Minnesota Department of Corrections

Division Directive:	**202.041**	**Title: Juvenile Facility Admissions**
Issue Date:	**7/15/14**	
Effective Date:	**8/5/14**	

AUTHORITY: Minn. Rule 2960 (2012)
Prison Rape Elimination Act (PREA), 28 C.F.R. §115 (2012)

PURPOSE: To establish admission procedures to ensure the facility's program and services can meet the resident's needs.

APPLICABILITY: Minnesota Department of Corrections (DOC); juvenile facilities

DIRECTIVE: Juvenile facilities identify admission criteria consistent with the facility's statement of intended use and Children's Residential Facility (CRF) program services certifications.

Admission procedures and screenings are completed in a manner and location that ensures the personal privacy of the resident and to determine whether the facility can meet the resident's needs. Admission materials are explained in a language the resident understands.

Admission criteria and verification forms, attached to the instructions for each juvenile facility, are completed and forwarded to the records department at the appropriate facility for retention in the resident's base file.

DEFINITIONS:
Basic rights – see Minn. Rule 2960.0050, subp. 1.

Case plan – see Minn. Rule 2960.0020, subp. 9.

Disabilities – deaf/hard of hearing, blind/low vision, intellectual, psychiatric, speech.

Statement of intended use – see Minn. Rule 2960.0040, subp. 9.

PROCEDURES:
A. Admission criteria
1. Facilities must establish admission criteria that, at a minimum, identifies:
(a) Statutory or legal admission requirements;
(b) The age of the residents to be served;
(c) Whether both male and female residents are served;
(d) Whether there are limitations about who the program serves; and
(e) What types of problems and primary needs the program addresses during the resident's stay.

2. Prior to admission, facilities must examine the placement agency's information and determine and document whether the program can meet the resident's needs to include:
(a) Resident is a danger to himself or others;
(b) Relevant screenings and assessments are complete;

(c) Ability to meet the resident's cultural, emotional, educational, mental health, and physical needs;
(d) Resident is a sex offender; and
(e) Resident is a chemical abuser or is chemically dependent.

B. Information to residents

1. Within 24 hours of admission, residents are given a written copy of:
   (a) Basic rights;
   (b) Rules governing conduct, disciplinary consequences, due process, and appeal procedures;
   (c) Procedures for obtaining hygiene, canteen, and other personal items;
   (d) Policies and procedures governing visiting, correspondence, bathing, laundry, grievances, clothing, bedding exchange, and other operational procedures;
   (e) Description of available programs and activities;
   (f) Notice of visual recordings that occur at the facility; and
   (g) The Prison Rape Elimination Act (PREA).

2. Written materials must be provided in a manner that residents with disabilities can understand.

3. Information must be read and explained to residents that are incapable of understanding written documents or who are unable to read.

4. Interpreters must be provided for English as a Second Language (ESL) residents.

5. Facilities must inform the resident's parent, guardian, or custodian within a reasonable time after admission that the resident's basic rights information is available.

C. Admission documentation

1. Upon, or within five working days after, admission, facilities must obtain and document the following information to the extent permitted by law:
   (a) Legal authority for placement;
   (b) In collaboration with the placing agency, gather the following information about the resident and place it in their file:
      (1) Date and time of admission;
      (2) Name and nickname;
      (3) Last known address and permanent address;
      (4) Name, address, and telephone number of parents, guardian, and advocate;
      (5) Gender;
      (6) Date and place of birth;
      (7) Race or cultural heritage, languages the resident speaks and writes, and tribal affiliation, if any;
      (8) Description of presenting problems, including medical problems, circumstances leading to admission, mental health concerns, safety concerns including assaultive behavior, and victimization concerns;
      (9) Description of assets and strengths of the resident and, if available, related information from the resident, resident's family, and concerned persons in the resident's life;

(10) Name, address, and telephone number of the contact person for the last educational program the resident attended, if applicable;
(11) Spiritual or religious affiliation of the resident and the resident's family; and,
(12) The placing agency's case plan goals for the resident, if available.

2. A written inventory of the resident's personal property is signed by the resident and intake staff. If the resident refuses to sign, two staff must sign the inventory.

D. Screenings

1. Residents are screened by trained persons, using approved screening instruments.

2. If not completed prior to admission, the following screenings are conducted upon admission and reviewed by a licensed professional in a related field:
   (a) Health;
   (b) Mental health;
   (c) Chemical abuse or chemical dependency;
   (d) Sexually abusive behavior;
   (e) Vulnerability;
   (f) Cultural;
   (g) Gender-specific needs.

3. The health screening must be completed within 24 hours of admission.

4. Health services staff completes the Sexual Violence Prevention (PREA) Checklist (attached) within 24 hours of admission. The completed form is retained in the offender's confidential base file.

5. All other screenings must begin within three working days of admission and be completed within six working days of admission.

6. Screenings are not required to be completed if a screening or assessment within the last six months is already on file. If there is reason to believe the resident's condition has changed since the last screening or assessment, a new screening must be completed.

7. If the resident is considered likely to engage in sexually abuse behavior, an assessment occurs to determine appropriate precautions.

8. If the resident requires a chemical use assessment, it must be conducted by a licensed alcohol and drug counselor (LADC). The documented assessment must address:
   (a) Current state of intoxication and potential for withdrawal problems;
   (b) Current biomedical condition;
   (c) Emotional or behavioral problems;
   (d) Recognition of an alcohol and drug problem and resulting need for treatment;
   (e) Likelihood of continued inappropriate use or relapse, including the ability to participate in leisure activities that do not involved chemical use;
   (f) Work, school, and living environment, including the resident's family relationships and the need for parenting skills education;
   (g) Susceptibility to abuse or neglect;

(h) Need for additional support services, such as transportation or resident care, in order to participate in a program; and

(i) Whether the identified needs can be addressed by facility programs and services during the resident's stay, or whether the resident must be referred to an appropriate treatment setting.

9. If the resident is transferred from another facility, records about the resident must be immediately requested from the sending facility.

10. Facilities must respond to immediate medical, mental health, or dental care or treatments needs identified through screenings.

INTERNAL CONTROLS:

A. Sexual Violence Prevention (PREA) Checklists are retained in the resident's confidential file.

B. Completed admission criteria and certification forms are retained in the resident's base file.

REVIEW: Annually

REFERENCES: Minn. Rules 2960.0050, 2960.0070, 2960.0160, 2960.0180, and 2960.0250

SUPERSESSION: Division Directive 202.041, "Juvenile Facility Admissions," 11/5/13. All facility policies, memos, or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENTS: Sexual Violence Prevention (PREA) Checklist (202.040C)

/s/
Assistant Commissioner, Facility Services

Instructions

202.041RW, "Sexual Violence Prevention Checklist"
202.041-1RW, "Admission Criteria and Verification"
202.041-2RW, "Intake Screening and Admission"