ARTICLE 8. JUVENILE DETENTION FACILITIES

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Rule 1. Introduction

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210 IAC 8-1-1 Applicability

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 1. This article applies to all newly constructed, remodeled, converted, and existing juvenile detention facilities. This article does not apply to secure facilities or other facilities licensed by the family and social services administration. *(Department of Correction; 210 IAC 8-1-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-1-2 Construction of juvenile detention facilities

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 2. (a) Prior to the construction or expansion of a juvenile detention facility, plans and specifications shall be submitted to the department for review and comment. Plans and specifications shall satisfy all physical plant standards contained this article.

(b) The department's written review shall be provided to fire and building services for plan release within ten (10) working days from the date of receipt. *(Department of Correction; 210 IAC 8-1-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-1-3 Inspection of juvenile detention facilities

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 3. The department shall conduct announced and unannounced visits and inspections of each juvenile detention facility at least annually to determine whether the facility is in compliance with this article. *(Department of Correction; 210 IAC 8-1-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-1-4 Compliance for new facilities

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 4. A new juvenile detention facility shall not begin operation until the department has determined through inspection that the facility is in compliance with all mandatory and physical plant standards. *(Department of Correction; 210 IAC 8-1-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-1-5 Compliance and noncompliance

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 5. (a) In order to achieve and maintain provisional compliance with this article, a new juvenile detention facility shall have been determined through inspection to be in compliance with the following:

(1) All mandatory standards.

(2) A minimum of seventy-five percent (75%) of the recommended standards within one (1) year of commencing operation.

(3) All physical plant standards.

(b) In order to achieve and maintain full compliance with this article, an existing juvenile detention facility shall have been determined through inspection to be in compliance with the following:

(1) All mandatory standards.

(2) A minimum of ninety percent (90%) of the recommended standards within two (2) years of commencing operation and each year thereafter.

(c) The department shall issue a written certification, either provisional or full, to all juvenile detention facilities that achieve compliance.

(d) Should a new or existing facility fail to achieve or maintain the required level of compliance with this article, a plan of action shall be submitted to the department within thirty (30) days to correct each deficiency. Approved plans of action shall remain valid for a period not to exceed one (1) year.

(e) The department shall provide ongoing monitoring of facilities under a corrective action plan.

(f) The department may petition the judge of the circuit court in the county in which the juvenile detention facility is located to restrict, alter the use of, or close the facility if:

(1) a plan of action is not approved;

(2) compliance with this article is not achieved within one (1) year; or

(3) the deficiencies are so severe as to affect life, health, or safety.

(Department of Correction; 210 IAC 8-1-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-1-6 Level of compliance

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 6. (a) The standards set forth in this article are intended to provide a safe, positive, and learning environment for youth. Inspection of the juvenile detention facilities will ensure compliance with the standards, and will also allow the facilities to identify and monitor critical areas of performance and demonstrate effectiveness in using the state standards and other national standards and performance outcomes.

(b) Full compliance with this article will result in the awarding of a rating of level 1 through level 5 to identify the quality and conditions of confinement of each juvenile detention facility. The levels are as follows:

(1) Level 1 is when a juvenile detention facility is in compliance with ninety percent (90%) of the recommended standards.

(2) Level 2 is when a juvenile detention facility is in compliance with ninety-five percent (95%) of the recommended standards.

(3) Level 3 is when a juvenile detention facility is in compliance with ninety-eight percent (98%) of the recommended standards.

(4) Level 4 is when a juvenile detention facility:

(A) is in compliance with one hundred percent (100%) of the recommended standards; or

(B) meets the following requirements:

(i) Is in compliance with ninety-eight percent (98%) of the recommended standards.

(ii) Actively participates in the conditions of confinement self-assessment process.
(iii) Successfully completes a PREA audit and maintains compliance by completing subsequent PREA audits as required by PREA.

(5) Level 5 is when a juvenile detention facility:
(A) is in compliance with one hundred percent (100%) of the recommended standards;
(B) actively participates in the conditions of confinement self-assessment process; and
(C) successfully completes a PREA audit and maintains compliance by completing subsequent PREA audits as required by PREA.

(Department of Correction; 210 IAC 8-1-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-1-7 Severability

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 7. If any rule, section, subsection, or subdivision of this article is for any reason held to be unconstitutional, contrary to statute, exceeding the authority of the department, or otherwise inoperative, such decision does not affect the validity of the remaining portion of the article. *(Department of Correction; 210 IAC 8-1-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

Rule 2. Definitions

210 IAC 8-2-1	Definitions
210 IAC 8-2-2	"Conditions of confinement" defined
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210 IAC 8-2-5	"Dispositional program" defined
210 IAC 8-2-6	"Existing facility" defined
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210 IAC 8-2-8	"Full compliance" defined
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210 IAC 8-2-14	"Juvenile" defined
210 IAC 8-2-15	"Juvenile detention facility" defined
210 IAC 8-2-16	"Mandatory standard" defined
210 IAC 8-2-17	"MAYSI-2" defined
210 IAC 8-2-18	"Mental health authority" defined
210 IAC 8-2-19	"Mental health care trained staff" defined
210 IAC 8-2-20	"Not applicable" defined
210 IAC 8-2-21	"Policy" defined
210 IAC 8-2-22	"PREA" defined
210 IAC 8-2-23	"Procedure" defined
210 IAC 8-2-24	"Provisional compliance" defined
210 IAC 8-2-25	"Qualified health care professional" defined
210 IAC 8-2-26	"Qualified mental health professional" defined
210 IAC 8-2-27	"Recommended standard" defined
210 IAC 8-2-28	"Room confinement" defined
210 IAC 8-2-29	"Secure" defined
210 IAC 8-2-30	"Standard" defined

210 IAC 8-2-1 Definitions

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 1. The definitions in this rule apply throughout this article. *(Department of Correction; 210 IAC 8-2-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-2 "Conditions of confinement" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 2. "Conditions of confinement" refers to one (1) of eight (8) strategies identified in the Juvenile Detention Alternatives Initiative (JDAI), a nationally recognized initiative focused on juvenile justice system reform. JDAI conditions of confinement protocols include a self-assessment instrument used by locally convened volunteer assessment teams to inspect and report on a detention facility's compliance with JDAI established standards. *(Department of Correction; 210 IAC 8-2-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-3 "Critical incident" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 3. "Critical incident" means any event or situation that seriously disrupts the routine operation of the facility, including the following:

(1) An escape.
(2) Serious injury to youth, staff, or a visitor.
(3) Death.
(4) Sexual misconduct.
(5) Fire.
(6) Disturbance.
(7) Natural disaster.
(8) Serious criminal act.

(Department of Correction; 210 IAC 8-2-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-4 "Department" defined

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 4. "Department" means the Indiana department of correction. *(Department of Correction; 210 IAC 8-2-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-5 "Dispositional program" defined

Authority: IC 11-8-2-5; IC 31-31-8-2; IC 31-37-19-1
Affected: IC 11-8-2; IC 31-31-8; IC 31-37-19-21

Sec. 5. "Dispositional program" means the programming juvenile detention facilities provide for juveniles confined for more than thirty (30) days by dispositional order of the juvenile court that complies with IC 31-37-19-21. *(Department of Correction; 210 IAC 8-2-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-6 "Existing facility" defined

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 6. "Existing facility" means any juvenile detention facility in use prior to January 1, 2022. *(Department of Correction; 210 IAC 8-2-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-7 "Facility administrator" defined

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 7. "Facility administrator" means the official who has the ultimate responsibility for managing and operating the facility. *(Department of Correction; 210 IAC 8-2-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-8 "Full compliance" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 8. "Full compliance" means that in order to achieve and maintain full compliance with standards adopted under this article, a juvenile detention facility shall have been determined through inspection to be in compliance with the following:

(1) All mandatory standards.

(2) A minimum of ninety percent (90%) of the recommended standards within two (2) years of commencing operation and each year thereafter.

(Department of Correction; 210 IAC 8-2-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-9 "Health care authority" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 9. (a) "Health care authority" means the physician, health care administrator, or health agency that is responsible for the health care delivery system operating within the facility.

(b) When the health care authority is an entity other than a physician, final clinical judgment must rest with a single, designated physician who is either a:

(1) medical doctor; or

(2) doctor of osteopathy.

(Department of Correction; 210 IAC 8-2-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-10 "Health care practitioner" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 10. "Health care practitioner" means an individual who:

(1) by virtue of their license is a:

(A) medical doctor;

(B) doctor of osteopathy;

(C) doctor of dental surgery;

(D) nurse practitioner;

(E) physician assistant; or

(F) clinical nursing specialist; and

(2) is able to:

(A) perform physical examinations;
(B) perform mental health examinations;
(C) evaluate health records;
(D) evaluate laboratory results; and
(E) prescribe medications.

(Department of Correction; 210 IAC 8-2-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-11 "Health trained staff" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 11. "Health trained staff" means a facility staff who has completed training with a curriculum approved by the health care authority in order to perform select health care duties. *(Department of Correction; 210 IAC 8-2-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-12 "Inspection" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 12. "Inspection" means a thorough review of information and its relationship to compliance with the standards, including:

(1) written records;
(2) interviews with youth;
(3) interviews with staff; and
(4) onsite viewing and assessment of:
(A) existing conditions;
(B) policies;
(C) procedures; and
(D) practice.

(Department of Correction; 210 IAC 8-2-12; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-13 "Isolation" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 13. "Isolation" means the locked placement of a juvenile in a room other than their assigned cell or room for a period of time that exceeds sixty (60) minutes. *(Department of Correction; 210 IAC 8-2-13; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-14 "Juvenile" defined

Authority: IC 11-8-2-5; IC 31-9-2-13
Affected: IC 11-8-2; IC 31-9-2

Sec. 14. "Juvenile" means:

(1) someone under eighteen (18) years of age who is:
(A) alleged to be delinquent;
(B) adjudicated delinquent;
(C) charged with a crime in adult criminal court; or
(D) convicted of a crime in adult criminal court; or
(2) someone eighteen (18), nineteen (19), or twenty (20) years of age who is under juvenile court jurisdiction as an

adjudicated delinquent.
(Department of Correction; 210 IAC 8-2-14; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-15 "Juvenile detention facility" defined
Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 15. "Juvenile detention facility" means any public or privately operated secure center, place, institution, or part thereof, used for the lawful custody and treatment of juveniles. *(Department of Correction; 210 IAC 8-2-15; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-16 "Mandatory standard" defined
Authority: IC 11-8-5-2
Affected: IC 11-8-5

Sec. 16. "Mandatory standard" means a standard that:
(1) has been determined to be essential to ensure the life, health, and safety of juveniles and personnel; and
(2) must be conformed with for a juvenile detention facility to achieve compliance.
(Department of Correction; 210 IAC 8-2-16; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-17 "MAYSI-2" defined
Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 17. "MAYSI-2" refers to the Massachusetts Youth Screening Instrument – Version 2, a standardized and reliable screening instrument used with youth twelve (12) through seventeen (17) years of age entering the juvenile justice system to identify potential mental health issues that may need immediate attention. *(Department of Correction; 210 IAC 8-2-17; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-18 "Mental health authority" defined
Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 18. "Mental health authority" means the designated psychiatrist or psychologist responsible for the oversight and delivery of mental health care services provided at the facility. *(Department of Correction; 210 IAC 8-2-18; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-19 "Mental health care trained staff" defined
Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 19. "Mental health care trained staff" means a facility staff that:
(1) has completed training with curriculum content approved by the mental health authority; and
(2) can recognize both findings on the intake screen and juvenile behavior that requires immediate attention and referral to a qualified mental health professional.
(Department of Correction; 210 IAC 8-2-19; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-20 "Not applicable" defined
Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 20. "Not applicable" means a standard does not apply to the juvenile detention facility being audited. *(Department of Correction; 210 IAC 8-2-20; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-21 "Policy" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 21. "Policy" means the course of action adopted and pursued by an agency that guides and determines present and future decisions and actions. Policies indicate the general course or direction of an organization within which the staff must operate. Policies are statements of guiding principles that should be followed in directing activities toward the attainment of objectives, such as compliance with standards or agency goals. *(Department of Correction; 210 IAC 8-2-21; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-22 "PREA" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 22. "PREA" refers to the Prison Rape Elimination Act and the National Standards to Prevent, Detect, and Respond to Prison Rape, established in May 2012, by the United States Department of Justice. *(Department of Correction; 210 IAC 8-2-22; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-23 "Procedure" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 23. "Procedure" means the detailed and sequential actions that must be executed to ensure that a policy is fully implemented. It is the method of performing an operation or a manner of proceeding on a course of action. *(Department of Correction; 210 IAC 8-2-23; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-2-24 "Provisional compliance" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 24. "Provisional compliance" means a new juvenile detention facility has been inspected and found to be in compliance with the following:

(1) All mandatory standards.
(2) A minimum of seventy-five percent (75%) of recommended standards within one (1) year of commencing operation.
(3) All physical plant standards.

(Department of Correction; 210 IAC 8-2-24; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-25 "Qualified health care professional" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 25. "Qualified health care professional" means a health care professional who performs duties within the scope of their license or certification as a:

(1) registered nurse;
(2) licensed practical nurse; or
(3) medical assistant.

(Department of Correction; 210 IAC 8-2-25; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-26 "Qualified mental health professional" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 26. "Qualified mental health professional" means a clinician who performs mental health services within the scope of being a licensed:

(1) psychologist;
(2) psychiatric nurse;
(3) clinical social worker;
(4) social worker;
(5) mental health counselor;
(6) marriage and family therapist; or
(7) addiction counselor.

(Department of Correction; 210 IAC 8-2-26; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-27 "Recommended standard" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 27. "Recommended standard" means a standard that:

(1) deals with issues not directly affecting the life, health, and safety of juveniles and personnel; and
(2) is not a mandatory standard adopted as part of this article.

(Department of Correction; 210 IAC 8-2-27; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-28 "Room confinement" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 28. "Room confinement" means the locked placement of a juvenile in their assigned cell or room for:

(1) purposes other than sleeping; and
(2) a period of time that exceeds sixty (60) minutes.

(Department of Correction; 210 IAC 8-2-28; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-29 "Secure" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 29. "Secure" means a facility that has construction features designed to physically restrict the movement and activities of persons in custody, including the following:

(1) Locked rooms.
(2) Locked buildings.
(3) Fences.
(4) Other physical structures.

(Department of Correction; 210 IAC 8-2-29; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-2-30 "Standard" defined

Authority: IC 11-8-2-5
Affected: IC 11-8-2

Sec. 30. "Standard" means one (1) identified expectation adopted in this article of an accepted and approved example of

something against which others are judged or measured. *(Department of Correction; 210 IAC 8-2-30; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

Rule 3. Administration and Management

210 IAC 8-3-1	Responsible agency or entity
210 IAC 8-3-2	Licensing requirements
210 IAC 8-3-3	Philosophy and purpose statement
210 IAC 8-3-4	Services for adult and juvenile offenders
210 IAC 8-3-5	Facility administrator
210 IAC 8-3-6	Community advisory board
210 IAC 8-3-7	Policies, procedures, and programs
210 IAC 8-3-8	Facility organization and mission
210 IAC 8-3-9	Position descriptions, contracts, or agreements
210 IAC 8-3-10	Monthly meetings
210 IAC 8-3-11	Two-way communication
210 IAC 8-3-12	Annual report to referring courts
210 IAC 8-3-13	Respond to request for information
210 IAC 8-3-14	Annual meetings and quarterly reports
210 IAC 8-3-15	Staff access to legal assistance
210 IAC 8-3-16	Campaigning, lobbying, and political practices
210 IAC 8-3-17	Interstate compact
210 IAC 8-3-18	Public information program
210 IAC 8-3-19	Media relations
210 IAC 8-3-20	Facility administrator and fiscal management
210 IAC 8-3-21	Areas of fiscal management
210 IAC 8-3-22	Annual budget request
210 IAC 8-3-23	Budget revisions
210 IAC 8-3-24	Monies
210 IAC 8-3-25	Facility accounting system
210 IAC 8-3-26	Independent financial audit
210 IAC 8-3-27	Inventory
210 IAC 8-3-28	Commissary or canteen
210 IAC 8-3-29	Funds established for juveniles
210 IAC 8-3-30	Financial transactions
210 IAC 8-3-31	Employee reimbursements
210 IAC 8-3-32	Personnel manual
210 IAC 8-3-33	Staff acknowledgement of policies and procedures
210 IAC 8-3-34	Staffing requirements
210 IAC 8-3-35	Equal employment opportunities
210 IAC 8-3-36	Personnel selected, retained, and promoted
210 IAC 8-3-37	Professional qualifications
210 IAC 8-3-38	On-call employees
210 IAC 8-3-39	Employee background check
210 IAC 8-3-40	New employee physical examination
210 IAC 8-3-41	Drug-free workplace
210 IAC 8-3-42	Grievance procedure
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210 IAC 8-3-44	Americans with Disabilities Act
210 IAC 8-3-45	Annual performance review
210 IAC 8-3-46	Compensation and benefit levels

210 IAC 8-3-47	Current and accurate personnel records
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210 IAC 8-3-49	Staff agreement to abide by facility policies
210 IAC 8-3-50	Employee assistance program
210 IAC 8-3-51	Development and training program
210 IAC 8-3-52	Facility training plan
210 IAC 8-3-53	Library and reference services
210 IAC 8-3-54	Space and equipment for staff development program
210 IAC 8-3-55	Orientation training
210 IAC 8-3-56	New employee training
210 IAC 8-3-57	Direct care staff
210 IAC 8-3-58	Support service staff
210 IAC 8-3-59	Clerical and limited contact staff
210 IAC 8-3-60	Part-time staff, volunteers, and contract personnel
210 IAC 8-3-61	Professional development
210 IAC 8-3-62	Juvenile case record management
210 IAC 8-3-63	Record per each juvenile
210 IAC 8-3-64	Facility case file
210 IAC 8-3-65	Updated case file
210 IAC 8-3-66	Information system
210 IAC 8-3-67	Research activities
210 IAC 8-3-68	Information gathering, exchange, and standardization
210 IAC 8-3-69	Activities that contribute to the community
210 IAC 8-3-70	Volunteer service program
210 IAC 8-3-71	Volunteers
210 IAC 8-3-72	Curtails, postpones, or terminates volunteer services
210 IAC 8-3-73	Volunteer registration and identification
210 IAC 8-3-74	Volunteer services and evaluations
210 IAC 8-3-75	Volunteer suggestions

210 IAC 8-3-1 Responsible agency or entity

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 1. Written policy, procedure, and practice provide that the public or private agency operating a juvenile detention facility is a clearly identified legal entity or part of a legal entity. *(Department of Correction; 210 IAC 8-3-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-2 Licensing requirements

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 2. Written policy, procedure, and practice provide that the program meets applicable licensing requirements of the jurisdiction in which it is located. *(Department of Correction; 210 IAC 8-3-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-3 Philosophy and purpose statement

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 3. (a) Written policy, procedure, and practice provide that a written statement describing the philosophy and purpose of the facility exists.

(b) The facility administrator, with input from staff, formulates the facility goals and measurable objectives.

(c) The philosophy, purpose statement, goals, and objectives are reviewed at least annually and updated as needed. *(Department of Correction; 210 IAC 8-3-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-4 Services for adult and juvenile offenders

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 4. Written policy, procedure, and practice provide that agencies providing services for both adult and juvenile offenders have statements of:

(1) philosophy;
(2) policy;
(3) program; and
(4) procedure;

that distinguish criminal codes and statutes that establish and guide programs for juveniles. *(Department of Correction; 210 IAC 8-3-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-5 Facility administrator

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 5. (a) Written policy, procedure, and practice provide that the facility and its programs are managed by the facility administrator.

(b) The facility administrator's qualifications, authority, and responsibilities are specified in writing by statute or in a position description of the parent agency. The facility administrator's qualifications include:

(1) either a:
    (A) bachelor's degree in an appropriate discipline; or
    (B) completion of a career development program that is equivalent to a bachelor's degree and includes work-related experience, training, and college credits;
(2) two (2) years of related administrative experience; and
(3) demonstrated administrative ability and leadership.

(Department of Correction; 210 IAC 8-3-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-6 Community advisory board

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 6. Written policy, procedure, and practice provide that there exists a community advisory board that serves as a link between the facility program and the community. The community advisory board shall:

(1) meet at least annually; and
(2) be representative of the community in which it is located.

(Department of Correction; 210 IAC 8-3-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-7 Policies, procedures, and programs

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 7. (a) Written policy, procedure, and practice provide that employees participate in the formulation of policies,

procedures, and programs, and the facility administrator implements the approved policies of the governing authority.

(b) New or revised policies and procedures are disseminated to:

(1) designated staff;

(2) volunteers; and

(3) when appropriate, juveniles and their parent or parents or guardian;

prior to implementation.

(c) Policies and procedures are accessible by all employees through manuals or an electronic format.

