



TITLE 18: Mississippi Department of Human Services

Part 18: Division of Youth Services - Oakley Youth Development Center Policy Manual

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Title 18: Mississippi Department of Human Services

Part 18: Division of Youth Services—Oakley Youth Development Center Policy Manual

Chapter 1: General Overview

Rule 1.1 Authority and Purpose

- A. The Division of Youth Services (DYS) administers probation, aftercare services and institutional programs for juveniles who have been adjudged delinquent in Mississippi Youth Courts or are at risk of becoming delinquent.
- B. DYS provides professional counseling, probation supervision and related services to children in their home communities, as well as education, rehabilitation and treatment services to children committed to institutional care.

Source: *Miss. Code Ann. § 43-27-8, Miss. Code Ann. § 43-27-10, Miss. Code Ann. § 43-27-22, 34 U.S.C. §§ 11131-11133*

Rule 1.2 Youth Services Contact Information

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Chapter 2: Definitions

Admission: The process by which youth legally authorized to Oakley Youth Development Center may be accepted or rejected for placement at the facility.

Admission Packet: The minimum documentation required for admission to Oakley Youth Development Center (OYDC) to provide an accurate account of the youth's history and current needs, so that the facility can insure that the youth's medical, educational, mental health and treatment needs can be met by the resources available to the facility.

Assessment Team or Multi-Disciplinary Evaluation Team (MET): The Assessment Team or the Multi-Disciplinary Evaluation Team is a group of mandated evaluators responsible for evaluating a student and making a recommendation of eligibility to the Individual Education Plan Team.

Behavior Management System: The overall use of rewards and consequences to modify and/or manage the behavior, conduct and culture observed by youth housed at Oakley Youth Development Center.

Behavior Modification Unit: A specialized program designed to provide a high level of supervision and structure, to assist youth in learning to manage their emotions, thinking and actions to reduce the likelihood of committing acts of aggression or out of control behavior.

Classification System: An objective system composed of a progressive series of environmental structures to determine the specific level of supervision and freedom of movement throughout the facility for each student. This system is a fundamental component of the overall behavior management system, in which youth are classified based on factors, including but not limited to: history of assault, history of escape, major and minor disciplinary infractions, performance and/or participation in scheduled activities and programs, and their anticipated length of stay. The Classification System is intended to provide limits, supervision, and surveillance corresponding to the student's need for structure to reduce risk for violence, destructive behavior, and elopement while residing at Oakley Youth Development Center.

Child Find: Each public agency is responsible for identifying, locating, and evaluating all children with disabilities from birth through twenty-one (21) years of age.

This requirement applies to, but is not limited to:

- A. Highly mobile children, such as migrant and homeless children;
- B. Children who are not enrolled in school but who have not yet graduated;
- C. Children who are wards of the State;
- D. Children with disabilities who are enrolled by their parents in private or parochial elementary and secondary schools;
- E. Children who are enrolled in public educational programs, such as Head Start;
- F. Children who are suspected of having a disability and may be in need of special education, even though they are advancing from grade to grade; and

- G. Children who are ages birth to three (3), including those receiving Part C services through the Mississippi State Department of Health (MSDH) Early Intervention Programs (EIP), known as First Steps.

Communicable Disease: An infectious disease transmissible by direct contact with an effected individual or the individual's discharges or by indirect means.

Due Process Hearing: A non-judicial administrative procedure to determine if substantial evidence exists to find a youth guilty of a rule violation.

Due Process Isolation: Any instance when a youth is confined alone in a room as a result of a Due Process Hearing.

Epidemic: A widespread occurrence of an infectious disease in a community at a particular time.

Experimental Medical Procedure: A procedure in which there is the expectation that the patient/subject shall benefit, but the uncertainty about the benefit and risks is typically greater compared with the standard treatment.

Free and Appropriate Public Education (FAPE): Special education and related services provided to students with disabilities in conformity with an IEP at public expense and under public supervision at no cost to the parents.

Grievance: A formal complaint filed when a student feels that he/she is being treated unfairly, being/feeling threatened, the student's rights have been violated and/or to remedy a problem or issue that is of concern to the student.

Health Care Personnel: An individual whose primary duty is to provide health, dental or mental health services to student in keeping with their respective levels of education, training, and experience. The individual is licensed in the State of Mississippi without restriction to practice nursing, medicine, dentistry or psychiatry.

Health Record: The student specific MDHS Oakley Youth Development Center record that contains all medical, dental and psychiatric assessments, diagnoses, treatment summaries clinic visits, progress notes, doctors' orders, laboratory reports, and any other information pertaining to the student's medical, dental and mental health and treatment.

