

Texas Administrative Code Chapter 343

Revised standards effective on February 1, 2018

The TJJJ Board has adopted changes to 37 TAC Chapter 343, relating to Secure Pre-Adjudication Detention and Post-Adjudication Correctional Facilities. These changes will take effect on February 1, 2018. This document contains a summary of the changes and shows the marked-up text of the affected standards. To see the final text of Chapter 343 in its entirety without the mark-ups, please visit the [Resources page on the TJJJ website](#).

Rule #	Title of Rule	Summary of Key Revisions
Subchapter B: Pre-Adjudication and Post-Adjudication Secure Facility Standards		
343.230	Specialized Housing	<ul style="list-style-type: none"> • Deleted the section that addresses temporary removal of the mattress. This information has been modified and moved to §343.266.
343.266	Bedding	<ul style="list-style-type: none"> • Clarified that a fitted sheet may be issued instead of a mattress cover. • Clarified that the clean linens which must be issued at least once every seven days include a mattress cover (or fitted sheet), sheet, blanket, and pillowcase. • Added that <i>a mattress cover, pillow, and/or pillowcase</i> (in addition to a sheet) may be removed and substituted with a blanket if the resident has misused the item(s) or if staff have reason to believe the resident will misuse the item(s). • Moved the requirements for temporarily removing a mattress from a specialized housing cell from §343.230 to this standard. Changes include: <ul style="list-style-type: none"> ○ Clarified that using the mattress <i>in a manner that presents a threat to safety or security</i> is grounds for removing the mattress (rather than using the mattress for an unintended purpose). ○ Added that the reason for removing a resident's mattress must be documented. ○ Removed the following from the list of reasons a mattress may be removed: a resident has exhibited a documented pattern of disruptive behavior in an effort to be assigned to specialized housing to avoid educational instruction. • Added a section that allows any bedding items (i.e., mattress, pillow, and/or linens) to be removed during program hours from a room or cell that is currently being used for disciplinary seclusion, safety-based seclusion, or resident-initiated separation, regardless of whether there is a specific behavioral or safety-related reason to remove them.
Subchapter C: Secure Pre-Adjudication Detention Facility Standards		
343.428	Qualifications to Provide Resident Supervision	<ul style="list-style-type: none"> • Added that, in order to supervise residents, a certified juvenile supervision officer must have received facility-specific training listed in 343.429 if the officer was certified while working for another department. • Added that a juvenile supervision officer who is not yet certified may supervise residents only if the individual: <ul style="list-style-type: none"> ○ has not exceeded the deadline for submitting an application for certification; ○ has completed <i>all training required by TAC §344.622 and §344.624</i> (rather than at least 40 hours consisting of the mandatory exam topics, CPR, first aid, and personal restraint technique); and ○ has passed the certification exam.

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343.429 (NEW)	Additional Training Required for Certified Officers Hired by a Different Department	<ul style="list-style-type: none"> • New standard. • Requires a certified juvenile supervision officer who is hired by a department or facility different than the one where the officer received certification to receive facility-specific training in 14 listed topics. • Prohibits juvenile supervision officers who have not completed the facility-specific training from being included in officer-to-resident ratios and from performing any duties of a juvenile supervision officer.
Subchapter D: Secure Post-Adjudication Correctional Facility Standards		
343.622	Qualifications to Provide Resident Supervision	<ul style="list-style-type: none"> • Added that, in order to supervise residents, a certified juvenile supervision officer must have received facility-specific training listed in 343.623 if the officer was certified while working for another department. • Added that a juvenile supervision officer who is not yet certified may supervise residents only if the individual: <ul style="list-style-type: none"> ○ has not exceeded the deadline for submitting an application for certification; ○ has completed <i>all training required by TAC §344.622 and §344.624</i> (rather than at least 40 hours consisting of the mandatory exam topics, CPR, first aid, and personal restraint technique); and ○ has passed the certification exam.
343.623 (NEW)	Additional Training Required for Certified Officers Hired by a Different Department	<ul style="list-style-type: none"> • New standard. • Requires a certified juvenile supervision officer who is hired by a department or facility different than the one where the officer received certification to receive facility-specific training in 14 listed topics. • Prohibits juvenile supervision officers who have not completed the facility-specific training from being included in officer-to-resident ratios and from performing any duties of a juvenile supervision officer.