(d) Policies and procedures are reviewed at least annually and updated, as needed. *(Department of Correction; 210 IAC 8-3-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-8 Facility organization and mission

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 8. Written policy, procedure, and practice provide that there is a written document delineating the facility's organization and mission within the context of the local juvenile justice system. The document includes an organizational chart that groups similar functions, services, and activities in administrative subunits. The document is reviewed at least annually and updated, as needed. *(Department of Correction; 210 IAC 8-3-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-9 Position descriptions, contracts, or agreements

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 9. (a) Written policy, procedure, and practice provide that the role and functions of employees of public or private agencies who are providing a service to the facility are covered through a contract, an agreement, or a position description that specifies their relation to the authority and responsibility of the facility administrator.

(b) These policies and procedures, along with the contract, agreement, or position descriptions are reviewed at least annually and updated, as needed.

(c) Provisions exist for experience and education substitutes for position qualifications. *(Department of Correction; 210 IAC 8-3-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-10 Monthly meetings

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 10. Written policy, procedure, and practice provide that there are regular meetings, at least monthly, between the facility administrator and key staff. *(Department of Correction; 210 IAC 8-3-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-11 Two-way communication

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 11. Written policy, procedure, and practice provide that there is an established system of two-way communication between all levels of staff and juveniles. *(Department of Correction; 210 IAC 8-3-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-12 Annual report to referring courts

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 12. Written policy, procedure, and practice provide that the referring courts are advised, at least annually, through written reports, of the extent and availability of services and programs to juveniles. *(Department of Correction; 210 IAC 8-3-12; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-13 Respond to request for information

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 13. Written policy, procedure, and practice provide that designated facility staff respond promptly, in compliance with privacy statutes, to requests for information about facility operations or specific juveniles from:

(1) federal, state, and local legislators and executives; and
(2) representatives of other components of the juvenile justice system.

(Department of Correction; 210 IAC 8-3-13; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-14 Annual meetings and quarterly reports

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 14. (a) Written policy, procedure, and practice provide that:

(1) the governing authority holds meetings at least annually with the facility administrator to facilitate communication, establish policy, and ensure conformity to legal and fiscal requirements; and
(2) at least quarterly, the facility administrator submits a written report of the facility's activities to the governing authority.

(b) This report consists of major developments in each department or administrative unit and includes the following:

(1) Fiscal information.
(2) Major incidents.
(3) Population data.
(4) Assessment of staff.
(5) Juvenile morale.
(6) Major problems.
(7) Corrective action plans.

(Department of Correction; 210 IAC 8-3-14; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-15 Staff access to legal assistance

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 15. Written policy and procedures specify the circumstances and methods for the facility administrator and other staff to obtain legal assistance as needed in the performance of their duties. *(Department of Correction; 210 IAC 8-3-15; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-16 Campaigning, lobbying, and political practices

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 16. Written policy, procedure, and practice provide that campaigning, lobbying, and political practices conform to governmental statutes and regulations and are made known and available to all employees. *(Department of Correction; 210 IAC 8-3-16; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-17 Interstate compact

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 17. Written policy, procedure, and practice provide that the facility administrator cooperates with the interstate compact administrator in the placement and return of juveniles charged with juvenile offenses to the requesting state pursuant to the provisions of the Interstate Compact for Juveniles. *(Department of Correction; 210 IAC 8-3-17; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-18 Public information program

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 18. Written policy, procedure, and practice provide for a public information program that encourages interaction with the public and the media. *(Department of Correction; 210 IAC 8-3-18; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-19 Media relations

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 19. (a) Written policy, procedure, and practice provide representatives of the media access to the facility that is consistent with preserving juveniles' rights to privacy and maintaining facility order and safety.

(b) Media access procedures address emergency and nonemergency responses and include the following:

(1) Notification of the court, or placing agency, of the request.

(2) The identification of areas in the facility that media representatives will be granted access.

(3) The identification of a contact person authorized to speak with the media on behalf of the facility.

(4) The identification of data and information protected by federal and state privacy and freedom of information statutes.

(5) Special events coverage.

(6) News releases.

(7) Direction on appropriate responses for individuals within the facility not authorized to speak with the media.

(8) Media requests for an interview with a juvenile must include the following:

(A) The juvenile's consent in writing.

(B) The juvenile's parent's or guardian's consent in writing.

(C) Notification of the juvenile's counsel.

(Department of Correction; 210 IAC 8-3-19; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-20 Facility administrator and fiscal management

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 20. Written policy, procedure, and practice provide that the facility administrator is responsible for fiscal management and control. Management of fiscal operations may be delegated to a designated staff person. *(Department of Correction; 210 IAC 8-3-20; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-21 Areas of fiscal management

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 21. Written policy, procedure, and practice cover the following fiscal areas:

(1) Internal controls.

(2) Petty cash.
(3) Public employee blanket bonds.
(4) Worker's compensation.
(5) Civil liability insurance for employees.
(6) Liability insurance for official and personal vehicles.
(7) Institutional insurance coverage.
(8) Signature control on checks.
(9) Juvenile funds.
(10) The issuing or use of vouchers.
(Department of Correction; 210 IAC 8-3-21; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-22 Annual budget request
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 22. Written policy, procedure, and practice provide that the facility administrator prepares an annual budget request that complies with the instructions of the governing agency or entity. Facility staffs' participation in preparing the facility's written budget request is encouraged. The budget request includes the following:
(1) Daily operations.
(2) Capital projects.
(3) Long-range objectives and program development.
(4) Additional staff requirements.
(Department of Correction; 210 IAC 8-3-22; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-23 Budget revisions
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 23. Written policy, procedure, and practice provide that provisions exist for budget revisions. *(Department of Correction; 210 IAC 8-3-23; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-24 Monies
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 24. (a) Written policy, procedure, and practice provide that the:
(1) collection;
(2) safeguarding; and
(3) disbursement;
of monies comply with the accounting procedures established by the governing jurisdiction.
(b) All monies collected at the facility are placed in an officially designated and secure location daily.
(c) Reports of all monies collected and disbursed are regularly distributed to the parent agency and other designated authorities. *(Department of Correction; 210 IAC 8-3-24; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-25 Facility accounting system
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 25. Written policy, procedure, and practice provide that the facility's accounting system is designed to show the current status of income and expenditures. *(Department of Correction; 210 IAC 8-3-25; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-*

210220072FRA)

210 IAC 8-3-26 Independent financial audit
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 26. Written policy, procedure, and practice provide that an independent financial audit of the facility is conducted as stipulated by statute or regulation, but at least once every three (3) years. *(Department of Correction; 210 IAC 8-3-26; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-27 Inventory
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 27. (a) Written policy and procedure govern:
(1) requisition;
(2) purchase; and
(3) inventory control;
of property, supplies, and other assets.
(b) Inventories are conducted at time periods stipulated by applicable statutes, but at least every two (2) years. *(Department of Correction; 210 IAC 8-3-27; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-28 Commissary or canteen
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 28. Written policy, procedure, and practice provide that if a commissary or canteen is available where juveniles can purchase approved items that are not furnished by the facility, strict controls are maintained over its operation and regular account procedures are followed. *(Department of Correction; 210 IAC 8-3-28; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-29 Funds established for juveniles
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 29. Written policy, procedure, and practice provide that accepted accounting procedures govern the operation of any group or personal fund established for juveniles. Any interest earned on monies, other than operating funds, accrues to the benefit of the juveniles. *(Department of Correction; 210 IAC 8-3-29; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-30 Financial transactions
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 30. (a) Written policy, procedure, and practice provide that financial transactions between:
(1) juveniles;
(2) juveniles and staff; and
(3) juveniles and volunteers;
are prohibited.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-3-30; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-31 Employee reimbursements

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 31. Written policy, procedure, and practice provide that employees are reimbursed for all approved expenses incurred in the performance of their duties. *(Department of Correction; 210 IAC 8-3-31; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-32 Personnel manual

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 32. (a) Written policy, procedure, and practice provide that a personnel manual is accessible to employees in hard copy or via electronic means that covers the following:

(1) Organizational chart.
(2) Staff development.
(3) Recruitment and selection.
(4) Promotion.
(5) Job qualifications and job descriptions.
(6) Equal employment opportunity provisions.
(7) Sexual harassment.
(8) Grievance and appeal procedures.
(9) Orientation.
(10) Employee evaluation.
(11) Personnel records.
(12) Benefits.
(13) Holidays.
(14) Leave.
(15) Work hours.
(16) Probationary period.
(17) Compensation policy.
(18) Travel.
(19) Disciplinary procedures.
(20) Termination.
(21) Resignation.
(22) Employee assistance program.
(23) Code of ethics.
(24) Conflict of interest.
(25) Legal assistance.

(b) Employees are required to sign statements acknowledging access to and awareness of personnel policies and regulations. *(Department of Correction; 210 IAC 8-3-32; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-33 Staff acknowledgement of policies and procedures

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 33. (a) Written policy, procedure, and practice provide that staff acknowledge they have reviewed the following:

(1) Policies and procedures.
(2) Facility work rules and regulations.
(3) Conditions of employment.

(4) A written code of ethics.

(b) These documents are made accessible and available to all staff. *(Department of Correction; 210 IAC 8-3-33; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-34 Staffing requirements

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 34. (a) Written policy, procedure, and practice provide the staffing requirements for all categories of personnel are determined to ensure:

(1) juveniles have access to staff, programs, and services; and

(2) sufficient staff are present at the facility to provide adequate supervision of the juveniles twenty-four (24) hours per day, seven (7) days per week.

(b) Staff are required to be awake and alert at all times.

(c) At least two (2) staff shall be on duty at all times in the facility.

(d) Facilities housing juveniles of both genders shall provide same-gender supervision of youth.

(e) The facility uses a system to determine the number of staff needed for essential positions and considers the following:

(1) Holidays.

(2) Regular days off.

(3) Annual training requirements.

(4) Annual leave.

(5) Average sick leave.

(Department of Correction; 210 IAC 8-3-34; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-35 Equal employment opportunities

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 35. Written policy, procedure, and practice provide that equal employment opportunities exist for all positions. *(Department of Correction; 210 IAC 8-3-35; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-36 Personnel selected, retained, and promoted

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 36. Written policy, procedure, and practice provide that all personnel are selected, retained, and promoted, from within the facility and outside sources, based on merit and specified qualifications. *(Department of Correction; 210 IAC 8-3-36; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-37 Professional qualifications

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 37. Written policy, procedure, and practice provide that all professional specialists are qualified in their fields. *(Department of Correction; 210 IAC 8-3-37; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-38 On-call employees

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 38. Written policy, procedure, and practice provide a mechanism for temporary appointments to ensure that short term personnel, both full-time and part-time, can be available during emergencies. *(Department of Correction; 210 IAC 8-3-38; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-39 Employee background check

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 39. (a) Written policy, procedure, and practice provide that background checks are conducted on all new employees in accordance with state and federal statutes, including the following:

(1) Indiana data and communications system.
(2) Indiana bureau of motor vehicles, if duties include transportation of youth.
(3) Indiana child protective services.
(4) Indiana sex and violent offender registry.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-3-39; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-40 New employee physical examination

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 40. Written policy, procedure, and practice provide that employees who have direct contact with juveniles receive a physical examination prior to a job assignment. Employees receive reexaminations according to a defined need or schedule. *(Department of Correction; 210 IAC 8-3-40; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-41 Drug-free workplace

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 41. (a) Written policy, procedure, and practice provide that the facility is a drug-free workplace. This policy is reviewed annually and includes the following:

(1) Prohibition of the use of illegal drugs.
(2) Prohibition of possession of any illegal drug, except in the performance of official duties.
(3) Procedures to be used to ensure compliance.
(4) Opportunities available for treatment or counseling, or both, for drug abuse.
(5) Penalties for violation of the policy.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-3-41; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-42 Grievance procedure

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 42. Written policy, procedure, and practice provide that a grievance procedure is available to all employees. *(Department of Correction; 210 IAC 8-3-42; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-43 Sexual harassment and discrimination

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 43. (a) Written policy, procedure, and practice provide that sexual harassment and discrimination is prohibited.
(b) All staff are trained in:
(1) the specific process to be followed; and
(2) the designated staff to whom incidents of sexual harassment or discrimination should be reported.
(c) Training is documented and provided to:
(1) staff;
(2) contractors; and
(3) volunteers.
(Department of Correction; 210 IAC 8-3-43; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-44 Americans with Disabilities Act
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 44. Written policy, procedure, and practice specify that the Americans with Disabilities Act shall be followed. *(Department of Correction; 210 IAC 8-3-44; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-45 Annual performance review
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 45. Written policy, procedure, and practice provide that all employees are provided an annual performance review that:
(1) is based on defined criteria; and
(2) is discussed with the employee.
(Department of Correction; 210 IAC 8-3-45; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-46 Compensation and benefit levels
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 46. Written policy, procedure, and practice provide that compensation and benefit levels for all facility personnel are comparable to those for similar occupational groups in the state or region. *(Department of Correction; 210 IAC 8-3-46; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-47 Current and accurate personnel records
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 47. (a) Written policy, procedure, and practice provide that the facility maintains a current and accurate personnel record on each employee in a secure location.
(b) Information obtained regarding the medical condition or history of applicants and employees is:
(1) collected on separate forms;
(2) maintained in separate medical files; and
(3) treated as a confidential medical record.
(Department of Correction; 210 IAC 8-3-47; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-48 Employee right to challenge information in personnel file
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 48. Written policy, procedure, and practice provide that employees may challenge the information in their personnel file. Information proven to be inaccurate is removed or corrected. *(Department of Correction; 210 IAC 8-3-48; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-49 Staff agreement to abide by facility policies

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 49. Written policy, procedure, and practice provide that facility policies, particularly those relating to confidentiality and facility security, are agreed upon in writing to be abided by:

(1) employees;
(2) consultants;
(3) volunteers; and
(4) contract personnel.

(Department of Correction; 210 IAC 8-3-49; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-50 Employee assistance program

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 50. Written policy, procedure, and practice provide a process to refer employees to an employee assistance program. *(Department of Correction; 210 IAC 8-3-50; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-51 Development and training program

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 51. (a) Written policy, procedure, and practice provide that the facility's staff development and training program is planned, coordinated, and supervised by a qualified employee.

(b) A qualified employee is defined as someone who has completed a trainer's program provided by or approved by the department's correctional training institute. *(Department of Correction; 210 IAC 8-3-51; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-52 Facility training plan

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 52. (a) Written policy, procedure, and practice provide for a facility training plan that is:

(1) an annual assessment that identifies current job-related training needs; and
(2) an evaluation of existing training programs.

(b) The facility training plan is developed, evaluated, and updated by a training advisory committee composed of:

(1) the facility's training coordinator; and
(2) representatives from other facility departments.

(c) Training is provided by individuals who are qualified in the specific subject area being presented or who use curriculum approved by a subject matter expert, or both. *(Department of Correction; 210 IAC 8-3-52; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-53 Library and reference services

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 53. Written policy, procedure, and practice provide that library and reference services are available to complement the training and staff development program. *(Department of Correction; 210 IAC 8-3-53; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-54 Space and equipment for staff development program

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 54. The necessary space and equipment for the training and staff development program are available. *(Department of Correction; 210 IAC 8-3-54; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-55 Orientation training

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 55. (a) Written policy, procedure, and practice provide that all new full-time employees receive forty (40) hours of orientation training before undertaking their assignments. The orientation training includes the following:

(1) Orientation to the facility's and parent agency's:
  (A) purpose;
  (B) goals;
  (C) policies; and
  (D) procedures.
(2) Working conditions and regulations.
(3) Employees' rights and responsibilities, including sexual harassment.
(4) Overview of the juvenile justice field.

(b) Depending upon the employee or employees and the particular job requirements, orientation training may include preparatory instruction related to the particular job. Additional topics may be added at the discretion of the agency or facility. *(Department of Correction; 210 IAC 8-3-55; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-56 New employee training

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 56. Written policy, procedure, and practice provide that all new administrative and managerial staff receive forty (40) hours of new employee training appropriate to their assigned duties and responsibilities in addition to the orientation training during their first year of employment and forty (40) hours of annual in-service training each year thereafter. *(Department of Correction; 210 IAC 8-3-56; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-57 Direct care staff

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 57. (a) Written policy, procedure, and practice provide that all new direct care staff receive one hundred twenty (120) hours of new employee training in addition to the orientation training during their first year of employment and forty (40) hours of annual in-service training each year thereafter.

(b) New employee training covers the following:

(1) Emergency procedures, including the following:
  (A) Security.
  (B) Safety.
  (C) Fire.

(D) Medical.
(2) Supervision of juveniles.
(3) Suicide intervention and prevention.
(4) Report writing.
(5) Deescalation techniques and the use of force continuum.
(6) Juvenile rules and regulations.
(7) Rights and responsibilities of juveniles.
(8) Key control.
(9) Interpersonal relations.
(10) Communication skills.
(11) Sexual abuse and sexual assault.
(12) Code of ethics.
(13) First aid.
(14) Sexual harassment.
(15) Search and seizure.
(16) Rules of evidence.
(17) Social or cultural awareness, or both, of the juvenile population.
(c) Additional topics may be added at the discretion of the agency or facility. *(Department of Correction; 210 IAC 8-3-57; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-58 Support service staff
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 58. Written policy, procedure, and practice provide that all new support service staff who have regular or daily contact with juveniles receive forty (40) hours of new employee training in addition to the orientation training during their first year of employment and forty (40) hours of annual in-service training each year thereafter. *(Department of Correction; 210 IAC 8-3-58; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-59 Clerical and limited contact staff
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 59. Written policy, procedure, and practice provide that all new clerical and limited contact staff, who have minimal or no contact with juveniles, receive sixteen (16) hours of new employee training in addition to orientation training during their first year of employment and sixteen (16) hours of annual in-service training each year thereafter. *(Department of Correction; 210 IAC 8-3-59; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-60 Part-time staff, volunteers, and contract personnel
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 60. Written policy, procedure, and practice provide that formal orientation appropriate to their assignments and additional training, as needed, is received by all:
(1) part-time staff;
(2) volunteers; and
(3) contract personnel.
(Department of Correction; 210 IAC 8-3-60; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-61 Professional development

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 61. Written policy, procedure, and practice provide that employees are encouraged to continue their education, training, and professional development. *(Department of Correction; 210 IAC 8-3-61; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-62 Juvenile case record management

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 62. (a) Written policy, procedure, and practice provide that juvenile case record management includes the following:
(1) Establishment, use, and content of case records.
(2) Signed and dated entries.
(3) Maintenance, secure placement, and preservation of records to minimize the possibility of theft, loss, or unauthorized destruction of records.
(4) Schedule for retiring or destroying inactive records.
(5) Safeguards from unauthorized and improper disclosure.
(6) Security for computerized systems.
(7) A release of information consent form that complies with applicable federal and state regulation, a copy of which is maintained in the case record.
(b) Employees, consultants, and contract personnel:
(1) are informed in writing about the facility's policies on confidentiality of information; and
(2) agree in writing to abide by them.
(c) All case records associated with claims of sexual abuse are retained in accordance with an established schedule and include the following:
(1) Incident reports.
(2) Investigative reports.
(3) Juvenile information.
(4) Case disposition.
(5) Medical and counseling evaluation findings.
(6) Recommendations for post-release treatment or counseling, or both.
(Department of Correction; 210 IAC 8-3-62; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-63 Record per each juvenile

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 63. Written policy, procedure, and practice provide that the facility maintains a record on each juvenile, which is available in a master case file. The contents are identified and separated according to an established format and include the following information:
(1) Demographic information, including the following:
(A) Name.
(B) Age.
(C) Gender.
(D) Place of birth.
(E) Race.
(F) Ethnicity.
(G) Nationality.

(2) Initial intake information form.
(3) Authority to accept juvenile.
(4) Alleged delinquent act or acts and location of occurrence or occurrences.
(5) Referral source.
(6) Case history or social history.
(7) Medical consent forms.
(8) Parent or guardian information, including the following:
(A) Name.
(B) Relationship.
(C) Address.
(D) Phone number.
(E) Person or persons juvenile resides with at time of admission.
(9) Driver's license number, Social Security number, and Medicaid number, when applicable.
(10) Court and disposition.
(11) Individual plan or program.
(12) Signed release-of-information forms, when required.
(13) Progress reports on program involvement.
(14) Program rules and disciplinary policy signed by juvenile.
(15) Grievance and disciplinary record, if applicable.
(16) Referrals to other agencies.
(17) Final discharge or transfer report.
(Department of Correction; 210 IAC 8-3-63; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-64 Facility case file
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 64. Written policy, procedure, and practice provide that records in the facility case files are:
(1) clearly identified with a title or label;
(2) completed with data verified with a dated, staff signature by the recording or inputting staff; and
(3) marked confidential or maintained in a secure way that ensures confidentiality.
(Department of Correction; 210 IAC 8-3-64; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-3-65 Updated case file
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 65. Written policy, procedure, and practice provide that an updated facility case file for any juvenile transferred from one (1) facility to another is transferred simultaneously or, at the latest, within seventy-two (72) hours. *(Department of Correction; 210 IAC 8-3-65; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-66 Information system
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 66. (a) Written policy, procedure, and practice provide that the facility contributes to, has access to, and uses an organized system of information storage, retrieval, and review.
(b) The information system is part of an overall research and decision-making process relating to both juvenile and operational needs.
(c) The effectiveness of the information system as it relates to the overall facility management is evaluated in writing

annually. *(Department of Correction; 210 IAC 8-3-66; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-67 Research activities

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 67. (a) Written policy, procedure, and practice provide that the facility or parent agency supports, engages in, and uses research activities that:

(1) are consistent with statutes;
(2) are relevant to its programs, services, and operations; and
(3) ensure juvenile confidentiality.