Honor's Program: The Honor's Program is a voluntary program for students eligible by State designation, which combines specialized classes (e.g., character development) with work projects designed to benefit other students at the facility and the public. The program consists of participating in the election process, contributing to one's community, and the preservation of the environment. Students in the program will attend special classes, participate in the unit-based governmental meetings which helps direct the program activities, and engage in work projects both on the Oakley Campus and in the community.

Individual Education Plan (IEP): A written statement for a student with a disability that is developed, implemented, reviewed, and revised in accordance with Mississippi Special Education Rules and required procedures of the Mississippi Department of Education. The IEP evidences that the student is receiving a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) and it provides for the student to receive educational services—regular and special education—that may be reasonably predicted to benefit the student.

Independent Evaluation: An evaluation that is conducted by a qualified examiner who is not employed by the MDHS/DYS. It can be provided at public expense if a parent disagrees with the evaluation conducted by the public agency. A parent has the right to an IEE (Independent Education Evaluation) at his/her own expense, which the IEP Committee must consider.

Individual Instruction Plan (IIP): An educational plan developed for each student entering the facility that includes objectives that each individual student will be working on.

Infectious Disease: A disease caused by the entrance into the body of organisms (such as bacteria, fungi or viruses) which grow and multiply there.

Intake Management Unit: The unit where youth are housed upon commitment to Oakley Youth Development Center until essential testing, information collection and orientation have been completed.

Least Restrictive Environment (LRE): A federal mandate that requires education programs, to the maximum extent appropriate, to educate students with disabilities with their non-disabled peers.

Length of Stay: The length of time a youth is housed at Oakley Youth Development Center.

Medical Order: A written or telephone order by a licensed physician/dentist/psychiatrist written on the Doctor's Order Form containing over-the counter's (OTC) and prescription drugs.

Medical Protocol: Treatment for a specific condition; activated in an emergency situation; may contain both OTC's and prescription drugs, when approved by a physician.

Multi-Tiered Systems Support (MTSS): MTSS provides guidance on appropriate interventions data collections, data-based decision making, evaluation, and progress monitoring for students in supplementary and/or intensive academic and behavioral supports to ensure all students graduate school, college and are career ready.

Nonpublic School: The term nonpublic school includes the following: (a) private schools, (b) church-related and parochial schools, (c) special purpose schools either privately owned and operated or governed by a public agency other than the Mississippi Department of Education, and (d) tribal schools funded by the Bureau of Indian Education.

Observation Unit: A housing unit with special rules and procedures established to manage youth that threaten the secure and orderly management of the facility.

Pandemic: (Of a disease) Prevalent all over a whole country or the world.

Qualified Mental Health Professional (QMHP): Mental health care provider licensed and sufficiently trained to provide the necessary mental health program services.

Standing Orders: A listing of preferred treatment for a specific condition, approved by a physician/dentist/psychiatrist, containing over the counter (OTC) medication only.

Surrogate Parent: An adult volunteer who is appointed to advocate and ensure the student's rights are protected. The surrogate's responsibilities include all areas related to special education. Surrogates are expected to 1) participate in the required training sessions, 2) possess adequate knowledge and skills to represent the student 3) attend meetings requiring special education decision-making and 4) communicate with the student at regular intervals to ensure adequate representation of their educational needs. A surrogate parent may be appointed by the court or MDHS/DYS. Surrogates cannot engage in activities that conflict with the interest of the student they represent or work for the Department of Human Services.

Transition Plan: A student's service plan, which shall be adopted by the youth's Community Counselor for implementation upon return to the community.

Treatment Team: Team of individuals best suited to create and implement a transition plan that meets the individualized needs the youth should concentrate on during and after commitment. The community services counselor will communicate with the institutional counselor by phone regarding issues or concerns he or she may have with the youth's transition plan. The team shall include an institutional counselor who is the chairperson of the treatment team, the youth and his or her family or an adult advocate or mentor who can act on the family's behalf, the transition coordinator/counselor, a mental health counselor or advocate, psychiatrist as appropriate, educational representatives, direct care staff from housing unit, and members of other community-based support resources.

Youth Master File (YMF): The official commitment record maintained for each student that documents his/her program service delivery and all court documents addressing legal commitment.

Chapter 3: Institutional Practices

Rule 3.1 Admissions and Intake

The Mississippi Department of Human Services, Division of Youth Services, Oakley Youth Development Center shall only admit those youth legally authorized for admission, after being provided with an admission packet which provides an accurate account of the youth's history and current needs, so that OYDC can ensure that the youth's medical, educational, mental health, and treatment needs can be met by the resources available at the facility.