§343.230 Specialized Housing

Effective Date: ~~2/1/18~~ **[6/4/16]**

- (a) A resident in specialized housing **must [shall]** be placed in a room or cell equipped with:
- (1) an operable toilet above floor level;
 - (2) a washbasin with hot and cold running water or a single control that produces warm water;
 - (3) a bed above floor level; and
 - (4) access to natural light as described in §343.226 of this title.
- (b) Rooms or cells used for specialized housing **must [shall]** meet the spatial requirements in:
- (1) §343.452 and §343.644 of this title if the room or cell is in a single-occupancy housing unit; or
 - (2) §343.474 and §343.656 of this title if the room or cell is in a multiple-occupancy housing unit.
- ~~[(c) The mattress may be temporarily removed from a specialized housing room or cell if the resident:]~~
- ~~[(1) is actively damaging or destroying the mattress;]~~
 - ~~[(2) is using the mattress for an unintended purpose (e.g., obstructing a doorway or window, folding to use as a makeshift stepstool, etc.); or]~~
 - ~~[(3) has exhibited a documented pattern of disruptive behavior in an effort to be assigned to specialized housing to avoid educational instruction.]~~

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§343.266 Bedding

Effective Date: ~~2/1/18~~ [4/4/15]

(a) **Required Items.**

~~(1)(a)~~ Each resident must ~~[shall]~~ be provided: ~~[suitable, clean bedding, including one]~~

- ~~(A) a mattress;~~
- ~~(B) a mattress cover or fitted sheet;~~
- ~~(C) a sheet;[;]~~
- ~~(D) a blanket;~~
- ~~(E) a pillow; and[;]~~
- ~~(F) a pillowcase[; a mattress, a mattress cover, and a blanket].~~

~~(2) A mattress [Mattresses] with an integrated pillow may be substituted for a separate pillow and pillowcase.~~

~~(3) All bedding items listed in paragraph (1) of this subsection must be clean and in good condition.~~

~~(4)(b)~~ A clean mattress cover (or fitted sheet), sheet, blanket, and pillowcase must ~~[Clean bed linens shall]~~ be issued at least once every seven calendar days.

~~(b)(e)~~ **Modifications for Residents on Suicide Supervision.**

Modifications to a resident's bedding items may be made in accordance with §343.340 of this title. However, residents on suicide supervision may ~~[shall]~~ not be denied appropriate bedding substitutions.

(c) **Misuse of Bedding Items.**

~~(1)(d)~~ If a [the] resident has misused a sheet, fitted sheet, mattress cover, pillow, or pillowcase [bed linens] or if staff have reason to believe the resident will misuse these bedding items, such as [the bed linens, including] using a sheet [the sheet(s)] as a weapon, the items [sheet(s)] may be substituted with a blanket.

~~(2) If a substitution is authorized, the resident's misuse of the bedding item or the staff's reason to believe the resident will misuse the bedding item must be documented. [The actual misuse or reason to believe the resident will misuse the linens shall be documented.]~~

(d) **Misuse of Mattress in Specialized Housing.**

~~(1) A mattress may be temporarily removed from a specialized housing room or cell if evidence exists that the resident is:~~

- ~~(A) actively damaging the mattress; or~~
- ~~(B) using the mattress in a manner that presents a threat to safety or security, including, but not limited to, obstructing a doorway or window or folding the mattress to use as a makeshift stepstool.~~

~~(2) If a resident's mattress is removed under paragraph (1) of this subsection, the reason for the removal must be documented.~~

(e) **Modifications for Residents in Disciplinary Seclusion, Safety-Based Seclusion, or Resident-Initiated Separation.**

Any or all of the bedding items listed in subsection (a)(1) of this section may be removed from a room or cell currently being used for disciplinary seclusion, safety-based seclusion, or resident-initiated separation whether or not the criteria in subsection (b), (c), or (d) of this section are present. However, unless the criteria in subsection (b), (c), or (d) of this section are present, all bedding items must be returned to the resident and be available for use during all non-program hours.