(b) The facility administrator reviews and approves all research prior to implementation to ensure compliance with:

(1) professional and scientific ethics;
(2) agency policy; and
(3) state and federal guidelines for the use and dissemination of research finding.

(c) Juvenile participation is voluntary in research programs that are nonmedical, nonpharmaceutical, or noncosmetic.

(d) Access to records is granted for the purposes of research, evaluation, and statistical analysis in accordance with a formal written agreement that:

(1) authorizes access;
(2) specifies use of data; and
(3) ensures confidentiality.

(e) All research results are made available to the facility administrator for review and comment prior to publication or dissemination. *(Department of Correction; 210 IAC 8-3-67; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-68 Information gathering, exchange, and standardization

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 68. Written policy, procedure, and practice provide that the facility or parent agency collaborates with juvenile justice and service agencies in information gathering, exchange, and standardization. *(Department of Correction; 210 IAC 8-3-68; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-69 Activities that contribute to the community

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 69. Written policy, procedure, and practice provide that, to the extent possible, the facility actively identifies and implements activities that contribute to the community. *(Department of Correction; 210 IAC 8-3-69; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-70 Volunteer service program

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 70. Written policy and procedure specify who is responsible for operating a volunteer service program and the lines of authority, responsibility, and accountability. *(Department of Correction; 210 IAC 8-3-70; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-71 Volunteers

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 71. (a) Written policy, procedure, and practice provide that the volunteer coordinator provides involvement by volunteers from all cultural and socioeconomic parts of the community through recruiting, screening, and selecting.

(b) The volunteer program is clearly defined and well organized. *(Department of Correction; 210 IAC 8-3-71; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-72 Curtails, postpones, or terminates volunteer services

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 72. Written policy, procedure, and practice provide that the facility administrator curtails, postpones, or terminates the services of a volunteer or volunteer organization when there is a documented reason for doing so. *(Department of Correction; 210 IAC 8-3-72; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-73 Volunteer registration and identification

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 73. Written policy, procedure, and practice provide that there is an official registration and identification system for volunteers. *(Department of Correction; 210 IAC 8-3-73; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-74 Volunteer services and evaluations

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 74. Written policy, procedure, and practice provide that volunteers may perform professional services only when they are certified or licensed to do so. The volunteer's performance is evaluated annually. *(Department of Correction; 210 IAC 8-3-74; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-3-75 Volunteer suggestions

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 11-8-2; IC 31-31-8

Sec. 75. Written policy, procedure, and practice provide for volunteers to contribute suggestions regarding the establishment of policy and procedure for the volunteer service program. A written evaluation of the volunteer service programs is completed annually. *(Department of Correction; 210 IAC 8-3-75; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

Rule 4. Safety

210 IAC 8-4-1	Zoning ordinances
210 IAC 8-4-2	Fire safety codes
210 IAC 8-4-3	Preventing fire and toxic smoke
210 IAC 8-4-4	Physical plant design
210 IAC 8-4-5	Juvenile facility as self-contained unit
210 IAC 8-4-6	Needs-evaluation study
210 IAC 8-4-7	Facility location
210 IAC 8-4-8	Facility capacity
210 IAC 8-4-9	Renovations or construction after 2022 maximum beds per living unit

210 IAC 8-4-10	Renovations or construction after 2022 single occupancy sleeping rooms
210 IAC 8-4-11	Juvenile housing in facilities constructed prior to 2022
210 IAC 8-4-12	Dayrooms and common areas
210 IAC 8-4-13	Plumbing fixtures
210 IAC 8-4-14	Accommodations for juveniles with disabilities
210 IAC 8-4-15	Security rooms
210 IAC 8-4-16	Facility lighting
210 IAC 8-4-17	Heating and cooling systems
210 IAC 8-4-18	Indoor activity area
210 IAC 8-4-19	Recreational activity
210 IAC 8-4-20	Visiting rooms and areas
210 IAC 8-4-21	Private interview space
210 IAC 8-4-22	School classrooms
210 IAC 8-4-23	Food service facilities
210 IAC 8-4-24	Janitorial closet
210 IAC 8-4-25	Storage and issuance of necessities
210 IAC 8-4-26	Storage of personal property
210 IAC 8-4-27	Mechanical and electrical equipment
210 IAC 8-4-28	Sufficient space for staff
210 IAC 8-4-29	Accessible areas for staff and visitors with disabilities
210 IAC 8-4-30	Flammable, toxic, and caustic materials
210 IAC 8-4-31	Alternative power source
210 IAC 8-4-32	Communications systems
210 IAC 8-4-33	Fire and emergency evacuations
210 IAC 8-4-34	Safety and sanitary inspections
210 IAC 8-4-35	Safety, sanitation, and health codes

210 IAC 8-4-1 Zoning ordinances

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 1. Written policy, procedure, and practice provide that the facility conforms to applicable federal, state, and local building codes and zoning ordinances. *(Department of Correction; 210 IAC 8-4-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-2 Fire safety codes

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 2. (a) Written policy, procedure, and practice provide that the facility conforms to applicable federal, state, and local fire safety codes. Compliance is documented by the authority having jurisdiction.

(b) Fire safety inspections are conducted at the following intervals:

(1) An annual inspection is conducted by the authority having jurisdiction or other person or persons qualified to perform such inspections.

(2) A monthly inspection is conducted by a trained fire safety officer.

(3) A weekly inspection is conducted by a trained facility staff.

(c) The facility is equipped with a fire alarm and automatic detection system. Additional fire protection equipment located throughout the facility, as required and approved by the authority having jurisdiction, includes the following:

(1) Fire extinguishers.

(2) Exit signs.

(3) Emergency lighting.
(4) Sprinkler systems.
(5) Food service hood suppression systems.
(d) Testing and maintenance of fire protection equipment is conducted at the following intervals:
(1) A monthly check of fire extinguishers by a trained fire safety officer, and an annual inspection of fire extinguishers by an independent, qualified outside source.
(2) Either:
(A) an annual ninety (90) minute backup battery test for exit signs to ensure proper illumination in the event of a power outage; or
(B) documentation the exit signs are connected to a tested, working generator.
(3) Either:
(A) an annual ninety (90) minute backup battery test for emergency lighting to ensure proper illumination in the event of a power outage; or
(B) documentation the emergency lighting is connected to a tested, working generator.
(4) A quarterly inspection for sprinkler systems by an independent, qualified outside source.
(5) A biannual inspection for food service hood suppression systems by an independent, qualified outside source.
(e) This is a mandatory standard. *(Department of Correction; 210 IAC 8-4-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-3 Preventing fire and toxic smoke
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 3. (a) Written policy, procedure, and practice provide that the facility prevents or limits the onset and spread of fire and toxic smoke through the following methods:
(1) Furnishings and interior finish materials comply with recognized fire safety performance requirements.
(2) Trash and refuse receptacles made of noncombustible material are:
(A) provided at accessible locations throughout the facility; and
(B) emptied at least daily.
(3) All flammable items are properly:
(A) controlled;
(B) handled;
(C) stored; and
(D) disposed of.
(4) Approved self-closing metal containers are provided for flammable liquids and for rags used with flammable liquids.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-4-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-4 Physical plant design
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 4. Written policy, procedure, and practice provide that the physical plant design and staff office locations facilitate personal contact and interaction between staff and juveniles. The facility design supports juvenile housing in accordance with a classification plan. *(Department of Correction; 210 IAC 8-4-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-5 Juvenile facility as self-contained unit
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 5. Written policy, procedure, and practice provide that juvenile facilities on grounds with any other type of correction facility are separated, self-contained units. *(Department of Correction; 210 IAC 8-4-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-6 Needs-evaluation study

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 6. (a) Written policy and procedure provide that a detention facility be:
(1) replaced; or
(2) expanded for additional beds;
only after a needs-evaluation study has been completed by the parent agency or other appropriate agency.
(b) A copy of this study must accompany blueprints submitted to the department for review. *(Department of Correction; 210 IAC 8-4-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-7 Facility location

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 7. Written policy, procedure, and practice provide that the facility location:
(1) encourages the use of community-based services;
(2) encourages continued contact between juveniles and family members; and
(3) ensures a timely response by emergency responders.
(Department of Correction; 210 IAC 8-4-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-8 Facility capacity

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 8. Written policy, procedure, and practice provide that the number of juveniles does not exceed the facility's rated capacity. *(Department of Correction; 210 IAC 8-4-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-9 Renovations or construction after 2022 maximum beds per living unit

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 9. (a) Written policy, procedure, and practice provide that after 2022, any:
(1) renovation or addition to an existing facility; or
(2) new facility;
is constructed with living units of not more than sixteen (16) beds per living unit.
(b) The juvenile detention facility does not exceed a bed capacity of one hundred fifty (150). *(Department of Correction; 210 IAC 8-4-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-10 Renovations or construction after 2022 single occupancy sleeping rooms

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 10. (a) Written policy, procedure, and practice provide that after 2022 any renovation or addition to an existing facility or construction of a new facility has:
(1) living units designed for single occupancy sleeping rooms; and

(2) sleeping rooms with the following facilities and conditions:

(A) Some degree of privacy with at least thirty-five (35) unencumbered space *[sic]* feet per occupant.

(B) When confinement exceeds ten (10) hours per day, there are at least eighty (80) square feet per occupant.

(C) A bed for each juvenile.

(D) Adequate storage space for clothing and personal belongings for each juvenile.

(E) A desk and a chair or stool available for each juvenile.

(F) Access to toilets and a washbasin with hot and cold running water twenty-four (24) hours per day.

(G) Natural light.

(H) Temperatures appropriate to the summer and winter comfort zones.

(b) Hot and cold running water is thermostatically controlled with temperatures ranging from one hundred (100) degrees Fahrenheit to one hundred twenty (120) degrees Fahrenheit. *(Department of Correction; 210 IAC 8-4-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-11 Juvenile housing in facilities constructed prior to 2022

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 11. (a) Written policy, procedure, and practice provide that detention facilities constructed prior to 2022, including multiple occupancy sleeping rooms with open-bay dormitories, have the following facilities and conditions:

(1) Some degree of privacy with at least twenty-five (25) square feet of unencumbered space per occupant for multiple occupancy rooms and thirty-five (35) square feet of unencumbered space per occupant for single occupancy rooms.

(2) When confinement exceeds ten (10) hours per day, there are at least eighty (80) square feet per occupant.

(3) A bed for each juvenile.

(4) Adequate storage space for clothing and personal belongings for each juvenile.

(5) Access to toilets and a washbasin with hot and cold running water twenty-four (24) hours per day for use without staff assistance.

(6) Natural light.

(7) Temperatures appropriate to the summer and winter comfort zones.

(8) A desk and a chair or stool available for each juvenile.

(b) Hot and cold running water is thermostatically controlled with temperatures ranging from one hundred (100) degrees Fahrenheit to one hundred twenty (120) degrees Fahrenheit. *(Department of Correction; 210 IAC 8-4-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-12 Dayrooms and common areas

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 12. Written policy, procedure, and practice provide that dayrooms or common use areas are as follows:

(1) Situated adjacent to or in close proximity of juvenile sleeping areas.

(2) Provide the following:

(A) A minimum of thirty-five (35) square feet per juvenile for the maximum number of juveniles who use the dayroom at one (1) time, excluding lavatories, showers, and toilets.

(B) Furnishings and other decorations reflect a home-like, nonpenal environment to the maximum extent possible, consistent with the custody level of the juveniles assigned.

(C) Sufficient seating and writing surfaces.

(Department of Correction; 210 IAC 8-4-12; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-13 Plumbing fixtures

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 13. Written policy, procedure, and practice provide that, unless otherwise specified by national, state, or local codes, plumbing fixtures, including showers, sinks, and toilets, are provided as follows:

(1) All housing units with five (5) or more juveniles have at least two (2) toilets.

(2) At least one (1) toilet is provided for every twelve (12) male juveniles. Urinals may be substituted for up to one-half (1/2) of the toilets in male facilities.

(3) At least one (1) toilet is provided for every eight (8) female juveniles.

(4) At least one (1) sink with hot and cold running water is provided for every twelve (12) juveniles.

(5) At least one (1) shower is provided for every eight (8) juveniles. Showers provide thermostatically controlled hot and cold running water with temperatures ranging from one hundred (100) degrees Fahrenheit to one hundred twenty (120) degrees Fahrenheit.

(Department of Correction; 210 IAC 8-4-13; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-14 Accommodations for juveniles with disabilities

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 14. (a) Written policy, procedure, and practice provide that reasonable accommodations are made to ensure that juveniles with disabilities are housed in a manner that provides for their safety and security, and that appropriate facility programs and activities are accessible.

(b) Single occupancy rooms shall be available, when indicated, for the following:

(1) Juveniles with severe medical disabilities.

(2) Juveniles suffering from serious mental illness.

(3) Sexual predators.

(4) Juveniles who are likely to be exploited or victimized by others.

(5) Juveniles who have other special needs for single housing.

(c) Juveniles with disabilities are provided with the following:

(1) Rooms or housing units that provide for integration with other juveniles.

(2) Programs and services that are modified or specifically accessible, or both.

(3) Staff who are appropriately trained to assist juveniles who cannot otherwise perform basic life functions.

(4) Education, equipment, facilities, and the support necessary to perform self-care and personal hygiene in a reasonable private environment.

(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-4-14; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-15 Security rooms

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 15. (a) Written policy, procedure, and practice provide that security rooms used for isolation or room confinement are equipped with:

(1) a toilet;

(2) a sink; and

(3) security furniture;

that can be accessed by the juvenile for use without staff assistance.

(b) Security rooms used for one (1) hour or less for:

(1) intake;

(2) use as a courtroom holding cell;

(3) timeout;

(4) use as a dry cell;

(5) restraint-chair observation; or

(6) use as a padded safety room;
are not required to be equipped with a toilet, sink, and security furniture. *(Department of Correction; 210 IAC 8-4-15; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-16 Facility lighting
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 16. (a) Written policy, procedure, and practice provide that lighting in the facility is appropriate for the task being performed and at least twenty (20) foot-candles at desk level and in personal grooming areas.
(b) Natural light in sleeping rooms or common areas is available either from an opening or window that has a view to the outside or from a source within twenty (20) feet of the room.
(c) Measurements are documented by a qualified source at least every three (3) years. *(Department of Correction; 210 IAC 8-4-16; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-17 Heating and cooling systems
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 17. (a) Written policy, procedure, and practice provide that heating, ventilation, and cooling systems ensure healthful living and working conditions for juveniles and staff with temperatures appropriate to the:
(1) summer; and
(2) winter;
comfort zones.
(b) Circulation is at least fifteen (15) cubic feet of outside or recirculated filtered air per minute, per occupant, for the following:
(1) Sleeping rooms.
(2) Common areas.
(3) Staff stations.
(4) Dining areas.
(c) Measurements are documented by a qualified source at least every three (3) years. *(Department of Correction; 210 IAC 8-4-17; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-18 Indoor activity area
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 18. Written policy, procedure, and practice provide that the total indoor activity area provides space equivalent to a minimum of one hundred (100) square feet per juvenile. The indoor activity area includes the following:
(1) Gymnasium.
(2) Multipurpose room or rooms.
(3) Library.
(4) Arts and crafts room.
(5) All other leisure areas outside the living unit.
(Department of Correction; 210 IAC 8-4-18; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-19 Recreational activity
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 19. (a) Written policy, procedure, and practice provide that each facility has outdoor, indoor covered, or indoor enclosed areas with enough space to allow each juvenile to have one (1) hour of daily large muscle recreation activity.

(b) Regardless of facility size, any renovation, addition, or new construction after 2022 of outdoor or indoor, covered or enclosed, or both, recreation areas must provide at least fifteen (15) square feet of unencumbered space per juvenile for the number of juveniles who may use the space at the same time.

(c) For facilities where one hundred (100) or more juveniles utilize one (1) recreation area, any renovation, addition, or new construction after 2022 of recreation areas must meet the following criteria:

(1) Outdoor recreation space has not less than one thousand five hundred (1,500) square feet of unencumbered space.

(2) Indoor, covered or enclosed, or both, recreation space has not less than one thousand (1,000) square feet of unencumbered space and a ceiling height of at least eighteen (18) feet.

(d) For facilities where less than one hundred (100) juveniles utilize one (1) recreation area, any renovation, addition, or new construction after 2022 of recreation areas must meet the following criteria:

(1) Outdoor recreation space has not less than seven hundred fifty (750) square feet of unencumbered space.

(2) Indoor, covered or enclosed, or both, recreation space has not less than five hundred (500) square feet of unencumbered space and a ceiling height of at least eighteen (18) feet.

(Department of Correction; 210 IAC 8-4-19; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-20 Visiting rooms and areas

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 20. (a) Written policy, procedure, and practice provide that sufficient space is provided for a visiting room or areas for contact visiting.

(b) There is adequately designed space to permit screening and searching of both juveniles and visitors.

(c) Space is provided for the proper storage of visitors' personal items not allowed into the visiting area, including coats, handbags, and other personal items. *(Department of Correction; 210 IAC 8-4-20; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-21 Private interview space

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 21. Written policy, procedure, and practice provide there is private interview space available that is either equipped with a duress security system or located in the direct line of sight of staff. *(Department of Correction; 210 IAC 8-4-21; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-22 School classrooms

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 22. Written policy, procedure, and practice provide that school classrooms are designed in conformity with local or state educational requirements. *(Department of Correction; 210 IAC 8-4-22; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-23 Food service facilities

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 23. Written policy, procedure, and practice provide that food service facilities, including kitchen and dining areas, meet the following design requirements:

(1) Toilet and sink facilities are available in the vicinity of the food preparation area to:
(A) food service personnel; and
(B) juveniles.
(2) Space is provided for group dining except where security or safety considerations justify otherwise.
(3) Adequate space is provided for food preparation based on the:
(A) population size;
(B) type of food preparation; and
(C) methods of meal service.
(4) There are provisions for adequate:
(A) storage;
(B) loading areas; and
(C) garbage disposal facilities.
(Department of Correction; 210 IAC 8-4-23; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-24 Janitorial closet
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 24. Written policy, procedure, and practice provide that sufficient space is provided for janitorial closets accessible to the living and activity areas. The closets are equipped with:
(1) a sink;
(2) cleaning implements; and
(3) a system of ventilation.
(Department of Correction; 210 IAC 8-4-24; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-25 Storage and issuance of necessities
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 25. Written policy, procedure, and practice provide that there is sufficient space for the storage and issuance of the following:
(1) Clothing.
(2) Bedding.
(3) Cleaning supplies.
(4) Other items required for daily operations.
(Department of Correction; 210 IAC 8-4-25; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-26 Storage of personal property
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 26. Written policy, procedure, and practice provide that sufficient space is provided for safely and securely storing the personal property of juveniles. *(Department of Correction; 210 IAC 8-4-26; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-27 Mechanical and electrical equipment
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 27. Written policy, procedure, and practice provide that there is separate and adequate space for mechanical and

electrical equipment. *(Department of Correction; 210 IAC 8-4-27; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-28 Sufficient space for staff

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 28. (a) Written policy, procedure, and practice provide that there is sufficient space for the following staff:
(1) Administrative.
(2) Security.
(3) Professional.
(4) Clerical.
(b) This space includes the following:
(1) A conference room.
(2) A storage room for records.
(3) A public lobby.
(4) Toilet facilities.
(Department of Correction; 210 IAC 8-4-28; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-4-29 Accessible areas for staff and visitors with disabilities

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 29. Written policy, procedure, and practice provide that reasonable accommodations are made to ensure that all parts of the facility that are accessible to the public are accessible to and useable by staff and visitors with disabilities. *(Department of Correction; 210 IAC 8-4-29; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-30 Flammable, toxic, and caustic materials

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 30. (a) Written policy, procedure, and practice provide that all flammable, toxic, and caustic materials are:
(1) controlled;
(2) handled;
(3) labeled; and
(4) stored;
properly.
(b) Staff and juveniles are trained in the proper use and safe handling of toxic and caustic materials as required by federal, state, and local safety codes.
(c) The following are made available:
(1) Material safety data sheets or safety data sheets.
(2) Personal protective equipment.
(3) At least one (1) emergency spill kit.
(4) At least one (1) eyewash station.
(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-4-30; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-31 Alternative power source

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 31. (a) Written policy, procedure, and practice provide that the facility has:
(1) an alternate power source, such as a generator, to maintain essential services in an emergency; and
(2) an active, effective physical plant maintenance program that includes the following:
(A) A proactive, written preventive maintenance plan.
(B) Provisions for emergency repair in life threatening situations.
(C) A reporting or work order request and response system to document and track needed repairs.
(D) Weekly power generator tests and inspections.
(E) Annual load test.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-4-31; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-32 Communications systems
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 32. (a) Written policy, procedure, and practice provide for communications systems both:
(1) within the facility; and
(2) between the facility and community;
in the event of emergency situations or incidents that are urgent, special, or unusual.
(b) Emergency communications systems are tested at least annually. *(Department of Correction; 210 IAC 8-4-32; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-33 Fire and emergency evacuations
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 33. (a) Written policy, procedure, and practice provide that facility staff are trained in and knowledgeable about fire and emergency evacuation plans and procedures, which include the following:
(1) Provisions to ensure adequate emergency medical services and fire response for the location, size, and type of facility.
(2) Procedures for reporting and notification of designated facility staff and appropriate local emergency responder or responders during an emergency or fire.
(3) Means of immediate release of juveniles from locked areas and a backup release system.
(4) Instructions for orderly and prompt evacuation, including primary and secondary routes for each area and building.
(5) Special instructions for disabled, incapacitated, and high security juveniles.
(6) Use of exit signs and directional arrows that are easily seen and read.
(7) Evacuation drills of all occupied areas at least monthly or at intervals designated by applicable codes, whichever is more frequent.
(b) Fire and emergency evacuation plans and procedures are:
(1) available to all staff at designated locations; and
(2) approved by a person trained in the application of appropriate codes.
(c) Plans are:
(1) reviewed annually and updated, when necessary; and
(2) reissued to the local fire jurisdiction or other responding agencies.
(d) A critical incident report shall be completed for all unplanned incidents requiring emergency evacuation.
(e) This is a mandatory standard. *(Department of Correction; 210 IAC 8-4-33; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-34 Safety and sanitary inspections
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 34. (a) Written policy, procedure, and practice provide that the facility is clean, sanitary, and safe. There are weekly safety and sanitation inspections of all facility areas. Inspection reports are reviewed, and deficiencies are corrected.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-4-34; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-4-35 Safety, sanitation, and health codes

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 35. (a) Written policy, procedure, and practice complies with applicable federal, state, and local safety, sanitation, and health codes.

