

**STATE OF RHODE ISLAND
DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES**

TO: Interested Parties

FROM: Janice DeFrances, Ed.D. 
Director
Department of Children, Youth and Families

DATE: July 3, 2014

SUBJECT: Final DCYF Rules

In accordance with the Administrative Procedures Act, the Department has promulgated the following amended DCYF rules. These rules align with best practices in child welfare, behavioral health and juvenile justice including the Annie E Casey Juvenile Detention Alternatives rubric as well as the requirements of RI General Law, Federal Law, RI Supreme Court Decisions, the Federal Consent Decree in *Inmates of the RI Training School v. Janice DeFrances*, and /or federal regulation. These rules are accessible on the DCYF website (<http://www.dcyf.ri.gov>) and the RI Secretary of State's Proposed Rules and Regulations Database Search (<http://www.sec.state.ri.us/ProposedRules/>). Any questions may be submitted to:

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Administration of the Education Program

This rule is amended to conform to procedures for annual approval of the RI Training School educational program by the RI Department of Elementary and Secondary Education. In conformance with the Department's decision to utilize the Casey Foundation, Juvenile Detention Alternatives Initiative rubric, the amended rule also removes references to accreditation by the Correctional Education Association.

Educational Evaluation of Residents

This rule is amended to remove references to specific instruments which were previously offered as examples. In conformance with state and federal law (including the Individuals with Disabilities Act), the Educational Program at the RI Training School will continue to utilize the latest version of nationally recognized measures to identify residents who are eligible for Special Education Services, to develop an Individualized Educational Plan for eligible residents and to provide appropriate services for residents.

Education of Non-Adjudicated Residents

This rule is amended to require the RI Training School to initiate procedures to obtain a resident's record from the school system where the resident last attended on the fifth day of detention rather than the fifteenth day of detention.

Educational Planning for and Transition of Adjudicated Residents

This rule is amended to eliminate an unintended conflict with other Department policy and to conform with the Casey Foundation, Juvenile Detention Alternatives Initiative rubric.

General Educational Development (GED)

This rule is amended to incorporate by reference the standards of the RI Department of Elementary and Secondary Education in the administration of the General Educational Development (GED) Program at the RI Training School.

Incentive System – Points and Levels

This rule is amended to allow greater flexibility in the administration of the Incentive System at the RI Training School by moving references to specific point values for different activities and points associated with different levels to the Resident Handbook, while continuing to codify basic system principles in policy.

Resident Orientation to the Education Program

Recognizing the substantial reduction in the population of the RI Training School, this rule is amended to require the RI Training School to ensure that an appropriate teacher is assigned to orient residents; in some cases this will be a special education teacher.

Court Disposition

This rule is amended to reflect changes in utilization of court liaisons within the Juvenile Correctional services Division of the Department.

Facility Capacity

This rule is amended to reflect changes in utilization of facilities and to conform with changes made by the RI General Assembly in the FY 2014 budget.

Food Service

This rule is amended to reflect changes in utilization of facilities and to conform with changes made by the RI General Assembly in the FY 2014 budget.

Legal Establishment

This rule is amended to reflect changes in utilization of facilities and to conform with changes made by the RI General Assembly in the FY 2014 budget.

Lawful Detention of Juveniles

This rule is amended to remove an incorrect reference to related policy.