facility” means a facility serving two or more counties bound together by a memorandum of understanding or a joint powers agreement identifying the terms, conditions, rights, responsibilities and financial obligations of all parties.

“Remodeling” means to alter the facility structure by adding, deleting or moving any of the building's components thereby affecting any of the spaces specified in Title 24, Section 460A.

“Repackaging,” as it relates to pharmaceutical management, means transferring medications from the original manufacturers' container to another properly labeled container.

“Request for appeal hearing” means a clear written expression of dissatisfaction about a procedure or action taken, requesting a hearing on the matter, and filed with the Executive Director of the Board.

“Responsible physician” means that physician who is appropriately licensed by the State and is designated by contract, written agreement or job description to have responsibility for policy development in medical, dental and mental health matters involving clinical judgments. The responsible physician may also be the health administrator.

“Room confinement” means the placement of a youth in a locked room with minimal or no contact with persons other than correctional facility staff and attorneys. Room confinement does not include confinement of a youth in a locked single person room for brief periods as may be necessary for required institutional operations.

“Room Extraction” means the forceful removal of a youth from a room.

[“Secure youth treatment facility” means a facility that provides appropriate programming, treatment, and education for adjudicated youth committed by the court for the offenses specified in Section 875\(a\) of the Welfare and Institutions Code. The facility may be a stand-alone facility, such as a probation camp or other facility operated under contract with the county, or with another county, or may be a unit or portion of an existing juvenile facility, including a juvenile hall or probation camp, that is configured and programmed to serve the population described.](#)

“Security glazing” means a glass/polycarbonate composite glazing material designed for use in detention facility doors and windows and intended to withstand measurable, complex loads from deliberate and sustained attacks in a detention environment.

“Separation” means limiting a youth's participation in regular programming for a specific purpose.

“Sexual abuse” is sexual activity or voyeurism by one or more persons upon another person who does not consent, is unable to refuse, or is coerced into the act by manipulation, violence, or by overt or implied threats.

“Sexual orientation” means a person's emotional, romantic, and sexual attraction for members of the same, opposite or both genders.

“Shall” is mandatory; “may” is permissive.

“Snack” means a small portion of food, drink or a light meal, especially one eaten or drunk between regular meals.

“Sole supervision” means independent supervision of one or more youth by youth supervision staff who have successfully completed Juvenile Corrections Officer Core Training.

“Special purpose juvenile hall” means a county facility used for the temporary confinement of a youth, not to exceed 96 hours, prior to transfer to a full service juvenile facility or release.

“Special visits” mean visits by persons other than parents or guardians, those standing in loco parentis, and children of the youth, as outlined in Section 1374 of these regulations.

“Status offender” means a minor alleged or adjudged to be a person described in Section 601 of the Welfare and Institutions Code.

“Storage,” as it relates to pharmaceutical management, means the controlled physical environment used for the safekeeping and accounting of medications.

“Supervisory staff” means a staff person whose primary duties may include, but are not limited to, scheduling and evaluating subordinate staff, providing on-the-job training, making recommendations for promotion, hiring and discharge of subordinate staff, recommending disciplinary actions, and overseeing subordinate staff work. Supervisory staff may be included in the youth to supervision staff ratio when performing duties of direct youth supervision.

“Transgender youth” means a youth whose gender identity is different from the youth's assigned sex at birth.

“Trauma” is an experience that causes intense physical and psychological stress reactions. It can refer to a single event, multiple events, or a set of circumstances that is experienced by an individual as physically and emotionally harmful or threatening and that has lasting adverse effects on the individual's physical, social, emotional, cognitive, or spiritual well-being.

“Trauma-informed approaches” are policies, practices and procedures that ensure that all parties involved recognize and respond appropriately to the impact of traumatic stress and ensure the physical and psychological safety of all youth, family members, and staff.

“Trauma-informed care” means an organizational structure and system framework that involves understanding, recognizing, and responding to traumatic stress reactions and the effects of all types of trauma. Trauma-informed care also emphasizes raising awareness and providing resources about trauma and the impact of trauma on youth, family members and staff.

“Trauma reminder” means something that reminds a person of a traumatic event or loss and can lead to fear, panic, agitation, numbness, physiological arousal, or other traumatic stress reactions.

“Traumatic stress” occurs when youth are exposed to traumatic events and this exposure overwhelms their ability to cope.