(b) There is an annual health or sanitation inspection, or both, of the facility by appropriate government officials, as required by federal, local, and state codes.

(c) The facility's potable water source and supply, whether owned and operated by the public water department or the institution, is approved, by an independent outside source, to be in compliance with jurisdictional laws and regulations.

(d) Waste is disposed of according to a plan approved by the appropriate regulatory agency.

(e) Vermin and pests are controlled.

(f) This is a mandatory standard. *(Department of Correction; 210 IAC 8-4-35; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

Rule 5. Security

210 IAC 8-5-1	Control center
210 IAC 8-5-2	Facility perimeter
210 IAC 8-5-3	Emergency preparedness
210 IAC 8-5-4	Post assignments
210 IAC 8-5-5	Written job description
210 IAC 8-5-6	Juvenile control
210 IAC 8-5-7	Detention staff log
210 IAC 8-5-8	Security inspections
210 IAC 8-5-9	Daily count
210 IAC 8-5-10	Juvenile movement
210 IAC 8-5-11	Transportation procedures
210 IAC 8-5-12	Control and distribution of security equipment
210 IAC 8-5-13	Electronic restraints
210 IAC 8-5-14	Mechanical restraints
210 IAC 8-5-15	Chemical agents and equipment
210 IAC 8-5-16	Four-point or five-point restraints
210 IAC 8-5-17	Physical restraint
210 IAC 8-5-18	Incident reports
210 IAC 8-5-19	Search policy
210 IAC 8-5-20	Strip search and visual inspection
210 IAC 8-5-21	Body cavity search
210 IAC 8-5-22	Chain of custody
210 IAC 8-5-23	Accountability system for keys
210 IAC 8-5-24	Control and use of tools
210 IAC 8-5-25	Facility vehicles
210 IAC 8-5-26	Service personnel
210 IAC 8-5-27	Firearms
210 IAC 8-5-28	Critical incident report procedures

210 IAC 8-5-1 Control center

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 1. (a) Written policy, procedure, and practice provide that there is sufficient space for a twenty-four (24) hour control center for monitoring and coordinating the following:

(1) Internal security systems.
(2) External security systems.
(3) Communications systems.
(4) Safety alarms and detection systems.
(5) Other mechanical and electrical systems.

(b) The control center either provides staff access to a washbasin and toilet or has existing plans for staff to access a nearby washbasin and toilet. *(Department of Correction; 210 IAC 8-5-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-2 Facility perimeter

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 2. (a) Written policy, procedure, and practice provide that the facility's perimeter is controlled by appropriate means to ensure that juveniles remain within the perimeter and to prevent access by the general public without proper authorization.

(b) Pedestrians and vehicles enter and leave at designated points within the perimeter. *(Department of Correction; 210 IAC 8-5-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-3 Emergency preparedness

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 3. (a) Written policy, procedure, and practice provide that there is a manual containing all emergency preparedness policies and procedures to ensure the facility's security and detailed instructions for implementing these procedures. Such situations include the following:

(1) Severe weather.
(2) Natural disasters.
(3) Escapes.
(4) Riots.
(5) Hunger strikes.
(6) Disturbances.
(7) The taking of hostages.

(b) The plan covers the following:

(1) The identification of key personnel and their specific responsibilities during an emergency or disaster situation.
(2) Mutual aid agreements with other agencies or departments.
(3) Transportation to predetermined evacuation sites.
(4) Notification of families.
(5) Special arrangements necessary for youth with disabilities.
(6) Immediate release of youth from locked areas in case of an emergency, with clearly delineated responsibilities for unlocking doors.

(c) All facility staff are trained in the implementation of the written emergency plans.

(d) The emergency manual is available to all staff, and staff are required to review the manual at least annually. The emergency manual is reviewed at least annually and updated, when necessary.

(e) A critical incident report shall be completed for all emergency response incidents.

(f) This is a mandatory standard. *(Department of Correction; 210 IAC 8-5-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-*

210220072FRA)

210 IAC 8-5-4 Post assignments
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 4. Written policy, procedure, and practice provide that direct supervision staff are posted in or immediately adjacent to juvenile living quarters to permit staff to have personal contact with juveniles and to observe, hear, and respond promptly. *(Department of Correction; 210 IAC 8-5-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-5 Written job description
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 5. (a) Written policy, procedure, and practice provide that there are written job descriptions for each position in the facility.

(b) There are written operational shift assignments or post orders that state the duties and responsibilities for each shift assignment and post in the facility.

(c) The shift assignments and posts are reviewed at least annually and updated, when necessary. *(Department of Correction; 210 IAC 8-5-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-6 Juvenile control
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 6. (a) Written policy, procedure, and practice provide that no juvenile or group of juveniles is given control or authority over other juveniles.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-5-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-7 Detention staff log
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 7. Written policy, procedure, and practice provide that routine information, emergency situations, and unusual incidents are recorded:

(1) in a permanent log; and

(2) on shift reports;

for each housing unit on each shift. *(Department of Correction; 210 IAC 8-5-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-8 Security inspections
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 8. (a) Written policy, procedure, and practice provide that the facility administrator, or their designee, and supervisory level staff visit areas of the facility to encourage informal contact with staff and juveniles, provide guidance to staff, and informally observe the living and working conditions.

(b) Supervisory level staff conduct a daily inspection of all areas of the facility, including areas occupied by juveniles and unoccupied areas, and submit a daily written report to their supervisor.

(c) At least weekly, the facility's living areas are visited by:
(1) the facility administrator, or their designee; and
(2) a second intermediate level or higher level supervisory staff.
(Department of Correction; 210 IAC 8-5-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-9 Daily count
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 9. (a) Written policy, procedure, and practice provide that the facility has an accountability system for physically counting juveniles and maintains a daily population report on every juvenile in the facility. The daily population report includes the following information:
(1) Number of juveniles in the facility on a given day.
(2) Names of juveniles.
(3) Identifying numbers.
(4) Housing assignments.
(5) Date and type of admission.
(6) Number of releases.
(7) Number of accumulated days of stay per juvenile.
(b) The facility's formal count is taken and recorded daily at midnight.
(c) There is at least one (1) census count or formal count taken per shift, each day. *(Department of Correction; 210 IAC 8-5-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-10 Juvenile movement
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 10. Written policy, procedure, and practice provide that staff:
(1) control and supervise all individual and group juvenile movements to and from:
(A) living units;
(B) programs;
(C) work assignments; and
(D) court; and
(2) maintain a daily report on juvenile movement.
(Department of Correction; 210 IAC 8-5-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-11 Transportation procedures
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 11. (a) Written policy, procedure, and practice provide that there are guidelines to govern the transportation of juveniles:
(1) outside the facility;
(2) from one (1) jurisdiction to another; and
(3) to court.
(b) Staff may use restraint equipment during transports to prevent injury or escape. Staff do not use belly belts, chains, or leg restraints on pregnant females. Staff do not handcuff youth together during transportation or restrain youth to the vehicle, other than with a seatbelt.
(c) The guidelines are available to all personnel involved in transporting juveniles.
(d) Staff involved in transporting juveniles are required to be aware of and review the guidelines at least annually.

(Department of Correction; 210 IAC 8-5-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-12 Control and distribution of security equipment

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 12. (a) Written policy, procedure, and practice provide a system to govern the control and distribution of all security equipment, including the following:

(1) Mechanical restraint equipment.
(2) Chemical restraint equipment and supplies.
(3) Radios.

(b) Security equipment is stored in a secure but readily accessible location outside of the juvenile housing areas.

(c) The accountability system provides for the following:

(1) Restraint equipment is stored and issued in a manner that its location can be easily determined.
(2) A log is maintained to record each restraint device, including the following:
    (A) Mechanical restraints.
    (B) Chemical restraints.
    (C) Radios.
(3) A log is maintained to record the name of the employee possessing the equipment.
(4) The restraint logs are reviewed at least quarterly by a designated individual.
(5) Restraint equipment is maintained in operable condition or is removed from the inventory.
(6) Corrective action is initiated, when necessary.

(Department of Correction; 210 IAC 8-5-12; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-13 Electronic restraints

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 13. Policy, procedure, and practice prohibit the use of all types of electronic restraints, such as tasers or electric shocking devices, within the juvenile detention facility. *(Department of Correction; 210 IAC 8-5-13; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-14 Mechanical restraints

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 14. (a) Written policy, procedure, and practice prohibit the use of mechanical restraints for punishment, discipline, or treatment.

(b) Mechanical restraints may be used when the juvenile is a danger to himself, herself, or others, or during deescalation when other techniques were attempted and not successful.

(c) Mechanical restraints may be applied only with the approval of the facility administrator, or their designee, and continued use must be reviewed by such staff every fifteen (15) minutes.

(d) Staff must remove the mechanical restraints:

(1) at the earliest possible time;
(2) when the juvenile is no longer a danger to himself, herself, or others; and
(3) not longer than two (2) hours after application of the restraints.

(Department of Correction; 210 IAC 8-5-14; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-15 Chemical agents and equipment

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 15. (a) Written policy, procedure, and practice provide that the use of chemical agents, including pepper spray, tear gas, and mace, is prohibited, except:

(1) in emergency situations; and

(2) by law enforcement or specifically trained staff.

Authorization from the facility administrator, or their designee, shall be obtained prior to the use of chemical agents by staff.

(b) The accountability system for chemical agents must include the following:

(1) There are procedures governing the following:

(A) Staff training.

(B) Chemical agent storage.

(C) Conditions required for chemical agent and equipment use.

(D) Chemical agent disposal.

(2) Personnel using chemical agents to control juveniles submit written reports to the facility administrator, or their designee, not later than the conclusion of the tour of duty.

(3) All persons contaminated in an incident involving the use of a chemical agent must receive an immediate decontamination, medical assessment, and treatment.

(4) Chemical agents and equipment related to its use are inventoried at least monthly to determine their condition and expiration dates.

(5) Chemical agents issued as duty equipment and carried during the shift must have canisters weighed when issued and when returned, as well as after each use, to account for the chemical agent.

(c) A critical incident report shall be completed following all incidents involving the use of chemical agents.

(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-5-15; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-16 Four-point or five-point restraints

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 16. (a) Written policy, procedure, and practice provide that before any type of four-point or five-point restraint is used with a juvenile, with arms, head, and legs secured to a fixed object, advance approval must be obtained from the facility administrator, or their designee.

(b) Four-point or five-point restraints must be used only as a behavioral health intervention of last resort, and only when:

(1) the intervention is necessary to ensure the physical safety of the juvenile;

(2) other less restrictive interventions have been tried and found to be ineffective; or

(3) a juvenile's resistance to less restrictive intervention is reasonably anticipated.

(c) A juvenile should never be restrained face-down, hog-tied, or in a spread-eagle manner, and no restraint should ever be placed around the juvenile's neck.

(d) Restraints may be applied only by staff trained in their use.

(e) The health care authority, or their designee, must be notified as soon as possible and within fifteen (15) minutes of restraint application to:

(1) assess the juvenile's medical and mental health condition; and

(2) advise whether the juvenile should be referred to a medical or mental health unit or facility for emergency treatment.

(f) When a juvenile is restrained in a four-point or five-point position, the following minimum procedures will be followed:

(1) Direct visual observations by staff must be continuous.

(2) Medical or health trained staff must visually monitor the juvenile's condition, at least every fifteen (15) minutes.

(3) Restraint procedures are in accordance with guidelines approved by the designated health care authority and the mental health authority.

(4) Four-point or five-point restraint of a juvenile must end at the earliest possible time. A medical therapeutic restraint order must be obtained from a qualified mental health professional for all restraints necessary beyond one (1) hour.

(g) A critical incident report shall be completed for all incidents involving a four-point or five-point restraint of a juvenile.

(h) This is a mandatory standard. *(Department of Correction; 210 IAC 8-5-16; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-17 Physical restraint

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 17. (a) Written policy, procedure, and practice provide that the use of physical force or physical restraint is not used as a means of punishment or reprisal toward a juvenile and includes the following:

(1) Staff uses the minimal degree of force necessary to maintain the custody, control, safety, and security of the facility, juvenile, or situation.

(2) The use of physical force is restricted to instances of:

(A) self-protection from imminent threat of harm;
(B) protection of others from imminent threat of harm;
(C) prevention of self-inflicted injury;
(D) protection of property; and
(E) prevention of escapes;

and then only the amount of force necessary to regain or maintain control is used and only as a last resort.

(3) Facility staff shall receive regular training in the areas of:

(A) conflict resolution;
(B) deescalation; and
(C) crisis intervention;

to ensure staff has the necessary skills to reduce the need for the use of physical force.

(4) Facility staff receive regular training on the approved use of physical force techniques to ensure appropriate application.

(5) For all use of physical force incidents, on-duty staff shall ensure that health care staff are contacted as soon as possible so that the juvenile's physical and emotional condition can be assessed and any injuries treated. If health care staff are not on-duty at the time of the use of physical force, health trained, on-duty staff shall:

(A) contact the on-call health care staff as soon as possible following the use of force; and
(B) provide the health care staff with detailed information regarding any injuries or complaints by the juvenile.

(6) Health care staff shall assess the juvenile's injuries or complaints, or both, and determine whether the juvenile needs to been seen immediately or can be seen during the next scheduled sick call. In the event that a juvenile is injured and contact cannot be made with health care staff, on-duty staff will follow established procedures to obtain necessary medical evaluation and treatment.

(7) A written report is prepared following all uses of physical force by each staff involved in the incident, prior to the end of the shift, and submitted to the facility administrator for review.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-5-17; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-18 Incident reports

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 18. (a) All significant incidents, including, but not limited to, the nonroutine use of restraint equipment and the use of physical force, are reported in writing prior to the end of the shift and signed with a dated signature by the staff person reporting the incident.

(b) A copy of the report is placed in the juvenile's case record and is reviewed by the facility administrator, or their designee, and the parent agency on the next business day. *(Department of Correction; 210 IAC 8-5-18; filed Sep 16, 2022, 3:13 p.m.:*

20221012-IR-210220072FRA)

210 IAC 8-5-19 Search policy

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 19. (a) Written policy, procedure, and practice provide for searches of:
(1) juveniles;
(2) the facility; and
(3) visitors;
in accordance with applicable law to control contraband and provide for its disposition.
(b) The facility posts search policies at the:
(1) entrance;
(2) intake or admissions area; and
(3) visiting areas.
(c) The procedures are made available to staff and juveniles. Staff are required to be knowledgeable of the procedures and review procedures at least annually. The procedures are reviewed annually and updated, when necessary. *(Department of Correction; 210 IAC 8-5-19; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-20 Strip search and visual inspection

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 20. (a) Written policy, procedure, and practice provide that strip searches and visual inspection of juvenile private body cavities be conducted on a reasonable belief that the juvenile is carrying contraband or other prohibited material.
(b) Strip searches must be conducted by trained personnel of the same gender as the person being searched.
(c) Staff shall conduct strip searches and visual body cavity searches with youth individually and in a private setting. *(Department of Correction; 210 IAC 8-5-20; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-21 Body cavity search

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 21. (a) Written policy, procedure, and practice provide that manual or instrument inspection of body cavities be conducted only when there is:
(1) a risk to the security of the facility; and
(2) a reasonable belief that the juvenile is carrying contraband or other prohibited material.
(b) The facility administrator and designated health care authority should be notified prior to a body cavity search, when possible, or as soon as possible following the search.
(c) Only a health care practitioner may conduct physical body cavity searches (i.e., searches involving physical intrusion into a body cavity for the purpose of discovering a concealed object). Any body cavity inspection is completed in private.
(d) If the health care practitioner is not of the same gender as the juvenile, a facility staff member of the same gender must be present.
(e) Staff shall notify parents or guardians if a youth is subjected to a physical cavity search. *(Department of Correction; 210 IAC 8-5-21; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-22 Chain of custody

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 22. Written policy, procedure, and practice provide that physical evidence obtained in connection with a violation of law is preserved and controlled until law enforcement is available to take control of the item or items. Minor rule violations are exempt. The written policies, procedures, and practices address the following:

(1) Chain of custody.
(2) Evidence handling.
(3) Location and storage requirements.
(4) Disposal of evidence not transferred to law enforcement.

(Department of Correction; 210 IAC 8-5-22; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-23 Accountability system for keys

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 23. (a) Written policy, procedure, and practice provide a system to govern the control and use of keys.

(b) There is an accountability system that provides for the following:

(1) Keys are issued from a central location.
(2) Keys are stored so that their presence or absence can be easily determined.
(3) Key control responsibilities may be assigned to different staff, but one (1) staff is responsible for maintaining keys and key logs.
(4) A permanent key log is maintained to record the following:
    (A) The key identifier.
    (B) The lock associated with the key identifier.
    (C) The number of keys issued with the identifier.
(5) A key log is maintained with the names of the staff possessing the key.
(6) Emergency keys are checked at least quarterly to make sure that they function properly.
(7) Fire and emergency keys shall be labeled for easy identification of what door or doors each key opens.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-5-23; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-24 Control and use of tools

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 24. (a) Written policy, procedure, and practice provide a system to govern the control and use of the following:

(1) Tools.
(2) Culinary equipment.
(3) Medical equipment.

Provisions are made for checking tools and equipment in and out based on their level of risk. Provisions are also in place to control their use at all times.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-5-24; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-5-25 Facility vehicles

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 25. (a) Written policy, procedure, and practice provide a system that governs the use and security of facility vehicles. The distribution of keys and the responsibility for certain vehicles may be assigned to different staff, but one (1) staff is responsible for the vehicle motor pool.

(b) Facility vehicles are issued only to licensed drivers and are subject to the following requirements:

(1) Safety inspections are conducted at least annually by qualified individuals.
(2) Routine maintenance is conducted according to an established schedule.
(3) Mechanical and safety defects are promptly reported and repaired.
(4) Facility staff understands the circumstances under which they may use personal vehicles for official use and the associated liability requirements.

(Department of Correction; 210 IAC 8-5-25; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-26 Service personnel

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 26. Written policy, procedure, and practice provide that service personnel, other than facility staff, perform work in the facility only under direct and continuous supervision of facility staff when working in areas permitting contact with juveniles.