Source: *Miss. Code Ann. § 43-21-603(8)(a)-(f), Miss. Code Ann. § 43-27-25*

Rule 3.2 Youth Screening and Assessment

- A. The Mississippi Department of Human Services, Division of Youth Services, shall ensure every youth entering Oakley Youth Development Center undergo a formal screening and assessment.
- B. The results of the screening and assessment instruments shall be used to develop a service plan designed to address the care and rehabilitative needs of the youth.

Source: *Morgan v. Sproat, 432 F. Supp. 1130 (S.D. Miss. 1977)*

Rule 3.3 Intake Management Unit (IMU)

Youth who are admitted to Oakley Youth Development Center shall be housed on the Intake Management Unit until the Intake and Orientation processes are completed.

Source: *Miss. Code Ann. § 43-27-22 Rule*

3.4 Length of Stay

- A. Only youth who are adjudicated for a felony-level offense may be admitted to Oakley Youth Development Center.
- B. Youth released from Oakley Youth Development Center must commit a new felony-level offense to be considered for readmission to the facility.
- C. Objective criteria will be used to determine the length of stay for youth at Oakley Youth Development Center.
- D. These criteria will take into consideration the youth's risk to the community based on his/her delinquent and social history as well as the youth's demonstrated rehabilitation while at the facility.

- E. Youth who complete all programming requirements and who demonstrate rehabilitation may have their stay at the facility shortened.
- F. Conversely, youth who do not meet his/her individual treatment goals and/or engage in disruptive, aggressive, destructive, and disrespectful behavior may have their stay extended.

Source: *Miss. Code Ann. § 43-21-605, Miss. Code Ann. § 43-27-25 Rule*

3.5 Classification System

A youth's privileges, restrictions, opportunities, and sanctions will be based on demonstrated behavior. Therefore, MDHS shall establish a Classification System to determine housing unit placement based on the youth's risk of chronic or violent misconduct. The Classification System will be part of an overall behavior management system, which includes the Behavior Incentive System, Behavior Management Isolation, Due Process Isolation, and Length of Stay calculations. Furthermore, at no time shall a youth's Constitutional Rights be violated as a punishment for poor behavior.

Source: *Miss. Code Ann. § 43-27-22 Rule*

3.6 Service Plans

- A. A written and individualized plan based on standardized assessments shall be developed for each youth housed at Oakley Youth Development Center (OYDC).
- B. The Service Plans shall guide the continual rehabilitative efforts of staff servicing youth housed at OYDC.
- C. Furthermore, a youth's Service Plan shall be used to facilitate a youth's re-entry into the community.

Source: *Morgan v. Sproat, 432 F. Supp. 1130 (S.D. Miss. 1977)*

Rule 3.7 Treatment Teams

There shall be Treatment Teams, composed of multidisciplinary professionals, who observe the youth, evaluate progress, and identify impediments to progress. All programming activities used to modify and monitor the behavior of youth shall be developed and coordinated by a Treatment Team. This team shall meet with youth on an individual and regular basis to discuss treatment goals and objectives as well as to assess progress.

Source: *Morgan v. Sproat, 432 F. Supp. 1130 (S.D. Miss. 1977)*

Rule 3.8 Youth Master File

The Mississippi Department of Human Services, Division of Youth Services, Oakley Youth Development Center, will establish Youth Master Files for every youth in the facility. The use and content of all Youth Master Files shall include:

- A. Secure placement and preservation,
- B. Ensure confidentiality mandated by law,
- C. All legal documents and correspondence relating to the youth, and
- D. All progress and other reports made during the length of stay.

Source: *Miss. Code Ann. § 43-21-259*

Rule 3.9 Assessment Management Unit (AMU)

Youth who are deemed to have special assessment needs or in need of protection from harm shall be placed in a special housing unit designed to provide specialized programming needs.

Source: *Miss. Code Ann. § 43-27-22*

Rule 3.10 Behavior Modification Unit (BMU)

MDHS will have a specialized housing unit for youth with serious behaviors. The Unit shall provide intensive structure, services, treatment and programs to help youth develop the skills needed to increase positive behaviors and control negative behaviors with the goal of re-integrating the student back into the general population.

Source: *Miss. Code Ann. § 43-27-22 Rule*

3.11 Observation Unit

MDHS will place youth in a separate observation unit due to special circumstances that threaten the security and orderly management of the facility until the need for special housing is resolved.