“Un-enrolled” means an individual youth is not enrolled in school.

“Use of force” means an immediate means of overcoming resistance and controlling the threat of imminent harm to self or others.

“Voyeurism” means an invasion of privacy of a youth by another individual during private activities such as using the toilet or undressing, or by staff for reasons unrelated to official duties, such as peering at a youth who is using a toilet in his or her room to perform bodily functions; requiring the youth to expose his or her buttocks, genitals, or breasts; or taking images of all or part of a youth's naked body or of a youth performing bodily functions. Exceptions would include exigent circumstances or when such viewing is incidental to routine room safety checks.

“Youth” means any person ~~who is~~ in the custody of ~~the~~ juvenile facility and includes persons under the jurisdiction of the juvenile court, adult court, or both. ~~This person may be a minor under the age of 18 or a person over 18 years of age. This includes persons whose cases are under the jurisdiction of the juvenile court and persons whose cases are under the jurisdiction of the adult court.~~

“Youth supervision staff” means a juvenile facility employee, whose duty is to supervise the youth. Administrative, supervisory, food services, janitorial or other auxiliary staff is not considered youth supervision staff.

Note: Authority cited: Sections 210, 875 and 885, Welfare and Institutions Code. Reference: Section 209, Welfare and Institutions Code.

Article 2. Application of Standards and Inspections

§ 1310. Applicability of Standards.

All standards and requirements contained herein shall apply to any county, city and county, or joint juvenile facility that is used for the confinement of youth.

- (a) Juvenile halls, camps, ranches, forestry camps ~~and~~, boot camps and secure youth treatment facilities, shall comply with all regulations.
- (b) Special purpose juvenile halls shall comply with all regulations except the following

1322(c)	Child Supervision Staff Orientation and Training
1370	School Program
1415	Health Education
1464	Food Services Manager
1481	Special Clothing
1488	Hair Care Services

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code. Reference: Section 209 and 875, Welfare and Institutions Code.

Article 4. Records and Public Information

§ 1341. Death and Serious Illness or Injury of a Youth While Detained.

(4a) Death of a Youth.

- (a1)** The facility administrator, in cooperation with the health administrator and the behavioral/mental health director, shall develop written policies and procedures in the event of the death of a youth while detained, ~~which include notifications to necessary parties, which may include the Juvenile Court, the parent, guardian or person standing in loco parentis and the youth's attorney of record.~~ Policies and procedures shall ensure notification to necessary parties, which may include parents or guardians, those standing in loco parentis, spouse of youth, the youth's attorney of record and the juvenile court.
- (b2)** The health administrator, in cooperation with the facility administrator, shall develop written policies and procedures to assure there is a medical and operational review of every in-custody death of a youth. The review team shall include the facility administrator and/or facility manager, the health administrator, the responsible physician and other health care and supervision staff who are relevant to the incident.
- (c3)** The administrator of the facility shall provide to the Board a copy of the report submitted to the Attorney General under Government Code Section 12525. A copy of the report shall be submitted to the Board within 10 calendar days after the death.
- (d4)** Upon receipt of a report of the death of a youth from the administrator, the Board may within 30 calendar days inspect and evaluate the juvenile facility, jail, lockup or court holding facility pursuant to the provisions of this subchapter. Any inquiry made by the Board shall be limited to the standards and requirements set forth in these regulations.

(2b) Serious Illness or Injury of a Youth.

- (a1)** The facility administrator, in cooperation with the health administrator, shall develop written policies and procedures ~~for the notification to necessary parties, which may include the Juvenile Court, the parent, guardian or person standing in loco parentis and the youth's attorney of record~~ in the ~~case~~event of a serious illness or injury of a youth. Policies and procedures shall ensure notification to necessary parties, which may include parents or

guardians, those standing in loco parentis, spouse of youth, the youth's attorney of record, and the juvenile court, if appropriate.

Note: Authority cited: Sections 210, 875 and 885, Welfare and Institutions Code.
Reference: Section 209, Welfare and Institutions Code.

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§ 1351. Release Procedures.

The facility administrator shall develop and implement written policies and procedures for release of youth from custody which provide for:

- (a) verification of identity/release papers;
- (b) return of personal clothing and valuables;
- (c) notification to the youth's parents or guardian, person standing in loco parentis, or spouse;
- (d) notification to the facility health care provider ~~in accordance with Sections 1408 and 1437 of these regulations, for coordination with outside agencies; and,~~ for coordination of continued medical and dental care;
- (e) notification of school staff; and,
- (f) notification of facility mental health personnel for coordination of continued medication and services from behavioral and mental health providers.

