

Chapter: Rules for State-Operated Programs and Facilities	Effective Date: 5/19/23
Subchapter: Admission, Placement, Release, and Discharge	Page: 1 of 3
Division: Definitions	Replaces: GAP.380.8501, 5/1/22
Rule: Definitions	

RULE

As used in this chapter, the following words and terms shall have the following meanings unless the context clearly indicates otherwise.

- (1) **Assessment Rating**--a score derived from evidence-based criminogenic factors in a youth's history used to assess the danger a youth poses to the community.
- (2) **Committing Offense**--the most serious of the relevant offenses found at the youth's commitment proceeding and any probated offense(s) modified by the commitment order. If a committing offense is a violation of a federal statute, the offense will be treated as a violation of a state statute which prohibits the same conduct as the relevant federal offense.
- (3) **Community Reentry/Transition Plan**--an individual case plan that includes conditions of parole or placement for youth who are moving to a less restrictive environment. The community reentry/transition plan summarizes the youth's progress, identifies risk factors and protective factors, provides referrals to community services and supports, and identifies objectives for the youth to complete at the next placement.
- (4) **Conditional Placement**--a trial living arrangement at a lower restriction level without changing the youth's currently assigned placement. Conditional placements may be to medium-restriction facilities or approved home placements. Continued placement at the lower restriction level is dependent on meeting pre-established conditions.
- (5) **Determinate Sentence Review**--a review conducted for youth with determinate sentences who have not met program completion criteria in which staff determines the appropriate action (e.g., request a transfer hearing under [Section 54.11, Family Code](#), transfer to TDCJ parole).
- (6) **Discharge**--an action that ends the jurisdiction of the Texas Juvenile Justice Department (TJJD) over a youth.
- (7) **Final Decision Authority**--the TJJD executive director or a staff member designated by the executive director in writing (e.g., via operational manual, administrative directive).
- (8) **High Restriction and Medium Restriction**--see definitions in [§380.8527 of this chapter](#).
- (9) **Home Placement**--a placement in the home of the parent, other relative or individual acting in the role of parent, managing conservator, or guardian or in an independent living arrangement (excluding contract independent living programs).
- (10) **Home Substitute Placement**--a program placement in the community that is not high restriction for youth who have earned parole status.
- (11) **Initial Placement**--a placement to which youth are assigned upon being committed to TJJD. This definition does not include a youth's placement at the orientation and assessment unit.
- (12) **Minimum Length of Stay**--the predetermined minimum period of time established by TJJD that a youth will be assigned to live in a high- or medium-restriction placement before being placed on parole status.

- (13) **Minimum Period of Confinement**--the predetermined minimum period of time established by law that a youth committed to TJJJ on a determinate sentence must remain confined in a high-restriction placement.
- (14) **Most Serious of the Relevant Offenses**--the offense that carries the most severe consequences, which are, from most to least severe:
- (A) an offense which carries a determinate sentence;
 - (B) the offense for which the designated minimum length of stay will produce the longest time in the physical custody of TJJJ;
 - (C) the offense which requires the highest facility restriction level;
 - (D) the offense which carries the most severe criminal penalty; and
 - (E) the most recently adjudicated offense.
- (15) **Non-Sentenced Offender**--a youth who is committed to TJJJ for an indeterminate period of time, not to exceed age 19.
- (16) **Offense Severity**--a rating of high, moderate, or low based on the degree of the committing or revocation offense as defined by the Penal Code or relevant federal statute and any of the following applicable aggravating factors:
- (A) sex offense as identified in [Section 62.001, Code of Criminal Procedure](#);
 - (B) felony against a person;
 - (C) possession or use of a weapon or firearm during the commission of the committing offense.
- (17) **Parole Status**--a status assigned to a youth when program completion criteria have been met or the Release Review Panel has ordered the youth's release under supervision. Parole status qualifies the youth for placement in the home or a home substitute and ensures that the youth may not be moved to a high-restriction placement without the highest level of due process afforded to TJJJ youth.
- (18) **Program Completion Criteria**--specific requirements established by rule that entitle a youth to parole when met.
- (19) **Program Completion Review**--a review in which staff determines whether a youth appears to meet program completion criteria.
- (20) **Release under Supervision (or Release)**--the act of placing a youth on parole status under TJJJ supervision.
- (21) **Revocation Offense**--the offense on which a youth's minimum length of stay is based following a parole revocation hearing. It is the most serious of the relevant offenses found at the hearing.
- (22) **Risk and Protective Factors**--risk factors are aspects of a youth's environment, behavior, and mental processes that contribute to potential for further delinquent activity. Protective factors are positive aspects of individual youth situations that keep a youth away from delinquent activity.
- (23) **Risk Level**--a level derived from the risk assessment tool used to assess the danger a youth poses to the community.
- (24) **Sentenced Offender**--a youth committed to TJJJ pursuant to [Section 54.04\(d\)\(3\)](#) or [Section 54.05\(f\)](#), Family Code, with a fixed sentence assigned by the committing court. Depending on the length of the sentence, a youth may be transferred to the Texas Department of Criminal Justice (TDCJ) to complete the sentence.
- (25) **Transfer**--a movement of a sentenced offender to the TDCJ - Correctional Institutions Division or TDCJ - Parole Division.

- (26) **Transition**--the act of moving a youth from a high-restriction facility to a medium-restriction facility based on the youth's progress in the rehabilitation program. Transition does not result in the youth being placed on parole status.
- (27) **Transition Review**--a review in which staff determines whether a youth meets criteria for transition under [§380.8545 of this chapter](#).
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