

## Article 1. General Instructions

### **§ 1302. Definitions. <sup>1</sup>**

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.

“Behavioral health” means mental ~~/~~ and emotional well-being and ~~/or~~ actions that affect wellness. Behavioral health ~~problems include:~~ may be affected by substance use disorders, alcohol and drug addiction, ~~and~~ serious psychological distress, ~~suicide,~~ and suicidal ideation, mental disorders trauma, adverse childhood experiences, and experiences of racism and other forms of oppressive discrimination.

“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.

“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.

“Commercially sexually exploited children” refers to victims of crimes of a sexual nature committed against youth that involve exploitation for financial or other gain as described in Section 300(b)(2) of the Welfare and Institutions Code. Commercially sexually exploited children may be both victims of, and incarcerated for, crimes related to their exploitation.

“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.

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<sup>1</sup> The § 1302 definitions listed in this document are only for the terms used in Article 8 and related sections to aid the Medical and Mental Health Workgroup. All definitions within § 1302 are available here: [https://govt.westlaw.com/calregs/Document/IB3BBAD315A1F11EC8227000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/calregs/Document/IB3BBAD315A1F11EC8227000D3A7C4BC3?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).

“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 **R**esponsive” means considering the diverse population of a facility with regard to race, language, ethnicity, sexual orientation, gender, gender expression, immigration status ~~and~~, values, age and maturity.

“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 cognitive and intellectual disabilityes, cerebral palsy, epilepsy, and autism, as well as disabling conditions found to be closely related to cognitive and 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.

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

“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~~[into](#) 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-affirming care" means a range of behavioral health and medical treatments designed to support and affirm an individual's gender identity when it conflicts with the gender they were assigned at birth. The treatment helps transgender people align various aspects of their lives with their gender identity.](#)

“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 [n](#)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~~is an inclusive term used to describe a person who may experience a gender that is neither exclusively male nor female or is in between or beyond both of those genders.

“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.

“Intersex” means an youth individual 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 ~~or~~, special purpose juvenile hall or secure youth treatment facility.

“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~~ limited literacy or disabilities.

“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.

“Minor” means a person under 18 years of age and includes individuals whose cases are under the jurisdiction of the juvenile court, adult ~~criminal~~-court, or both.

“Nonbinary” means an individual who experiences their gender identity and/or gender expression outside of the binary gender categories of man and woman.

“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).

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

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

“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.

“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.

“Required institutional operations” means those times when staff may need to place youth in a locked room to accomplish regular facility operations that ensure the safety and security of youth and staff. Required institutional operations include shift change, shift briefing, transition time following required activities such as school, programs, hygiene, exercise or recreation, and immediately following an incident to provide a brief behavioral intervention. Required institutional operations should be accomplished in the shortest time possible and shall last no longer than two hours.

“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~~ a brief period lasting no longer than two hours when it is 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 or may be a unit or portion of an existing juvenile facility that is configured and programmed to serve the population described.

“Separation” means limiting a youth's participation in ~~regular programming~~ any provisions of this chapter for a specific purpose in accordance with Section 1354 of these regulations.

“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 harassment” means severe or repeated conduct that is inappropriate, negative, embarrassing, fear-inducing or unwanted that is directed at a youth based on unlawful reasons. Such reasons include the youth's sex, gender, gender identity, gender expression, marital status, sexual orientation, physical appearance, pregnancy, childbirth, or a condition related to any of the forgoing characteristics.

“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.

“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.

“Transgender youth” means an youth individual 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.

“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~~a county 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 and 885, Welfare and Institutions Code. Reference: Sections 209, 224.70 and 875, Welfare and Institutions Code.