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§343.428 Qualifications to Provide Resident Supervision

Effective Date: 2/1/18 [~~4/4/15~~]

- (a) A juvenile supervision officer may provide resident supervision only if he or she:
- (1) is currently certified as a juvenile supervision officer and, if applicable, has received the facility-specific training required in §343.429 of this title; or
 - (2) meets the following criteria:
 - (A) has not exceeded the deadline for submitting a certification application established by Chapter 344 of this title; [has been employed by the facility less than 180 calendar days and]
 - (B) has completed all training required by §344.622 and §344.624 of this title; and [a minimum of 40 hours of training, which shall include the mandatory topics outlined in Chapter 344 of this title, as well as certification in CPR, first aid, and a personal restraint technique approved by TJJJD.]
 - (C) has passed the certification exam for juvenile supervision officers.
- (b) A juvenile supervision officer who fails to meet the requirements in subsection (a) of this section may [~~shall~~] not:
- (1) be included in the juvenile supervision officer-to-resident ratios listed in this chapter; or
 - (2) perform any duties of a juvenile supervision officer listed in this title [chapter].

§343.429 Additional Training Required for Certified Officers Hired by a Different Department

Effective Date: 2/1/18

- (a) If a certified juvenile supervision officer is hired by a department or a private facility other than the one where the officer was employed at the time of receiving his or her certification, the officer must receive facility-specific training in the following topics as they relate to the duties of a juvenile supervision officer at the new department or facility:
- (1) suicide prevention plan;
 - (2) preventing, identifying, and reporting abuse, neglect, and exploitation;
 - (3) verbal de-escalation policies, procedures, and practices;
 - (4) resident supervision, including resident behavior observation and documentation requirements;
 - (5) behavior management, including the resident discipline plan and safety-based seclusion;
 - (6) resident-initiated separation;
 - (7) facility safety and security;
 - (8) referral of residents in need of medical, mental health, or dental services, as identified by staff or reported by residents;
 - (9) fire safety plan, including fire drill procedures;
 - (10) non-fire emergency and evacuation procedures;
 - (11) recognizing and responding to mental health needs of residents;
 - (12) resident grievance procedures;
 - (13) transportation of juveniles; and
 - (14) searches of juveniles.
- (b) A juvenile supervision officer who has not completed the training as required by subsection (a) of this section may not:
- (1) be included in the juvenile supervision officer-to-resident ratios listed in this chapter; or
 - (2) perform any duties of a juvenile supervision officer listed in this title.

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§343.622 Qualifications to Provide Resident Supervision

Effective Date: 2/1/18 [~~4/4/15~~]

- (a) A juvenile supervision officer may provide resident supervision only if he or she:
- (1) is currently certified as a juvenile supervision officer and, if applicable, has received the facility-specific training required in §343.623 of this title; or
 - (2) meets the following criteria:
 - (A) has not exceeded the deadline for submitting a certification application established by Chapter 344 of this title; [has been employed by the facility less than 180 calendar days and]
 - (B) has completed all training required by §344.622 and §344.624 of this title; and [a minimum of 40 hours of training, which shall include the mandatory topics outlined in Chapter 344 of this title, as well as certification in CPR, first aid, and a personal restraint technique approved by TJJJD.]
 - (C) has passed the certification exam for juvenile supervision officers.
- (b) A juvenile supervision officer who fails to meet the requirements in subsection (a) of this section may [shall] not:
- (1) be included in the juvenile supervision officer-to-resident ratios identified in this chapter; or
 - (2) perform any duties of a juvenile supervision officer listed in this title [chapter].

§343.623 Additional Training Required for Certified Officers Hired by a Different Department

Effective Date: 2/1/18

- (a) If a certified juvenile supervision officer is hired by a department or a private facility other than the one where the officer was employed at the time of receiving his or her certification, the officer must receive facility-specific training in the following topics as they relate to the duties of a juvenile supervision officer at the new department or facility:
- (1) suicide prevention plan;
 - (2) preventing, identifying, and reporting abuse, neglect, and exploitation;
 - (3) verbal de-escalation policies, procedures, and practices;
 - (4) resident supervision, including resident behavior observation and documentation requirements;
 - (5) behavior management, including the resident discipline plan and safety-based seclusion;
 - (6) resident-initiated separation;
 - (7) facility safety and security;
 - (8) referral of residents in need of medical, mental health, or dental services, as identified by staff or reported by residents;
 - (9) fire safety plan, including fire drill procedures;
 - (10) non-fire emergency and evacuation procedures;
 - (11) recognizing and responding to mental health needs of residents;
 - (12) resident grievance procedures;
 - (13) transportation of juveniles; and
 - (14) searches of juveniles.
- (b) A juvenile supervision officer who has not completed the training as required by subsection (a) of this section may not:
- (1) be included in the juvenile supervision officer-to-resident ratios listed in this chapter; or
 - (2) perform any duties of a juvenile supervision officer listed in this title.