(Department of Correction; 210 IAC 8-5-26; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-27 Firearms

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 27. Written policy, procedure, and practice provide that firearms are not permitted in the facility except:
(1) in emergency situations; and
(2) by law enforcement.

(Department of Correction; 210 IAC 8-5-27; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-5-28 Critical incident report procedures

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 28. (a) Written policy, procedure, and practice provide that the facility administrator defines "critical incidents" in writing, and that a documented debriefing is conducted after such incidents. The debriefing process occurs as soon as possible after the incident. Staff notifies the parents of critical incidents not later than the next business day.
(b) The debriefing report documents the debriefing process and includes the following:
(1) Obtaining feedback about the incident from the staff and the juvenile or juveniles involved in the incident and a review of staff and juveniles' actions during the incident.
(2) A review of the incident's impact on staff and juveniles.
(3) A review of corrective actions taken and still needed.
(4) A review of available video or digital recordings, or both, of the incident.
(5) Plans for improvement to avoid similar incidents.
(c) All related documents and recordings of critical incidents will be preserved for an established period of time.
(d) The department's division of youth services shall be:
(1) notified regarding all critical incidents; and
(2) provided a copy of the critical incident report and debriefing report.

(Department of Correction; 210 IAC 8-5-28; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

Rule 6. Justice and Order

210 IAC 8-6-1	Male and female sleeping rooms
210 IAC 8-6-2	Timeout
210 IAC 8-6-3	Room confinement or isolation
210 IAC 8-6-4	Reward system for positive behavior
210 IAC 8-6-5	Facility rules and disciplinary regulations

210 IAC 8-6-6	Facility handbook
210 IAC 8-6-7	Training on rules of juvenile conduct
210 IAC 8-6-8	Minor juvenile misbehavior
210 IAC 8-6-9	Violation of criminal law
210 IAC 8-6-10	Withholding food for discipline
210 IAC 8-6-11	Disciplinary report for major rule violation
210 IAC 8-6-12	Due process
210 IAC 8-6-13	Major rule violation disciplinary hearing
210 IAC 8-6-14	Disciplinary committee
210 IAC 8-6-15	Disciplinary hearing
210 IAC 8-6-16	Presenting evidence at disciplinary hearing
210 IAC 8-6-17	Request impartial staff member to advise
210 IAC 8-6-18	Disciplinary committee's decision
210 IAC 8-6-19	Disciplinary proceeding report in juvenile's file
210 IAC 8-6-20	Disciplinary process review
210 IAC 8-6-21	Right to appeal
210 IAC 8-6-22	Confidential contact
210 IAC 8-6-23	Sexual harassment or discrimination
210 IAC 8-6-24	Equal access to program
210 IAC 8-6-25	Corporal or unusual punishment
210 IAC 8-6-26	Media access
210 IAC 8-6-27	Grievance process
210 IAC 8-6-28	Correspondence for juveniles
210 IAC 8-6-29	Provision of postage
210 IAC 8-6-30	Sealed letters to specified class
210 IAC 8-6-31	Mail inspection
210 IAC 8-6-32	Monies received through mail
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210 IAC 8-6-34	Forwarding first class mail
210 IAC 8-6-35	Phone calls
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210 IAC 8-6-37	Visitation areas
210 IAC 8-6-38	Child abuse or neglect
210 IAC 8-6-39	Sexual abuse or harassment
210 IAC 8-6-40	Sexual assault investigation
210 IAC 8-6-41	Sexual conduct within the facility
210 IAC 8-6-42	Screening for sexually aggressive behavior
210 IAC 8-6-43	Follow-up meeting with mental health practitioner
210 IAC 8-6-44	Victim reporting sexual abuse

210 IAC 8-6-1 Male and female sleeping rooms

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 1. (a) Juveniles who identify as male and juveniles who identify as female do not occupy the same sleeping room.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-2 Timeout

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 2. (a) Written policy, procedure, and practice provide that juveniles are allowed to request a voluntary timeout. Timeout may be used as a sanction for a minor rule violation or as a "cooling off" period, and is of short duration as to not restrict or deny program participation.

(b) When a juvenile is in timeout, the following must occur:

(1) If placed in timeout by staff, the juvenile has the reason for placement in timeout explained and is given the opportunity to explain his or her reasons for the behavior leading to the restriction.

(2) Staff contact is made and documented at least every fifteen (15) minutes to assess the juvenile's well-being and reassess the juvenile for their return to programming.

(3) The juvenile participates in determining the end of the timeout.

(c) A timeout cannot exceed sixty (60) minutes.

(d) Placement in timeout for juveniles previously identified as a suicide risk follows the observation guidelines contained in the facility suicide prevention plan. *(Department of Correction; 210 IAC 8-6-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-3 Room confinement or isolation

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 3. (a) Written policy, procedure, and practice provide that juveniles are placed on room confinement or in isolation only:

(1) for the safety of the juvenile;

(2) for the safety of others; or

(3) to ensure the security of the facility.

(b) Room confinement is defined as the locked placement of a juvenile in his or her assigned cell or room for a period of time in excess of sixty (60) minutes. Isolation is defined as the locked placement of a juvenile in a room other than his or her assigned cell or room for a period of time in excess of sixty (60) minutes.

(c) Provisions for the use of room confinement and isolation shall include the following:

(1) The juvenile has the reason for the restriction explained to him or her and has the opportunity to explain the behavior leading to the restriction.

(2) The juvenile is advised of the disciplinary process and his or her due process rights.

(3) Juveniles are checked visually by staff at least every fifteen (15) minutes.

(4) If a juvenile is in room confinement or isolation longer than twenty-four (24) hours, at least every twenty-four (24) hours the facility administrator, or designee, who was not involved in the incident, must review and determine the need for continued placement restriction.

(5) If a juvenile is in room confinement or isolation longer than twenty-four (24) hours, the facility administrator, or their designee, in conjunction with a mental health, medical, or social services staff person, will develop a plan outlining the behaviors and expectations required for release from room confinement, including a plan for the juvenile's reintegration into the facility's programs and services.

(6) Juveniles are visited at least once each day by staff from administration and from mental health, medical, or social services to assess the juvenile's well-being and to reassess the juvenile for a less restrictive placement.

(7) A room confinement or isolation log is kept recording the following:

(A) The name and title of the individual who authorized the confinement and the reason.

(B) The name and title of persons visiting the juvenile.

(C) Time checks.

(D) The name and title of the person authorizing release of the juvenile from confinement.

(E) The time of release.

(8) Juveniles placed in room confinement or isolation are afforded living conditions, programs, and services comparable to the general population, including the following services:

(A) Education.

(B) Recreation.

(C) Mental health.

(D) Medical services.

(9) Room confinement for juveniles previously identified as a suicide risk follows the observation guidelines contained in the facility suicide prevention plan.

(10) When the juvenile's assigned sleeping room is used as the location for the room confinement, the juvenile is only allowed access to items authorized by the facility administrator, or their designee.

(d) When a juvenile is placed in confinement in excess of seventy-two (72) consecutive hours, the placing agency is notified.

(Department of Correction; 210 IAC 8-6-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-4 Reward system for positive behavior

Authority: IC 11-8-2-5; IC 31-31-8-2

Affected: IC 31-31-8-2

Sec. 4. Written policy, procedure, and practice provide for a system of rewarding the positive behavior of individual juveniles. *(Department of Correction; 210 IAC 8-6-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-5 Facility rules and disciplinary regulations

Authority: IC 11-8-2-5; IC 31-31-8-2

Affected: IC 31-31-8-2

Sec. 5. (a) Written policy, procedure, and practice provide that the facility rules and disciplinary regulations define the following:

(1) Major rule violations.

(2) Minor rule violations.

(3) Sanctions.

(b) All rules and regulations pertaining to the juveniles are conspicuously posted in the facility or included in a handbook that is accessible to the following:

(1) Juveniles.

(2) Parents or guardians.

(3) Staff.

(c) Facility rules and disciplinary regulations are reviewed at least annually and updated, when necessary.

(d) Appropriate due process procedural safeguards are in place for major rule violations, including the following:

(1) A system of progressive discipline that specifies prohibited acts and sanctions.

(2) Report of incident and charge.

(3) Notice of hearing.

(4) Time to prepare for hearing.

(5) Assistance, as needed.

(6) Timely hearing.

(7) Opportunity to present evidence.

(8) Fair, unbiased decision.

(9) Written notice of decision.

(10) Opportunity to appeal.

(Department of Correction; 210 IAC 8-6-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-6 Facility handbook

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 6. (a) Written policy, procedure, and practice provide that within twenty-four (24) hours of admission, facility staff provide juveniles access to a facility handbook and discuss the following:

(1) Rules governing juvenile conduct.
(2) Chargeable offenses.
(3) The range of penalties.
(4) Disciplinary procedures.
(5) Grievance process.
(6) Incentives for good behavior.
(7) Process to access health care services.

(b) Juveniles acknowledge awareness and understanding of the content of the handbook via signed and dated documentation.

(c) When a literacy or communication problem exists, a staff member assists the juvenile. Juveniles receive written orientation materials or a translation of the materials in their language if they do not understand English. Interpreters are available, as required, for communicating with the juvenile in a manner the juvenile can understand.

(d) The handbook is reviewed at least annually and updated, when necessary. *(Department of Correction; 210 IAC 8-6-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-7 Training on rules of juvenile conduct

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 7. All personnel who work with juveniles receive sufficient training so that they are thoroughly familiar with the following:

(1) Rules of juvenile conduct.
(2) Rationale for the rules of juvenile conduct.
(3) Available sanctions.

(Department of Correction; 210 IAC 8-6-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-8 Minor juvenile misbehavior

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 8. Written policy, procedure, and practice provide that there are written guidelines for staff to follow for informally resolving minor juvenile misbehavior. *(Department of Correction; 210 IAC 8-6-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-9 Violation of criminal law

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 9. Written policy, procedure, and practice provide that juveniles who allegedly commit acts covered by criminal law while at the facility have their cases referred to the appropriate court or law enforcement officials for consideration for prosecution. *(Department of Correction; 210 IAC 8-6-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-10 Withholding food for discipline

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 10. Written policy, procedure, and practice provide that food, including snacks, is not withheld, nor is the established menu varied, as a disciplinary sanction. *(Department of Correction; 210 IAC 8-6-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-11 Disciplinary report for major rule violation

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 11. (a) Written policy, procedure, and practice provide that staff prepare a disciplinary report when there is a reasonable belief that a juvenile has committed a major rule violation or reportable minor violation.

(b) An appropriate investigation is begun within twenty-four (24) hours of the time the violation is reported and is completed without unreasonable delay. Exceptional circumstances for delaying the investigation are documented. *(Department of Correction; 210 IAC 8-6-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-12 Due process

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 12. Written policy, procedure, and practice provide that at the conclusion of an investigation into an alleged major rule violation, or within twenty-four (24) hours of being charged with a major rule violation, a juvenile is:

(1) given a written copy of the alleged rule violation;
(2) advised of the right to request a due process or disciplinary hearing;
(3) advised of the right to request an impartial staff member or members to be present to advise them during the hearing process; and
(4) given a written copy of the due process rights afforded them by the facility.

(Department of Correction; 210 IAC 8-6-12; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-13 Major rule violation disciplinary hearing

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 13. (a) Written policy, procedure, and practice provide that juveniles charged with major rule violations are scheduled for a due process or disciplinary hearing as soon as practical and not later than seventy-two (72) hours, excluding weekends and holidays, after being charged with a violation.

(b) Juveniles are notified of the time and place of the hearing at least twenty-four (24) hours in advance of the hearing.

(c) A hearing may be held within twenty-four (24) hours with the juvenile's written consent. *(Department of Correction; 210 IAC 8-6-13; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-14 Disciplinary committee

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 14. (a) Written policy, procedure, and practice provide that an impartial person or panel of persons, referred to as the disciplinary committee, conducts disciplinary hearings on major rule violations.

(b) A record of the proceedings is made and maintained for at least six (6) months. *(Department of Correction; 210 IAC 8-6-14; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-15 Disciplinary hearing

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 15. (a) Written policy, procedure, and practice provide that a juvenile charged with major rule violation is present at the due process or disciplinary hearing unless they waive that right in writing or through their behavior.

(b) Juveniles may be excluded during the testimony of any juvenile whose testimony must be given in confidence. The reasons for the juvenile's absence or exclusion are documented. *(Department of Correction; 210 IAC 8-6-15; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-16 Presenting evidence at disciplinary hearing

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 16. Written policy, procedure, and practice provide that juveniles have an opportunity at the due process or disciplinary hearing to:

(1) make a statement;
(2) present documentary evidence; and
(3) request witnesses on their behalf.

The reasons for denying such a request are stated in writing. *(Department of Correction; 210 IAC 8-6-16; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-17 Request impartial staff member to advise

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 17. (a) Written policy, procedure, and practice provide an established process that allows juveniles to request an impartial staff member or members to:

(1) advise them prior to requesting a due process or disciplinary hearing;
(2) represent them at the hearing; and
(3) question relevant witnesses.

(b) Staff representatives must be appointed when it is apparent that juveniles are not capable of effectively collecting and presenting evidence on their own behalf. *(Department of Correction; 210 IAC 8-6-17; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-18 Disciplinary committee's decision

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 18. (a) Written policy, procedure, and practice provide that the disciplinary committee's decisions are based solely on information obtained in the hearing process, including the following:

(1) Staff reports.
(2) Investigation findings.
(3) Statements of the juvenile charged.
(4) Evidence derived from witnesses and documents.

(b) The juvenile is promptly notified in writing of the disciplinary committee's decision. *(Department of Correction; 210 IAC 8-6-18; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-19 Disciplinary proceeding report in juvenile's file

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 19. Written policy, procedure, and practice provide that a copy of the disciplinary proceedings and relevant documents are kept in the juvenile's file. If a juvenile is found not guilty of an alleged major rule violation, the disciplinary report is removed

from all of the juvenile's files or, in the event records must be kept as part of a facility data collection system, clearly marked "not guilty". *(Department of Correction; 210 IAC 8-6-19; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-20 Disciplinary process review

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 20. Written policy, procedure, and practice provide for the review of all due process or disciplinary hearings and dispositions by the facility administrator, or their designee, to assure conformity with policy and regulations within fourteen (14) days. *(Department of Correction; 210 IAC 8-6-20; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-21 Right to appeal

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 21. Written policy, procedure, and practice provide that juveniles are provided the right to appeal the disciplinary committee's decisions to the facility administrator, or their designee. Juveniles have up to ten (10) days of receipt of the decision to submit an appeal. The appeal is decided within ten (10) days of its receipt, and the juvenile is promptly notified in writing of the results. The appeal process shall consider the following:

(1) Whether there was substantial compliance with facility standards and procedures in handling the juvenile's discipline.
(2) Whether the disciplinary committee's decision was based on substantial evidence.
(3) Whether the sanction imposed was proportionate to the circumstances of the rule violation.

(Department of Correction; 210 IAC 8-6-21; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-22 Confidential contact

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 22. (a) Written policy, procedure, and practice provide that juveniles have access to confidential contact with the following:

(1) Attorneys.
(2) Authorized representatives.
(3) Courts.
(4) Legal material.

(b) Contact includes the following:

(1) Telephone communications.
(2) Uncensored correspondence.
(3) Visits.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-22; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-23 Sexual harassment or discrimination

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 23. (a) Written policy, procedure, and practice ensure juveniles are not subjected to sexual harassment or to discrimination based on the following:

(1) Race.
(2) Religion.
(3) National origin.

(4) Gender.
(5) Sexual orientation.
(6) Disability.
(7) Political views.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-23; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-24 Equal access to program
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 24. (a) There is equal access to programs and services for male and female juveniles unless identified as gender-specific in its practice.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-24; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-25 Corporal or unusual punishment
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 25. (a) Written policy, procedure, and practice provide that juveniles are not subjected to the following:
(1) Corporal or unusual punishment.
(2) Humiliation.
(3) Disease.
(4) Property damage.
(5) Mental or physical abuse or harassment.
(6) Personal injury.
(7) Punitive interference with the following daily functions of living:
(A) Eating.
(B) Sleeping.
(C) Education.
(D) Family contact, as long as security is not compromised.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-25; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-26 Media access
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 26. Written policy, procedure, and practice provide juveniles reasonable access to the general public through the communications media, subject only to the limitations necessary to maintain order and security and to protect the juveniles' rights. Media requests for interviews and juvenile parental or guardian consents must be in writing. *(Department of Correction; 210 IAC 8-6-26; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-27 Grievance process
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 27. (a) Written policy, procedure, and practice provide that a grievance process with at least one (1) level of appeal is made available to all juveniles.

(b) The grievance process is conspicuously posted in the facility or included in a handbook that is accessible to the following:

(1) Juveniles.

(2) Parents or guardians.

(3) Staff.

(c) The grievance process is evaluated at least annually to determine its efficiency and effectiveness and is updated, when necessary. *(Department of Correction; 210 IAC 8-6-27; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-28 Correspondence for juveniles

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 28. (a) Written policy, procedure, and practice provide that all regulations governing correspondence for juveniles are:

(1) specified in writing;

(2) made available to all staff and juveniles; and

(3) reviewed annually and updated as needed.

(b) Regulations governing correspondence are available to parents or guardians upon request. *(Department of Correction; 210 IAC 8-6-28; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-29 Provision of postage

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 29. Written policy, procedure, and practice provide that juveniles, who are unable to purchase or obtain postage, receive a specified postage allowance to maintain community ties. When the juvenile bears the mailing cost, there is no limit on the volume of letters that can be sent or received. *(Department of Correction; 210 IAC 8-6-29; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-30 Sealed letters to specified class

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 30. Written policy, procedure, and practice provide that in accordance with confidentiality laws and attorney-client privilege, juveniles are allowed to send sealed letters to a specified class of persons and organizations, including the following:

(1) Courts.

(2) Counsel.

(3) Officials of the confining authority.

(4) Administrators of grievance systems.

(5) Members of the releasing authority.

(Department of Correction; 210 IAC 8-6-30; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-31 Mail inspection

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 31. (a) Written policy, procedure, and practice provide that juveniles are provided the right to communicate or correspond with persons or organizations subject only to the limitations necessary to maintain facility order and security.

(b) Juveniles' mail, both incoming and outgoing, may be opened and inspected for contraband. Mail protected by the attorney-client privilege, if opened and inspected for contraband, must be done so in the presence of the juvenile. When based on legitimate facility interests of order and security, mail may be read, censored, or rejected.

(c) The juvenile is notified when incoming or outgoing letters are withheld in part or in full. *(Department of Correction; 210 IAC 8-6-31; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-32 Monies received through mail

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 32. Written policy, procedure, and practice provide that all monies received through the mail are held for the juvenile in accordance with the procedures approved by the parent agency. *(Department of Correction; 210 IAC 8-6-32; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-33 Mail and package delivery

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 33. Written policy, procedure, and practice provide that, excluding weekends and holidays, incoming and outgoing:
(1) letters are distributed to juveniles within twenty-four (24) hours; and
(2) packages are distributed to juveniles within forty-eight (48) hours.
(Department of Correction; 210 IAC 8-6-33; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-34 Forwarding first class mail

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 34. Written policy, procedure, and practice provide that there is a system for forwarding first class letters and packages after transfer or release. *(Department of Correction; 210 IAC 8-6-34; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-35 Phone calls

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 35. (a) Written policy, procedure, and practice provide that reasonably priced telephone services are accessible to juveniles. Notice is provided to juveniles that calls may be monitored by the facility or law enforcement, or both, unless protected by the attorney-client privilege. There are provisions for delivering or conveying, or both, messages.
(b) Telephones with volume control are made available to juveniles with hearing impairments. Juveniles are afforded access to a telecommunications device for the deaf or comparable equipment if they have hearing, speech, or visual disabilities, or wish to communicate with parties who have such disabilities. *(Department of Correction; 210 IAC 8-6-35; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-36 Juvenile visits

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 36. (a) Written policy, procedure, and practice provide juveniles the right to receive visits, subject only to the limitations necessary to maintain facility order and security.
(b) Visitation procedures include the following:
(1) Visitation days and hours.
(2) Items authorized for the visitation area.
(3) Authorized items visitors may bring and give to the juvenile.
(4) The requirement that visitors register upon entry into the facility.