The facility administrator shall develop and implement policies and procedures for post-disposition youth to coordinate the provision of transitional and reentry services including, but not limited to, medical and behavioral health, education, probation supervision and community-based services.

The facility administrator shall develop and implement written policies and procedures for the furlough of youth from custody.

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code. Reference: Section 209, Welfare and Institutions Code.

§ 1352.5. Transgender and Intersex Youth.

The facility administrator shall develop written policies and procedures ensuring respectful and equitable treatment of transgender and intersex youth. The policies shall provide that:

- (a) Facility staff shall respect every youth's gender identity, and shall refer to the youth by the youth's preferred name and gender pronoun, regardless of the youth's legal name. Facilities may prohibit the use of gang or slang names or names that otherwise compromise facility operations as determined by the facility manager or designee, and shall document any decision made on this basis.
- (b) Facility staff shall permit youth to dress and present themselves in a manner consistent with their gender identity, and shall provide youth with the institution's clothing and undergarments consistent with their gender identity.
- (c) Facility staff shall house youth in the unit or room that best meets their individual needs, and promotes their safety and well-being. Staff may not automatically house youth according to their external anatomy, and shall document the reasons for any decision to house youth in a unit that does not match their gender identity. In making a housing decision, staff shall consider the youth's preferences, as well as any recommendations from the youth's health or behavioral health provider.
- (d) Facility administrators shall ensure that ~~transgender and intersex~~ youth have access to [gender-affirming care](#) medical and behavioral health providers qualified to provide care and treatment to transgender and intersex youth.
- (e) Consistent with the facility's reasonable and necessary security considerations and physical plant, facility staff shall make every effort to ensure the safety and privacy of transgender and intersex youth when the youth are using the bathroom or shower, or dressing or undressing.

Facility staff shall not conduct physical searches of any youth for the purpose of determining the youth's anatomical sex. Whenever feasible, the facility shall respect the youth's preference regarding the gender of the staff member who conducts any search of the youth.

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code. Reference: Section 209, Welfare and Institutions Code.

§ 1353. Orientation.

The facility administrator shall develop and implement written policies and procedures to orient a youth prior to placement in a living area. Both written and verbal information shall be provided and supplemented with video orientation if feasible. Provision shall be made to provide accessible orientation information to all detained youth including those with disabilities, limited literacy, or English language learners. Orientation shall include information that addresses:

- (a) facility rules including contraband and searches and disciplinary procedures;
- (b) facility's system of positive behavior interventions and supports, including behavior expectations, incentives that youth will receive for complying with facility rules, and consequences that may result when youth violate the rules of the facility;
- (c) age appropriate information that explains the facility's policy prohibiting sexual abuse and sexual harassment and how to report incidents or suspicions of sexual abuse or sexual harassment;
- (d) identification of key staff and their roles;
- (e) the existence of the grievance procedure, the steps that must be taken to use it, the youth's right to be free of retaliation for reporting a grievance, and the name of the person or position designated to resolve the issue;
- (f) access to legal services and information on the court process;
- (g) access to routine and emergency health and mental health care;
- (h) access to education, religious services, and recreational activities;
- (i) housing assignments;
- (j) opportunity for personal hygiene and daily showers including the availability of personal care items;
- (k) rules and access to correspondence, visits and telephone use;
- (l) availability of reading materials, programming, and other activities;
- (m) facility policies on the use of force, use of restraints, chemical agents and room confinement;

- (n) immigration legal services;
- (o) emergencies including evacuation procedures;
- (p) non-discrimination policy and the right to be free from physical, verbal or sexual abuse and harassment by other youth and staff;
- (q) availability of services and programs in a language other than English if appropriate;
- (r) the process for requesting different housing, education, programming and work assignments;
- (s) a process for which parents ~~/~~ or guardians, those standing in loco parentis, or spouse of youth receive information regarding the youth's stay in the facility that at a minimum includes answers to frequently asked questions and provides contact information for the facility, medical, school and mental health; and,
- (t) a process by which youth may request access to Title 15 Minimum Standards for Juvenile Facilities.
- (u) access to the Division of the Ombudsperson of the Office of Youth and Community Restoration.

