

Chapter: Rules for State-Operated Programs and Facilities Subchapter: Treatment Division: Program Planning <b>Rule: Rehabilitation Program Stage Requirements and Assessment</b>  ACA: 4-JCF-5B-04, 5C-02 Statutes: N/A References: <i>Morales v. Turman</i> Settlement Agreement, Section (V)(G)	<b>Effective Date: 12/1/14</b>  Page: 1 of 5  Replaces: GAP.380.8703, 9/6/12
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**RULE**

(a) **Purpose.**

Texas Juvenile Justice Department (TJJD) youth earn the ability to move to less restrictive placements by progressing through a stage system that measures progress in the rehabilitation program. The purpose of this rule is to provide a general outline of the areas in which a youth must demonstrate progress and to describe the process for assessing progress.

(b) **Applicability.**

This rule applies to all residential facilities operated by TJJD. This rule does not apply to youth in contract care programs that are not required to provide the TJJD rehabilitation program.

(c) **Definitions.**

See §380.8501 of this title for definitions of terms used in this rule.

(d) **General Themes in the Rehabilitation Program.**

For each stage, a youth completes objectives around the following four general themes:

- (1) demonstrate an understanding of risk and protective factors and show a decrease in risk factors and an increase in protective factors over the course of the rehabilitation program;
- (2) demonstrate increased understanding of how those personal risk factors relate to success/lack of success in the community and an understanding of how the youth's committing offense was related to risk factors;
- (3) move toward developing a concrete community reintegration plan from the time of admission; and
- (4) engage the youth's family in programming.

(e) **Process for Stage Assessment.**

- (1) The multi-disciplinary team (MDT) conducts a stage assessment when the youth completes the required objectives for the stage or within 90 days from the previous stage assessment, whichever occurs first.
- (2) Members of the MDT make stage decisions collaboratively, providing input in their areas of expertise. The MDT facilitates and confirms stage progression by reviewing progress and interviewing the youth. The youth's case manager serves as the MDT facilitator and is responsible for contacting additional professional resources as appropriate to discuss the youth's individualized needs and abilities and to provide information regarding strategies to assist the youth to progress in the program.
- (3) Each stage assessment meeting includes an integrated and comprehensive assessment of the youth's progress in the rehabilitation program.
  - (A) Prior to the meeting, assigned staff members are responsible for collecting specific information in their area of expertise and making it available for the meeting.

- (B) The case manager is responsible for contacting the parent/guardian and parole officer to invite them to the meeting and ensuring their input into the process.
  - (C) The youth is responsible for being prepared to discuss information related to his/her program and preparing any information he/she is required to present for stage progression.
  - (D) During the stage assessment:
    - (i) the youth's general progress in the program and on specific case plan objectives is reviewed;
    - (ii) risk and protective factors are reviewed;
    - (iii) medical and mental health information is discussed (if applicable);
    - (iv) feedback is provided to the youth on areas of strength and areas needing improvement;
    - (v) interventions to assist the youth's progress are discussed and developed; and
    - (vi) community re-entry planning is discussed.
  - (4) If the MDT determines the stage objectives have been met, the MDT also evaluates whether the youth has consistently participated in the following other areas of programming:
    - (A) participation in development and completion of case plan objectives;
    - (B) participation in groups and individual counseling sessions;
    - (C) participation in specialized treatment programs (if applicable);
    - (D) participation in academic and workforce development programs; and
    - (E) application of learned skills in daily behavior.
  - (5) If the MDT determines that a youth meets the required indicators for the stage and has consistently participated in the other areas of programming, the youth is promoted to the next stage.
  - (6) If the MDT determines the youth has not met the indicators required for the stage or has not consistently participated in the other areas of programming, the youth remains on his/her current stage until the next stage assessment.
  - (7) Youth may not be demoted in stage, except when:
    - (A) stage demotion is assigned as a disciplinary consequence following a due process hearing, in accordance with [§380.9503](#) of this title; or
    - (B) a youth is returned to a high or medium restriction facility, in accordance with subsection (h) of this section.
  - (8) After the stage assessment meeting, the youth and the youth's parent/guardian are notified of the results of the assessment. If appropriate, an updated individual case plan shall be developed following the meeting.
- (f) **Requirements for Stage Promotion.**
- (1) **Stage 1**--this stage is completed when the MDT determines that the youth has demonstrated basic knowledge of the stage objectives. The youth attends the foundational skills development groups and participates in individual sessions with his/her case manager to develop an assessment of risk and protective factors. To complete stage 1, the youth must:
    - (A) complete the following objectives in accordance with the specified indicators for each objective:
      - (i) understand the definition of risk and protective factors;
      - (ii) explore risk factors related to TJJJD commitment;
      - (iii) attempt to involve a family member or an adult mentor, with assistance from the family liaison and case manager; and
      - (iv) establish a personal goal and identify strategies to achieve that goal;

