

Chapter: Rules for State-Operated Programs and Facilities	Effective Date: 12/1/24
Subchapter: Treatment	Page: 1 of 3
Division: Program Planning	Replaces: GAP.380.8703, 5/19/23
Rule: Rehabilitation Program Stage Requirements and Assessment	
Statutes: Human Resources Code §242.003	
References: <i>Morales v. Turman</i> Settlement Agreement, Section (V)(G)	

RULE

(a) Purpose.

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 the Texas Juvenile Justice Department (TJJD). This rule does not apply to youth in contract-care programs that are not required to provide the TJJD rehabilitation program. This rule does not apply to youth on parole status.

(c) Definitions.

See [§380.8501 of this chapter](#) for definitions of terms used in this rule.

(d) General Themes in the Rehabilitation Program.

- (1) TJJD's rehabilitation program is composed of a set of stages with objectives related to each youth's rehabilitative needs. Expectations generally increase as youth progress through the stages.
- (2) Progress is measured through an assessment of the youth's demonstration of skills in areas such as:
 - (A) appropriate participation in education/vocational and treatment/intervention activities;
 - (B) understanding and use of therapeutic tools;
 - (C) ability to develop, discuss, and work toward individual goals;
 - (D) application of regulation tools to maintain safe behavior; and
 - (E) reducing risk factors and increasing protective factors.
- (3) The objectives for each youth shall be in writing and provided to the youth.
- (4) Each youth is provided an equal opportunity, as the youth's behavior warrants, to participate in the scheduled activities needed to progress.

(e) Stage Assessment.

- (1) A stage assessment shall be conducted when the youth completes the required objectives for the stage or within 90 days from the previous stage assessment, whichever occurs first.
- (2) Each stage assessment includes a comprehensive assessment of the youth's progress in the rehabilitation program.
- (3) The parent/guardian must be given an opportunity to provide input to be considered at each stage assessment.
- (4) As a result of a stage assessment, the youth is assigned to the most appropriate stage. Youth may be assigned to a stage that is more than one level higher than the current stage, if appropriate.

- (5) Each youth's specific needs and responsivity must be considered when assessing a youth's stage. If a youth fails to progress through the stages, staff must conduct a review for responsivity needs and, if appropriate, implement individualized interventions.
- (6) Youth may not be assigned to a lower stage, except:
 - (A) when it is determined that behavior proven at a Level II due process hearing held in accordance with [§380.9555 of this chapter](#) indicates the youth no longer meets the requirements of the current stage assignment;
 - (B) when it has been determined that the youth has been unresponsive to intervention attempts for an extended period of time and the youth's current stage does not reflect the youth's current progress; or
 - (C) in accordance with subsection (g) of this section.
- (7) If a youth loses release eligibility under [§380.8555](#) or [§380.8559 of this chapter](#), the youth is no longer designated as having completed the rehabilitative program under this rule and is assigned to stage 4.
- (8) The youth and the youth's parent/guardian are notified of the results of the stage assessment.

(f) **Requirements for Stage Promotion.**

- (1) **Stage 1**--this stage focuses on building a foundation of safety and regulation. During this stage, the youth will gain basic knowledge of the TJJJ stage objectives and requirements for program completion. The youth attends the foundational skills development groups and participates in individual sessions with the case manager to develop an assessment of risk and protective factors. To determine whether youth have completed this stage, youth are assessed on factors including:
 - (A) reviewing the youth's own unique vulnerabilities and risk and protective factors with the case manager;
 - (B) discussing the youth's progress toward goals with staff;
 - (C) working on case plan objectives with the case manager; and
 - (D) participating safely in the following other areas of programming:
 - (i) treatment and intervention activities;
 - (ii) academic and workforce development programs; and
 - (iii) application of learned skills in daily behavior.
- (2) **Stage 2**--this stage focuses on healthy connection and the ability to make repairs after relational harm. Youth on this stage are moving beyond the pre-contemplation stage of change to accept that changes are needed to improve their ability to be interpersonally successful in the future. To determine whether youth have completed this stage, youth are assessed on factors including:
 - (A) exploring personal risk and protective factors, including those related to TJJJ commitment;
 - (B) identifying a long-term success plan and sharing plans for community reintegration with the youth's family, community supports, or adult mentor;
 - (C) exploring patterns in thoughts, feelings, attitudes, beliefs, and vulnerabilities; and
 - (D) safely participating in other areas of programming as described in [paragraph \(1\)\(D\) of this subsection](#).

- (3) **Stage 3**--this stage focuses on taking responsibility and making prosocial decisions. Youth on this stage are preparing to move into the action stage of change through continued acknowledgment of the need to change and planning for their future. To determine whether youth have completed this stage, youth are assessed on factors including:
- (A) demonstrating a reduction in risk factors and an increase in protective factors;
 - (B) taking responsibility for behaviors leading to commitment;
 - (C) completing case plan objectives; and
 - (D) safely participating in other areas of programming as described in [paragraph \(1\)\(D\) of this subsection](#).
- (4) **Stage 4**--this stage focuses on demonstrating and practicing learned skills for youth. The purpose of this stage is demonstrating independence through application of treatment concepts and skills learned in earlier stages. This stage is considered the second-highest stage for purposes of eligibility for transition under [§380.8545 of this chapter](#). To determine whether youth have completed this stage, youth are assessed on factors including:
- (A) demonstrating continued reduction in risk factors and increase in protective factors;
 - (B) identifying new thoughts, feelings, attitudes, beliefs, and values that might increase success in the community;
 - (C) completing case plan objectives, including the ability to articulate plans for successful community reentry; and
 - (D) safely participating in other areas of programming as described in paragraph (1)(D) of this subsection.
- (5) **Rehabilitative stages completion status**--this designation indicates that a youth has completed stage 4 and is considered the highest stage for purposes of program completion under [§380.8555](#) and [§380.8559 of this chapter](#). Youth are in the maintenance stage of change and will be given the opportunity to demonstrate and apply learned skills. Youth are expected to safely participate in other areas of programming as described in paragraph (1)(D) of this subsection.

(g) **Stage Assignment upon Return to a High- or Medium-Restriction Facility or upon Additional Commitment.**

A youth is placed on the most appropriate stage, as specified by written procedure manual, when the youth:

- (1) is returned to a high-restriction facility for disciplinary reasons through a Level II due process hearing;
- (2) is returned to a high- or medium-restriction facility for disciplinary reasons through a Level I due process hearing; or
- (3) receives an additional commitment to TJJD for a new offense.

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