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code. Reference: Section 209 224.71 and 224.72, Welfare and Institutions Code.

§ 1361.1. Office of Youth and Community Restoration Ombudsperson.

The facility administrator shall develop and implement written policies and procedures that provide for youth access to the Division of the Ombudsperson of the Office of Youth and Community Restoration. Policies and procedures shall include provisions whereby the facility manager ensures:

- (a) Posters provided by the Division of the Ombudsperson of the Office of Youth and Community Restoration shall be placed throughout the facility including but not limited to living units, classrooms, common and visiting areas, and where telephones are accessible to youth.
- (b) Youth have access to communicate with the ombudsperson freely and confidentially.
- (c) Youth shall not be subject to retaliation for contacting the ombudsperson for any reason.

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code. Reference: Section 224.71, 224.72 and 2200, Welfare and Institutions Code.

Article 6. Programs and Activities

§ 1370. Education Program.

(a) School Programs

The County Board of Education shall provide for the administration and operation of juvenile court schools in conjunction with the Chief Probation Officer, or designee pursuant to applicable State laws. The school and facility administrators shall develop and implement written policy and procedures to ensure communication and coordination between educators and probation staff. Culturally responsive and trauma-informed approaches should be applied when providing instruction. Education staff should collaborate with the facility administrator to use technology to facilitate learning and ensure safe technology practices. The facility administrator shall request an annual review of each required element of the program by the Superintendent of Schools, and a report or review checklist on compliance, deficiencies, and corrective action needed to achieve compliance with this section. Such a review, when conducted, cannot be delegated to the principal or any other staff of any juvenile court school site. The Superintendent of Schools shall conduct this review in conjunction with a qualified outside agency or individual. Upon receipt of the review, the facility administrator or designee shall review each item with the Superintendent of Schools and shall take whatever corrective action is necessary to address each deficiency and to fully protect the educational interests of all youth in the facility.

(b) Required Elements

The facility school program shall comply with the State Education Code and County Board of Education policies, all applicable federal education statutes and regulations and provide for an annual evaluation of the educational program offerings. As stated in the 2009 California Standards for the Teaching Profession, teachers shall establish and maintain learning environments that are physically, emotionally, and intellectually safe. Youth shall be provided a rigorous, quality educational program that responds to the different learning styles and abilities of students and prepares them for high school graduation, career entry, and post-secondary education.

All youth shall be treated equally, and the education program shall be free from discriminatory action. Staff shall refer to transgender, intersex and gender-nonconforming youth by their preferred name and gender.

- (1) The course of study shall comply with the State Education Code and include, but not be limited to, courses required for high school graduation.

- (2) Information and preparation for the High School Equivalency Test as approved by the California Department of Education shall be made available to eligible youth.
 - (3) Youth shall be informed of post-secondary education and vocational opportunities.
 - (4) Administration of the High School Equivalency Tests as approved by the California Department of Education, shall be made available when possible.
 - (5) Supplemental instruction shall be afforded to youth who do not demonstrate sufficient progress towards grade level standards.
 - (6) The minimum school day shall be consistent with State Education Code Requirements for juvenile court schools. The facility administrator, in conjunction with education staff, must ensure that operational procedures do not interfere with the time afforded for the minimum instructional day. Absences, time out of class or educational instruction, both excused and unexcused, shall be documented.
 - (7) Education shall be provided to all youth regardless of classification, housing, security status, disciplinary or separation status, including room confinement, except when providing education poses an immediate threat to the safety of self or others. Education includes, but is not limited to, related services as provided in a youth's Section 504 Plan or Individualized Education Program (IEP).
- (c) School Discipline
- (1) Positive behavior management will be implemented to reduce the need for disciplinary action in the school setting and be integrated into the facility's overall behavioral management plan and security system.
 - (2) School staff shall be advised of administrative decisions made by probation staff that may affect the educational programming of students.
 - (3) Except as otherwise provided by the State Education Code, expulsion/suspension from school shall be imposed only when other means of correction fails to bring about proper conduct. School staff shall follow the appropriate due process safeguards as set forth in the State Education Code including the rights of students with special needs. School staff shall

document the other means of correction used prior to imposing expulsion/suspension if an expulsion/suspension is ultimately imposed.