- (B) present and discuss his/her progress with the MDT as specified in the stage indicators; and
  - (C) consistently participate in other areas of programming as described in subsection (e)(4) of this section.
- (2) **Stage 2**--this stage is completed when the MDT determines that the youth has identified and discussed his/her personal risk and protective factors; identified patterns in his/her thoughts, feelings, attitudes, values and beliefs that relate to TJJD commitment and ongoing behaviors; created an initial community reintegration plan; and participated with the MDT in targeting specific skills for development based on his/her risk and protective factors. To complete stage 2, the youth must:
- (A) complete the following objectives in accordance with the specified indicators for each objective:
    - (i) explore personal risk and protective factors;
    - (ii) share identified risk and protective factors with his/her family or adult mentor;
    - (iii) identify patterns in thoughts, feeling, attitudes, beliefs and values; and
    - (iv) create an initial community reintegration plan;
  - (B) present and discuss his/her progress with the MDT as specified in the stage indicators; and
  - (C) consistently participate in other areas of programming as described in subsection (e)(4) of this section.
- (3) **Stage 3**--this stage is completed when the MDT determines that the youth has completed skill lessons assigned by the case manager and MDT necessary to reduce risks and enhance protective factors. The youth is expected to take responsibility for the committing offense, identify patterns in thinking, and be able to discuss the impact of the offense on direct and indirect victims. The youth is expected to incorporate the new skills learned while in the facility into daily living situations and into a community reintegration plan. To complete stage 3, the youth must:
- (A) complete the following objectives in accordance with the specified indicators for each objective:
    - (i) show a reduction of risk factors and an increase in protective factors;
    - (ii) take responsibility for the committing offense;
    - (iii) share progress on reducing risk factors and increasing protective factors with his/her family member or adult mentor; and
    - (iv) complete the community reintegration plan;
  - (B) present and discuss his/her progress with the MDT as specified in the stage indicators; and
  - (C) consistently participate in other areas of programming as described in subsection (e)(4) of this section.
- (4) **Stage 4**--this stage is completed when the MDT determines that the youth demonstrates and practices skills learned in skills groups through daily application in situations that present increased risk for the youth. Youth are expected to engage in responsible behaviors that are consistent with identified protective factors on a regular basis. Additional skills are learned as assigned and the community reintegration plan is revised as needed and reviewed. The community reintegration plan is considered complete when the case manager, youth, and the youth's parent/guardian/adult mentor approve the document. To complete stage 4, the youth must:
- (A) complete the following objectives in accordance with the specified indicators for each objective:
    - (i) show a reduction of risk factors and an increase in protective factors;
    - (ii) identify new thoughts, feelings, attitudes, beliefs, and values that might increase success in the community;

- (iii) share the community reintegration plan with his/her family or adult mentor; and
    - (iv) finalize the community reintegration plan;
  - (B) present and discuss his/her progress with the MDT as specified in the stage indicators; and
  - (C) consistently participate in other areas of programming as described in subsection [\(e\)\(4\)](#) of this section.
- (5) **Youth Empowerment Status**--youth who complete stage 4 and remain in a residential facility are assigned to Youth Empowerment Status. This status requires youth to continue to work in the program to maintain their gains, continue to reduce risk factors and increase protective factors, continue their skills development, update their community reintegration plan as circumstances change, and contribute positively to their living environment. If the MDT determines that a youth has met all objectives, the youth is placed on "active" status. If the MDT determines that the youth has not met all objectives, the youth is placed on "inactive" status. The youth's objectives are:
  - (A) show a reduction of risk factors and an increase in protective factors;
  - (B) review and revise the community reintegration plan;
  - (C) comply with the community reintegration plan (only for youth in medium restriction facilities);
  - (D) share the revised community reintegration plan with his/her family or adult mentor (only for youth in medium restriction facilities);
  - (E) participate in the development and completion of the case plan;
  - (F) attend all scheduled groups;
  - (G) participate in specialized treatment program(s) or supplemental groups, if applicable;
  - (H) participate in academic and workforce development programs commensurate with abilities; and
  - (I) consistently apply learned skills in daily behavior.
- (g) **Opportunity to Demonstrate Completion of Requirements.**
  - (1) Some objectives may be completed in a single month. Completion of all stage requirements for promotion is demonstrated primarily through consistent participation in scheduled activities and development of skills to address risk factors, which will generally take longer than one month to achieve. The stage requirements are generally sequential.
  - (2) During each monthly assessment period, the youth is provided an equal opportunity, as the youth's behavior warrants, to participate in the scheduled activities needed to progress. With reasonable effort by the youth, the requirements of the highest stage will be completed within the youth's initial minimum length of stay or minimum period of confinement. For youth whose minimum length of stay or minimum period of confinement exceeds 12 months, the schedule must provide an opportunity for completion of the highest stage within one year.
- (h) **Stage Assessment Upon Return to a High or Medium Restriction Facility.**
  - (1) If a youth is returned to a high restriction facility for disciplinary reasons through a due process hearing other than a parole revocation hearing, the youth is placed on stage 3 or retained on the current stage if currently assigned to stage 1 or 2.
  - (2) If a youth is returned to a high restriction facility as a result of a parole revocation hearing, the youth is placed on stage 1.
  - (3) If a youth is recommitted to TJJD for a new offense committed while in the community, the youth is placed on stage 1.
  - (4) If a youth is recommitted to TJJD for a new offense committed in a TJJD-operated or TJJD-contracted facility, the youth is reassessed by the MDT and placed on the most appropriate stage for his/her current behavior and progress in the rehabilitation program.

- (5) If a youth is returned to a high or medium restriction facility for non-disciplinary reasons, the youth is reassessed by the MDT and placed on the most appropriate stage for his/her current behavior and progress in the rehabilitation program.

(i) **Appeal of Assessment.**

A youth may appeal the results of a stage assessment or of the lack of opportunity to demonstrate completion of requirements by filing a grievance in accordance with [§380.9331](#) of this title. The person assigned to respond to the grievance must not be a member of the MDT or a staff member who has been involved in the youth's current assessment.

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See Case Management Standards, [Chapter 2, Section B](#) for implementation procedures.