(5) The circumstances under which visitors are searched.
(6) The circumstances under which visits are supervised.
(7) Provisions for special visits.
(Department of Correction; 210 IAC 8-6-36; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-37 Visitation areas
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 37. Written policy, procedure, and practice provide that visitation areas provide for informal communication, including the opportunity for physical contact, except in instances of documented security risks. *(Department of Correction; 210 IAC 8-6-37; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-38 Child abuse or neglect
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 38. (a) Written policy, procedure, and practice provide that all instances of child abuse or neglect are reported consistent with appropriate state law.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-38; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-39 Sexual abuse or harassment
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 39. (a) Written policy, procedure, and practice provide that information is provided to juveniles during the intake process about:
(1) the facility's zero tolerance policy regarding sexual abuse and sexual harassment; and
(2) how to report incidents or suspicions of sexual abuse or sexual harassment.
(b) Within ten (10) days of arrival, the facility shall provide education to the juveniles regarding their rights to be free from sexual abuse and sexual harassment, including the following:
(1) Prevention and intervention.
(2) Self-protection.
(3) Reporting sexual abuse and sexual harassment.
(4) Treatment and counseling.
(c) The information is communicated orally and in writing, in a language clearly understood by the juvenile, upon arrival at the facility.
(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-39; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-40 Sexual assault investigation
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 40. (a) Written policy, procedure, and practice provide that an immediate investigation is initiated and documented whenever a sexual assault is alleged, threatened, or occurs. The alleged victim shall be kept safe. Housing assignments of either the alleged offender or victim may be modified during the course of the investigation.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-40; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-41 Sexual conduct within the facility

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 41. (a) Written policy, procedure, and practice provide that sexual conduct between juveniles and:
(1) staff;
(2) volunteers; and
(3) contract personnel;
is prohibited and subject to administrative and criminal disciplinary sanctions.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-41; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-42 Screening for sexually aggressive behavior

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 42. Written policy, procedure, and practice provide that juveniles are screened within twenty-four (24) hours of arrival at the facility for potential vulnerabilities or tendencies of acting out with sexually aggressive behavior. Housing assignments are made accordingly. *(Department of Correction; 210 IAC 8-6-42; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-6-43 Follow-up meeting with mental health practitioner

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 43. Written policy, procedure, and practice provide that staff shall ensure a juvenile is offered a follow-up meeting with a mental health practitioner within fourteen (14) days of the intake screening when the screening process indicates:
(1) a juvenile has experienced prior sexual victimization, whether it occurred in an institutional setting or in the community; or
(2) a juvenile has previously perpetrated sexual abuse, whether it occurred in an institutional setting or in the community.
(Department of Correction; 210 IAC 8-6-43; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-6-44 Victim reporting sexual abuse

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 44. (a) Written policy, procedure, and practice provide that juveniles who are victims of sexual abuse have the option to report the incident to any staff member other than an immediate point of contact line staff member.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-6-44; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

Rule 7. Food Service and Hygiene

210 IAC 8-7-1	Food preparation
210 IAC 8-7-2	Food budget, purchasing, and accounting
210 IAC 8-7-3	Dietitian review of menu
210 IAC 8-7-4	Meal planning
210 IAC 8-7-5	Single menu
210 IAC 8-7-6	Therapeutic diets
210 IAC 8-7-7	Religious diets
210 IAC 8-7-8	Sanitation inspection
210 IAC 8-7-9	Daily temperature inspection

210 IAC 8-7-10	Monitoring meals
210 IAC 8-7-11	Meal times
210 IAC 8-7-12	Employee sanitation
210 IAC 8-7-13	Storage of clothing
210 IAC 8-7-14	Issuance of bedding and linens
210 IAC 8-7-15	Security garment
210 IAC 8-7-16	Clothing issuance
210 IAC 8-7-17	Personal clothing sanitation
210 IAC 8-7-18	Daily bathing
210 IAC 8-7-19	Hygiene products
210 IAC 8-7-20	Hair care services

210 IAC 8-7-1 Food preparation

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 1. (a) Written policy, procedure, and practice provide that the facility has a designated staff member, experienced and certified in food service management, to manage dietary operations when food is prepared at the facility.

(b) The designated staff member's management responsibilities are outlined in a job description, written agreement, or contract.

(c) The facility designates a person in charge, who is knowledgeable of food handling requirements, to be present during all hours of food service operation.

(d) When food is not prepared at the facility, a designated person in charge supervises the food service operations. *(Department of Correction; 210 IAC 8-7-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-2 Food budget, purchasing, and accounting

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 2. Written policy, procedure, and practice provide that the food service budget, purchasing, and accounting practices shall include the following systems:

(1) Food expenditure cost designed to determine cost per meal, per juvenile.

(2) Estimation of food service requirements.

(3) Determination of and responsiveness to juvenile eating preferences.

(Department of Correction; 210 IAC 8-7-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-7-3 Dietitian review of menu

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 3. (a) Written policy, procedure, and practice provide that a qualified dietitian or state authorized agency reviews and approves the facility's dietary menus at least annually to ensure nationally recommended, age appropriate, daily allowances for basic nutrition are met.

(b) Food service supervisory staff shall verify adherence to the established menu on a daily basis and will log menu substitutions.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-7-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-4 Meal planning

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 4. Written policy, procedure, and practice provide that food service staff plan meals based on approved menus at least one (1) week in advance, and shall substantially follow the schedule. All meal planning and preparation takes into consideration the following:

(1) Food flavor.
(2) Texture.
(3) Temperature.
(4) Appearance.
(5) Palatability.

(Department of Correction; 210 IAC 8-7-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-7-5 Single menu

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 5. Written policy, procedure, and practice provide that the food service plan provides a single menu for all juveniles and staff, except for those on a special diet. *(Department of Correction; 210 IAC 8-7-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-6 Therapeutic diets

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 6. (a) Written policy, procedure, and practice provide that special therapeutic diets are prepared and served to juveniles according to written orders by a physician or other health care practitioner.

(b) A therapeutic diet manual is available in the food service area and in the health services area for reference and information.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-7-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-7 Religious diets

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 7. (a) Written policy, procedure, and practice provide that special religious diets are prepared and served to juveniles whose beliefs require the adherence to religious dietary laws. These diets are reviewed and approved by the religious services staff member or volunteer religious services leader.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-7-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-8 Sanitation inspection

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 8. (a) Written policy, procedure, and practice provide that the food service manager, or other qualified personnel, conducts weekly sanitation inspections of all food service equipment and areas, including dining and food preparation areas.

(b) Water temperatures are checked and recorded daily. Water temperature on the final dishwasher rinse should be one

hundred eighty (180) degrees Fahrenheit or between one hundred forty (140) degrees Fahrenheit and one hundred sixty (160) degrees Fahrenheit, if a sanitizer is used on the final rinse. *(Department of Correction; 210 IAC 8-7-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-9 Daily temperature inspection

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 9. (a) Written policy, procedure, and practice provide that the food service manager or other qualified personnel conducts daily inspections of all temperature controlled storage areas and appliances, including refrigerators, freezers, and dry storage areas. Temperatures are recorded with each inspection.

(b) Stored shelf goods shall be maintained between forty-five (45) degrees Fahrenheit and eighty (80) degrees Fahrenheit.

(c) Refrigerated foods shall be maintained between thirty-five (35) degrees Fahrenheit and forty (40) degrees Fahrenheit.

(d) Frozen foods shall be maintained at zero (0) degrees Fahrenheit or below, unless national or state health codes specify otherwise. *(Department of Correction; 210 IAC 8-7-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-10 Monitoring meals

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 10. Written policy, procedure, and practice provide that staff must be present in the dining area to monitor and supervise juveniles during meals. *(Department of Correction; 210 IAC 8-7-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-11 Meal times

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 11. (a) Written policy, procedure, and practice provide that an accurate record is maintained for all meals served.

(b) At least three (3) meals, of which two (2) are hot, are provided at regular times during each twenty-four (24) hour period, with not more than fourteen (14) hours between the evening meal and breakfast.

(c) Each juvenile has the opportunity to have at least fifteen (15) minutes of dining time for each meal.

(d) Snacks and food will be available for special occasions, such as late night admissions.

(e) Group dining is available for all juveniles unless there is a documented safety and security issue. *(Department of Correction; 210 IAC 8-7-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-12 Employee sanitation

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 12. (a) Written policy, procedure, and practice provide that food service employees comply with all applicable sanitation and health codes promulgated by federal, state, and local authorities. Health protection for all juveniles and staff in the facility, including all persons working in food services, shall include the following:

(1) All persons involved in food preparation receive a preassignment health examination and periodic reexamination as required by local or state sanitation codes to ensure freedom from illnesses transmittable by food or utensils.

(2) All food handlers are instructed to wash their hands upon reporting to duty and after using the toilet facilities.

(3) The food service manager, or their designee, monitors juveniles and other persons working in food service each day for health and cleanliness.

(b) When an outside agency or individual provides the facility's food service, the facility has written verification that the outside provider complies with the state and local regulations regarding food service, including certification of a mobile retail food establishment, as set forth in 410 IAC 7-24-113.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-7-12; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-13 Storage of clothing

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 13. Written policy, procedure, and practice provide that the stored supply of clothing, linens, and bedding exceeds that required for the facility's maximum juvenile population. *(Department of Correction; 210 IAC 8-7-13; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-14 Issuance of bedding and linens

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 14. (a) Written policy, procedure, and practice provide that juveniles are issued clean bedding and linens, including the equivalent to the following:

(1) Two (2) sheets.
(2) One (1) pillow.
(3) One (1) pillowcase.
(4) One (1) mattress, not to exclude a mattress with an integrated pillow.
(5) Sufficient blankets to provide comfort under existing temperature controls.

(b) Clean linens are exchanged at least one (1) time per week, and towels are exchanged at least three (3) times per week. *(Department of Correction; 210 IAC 8-7-14; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-15 Security garment

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 15. (a) Written policy, procedure, and practice provide that when standard issued clothing presents a security or medical risk, the juvenile is supplied with a security garment that promotes the safety of the juvenile.

(b) Juveniles are not placed in security garments as punishment. *(Department of Correction; 210 IAC 8-7-15; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-16 Clothing issuance

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 16. (a) Written policy, procedure, and practice provide that juveniles are provided the opportunity to have three (3) complete sets of clean clothing per week, with provisions for clean underwear and socks daily. Clothing is the following:

(1) Properly fitted.
(2) Climatically suitable.
(3) Durable.
(4) Presentable.
(5) Not degrading.
(6) Not in disrepair.

(b) Juveniles shall wear standard issued clothing at all times unless there is a documented risk, at which time juveniles may be issued security garments.

(c) Protective clothing and equipment is issued to juveniles assigned to work in the following:

(1) Food service.

(2) The garage.
(3) The facility physical plant.
(4) Vocational education.
(5) Other special work areas.
(Department of Correction; 210 IAC 8-7-16; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-7-17 Personal clothing sanitation
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 17. Written policy, procedure, and practice provide that when juveniles are admitted, personal clothing shall be:
(1) properly cleaned and disinfected; or
(2) placed in a sealed container;
before storage or allowing the juvenile to keep and wear the clothing. *(Department of Correction; 210 IAC 8-7-17; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-18 Daily bathing
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 18. Written policy, procedure, and practice provide that juveniles are permitted to shower or bathe daily and after strenuous exercise. *(Department of Correction; 210 IAC 8-7-18; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-19 Hygiene products
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 19. (a) Written policy, procedure, and practice provide that articles necessary for maintaining proper hygiene are provided to all juveniles. Each juvenile shall be given access to or provided the following:
(1) Soap.
(2) Toilet paper.
(3) Toothbrush.
(4) Toothpaste.
(5) Comb or hairbrush, or both.
(6) Special hygiene items for females.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-7-19; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-7-20 Hair care services
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 20. (a) Written policy, procedure, and practice provide that hair care services are culturally appropriate and comply with applicable regulatory requirements available to juveniles. Equipment used to provide hair care services shall be:
(1) inventoried;
(2) sanitized; and
(3) stored securely when not in use.
(b) Shaving equipment and supplies should be made available, as needed. *(Department of Correction; 210 IAC 8-7-20; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

Rule 8. Medical

210 IAC 8-8-1	Health care authority
210 IAC 8-8-2	Quarterly meetings
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210 IAC 8-8-4	Medical decisions
210 IAC 8-8-5	Monitor health care services
210 IAC 8-8-6	Health care equipment
210 IAC 8-8-7	Medical management
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210 IAC 8-8-13	Juvenile health care transfers
210 IAC 8-8-14	Written medical summary
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210 IAC 8-8-18	Intake health screening
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210 IAC 8-8-22	Informed consent
210 IAC 8-8-23	Privacy
210 IAC 8-8-24	Notification of serious illness, injury, or death
210 IAC 8-8-25	Female health care
210 IAC 8-8-26	Medical and dental adaptive devices
210 IAC 8-8-27	Dental care
210 IAC 8-8-28	Health-related situation response time
210 IAC 8-8-29	First aid kits and AEDs
210 IAC 8-8-30	Biohazardous waste and equipment decontamination
210 IAC 8-8-31	Management of pharmaceuticals
210 IAC 8-8-32	Medical experiments prohibited
210 IAC 8-8-33	Drugs as discipline prohibited
210 IAC 8-8-34	Restraints for medical purposes
210 IAC 8-8-35	Medical isolation
210 IAC 8-8-36	Chronic care and treatment planning
210 IAC 8-8-37	Communicable disease and infectious control program
210 IAC 8-8-38	Management of HIV
210 IAC 8-8-39	Management of tuberculosis
210 IAC 8-8-40	Juvenile health records
210 IAC 8-8-41	Confidentiality of health records

210 IAC 8-8-1 Health care authority

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 1. (a) Written policy, procedure, and practice provide that the facility has a designated health care authority with responsibility for health care pursuant to a written agreement, contract, or job description.

(b) Such health care responsibilities shall include the following:

(1) Defining the scope of health care services.
(2) Developing a facility's health care policies and procedures.
(3) Developing mechanisms, including written agreements, when necessary, to ensure that the necessary scope of services is provided and properly monitored.
(c) The health care authority may be a physician, health administrator, or health agency. When the authority is other than a physician, final clinical judgment rests with a single, designated physician who is either a medical doctor, M.D., or doctor of osteopathy, D.O.
(d) The health care authority is authorized and responsible for making decisions about the deployment of health care resources and the day-to-day operations of the health care services program.
(e) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-2 Quarterly meetings
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 2. (a) Written policy, procedure, and practice provide that the health care authority meets with the facility administrator at least quarterly to discuss the following topics:
(1) Effectiveness of the facility's health care program.
(2) Environmental factors that need improvement.
(3) Changes effected since the last meeting date.
(4) If needed, recommended corrective action or actions.
(b) The health care authority, following each meeting, submits a summary report to the facility administrator.
(c) Any condition that poses a danger to staff or juvenile health and safety is reported immediately to the facility or program administrator. *(Department of Correction; 210 IAC 8-8-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-3 Health care authority positions
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 3. (a) Written policy, procedure, and practice provide that the health care authority determines the essential health care positions needed to perform the scope of health care services, including the following:
(1) Physician.
(2) Dentist.
(3) Psychiatrist.
(4) Psychologist.
(5) Nurse.
(6) Medical assistant.
(7) Nurse practitioner.
(8) Physician assistant.
(b) There is an annual review of the staffing plan by the health care authority to determine if the number and type of staff are adequate. *(Department of Correction; 210 IAC 8-8-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-4 Medical decisions
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 4. (a) Written policy, procedure, and practice provide that medical decisions are the sole province of the responsible health care practitioner and are not countermanded by non-health care personnel.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-*

210220072FRA)

210 IAC 8-8-5 Monitor health care services

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 5. (a) Written policy, procedure, and practice provide that a system is developed and implemented by the health care authority to review and monitor health care services. The necessary elements of the system shall include the following:

(1) An annual review of the health care policies and procedures.
(2) A review and evaluation of the health care data, including the following:
(A) Complaints and grievances.
(B) Offsite transports.
(C) Hospital admissions.
(D) Serious injuries to juveniles and staff.
(E) Contagious disease management.
(F) Suicide attempts or suicide.
(G) Deaths.

(b) As part of the review, a corrective action plan is developed based on the findings to address and resolve identified problems and concerns, including educational and training activities.

(c) A report of the findings of health care review is provided to the facility administrator. *(Department of Correction; 210 IAC 8-8-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-6 Health care equipment

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 6. Written policy, procedure, and practice provide that adequate equipment, supplies, and materials for health care service delivery are available and maintained as determined by the health care authority in collaboration with the facility administrator. *(Department of Correction; 210 IAC 8-8-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-7 Medical management

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 7. (a) Written policy, procedure, and practice provide that the health care authority shares with the facility administrator information concerning a juvenile's medical management within the guidelines of confidentiality. Policy determines how information is provided to staff to address the medical needs of the juvenile as it relates to the following:

(1) Housing.
(2) Program placement.
(3) Daily activity.
(4) Restrictions.

(b) Only that information necessary to preserve the health and safety of a juvenile is provided to the following:

(1) Other juveniles.
(2) Detention staff.
(3) Volunteers.
(4) Visitors.

(Department of Correction; 210 IAC 8-8-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-8-8 Health care credentials

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 8. (a) Written policy, procedure, and practice provide that health care personnel comply with applicable federal and state licensure, certification, or registration requirements.

(b) Current credentials and licensure are verified annually and are on file in the facility.

(c) Concerns about incompetence or professional misconduct are managed in accordance with state law, agency policy, and relevant professional ethical codes.

(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-9 Health care job description

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 9. (a) Written policy, procedure, and practice provide that the duties and responsibilities of qualified health care professionals and health care practitioners are governed by written job descriptions, contracts, or agreements approved by the health care authority.

(b) Current job descriptions are kept on file in the facility. *(Department of Correction; 210 IAC 8-8-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-10 Services provided pursuant to written orders

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 10. (a) Written policy, procedure, and practice provide that treatment by a qualified health care professional is performed pursuant to written standing or direct orders by a health care practitioner. Health care practitioners practice within the limits of applicable laws and regulations.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-11 Trainee who delivers health care

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 11. (a) Written policy, procedure, and practice provide that any person or trainee who delivers health care in the facility, as part of a formal training program:

(1) works under the supervision of appropriate health care staff with prior approval from the health care authority; and

(2) provides health care services commensurate with their level of training.

(b) There is a written agreement between the facility and training or educational facility that covers the following:

(1) The scope of work.

(2) Length of agreement.

(3) Legal and liability issues.

(c) The trainee agrees in writing to abide by all facility policies, including those relating to the security and confidentiality of information.

(d) Juveniles are prohibited from performing health care duties in the facility. *(Department of Correction; 210 IAC 8-8-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-12 Emergency services

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 12. (a) Written policy, procedure, and practice provide that the following twenty-four (24) hour emergency services are available to the juvenile population:

(1) Medical.
(2) Dental.
(3) Mental health.

(b) Emergency services include the following:

(1) Onsite emergency first aid and crisis intervention.
(2) Emergency transportation of the juvenile from the facility.
(3) Use of one (1) or more designated hospital emergency rooms or other appropriate health facilities.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-12; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-13 Juvenile health care transfers

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 13. (a) Written policy, procedure, and practice provide that juveniles who need health care beyond the resources available in the facility, as determined by the responsible health care practitioner, are transported under appropriate security provisions to a facility where such care is provided.

(b) A written list of referral sources, including emergency and routine care, is available and reviewed and updated at least annually.

(c) The transportation process shall address the following:

(1) Security procedures for nonemergency and emergency transport of juveniles.
(2) Medically sensitive conditions and specific precautions to be taken by a transportation officer that are addressed and documented prior to transport.
(3) Security staff should provide medical escort to the outside facility.
(4) Transfer of medical information for continuity of care.
(5) Notification of the placing agency without delaying the transfer.
(6) Notification of the parent or guardian.

(Department of Correction; 210 IAC 8-8-13; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-8-14 Written medical summary

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 14. Written policy, procedure, and practice provide that a written medical summary is required for all transfers to maintain continuity of care. When a juvenile is transferred, the following is required:

(1) The health record and medical summary shall be forwarded to the receiving facility prior to or provided at arrival.
(2) Confidentiality of the health record is maintained.
(3) Medically sensitive conditions and specific precautions to be taken by transportation officer are addressed and documented prior to transport.
(4) Written instructions regarding medication or health interventions required en route should be provided to transporting officers and be kept separate from the medical record.

(Department of Correction; 210 IAC 8-8-14; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-8-15 Information to access health care

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 15. (a) Written policy, procedure, and practice provide that upon arrival at the facility, all juveniles are informed of how to access health care services. The information is communicated orally and in writing and is conveyed in a language that is easily understood by each juvenile. When literacy, language barriers, or physical handicap prevents a juvenile from understanding oral and written information, a staff member or translator assists the juvenile.

(b) No member of the detention staff shall impede the juvenile's requests for access to health care services.

(c) There is a system for processing and resolving juvenile grievances relating to health care concerns.

(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-15; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-16 Sexual assault

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 16. (a) Written policy, procedure, and practice provide that victims of sexual assault are referred, under appropriate security provisions, to a community facility qualified for assessment and treatment of victims and gathering of evidence.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-16; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-17 Daily health care requests

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 17. (a) Written policy, procedure, and practice provide that there is a process for all juveniles to initiate daily requests for health care services. All health care requests are triaged and reviewed daily by a qualified health care professional, health care practitioner, or health trained staff.