- (4) The facility administrator, in conjunction with education staff will develop policies and procedures that address the rights of any student who has continuing difficulty completing a school day.

(d) Provisions for Special Populations

- (1) State and federal laws and regulations shall be observed for all individuals with disabilities or suspected disabilities. This includes but is not limited to child find, assessment, continuum of alternative placements, manifestation determination reviews, and implementation of Section 504 Plans and Individualized Education Programs.
- (2) Youth identified as English Learners (EL) shall be afforded an educational program that addresses their language needs pursuant to all applicable state and federal laws and regulations governing programs for EL students.

(e) Educational Screening and Admission

- (1) Youth shall be interviewed after admittance and a record maintained that documents a youth's educational history, including but not limited to:
 - (A) School progress/school history;
 - (B) Home Language Survey and the results of the State Test used for English language proficiency;
 - (C) Needs and services of special populations as defined by the State Education Code, including but not limited to, students with special needs.; and,
 - (D) Discipline problems.
- (2) Youth will be immediately enrolled in school. Educational staff shall conduct an assessment to determine the youth's general academic functioning levels to enable placement in core curriculum courses.
- (3) After admission to the facility, a preliminary education plan shall be developed for each youth within five school days.
- (4) Upon enrollment, education staff shall comply with the State Education Code and request the youth's records from his/her prior school(s), including,

but not limited to, transcripts, Individual Education Program (IEP), 504 Plan, state language assessment scores, immunization records, exit grades, and partial credits. Upon receipt of the transcripts, the youth's educational plan shall be reviewed with the youth and modified as needed. Youth should be informed of the credits they need to graduate.

(f) Educational Reporting

- (1) The complete facility educational record of the youth shall be forwarded to the next educational placement in accordance with the State Education Code.
- (2) The County Superintendent of Schools shall provide appropriate credit (full or partial) for course work completed while in juvenile court school in accordance with the State Education Code.

(g) Transition and Re-Entry Planning

- (1) The Superintendent of Schools and the Chief Probation Officer or designee, shall develop policies and procedures to meet the transition needs of youth, including the development of an education transition plan, in accordance with the State Education Code and in alignment with Title 15, Minimum Standards for Juvenile Facilities, Section 1355.

(h) Post-Secondary Education Opportunities

- (1) The school and facility administrator ~~should, whenever possible, collaborate with local post-secondary education providers to facilitate access to educational and vocational opportunities for youth that considers the use of technology to implement these programs~~ shall ensure access to public postsecondary academic and career technical education courses and programs offered online.

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code. Reference: Section 209, Welfare and Institutions Code.

§ 1375. Correspondence.

The facility administrator shall develop and implement written policies and procedures for correspondence which provide that:

- (a) there is no limitation on the volume of mail that youth may send or receive;
- (b) youth may send ~~two~~-seven letters per week postage free;
- (c) youth have access to writing materials;
- (~~ed~~) youth may correspond confidentially with ~~state and federal courts, any member of the State Bar or holder of public office~~attorneys and their authorized representatives, ombudspersons, including the Division of the Ombudsperson of the Office of Youth and Community Restoration, and other advocates, holders of public office, state and federal court personnel, legal service organizations, and the Board; however, authorized facility staff may open and inspect such mail only to search for contraband and in the presence of the youth; and,
- (~~de~~) incoming and outgoing mail, other than that described in (~~ed~~), may be read by staff only when there is reasonable cause to believe facility safety and security, public safety, or youth safety is jeopardized.

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code. Reference: Section 209, Welfare and Institutions Code.

§ 1376. Telephone Access.

The administrator of each juvenile facility shall develop and implement written policies and procedures to provide youth with access to telephone communications. [Policies and procedures shall ensure:](#)

- (a) [youth have the ability to make and receive confidential telephone calls with attorneys and their authorized representatives, ombudspersons, including the Division of the Ombudsperson of the Office of Youth and Community Restoration, and other advocates, holders of public office, state and federal court personnel, and legal service organizations.](#)

Note: Authority cited: Sections 210 and 885, Welfare and Institutions Code; and Assembly Bill 1397, Chapter 12, Statutes of 1996. Reference: 1995-96 Budget Act, Chapter 303, Item Number 5430-001-001, Statutes of 1995; Assembly Bill 904, Chapter 304, Statutes of 1995; and Assembly Bill 1397, Chapter 12, Statutes of 1996.