

Guideline
06/18/2012

**Written Interpretation of Room Restrictions
For Contract Providers
IDAPA 05.01.01.244**

Rule 244 Room Restrictions: The contract provider shall have written policies and procedures regulating the use of the juvenile offender's room for "room restriction." The policy shall ensure that there are procedures for recording each incident involving the use of restriction. The reason for the room restriction shall be explained to the juvenile offender who shall have an opportunity to explain the behavior. Other less restrictive measures must have been applied prior to the room restrictions. A juvenile offender in room restriction shall have access to the bathroom. Staff shall check on a juvenile offender in room restriction a minimum of once every fifteen (15) minutes. Room restriction may only be used in an unlocked area. Room restriction shall not exceed a total of eight (8) hours within a twenty-four (24) hour period. Contract providers must ensure that a juvenile offender with a history of depression or suicidal ideation and those who have exhibited these behaviors while in care, are checked at least every five (5) minutes in order to ensure safety. Even more frequent or constant observation must be maintained if any level of suicide risk is determined to be present at any time during room restriction. All items in the area that might be used to attempt self-harm should be restricted or removed.

Background

Questions have arisen about the statement that "Room restriction shall not exceed a total of eight (8) hours within a twenty-four (24) hour period." Specifically, does that twenty-four (24) hour period include a juvenile's regular sleeping time?

Practices for Contract Providers

The Department interprets the rule to mean that the twenty-four (24) hour period shall not include eight (8) hours for sleeping, whether a juvenile is in his or her own room or in a room in which he or she does not normally sleep.

The Department believes that all methods of de-escalation and therapeutic intervention should be applied at the onset of acting out behavior by juveniles, and that room restriction or isolation/segregation should be used as a last resort and for the shortest duration possible. In addition, if a juvenile is on either room restriction or isolation/segregation, all reasonable efforts must be made to reintegrate the juvenile into his treatment group as soon as possible, considering safety and security issues.

The treatment program serving juveniles in IDJC custody must strictly abide by the definitions of separation/isolation and room confinement in the IDAPA rules (IDAPA 05.01.01.010.48 and 05.01.01.010.49). Any circumstance that meets the respective definitions will be considered room confinement or separation/isolation regardless of the terminology used to describe the use of those behavior management tools. For our purposes, the terms "special program", "administrative confinement", "therapeutic room time", or any other reference that meets the above referenced definitions will be expected to comply in all respects with the rules governing

the use of room confinement and separation/isolation. All terms of incident reporting and timely notice prescribed in the administrative rules apply in these circumstances.

It is critical that all efforts to resolve the situation requiring room confinement or separation/isolation at a lower level be thoroughly documented. All efforts at de-escalation, use of other strategies of time out, separation with one on one staff supervision outside of a locked room, and efforts to terminate room confinement and/or separation/isolation in less than eight (8) hours during a twenty-four (24) hour period must be specifically and clearly documented in Incident Reports and other attached documents.

Finally, an “appeal” of the disciplinary consequences must always be allowed for the juvenile. The process described must be applied in every case of room confinement or separation/isolation and should take place as soon as possible after the juvenile calms down enough to be able to participate. Documentation must establish that a juvenile’s refusal to participate in the due process procedures follows his/her receiving written notice of the process and the scope of information that they may provide in such an administrative review.

Finally, all rules regarding disciplinary measures must be followed by any person(s) imposing room restriction or isolation/segregation on a juvenile, and the provider must have policies in place that reflect those rule requirements.