(b) A priority system is used to schedule health care services and address health care requests for conditions that are routine, urgent, and emergent.

(c) Health care services are available to juveniles at the facility:

(1) in a clinical setting at least five (5) days a week; and

(2) provided by a qualified health care professional or health care practitioner.

(d) A health care practitioner is available at least once a week to respond to juvenile health concerns.

(e) When facilities do not have full-time qualified health care professionals, health trained staff coordinate the health care delivery services under the joint supervision of the health care authority and facility administrator. *(Department of Correction; 210 IAC 8-8-17; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-18 Intake health screening

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 18. (a) Written policy, procedure, and practice provide that an intake health screening commences upon the juvenile's arrival at the facility and is performed by a qualified health care professional or health trained staff. When health trained staff conducts the health screening, procedures shall require a subsequent review of positive findings by a qualified health care professional. The responsible health care practitioner, in cooperation with the health care authority and facility administrator, establishes written procedures and health screening protocols. All findings are recorded on a health screening form approved by the health care authority.

(b) The health screening shall include inquiry into the following:

(1) History of chronic illnesses and serious infectious or communicable diseases, including symptoms and treatment.
(2) Obstetrical and gynecological history and current pregnancy status.
(3) Use of alcohol and other drugs, including the following:
(A) Type or types of drugs used.
(B) Mode of use.
(C) Amounts used.
(D) Frequency used.
(E) Date or time of last use.
(F) History of convulsions or other problems that occurred after ceasing use.
(4) Current illness and health problems.
(5) Tuberculosis (TB) risk factors, including the following:
(A) Household contact with TB.
(B) Travel to or residence within a high risk TB area.
(C) Homelessness.
(D) Symptoms of TB.
(6) Current medications.
(7) Current dental problems.
(8) Recording of height and weight.
(9) Other health problems designated by the responsible physician.
(c) The health screening shall include observation of the following:
(1) Behavior, including the following:
(A) State of consciousness.
(B) Mental status.
(C) Appearance.
(D) Conduct.
(E) Tremor.
(F) Sweating.
(2) Body deformities.
(3) Ease of movement.
(4) Condition of the skin, including the following:
(A) Trauma markings.
(B) Bruises.
(C) Lesions.
(D) Jaundice.
(E) Rashes.
(F) Infestations.
(G) Recent tattoos.
(H) Needle marks or other indications of drug abuse.
(d) The health screening shall include one (1) of the following medical dispositions:
(1) Cleared for general population.
(2) Cleared for general population with a referral to appropriate health care service.
(3) Referral to appropriate health care service for emergency treatment with admission or return to the facility predicated on written medical clearance.
(e) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-18; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-19 Staff informed of special medical needs

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 19. Written policy, procedure, and practice provide that, at the time of admission, program staff are informed of juveniles' special medical needs or of any physical problems that might require medical attention. *(Department of Correction; 210 IAC 8-8-19; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-20 Health assessment and examination

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 20. (a) Written policy, procedure, and practice provide that all juveniles shall receive a health assessment and examination.

(b) The health assessment shall:

(1) occur within seven (7) days of the juvenile's arrival to the facility;

(2) be completed by a qualified health care professional (with minimum credentials of licensed practical nurse or registered nurse); and

(3) include, at least, the following:

(A) Review of the current medical file, including the admission screening.

(B) Review of the medical file from previous stays, including medical examinations, medical tests, and identification of problems.

(C) A recording of the following:

(i) Height.

(ii) Weight.

(iii) Pulse.

(iv) Blood pressure.

(v) Respiration.

(vi) Temperature.

(D) Request for additional information, if necessary, to complete medical, dental, mental health, and immunization histories.

(E) Consultation with a health care practitioner, as appropriate.

(c) The health examination shall:

(1) occur within fourteen (14) days of the juvenile's arrival;

(2) be completed by a health care practitioner; and

(3) include, at least, the following:

(A) Review of the medical file from the current and previous, if applicable, admissions, including screening results, appraisal data, previous medical examinations, testing, and health problems.

(B) Physical examination, including review of mental and dental status.

(C) Request for additional information, if necessary, to complete medical, dental, mental health, and immunization histories.

(D) Orders for laboratory or diagnostic tests to detect, at a minimum, the following sexually transmitted diseases:

(i) Chlamydia, for sexually active females.

(ii) Gonorrhea, for sexually active females.

(E) Other tests and examinations, as appropriate.

(F) Initiation of therapy, when appropriate.

(G) Development and implementation of treatment plan, including recommendations concerning housing and program participation.

(d) If there is documented evidence of a health examination within the previous ninety (90) days, a new health examination is not required, except as determined by the responsible health care practitioner.

(e) The health care practitioner determines the parameters for periodic reexaminations of the juvenile.

(f) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-20; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-21 Health education and wellness information

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 21. Written policy, procedure, and practice provide that all juveniles receive health education and wellness information from a curriculum approved by the health care authority. *(Department of Correction; 210 IAC 8-8-21; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-22 Informed consent

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 22. (a) Written policy, procedure, and practice provide that all informed consent standards in the jurisdiction are observed and documented.

(b) The informed consent of parent, guardian, or legal custodian is obtained where required by law.

(c) The juvenile and parent, guardian, or legal custodian are informed about health care in a language that is easily understood.

(d) When health care is rendered against the juvenile's will, it is only in accordance with federal and state laws and regulations.

(e) Staff shall document the juvenile's or parent's consent or refusal with respect to health care treatment in the juvenile's medical records. *(Department of Correction; 210 IAC 8-8-22; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-23 Privacy

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 23. Written policy, procedure, and practice provide that health care contacts, including medical and mental health interviews, examinations, and procedures, should be conducted in a setting that respects the juvenile's privacy. *(Department of Correction; 210 IAC 8-8-23; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-24 Notification of serious illness, injury, or death

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 24. (a) Written policy, procedure, and practice provide that the juvenile's parent, guardian, or legal custodian shall be promptly notified in the following cases:

(1) Serious illness.
(2) Serious bodily injury.
(3) Death of a juvenile.

(b) Procedures specify and govern the following:

(1) Notification of law enforcement.
(2) Notification of child protective services of the division of child services.
(3) Notification of the placing agency.
(4) Actions to be taken in the event of the death of a juvenile.

(c) A critical incident report shall be completed for all incidents of the following:

(1) Serious illness.
(2) Serious bodily injury.
(3) Death of a juvenile.

(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-24; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-25 Female health care

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 25. (a) Written policy, procedure, and practice provide that female juveniles receive the following services, when necessary:

(1) Obstetrical.
(2) Gynecological.
(3) Family planning.
(4) Health education.
(5) Pregnancy management.

(b) Provision of pregnancy management includes the following:

(1) Pregnancy testing.
(2) Routine and high risk prenatal care.
(3) Lactation procedures.
(4) Management of chemically addicted pregnant juveniles.
(5) Comprehensive family planning counseling, which:
    (A) is science based;
    (B) is medically accurate;
    (C) is confidential; and
    (D) incorporates all services allowed under state law.
(6) Postpartum follow-up care.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-25; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-26 Medical and dental adaptive devices

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 26. Written policy, procedure, and practice provide that medical and dental adaptive devices are permitted, when medically necessary, as determined by the responsible health care practitioner, and when security is not compromised. *(Department of Correction; 210 IAC 8-8-26; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-27 Dental care

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 27. Written policy, procedure, and practice provide that dental care is provided to each juvenile. There is a defined scope of available dental services that includes the following:

(1) A dental screening conducted upon admission by a qualified health care professional or health trained staff.
(2) Dental care education provided by a qualified health care professional or health trained staff.
(3) Proper dental care that includes the following:
    (A) Juveniles shall be allowed to brush their teeth at least twice daily.
    (B) The facility shall provide dental examinations by a physician or dentist, if needed.
    (C) The facility shall provide emergency dental care, as needed.
(4) Consultation and referral to dental specialists, including oral surgery, when necessary, along with notification of the parent or legal guardian.
(5) Development of an individualized dental treatment plan for juveniles receiving dental services.

(Department of Correction; 210 IAC 8-8-27; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-8-28 Health-related situation response time

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 28. (a) Written policy, procedure, and practice provide that designated direct care staff and all health care staff:
(1) are trained to respond; and
(2) respond;
to health-related situations within a four (4) minute response time.
(b) The training program, established by the responsible health care authority, in cooperation with the facility administrator, is conducted on an annual basis to ensure staff readiness and includes the following:
(1) Recognition of signs and symptoms and knowledge of action that is required in potential emergency situations.
(2) Recognition of signs and symptoms of the following:
(A) Mental illness.
(B) Violent behavior.
(C) Acute chemical intoxication and withdrawal.
(3) Methods of obtaining assistance.
(4) Administration of basic first aid and certification in performing cardiopulmonary resuscitation in accordance with the recommendations of the certifying health organization.
(5) Suicide intervention.
(6) Procedures for patient transfers to appropriate medical facilities or community health service providers.
(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-28; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-29 First aid kits and AEDs

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 29. (a) Written policy, procedure, and practice provide that first aid kits and automatic external defibrillators (AEDs) are available in designated areas of the facility as determined by the health care authority in conjunction with the facility administrator.
(b) The health care authority shall establish procedures for first aid kit and AED use by nonmedical staff.
(c) Monthly equipment inspections will be conducted and documented of:
(1) first aid kits; and
(2) AEDs.
(Department of Correction; 210 IAC 8-8-29; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-8-30 Biohazardous waste and equipment decontamination

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 30. Written policy, procedure, and practice provide that the management of biohazardous waste and decontamination of medical and dental equipment and instruments comply with applicable local, state, and federal regulations. *(Department of Correction; 210 IAC 8-8-30; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-31 Management of pharmaceuticals

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 31. (a) Written policy, procedure, and practice provide that management of pharmaceuticals and over-the-counter medications shall include the following:

(1) Prescription practices, including the following requirements:
(A) Medications are prescribed only when clinically indicated and with defined stop order time periods.
(B) Medications are prescribed as one (1) facet of a program of therapy.
(C) The prescribing provider reevaluates a prescription prior to its renewal.
(2) Procedures for:
(A) receiving;
(B) distributing;
(C) storing;
(D) administering; and
(E) disposing of;
medication in accordance with state and federal law.
(3) Administration of medication by qualified health care professionals or health trained staff who have undergone training approved by the health care authority.
(4) Accountability for administering medications in a timely manner and according to the health care practitioner's order.
(5) Accountability for documenting medication administration, according to procedures approved by the health care authority.
(6) Secure storage and perpetual inventory of all:
(A) controlled substances;
(B) syringes; and
(C) needles.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-31; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-32 Medical experiments prohibited
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 32. (a) Written policy, procedure, and practice prohibit the use of juveniles for medical, pharmaceutical, or cosmetic experiments.
(b) This does not preclude individual treatment of a juvenile based on his or her need for a specific medical procedure that is not generally available.
(c) Clinical research aimed at improving the care or condition of confinement is not prohibited. Institutions electing to perform such research shall be in compliance with all state and federal guidelines.
(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-32; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-33 Drugs as discipline prohibited
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 33. (a) Written policy, procedure, and practice provide that under no circumstances stimulants, tranquilizers, or psychotropic drugs are administered for purposes of discipline, security control, or experimental research.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-33; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-34 Restraints for medical purposes
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 34. (a) Written policy, procedure, and practice provide guidelines regarding the use of restraints on juveniles for

medical and mental health purposes, including the following:

(1) Conditions under which restraints may be applied.

(2) Types of restraints to be applied.

(3) Identification of one (1) or more qualified health care professionals, qualified mental health care professionals, or health care practitioners who may authorize the use of restraints after reaching the conclusion that less intrusive measures are not successful.

(4) Monitoring procedures.

(5) Length of time restraints are to be applied.

(6) Less restrictive alternatives are developed and implemented as soon as possible.

(7) After-incident review.

(b) The facility administrator, or their designee, must be notified as soon as possible after restraints are applied.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-34; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-35 Medical isolation

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 35. (a) Written policy, procedure, and practice provide that when a juvenile is placed in room confinement or isolation for medical purposes, a qualified health care professional or health trained staff shall:

(1) be informed immediately; and

(2) complete an assessment as determined by the health care authority.

(b) Unless medical attention is needed more frequently, each juvenile in room confinement or isolation receives a daily visit from a qualified health care professional or health trained staff. *(Department of Correction; 210 IAC 8-8-35; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-36 Chronic care and treatment planning

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 36. (a) Written policy, procedure, and practice provide that juveniles with chronic illnesses or conditions, such as asthma and diabetes, receive periodic care and treatment that includes the following:

(1) Medication monitoring.

(2) Laboratory testing.

(3) Specialist consultation, as needed.

(4) Health care practitioner review and examination, as indicated, following written policies, procedures, and practices developed in conjunction with the health care authority.

(b) A health care treatment plan will be developed and will include directions to health care providers and other facility personnel regarding their roles in the care and supervision of the juvenile.

(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-36; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-37 Communicable disease and infectious control program

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 37. (a) Written policy, procedure, and practice provide for a communicable disease and infectious control program for juveniles, including the management of the following:

(1) Methicillin-resistant Staphylococcus aureus.

(2) Hepatitis A, B, and C.

(3) Scabies.
(4) Varicella.
(5) Meningococcemia.
(b) The program plan includes procedures for the following:
(1) Prevention, including immunizations such as hepatitis A and B, when applicable.
(2) Surveillance, identifying and monitoring.
(3) Juvenile education and staff training.
(4) Treatment, including medical isolation, when indicated.
(5) Follow-up care, including arrangements with appropriate health care authorities for continuity of care if a juvenile is released prior to the completion of therapy.
(6) Reporting requirements to applicable local, state, and federal agencies.
(7) Confidentiality of protected health information.
(8) Appropriate safeguards for juveniles and staff, including post-exposure protocols.
(9) Evaluating and treating infected juveniles in accordance with an approved practice guideline.
(10) Evaluation of any staff suspected of a communicable disease.
(c) The health care authority and facility administrator review communicable disease and infection control activities during their quarterly meetings.
(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-37; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-38 Management of HIV
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 38. (a) Written policy, procedure, and practice provide that the management of human immunodeficiency virus (HIV) infection in juveniles is included in the communicable disease and infectious control program. The program for HIV management shall include procedures for the following:
(1) When and where juveniles are to be HIV tested.
(2) Ensuring confidentiality of protected health information.
(3) Follow-up care, including arrangements with appropriate health care authorities for continuity of care when the juvenile is released.
(4) All staff supervising juveniles receive training on and exercise universal safety precautions.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-38; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-39 Management of tuberculosis
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 39. (a) Written policy, procedure, and practice provide that the management of tuberculosis (TB) in juveniles is included in the communicable disease and infectious control program. The program for TB management shall include procedures for the following:
(1) When and where juveniles are to be screened and tested.
(2) Treatment of latent tuberculosis infection and tuberculosis disease.
(3) Medical isolation, when indicated.
(4) Follow-up care, including arrangement with applicable department of health for continuity of care if the juvenile is released prior to completion of therapy.
(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-39; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-40 Juvenile health records

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 40. (a) Written policy, procedure, and practice provide that a juvenile's health records, paper or electronic, or both, contain the following items, or documented attempts to obtain the following items, filed in a uniform manner:

(1) Patient identification on each sheet.
(2) Receiving screening form.
(3) Health appraisal data and examination forms.
(4) Record of immunizations.
(5) Diagnoses, treatments, and dispositions.
(6) Individualized treatment plan, when applicable.
(7) Progress reports.
(8) Place, date, and time of health encounters.
(9) Record of prescribed medications and their administration records, if applicable.
(10) Laboratory, x-ray, and diagnostic studies.
(11) Release of information forms.
(12) Consent and refusal forms.
(13) Health services reports, including the following:
(A) Emergency department.
(B) Dental.
(C) Mental health.
(D) Telemedicine.
(E) Other consultations.
(14) Discharge summary of hospitalization and other termination summaries, including the following:
(A) Outpatient treatments.
(B) Special services not requiring hospitalization but which have an endpoint that is documented.
(15) Legible signatures and the titles of the providers in ink, type, or stamp under the signature.

(b) The health care authority approves the:
(1) method of recording entries in the records;
(2) form and format of the records; and
(3) procedures for record maintenance and safekeeping.

(c) The health record is made available to, and is used for documentation by, all qualified health care professionals and health care practitioners. *(Department of Correction; 210 IAC 8-8-40; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-8-41 Confidentiality of health records

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 41. (a) Written policy, procedure, and practice provide that the principle of confidentiality applies to juvenile health records and information about juvenile health status.

(b) The active health record is maintained separately from the confinement case record.

(c) The health care authority, in accordance with state and federal law, controls access to the health record. Inactive health records are retained as permanent records in accordance with state and federal law.

(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-8-41; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

Rule 9. Mental Health

210 IAC 8-9-1 Mental health services
210 IAC 8-9-2 Mental health screening

210 IAC 8-9-3	MAYSI-2 caution or warning levels
210 IAC 8-9-4	Comprehensive evaluation
210 IAC 8-9-5	Written suicide prevention program
210 IAC 8-9-6	Emergency transfers
210 IAC 8-9-7	Involuntary administration of psychotropic medication
210 IAC 8-9-8	Mental health status and records
210 IAC 8-9-9	Substance abuse treatment
210 IAC 8-9-10	Substance abuse screening or assessment
210 IAC 8-9-11	Chemical dependency treatment programs

210 IAC 8-9-1 Mental health services

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 1. (a) Written policy, procedure, and practice:

(1) provide mental health services for juveniles; and

(2) assure juvenile detention facilities are not intended to be mental health treatment facilities.

(b) Mental health services include those services provided by qualified mental health care professionals who meet the educational and license and certification criteria specified by their respective professional disciplines. *(Department of Correction; 210 IAC 8-9-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-2 Mental health screening

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 2. (a) Written policy, procedure, and practice provide that juveniles receive an initial mental health screening at the time of admission to the facility by a qualified mental health professional or mental health care trained personnel. The mental health screening includes the following:

(1) Use of the MAYSI-2 or other department approved, evidence-based, mental health screening that includes suicide ideation and a risk level system.

(2) Inquiry into the following:

(A) History of self-injurious and suicidal behavior.

(B) History of inpatient and outpatient psychiatric treatment.

(C) History of alcohol and other drug use.

(D) History of treatment for alcohol and other drug use.

(E) Current suicidal ideation.

(F) Current mental health complaint.

(G) Current treatment for mental health problems.

(H) Current prescribed psychotropic medication.

(3) Observations of the following:

(A) General appearance and behavior.

(B) Evidence of abuse or trauma.

(C) Current symptoms of the following:

(i) Psychosis.

(ii) Depression.

(iii) Anxiety.

(iv) Aggression.

(4) Disposition of juvenile of one (1) of the following:

(A) Cleared for general population.

(B) Cleared for general population with appropriate referral to mental health care service.

(C) Referral to appropriate mental health care service for emergency intervention.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-9-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-3 MAYSI-2 caution or warning levels

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 3. (a) Written policy, procedure, and practice provide that when a juvenile scores either a "moderate probability/caution" level or "high probability/warning" level, on either the MAYSI-2 or other department approved, evidence-based, mental health screening that includes suicide ideation and a risk level system, the detention facility will immediately take any emergency action necessary to protect the life of the juvenile, including the completion of a mental health assessment.

(b) Juveniles scoring a "moderate probability/caution" level or "high probability/warning" level on the suicide screening will be provided a clinical follow-up assessment unless the results of a secondary screening indicate:

(1) this follow-up assessment is not warranted; and

(2) evidence for not referring the juvenile for a clinical follow-up assessment is:

(A) clearly documented; and

(B) reviewed by the facility administrator or their designee.

(c) If there is documented evidence that a mental health assessment has been completed within the previous ninety (90) days, a new mental health assessment is not required, except as determined by a qualified mental health professional.

(d) This is a mandatory standard. *(Department of Correction; 210 IAC 8-9-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-4 Comprehensive evaluation

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 4. (a) Written policy, procedure, and practice provide that juveniles referred for a mental health evaluation or treatment, or both, to be provided by facility staff or contractors, will receive a comprehensive evaluation by a qualified mental health care professional.

(b) The evaluation is to be initiated as soon as possible, and within thirty (30) days of the referral date, and will include the following:

(1) Review of mental health screening and appraisal data.

(2) Review of the individual's mental health history.

(3) Direct observations of behavior.

(4) Collection and review of additional data from individual diagnostic interviews and tests, as appropriate.

(5) Recommendations for treatment with appropriate referral, including transfer to an appropriate mental health facility when psychiatric needs exceed the treatment capability of the facility.

(c) Notice shall be provided to all parties of record of the juvenile's referral for mental health evaluation. *(Department of Correction; 210 IAC 8-9-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-5 Written suicide prevention program

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 5. (a) Written policy, procedure, and practice provide that a written suicide prevention program is approved by the designated health care and mental health authority and reviewed by the facility administrator.

(b) The suicide prevention program includes:

(1) specific procedures and documentation for:

(A) performing intake screening;

(B) identifying suicide-prone juveniles; and
(C) supervising suicide-prone juveniles;
(2) management of suicidal incidents;
(3) suicide watch;
(4) death of a juvenile; and
(5) staff and juvenile critical incident debriefing.
(c) The suicide prevention program is reviewed and signed annually.
(d) All staff with responsibility for juvenile supervision is trained on an annual basis in the implementation of the program. Training should include the following:
(1) Identifying the warning signs and symptoms of suicidal behavior.
(2) Understanding the demographic and cultural parameters of suicidal behavior, including incidence and precipitating factors.
(3) Responding to suicidal and depressed juveniles.
(4) Improving communication between detention and health care personnel.
(5) Understanding referral procedures.
(6) Understanding special housing, juvenile observations, and suicide watch level procedures and requirements.
(7) Follow-up monitoring of juveniles who make a suicide attempt.
(e) This is a mandatory standard. *(Department of Correction; 210 IAC 8-9-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-6 Emergency transfers
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 6. (a) Written policy, procedure, and practice provide that, when necessary, a request is made for juveniles with severe mental illness or who are severely developmentally disabled to be placed in a facility specifically designated for meeting the special needs of the juvenile.
(b) Emergency transfers to a mental health facility will be approved and supervised by the responsible health care practitioner or mental health authority, or both, and reported to the placing agency, and the juvenile's parent or legal guardian, on the next business day. *(Department of Correction; 210 IAC 8-9-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-7 Involuntary administration of psychotropic medication
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 7. (a) Written policy, procedure, and practice provide that the involuntary administration of psychotropic medication or medications to juveniles complies with applicable laws and regulations of the jurisdiction.
(b) When the administration of psychotropic medications, such as antipsychotics or antidepressants and other drugs used for psychiatric purposes, is performed by injection, the administration process shall include the following:
(1) Psychotropic medication is prescribed only by a health care practitioner for a specific duration.
(2) Documentation that less restrictive intervention options have been attempted without success.
(3) Specific details about why, when, where, and how the medication is to be administered.
(4) Monitoring for adverse reactions and side effects.
(5) Medication is administrated only by a qualified health care professional.
(6) A treatment plan to address the issue resulting in the involuntary administration of psychotropic medication or medications will be prepared and implemented as soon as possible.
(c) This is a mandatory standard. *(Department of Correction; 210 IAC 8-9-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-8 Mental health status and records

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 8. (a) Written policy, procedure, and practice provide that a juvenile's mental health status is confidential and maintained separately from the confinement case record.

(b) Access to the mental health record is determined by the mental health authority in accordance with state and federal law. *(Department of Correction; 210 IAC 8-9-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-9 Substance abuse treatment

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 9. (a) Written policy, procedure, and practice provide the following:

(1) Detoxification from alcohol, opiates, hypnotics, other stimulants, and sedative hypnotic drugs is conducted in a hospital or community detoxification center.

(2) Juveniles with a blood alcohol content of .08 or higher shall be diverted to a hospital or community detoxification center and receive medical clearance prior to being admitted into a detention center.

(3) Detention center staff may require medical clearance prior to admission when juveniles show signs of physical impairment or evidence suggests that excessive use of drugs and alcohol, or a combination of both, exists.

(4) Specific guidelines are followed for the treatment and observation of individuals manifesting symptoms of intoxication or withdrawal from alcohol and other drugs.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-9-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-10 Substance abuse screening or assessment

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 10. Written policy, procedure, and practice provide that juveniles with alcohol and other drug abuse problems are identified through a standardized screening or assessment. *(Department of Correction; 210 IAC 8-9-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-9-11 Chemical dependency treatment programs

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 11. Written policy, procedure, and practice provide that in facilities where juveniles have access to chemical dependency treatment programs, the clinical management includes the following:

(1) There is a written treatment philosophy consistent with current professional standards of practice for alcohol and other drug treatment within the context of the total correctional system.

(2) Standardized diagnostic needs assessment administered to determine the extent of use, abuse, and dependency.

(3) The program provides for an appropriate range of primary treatment services for alcohol and other drug-abusing juveniles.

(4) Collaboration in the development of an individualized treatment plan developed by a substance abuse professional and the clinical team that may include the following staff:

(A) Medical.
(B) Mental health.
(C) Education.
(D) Social services.

(E) Recreation.
(F) Unit staff, as deemed necessary.
(5) Involvement of the juvenile and, when possible, the juvenile's parent or guardian, in:
(A) treatment;
(B) aftercare; and
(C) discharge planning.
(6) The program provides incentives for targeted treatment achievements to increase and maintain the juvenile's motivation for treatment.

(Department of Correction; 210 IAC 8-9-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

Rule 10. Programs and Services

210 IAC 8-10-1	Intake and admissions
210 IAC 8-10-2	Detention hearing
210 IAC 8-10-3	Phone call upon admission
210 IAC 8-10-4	Programming during reception period
210 IAC 8-10-5	Personal property
210 IAC 8-10-6	Social services program
210 IAC 8-10-7	Social services staff meetings with juveniles
210 IAC 8-10-8	Social services staff and facility staff
210 IAC 8-10-9	Library supervision
210 IAC 8-10-10	Library services
210 IAC 8-10-11	Recreation schedule
210 IAC 8-10-12	Indoor and outdoor recreation
210 IAC 8-10-13	Minimum recreation and leisure schedule
210 IAC 8-10-14	Religious program coordinator
210 IAC 8-10-15	Space and equipment for religious programs
210 IAC 8-10-16	Religious services on voluntary basis
210 IAC 8-10-17	Services upon release
210 IAC 8-10-18	Release procedure
210 IAC 8-10-19	Specific release information
210 IAC 8-10-20	Legal placement
210 IAC 8-10-21	Temporary leaves

210 IAC 8-10-1 Intake and admissions

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 1. Written policy, procedure, and practice provide that upon entry into the system, the admission process includes the following:

(1) Determination that the juvenile is legally committed to the facility.
(2) A thorough and complete search of the juvenile and possessions.
(3) Inventory, storage, or disposition of personal property.
(4) Shower and hair care, when necessary.
(5) Issuance of clean, laundered, properly fitted clothing, as needed.
(6) Issuance of personal hygiene articles.
(7) Medical, dental, and mental health screenings.
(8) Assignment to and brief tour of housing unit.
(9) Recording of basic personal data and information to be used for mail and visiting lists.
(10) Assistance to juveniles in notifying their families of their admission and procedures for mail and visiting.
(11) Assignment of a registered number to the juvenile.

(12) Provision of written orientation materials to the juvenile and either a verbal or multimedia orientation to the facility and its programs.

(Department of Correction; 210 IAC 8-10-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-10-2 Detention hearing

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 2. Written policy, procedure, and practice provide that a juvenile alleged to have committed a crime and is held in detention be brought to court for a detention hearing and assignment of counsel within forty-eight (48) hours, excluding weekends, holidays, and nonjudicial days. *(Department of Correction; 210 IAC 8-10-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-3 Phone call upon admission

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 3. Written policy, procedure, and practice provide that during the admission process, all juveniles have the right to make at least one (1) local or collect long distance telephone call to family members, attorneys, or other approved individuals. *(Department of Correction; 210 IAC 8-10-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-4 Programming during reception period

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 4. Written policy, procedure, and practice provide that juveniles are provided with programming, including educational, during the reception period. *(Department of Correction; 210 IAC 8-10-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-5 Personal property

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 5. Written policy, procedure, and practice provide that personal property retained at the facility is itemized in a written list prepared by staff. The list is then signed and verified by the juvenile's signature. The signed list is kept in the permanent case file, and the juvenile receives a copy. *(Department of Correction; 210 IAC 8-10-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-6 Social services program

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 6. (a) Written policy, procedure, and practice provide for a social services program that makes available a wide range of resources appropriate to the needs of juveniles, including the following:

(1) Individual, group, and family counseling.
(2) Treatment based on assessed risk and need.
(3) Special programs for juveniles with specifically identified needs.
(4) Social skills for all juveniles.

(b) Facility staff identifies the collective service needs of the juvenile population at least annually. The social services program is administered and supervised by a qualified person. *(Department of Correction; 210 IAC 8-10-6; filed Sep 16, 2022, 3:13*

p.m.: 20221012-IR-210220072FRA)

210 IAC 8-10-7 Social services staff meetings with juveniles

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 7. (a) Written policy, procedure, and practice provide that social services staff are to be available to meet with juveniles:
(1) on a regularly scheduled basis at least once a month; and
(2) at the juvenile's request.
(b) Individual contacts are documented in the form of a contact note in the juvenile's record. *(Department of Correction; 210 IAC 8-10-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-8 Social services staff and facility staff

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 8. Written policy, procedure, and practice provide that social services staff:
(1) share relevant information; and
(2) coordinate their efforts;
with appropriate facility juvenile care workers. *(Department of Correction; 210 IAC 8-10-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-9 Library supervision

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 9. Written policy, procedure, and practice provide that the facility has a qualified person who coordinates and supervises library services. *(Department of Correction; 210 IAC 8-10-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-10 Library services

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 10. Written policy, procedure, and practice provide that library services are available to all juveniles and include the following:
(1) Defined principles, purposes, and criteria in the selection and maintenance of library materials.
(2) Planned and continuous acquisition of materials to meet the needs of users.
(3) Logical organization of materials for convenient use.
(4) Circulation of materials to satisfy the needs of users.
(5) Information services to locate facts, as needed.
(6) A reader's advisory service that helps provide users with suitable materials.
(7) Promotion of the use of library materials.
(8) Access to publications.
(9) A congenial library atmosphere, functional in design and inviting in appearance.
(Department of Correction; 210 IAC 8-10-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-10-11 Recreation schedule

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 11. Written policy, procedure, and practice provide that recreation schedules and constructive leisure time activities are prepared by the recreation staff. A qualified recreation director or a staff member trained in recreation services:

(1) creates the recreation schedule;

(2) plans for constructive leisure time activities; and

(3) supervises the program.

(Department of Correction; 210 IAC 8-10-11; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-10-12 Indoor and outdoor recreation

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 12. Written policy, procedure, and practice provide that all juveniles have access to a variety of indoor and outdoor recreational activities, as weather and conditions permit. Each facility has:

(1) fixed and movable recreation equipment; and

(2) adequate indoor and outdoor recreation and activity space.

(Department of Correction; 210 IAC 8-10-12; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-10-13 Minimum recreation and leisure schedule

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 13. (a) Written policy, procedure, and practice provide that the facility staff provide juveniles the following recreational activities:

(1) At least one (1) hour per day of large muscle activity.

(2) At least one (1) hour per day of structured leisure time activities.

(b) Recreation programs are conducted in cooperation with the following departments:

(1) Security.

(2) Education.

(3) Social services.

(4) Religious services.

(5) Medical.

(c) The recreation program includes the following:

(1) A wide variety of physical activities.

(2) Physical skill building to help maintain lifetime health and fitness.

(3) Encouragement for juveniles to self-monitor and set personal fitness goals.

(4) Means to individualize the intensity of activities and measure individual improvement.

(Department of Correction; 210 IAC 8-10-13; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-10-14 Religious program coordinator

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 14. Written policy, procedure, and practice provide that a qualified person, based on experience, education, licensure and credentials, and training, coordinates the facility's religious programs. *(Department of Correction; 210 IAC 8-10-14; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-15 Space and equipment for religious programs

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 15. (a) Written policy, procedure, and practice provide that the facility designates adequate space and equipment needed to conduct and administer religious programs.

(b) The religious services coordinator, in cooperation with the facility administrator, or their designee, approves donations of equipment and materials for use in religious programs. *(Department of Correction; 210 IAC 8-10-15; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-16 Religious services on voluntary basis

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 16. (a) Written policy, procedure, and practice provide that juveniles have an opportunity to:

(1) participate, on a voluntary basis, in religious services, programs, and counseling; and

(2) request visits from representatives of their respective faith.

(b) Religious faith practices deemed essential by the faith's judicatory are limited for a juvenile only by documentation showing a threat to the safety of persons involved in the practice or that the practice itself disrupts order in the facility. *(Department of Correction; 210 IAC 8-10-16; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-17 Services upon release

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 17. (a) Written policy, procedure, and practice provide that, to the extent possible, staff at the facility work closely with probation officers to secure services for juveniles upon release.

(b) Juveniles in need of transitional assistance participate in the development of a coordinated plan for the following services:

(1) Education.

(2) Employment.

(3) Counseling.

(4) Medical.

(Department of Correction; 210 IAC 8-10-17; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-10-18 Release procedure

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 18. Written procedure for releasing juveniles includes, but is not limited to, the following:

(1) Verification of identity of the juvenile being released.

(2) Verification of release papers.

(3) Completion of release arrangements, including verifying the person or agency to whom the juvenile is to be released.

(4) Return of personal effects.

(5) Completion of any pending action, such as grievances or claims for damaged or lost possessions.

(6) Arrangements for medical follow-up in the community, when needed.

(7) Transportation arrangements.

(8) Forwarding of mail.

(Department of Correction; 210 IAC 8-10-18; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-10-19 Specific release information

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 19. Written policy, procedure, and practice provide that conditions of release known to the facility are given to the juvenile in writing and the provision of that information is recorded in the case record. *(Department of Correction; 210 IAC 8-10-19; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-20 Legal placement

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 20. Written policy, procedure, and practice provide that a juvenile's placing agency is documented by court order, statute, or compact. *(Department of Correction; 210 IAC 8-10-20; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-10-21 Temporary leaves

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 21. Written policy, procedure, and practice provide that juveniles are afforded opportunities for escorted and unescorted day leaves into the community:

(1) where statutes permit; and
(2) with the permission of the placing agency.

(Department of Correction; 210 IAC 8-10-21; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

Rule 11. Education

210 IAC 8-11-1	Memorandum of understanding
210 IAC 8-11-2	Comprehensive education program
210 IAC 8-11-3	Remedial reading services
210 IAC 8-11-4	Course curriculum
210 IAC 8-11-5	Special education
210 IAC 8-11-6	High school equivalency
210 IAC 8-11-7	Education records
210 IAC 8-11-8	Annual education program evaluation
210 IAC 8-11-9	Uncompensated work
210 IAC 8-11-10	Compliance with child labor laws

210 IAC 8-11-1 Memorandum of understanding

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 1. (a) A written agreement exists between the superintendent of the local school corporation where the detention center is located and either:

(1) the presiding juvenile court judge, or their designee, for centers operated by a local governmental entity; or
(2) the agency director, or their designee, for centers operated by a private entity.

(b) The written agreement must describe the method of delivery of a juvenile detention education program.

(c) The agreement may include the following:

(1) Funding allocations.
(2) Transfer of education records.
(3) Special education service delivery.
(4) Grade and credit transfers.
(5) Access to existing online or computerized education programs approved by the local school corporation.
(6) Detention education program annual evaluation.
(7) Education services for youth from outside the local school corporation.

(8) Education services for youth who have:
(A) dropped out of school;
(B) been suspended; or
(C) been expelled.
(Department of Correction; 210 IAC 8-11-1; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-11-2 Comprehensive education program
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 2. Written policy, procedure, and practice provide all juveniles with a comprehensive education program that:
(1) operates at or above the state's minimum number of instructional days a year, or one hundred and eighty (180) instructional days, whichever is more;
(2) has an instructional day of:
(A) six (6) or more hours of educational programming for juveniles in grades 7 through 12; and
(B) five (5) or more hours of educational programming for juveniles in grade 6 and lower;
(3) provides educational programming through:
(A) an onsite classroom teacher;
(B) an approved online instructional program with teacher oversight;
(C) course work assigned from the juvenile's home school with teacher oversight; or
(D) an approved virtual learning program that includes teacher instruction;
(4) has education program personnel with:
(A) appropriate certification or licensure; or
(B) supervision by a licensed teacher appropriate for the classroom setting;
(5) conducts an approved education screening within three (3) days of admission with follow-up assessments conducted as necessary to determine the juvenile's educational needs;
(6) enrolls juveniles for participation at the earliest opportunity and within three (3) days of facility admission;
(7) has a system for obtaining school records that:
(A) is initiated within three (3) days of admission, excluding weekends and holidays;
(B) requests the juvenile's:
(i) most recent school schedule;
(ii) course progress;
(iii) transcript; and
(iv) individualized education program, if applicable; and
(C) has regular follow-up until records are obtained;
(8) holds educational programming in classrooms or multipurpose areas; and
(9) allows juveniles in isolation, room confinement, or special security rooms or units:
(A) to continue to progress in their educational program; and
(B) to return to the classroom environment as soon as safely possible.
(Department of Correction; 210 IAC 8-11-2; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-11-3 Remedial reading services
Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 3. Written policy, procedure, and practice provide that education staff shall:
(1) determine the need; and
(2) provide remedial reading services;
for juveniles who have not attained basic literacy skills. *(Department of Correction; 210 IAC 8-11-3; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-11-4 Course curriculum

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8

Sec. 4. (a) Written policy, procedure, and practice provide that all juveniles must take the courses necessary to progress toward their:

(1) high school diploma;
(2) individual education plan goals (certificate of completion); or
(3) high school equivalency exam.

For juveniles progressing toward their diploma or certificate of completion, course work shall meet diploma requirements or certificate of completion requirements.

(b) Written course curriculum must be aligned to the Indiana academic standards for Indiana middle schools and the Core 40 high school diploma.

(c) Written course curriculum:

(1) must include core academic subjects of English, math, science, and history;
(2) may include core academic subjects of reading or language arts, foreign language, civics and government, economics, fine arts, history, and geography; and
(3) may include noncore academic subjects of physical education and interpersonal relations when credits are able to be awarded by the local school corporation.

(d) Juveniles have access to:

(1) textbooks;
(2) digital curriculum;
(3) learning materials; and
(4) specialized equipment;

necessary to meet minimum state academic standards.

(e) A system for recording academic progress data, such as completed assignments, test scores, and credits earned, is available. *(Department of Correction; 210 IAC 8-11-4; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-11-5 Special education

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 5. Written policy, procedure, and practice provide the following:

(1) Special education programs and services must be available.
(2) Special education programs and services must be aligned with the state requirements for juveniles with educational disabilities.
(3) Special education services are provided by appropriately licensed professional staff.
(4) Special education services are aligned to the student's individualized education plan (IEP).
(5) An IEP is developed or implemented within ten (10) days of enrollment into the facility's education program.
(6) A system for obtaining previous special education records that:
    (A) is initiated within three (3) days of admission;
    (B) requests the juvenile's:
        (i) most recent IEP; and
        (ii) performance record; and
    (C) has regular follow-up until records are obtained.
(7) A process to refer juveniles who may need to be identified for special education services.
(8) Access to regular and special education classes and supplemental services.
(9) Transition services as required by the IEP to the extent possible due to the juvenile's confinement.

(Department of Correction; 210 IAC 8-11-5; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-11-6 High school equivalency

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 6. Written policy, procedure, and practice provide high school equivalency programs, preparation, and testing for certification to juveniles who qualify. *(Department of Correction; 210 IAC 8-11-6; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-11-7 Education records

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 7. Written policy, procedure, and practice govern the maintenance of and access to juvenile education records to:

(1) ensure juveniles' rights to privacy and confidentiality in accordance with state and federal laws; and

(2) provide academic progress data and course work to the juvenile's home school district within seven (7) days of discharge to allow for evaluation toward high school credit.

(Department of Correction; 210 IAC 8-11-7; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)

210 IAC 8-11-8 Annual education program evaluation

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 8. Written policy, procedure, and practice provide an annual evaluation to measure the effectiveness of the educational program against stated performance objectives. *(Department of Correction; 210 IAC 8-11-8; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-11-9 Uncompensated work

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 9. (a) Written policy, procedure, and practice provide that juveniles are not required to participate in uncompensated work assignments unless:

(1) the juvenile is performing housekeeping tasks;

(2) the work is part of an approved vocational or training program; or

(3) the work is an approved community service project.

(b) The work assigned to juveniles must not be a substitute for duties performed by professional janitorial or maintenance staff.

(c) Juveniles do not perform tasks, including housekeeping, that require them to miss school or interfere with normal sleeping hours. *(Department of Correction; 210 IAC 8-11-9; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

210 IAC 8-11-10 Compliance with child labor laws

Authority: IC 11-8-2-5; IC 31-31-8-2
Affected: IC 31-31-8-2

Sec. 10. (a) Written policy, procedure, and practice provide that juveniles are not permitted to perform any work prohibited by state and federal regulations and by statutes pertaining to child labor.

(b) This is a mandatory standard. *(Department of Correction; 210 IAC 8-11-10; filed Sep 16, 2022, 3:13 p.m.: 20221012-IR-210220072FRA)*

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