Source: *Miss. Code Ann. § 43-27-22*

Rule 3.12 Counseling Programs & Progress Notes

Qualified Mental Health Professionals (QMHP) shall provide clinical services for youth with identified mental health, substance abuse, anger control and adolescent sexual behavior problems. Other psycho-educational programming and psycho-social services shall be provided by staff trained in the application of these services. Not all interventions dictate the advanced education and licensure required by a QMHP. All interventions shall be evidence-based and, to the extent possible, shall utilize developed materials including handouts and facilitator guides.

Source: *Morgan v. Sproat, 432 F. Supp. 1130 (S.D. Miss. 1977)*

Rule 3.13 Suicide Prevention

- A. A suicide prevention program shall be implemented with a focus on providing an environment conducive to youth safety through early detection and proactive intervention.
- B. The suicide prevention program shall be implemented by a multidisciplinary team and shall operate as a facility-wide effort.
- C. All youth shall be evaluated during the intake process to assess the potential for suicide using objective assessment tools.
- D. Any youth suspected of suicide risk shall receive treatment and supervision at the appropriate level.

Source: *Morgan v. Sproat*, 432 F. Supp. 1130 (S.D. Miss. 1977)

Rule 3.14 Behavior Incentive System

A behavior incentive system shall be implemented to provide rewards to promote meaningful behavior change in all youth residing at Oakley Youth Development Center. The behavior incentive system will support each youth in attaining behavior change goals identified in the Service Plan and monitored daily by the youth and staff members.

Source: *Morgan v. Sproat*, 432 F. Supp. 1130 (S.D. Miss. 1977)

Rule 3.15 Honor's Program

A program for eligible youth that provides the youth opportunities to learn about, understand, and value civic and community involvement shall be maintained. As part of the program, youth will complete a variety of work projects both in and outside the facility to improve the community.

Source: *Miss. Code Ann. § 43-27-22 Rule*

3.16 Structured Programming

Structured programming shall be provided to each youth from the moment they wake up in the morning until they go to bed at night. Activities shall provide pro-social opportunities to mature physically, socially, and mentally.

Source: *Miss. Code Ann. § 43-27-22*

Rule 3.17 Warehouse

Oakley Youth Development Center shall maintain a good operational warehouse to be able to serve the youth's needs by providing essential clothing, bedding, and personal hygiene items in a timely manner.

Source: *Miss. Code Ann. § 43-27-12*

Rule 3.18 Sanitation: Housekeeping and Inspection

Oakley Youth Development Center shall comply with applicable Federal, State, and local sanitation health codes and regulations. Environmental health programs related to housekeeping shall be regularly monitored to ensure a high standard of sanitation, address deficiencies in a timely manner as well as ensure that all youth housed at Oakley Youth Development Center are kept in a healthy and safe environment.

Source: *Miss. Code Ann. § 43-27-12 Rule*

3.19 Food Service

Oakley Youth Development Center shall serve youth meals that are nutritionally balanced, well-planned, and prepared according to current government health and safety regulations and codes.

Source: *Miss. Code Ann. § 43-27-12*

Rule 3.20 Visitation

The Mississippi Department of Human Services, Division of Youth Services, Oakley Youth Development Center shall provide opportunity and make reasonable accommodations for in-person visitation during established hours and in accordance with procedures that safeguard the security of the facility.

Source: *Miss. Code Ann. § 43-27-22 Rule*

3.21 Attorney Access

All youth housed at Oakley Youth Development shall have the right to seek legal assistance and to have uncensored, confidential contact by telephone, in writing or in person with their legal representative.

Source: *Miss. Code Ann. §43-27-201*

Rule 3.22 Telephone Usage

MDHS shall allow youth access to make and receive personal calls from his/her guardian during established hours and in accordance with procedures that safeguard the security of the facility.

Source: *Miss. Code Ann. § 43-27-22*

Chapter 4: Educational Practices

Rule 4.1 Regular Education: Curriculum

The Mississippi Department of Human Services, Division of Youth Services, will adhere to all required accreditation standards in accordance with the Mississippi Nonpublic School Accountability Standards as approved by the Mississippi State Board of Education.

Source: *Miss. Code Ann. § 37-17-7, Miss. Code Ann. §43-27-29*

Rule 4.2 Special Education: Admission Procedures

MDHS will make education placement decisions for new students admitted to Oakley Youth Development Center in a reasonable time and based on the findings of the educational screening process.

Source: *Miss. Code Ann. §43-27-29*

Rule 4.3 Special Education: Initial Evaluation

The Mississippi Department of Human Services, Division of Youth Services, will provide a comprehensive evaluation to determine eligibility for special education services for all students suspected of having a disability.

Source: *Miss. Code Ann. §43-27-29 Rule*

4.4 Special Education: Child Find

The Mississippi Department of Human Services, Division of Youth Services will ensure that all students within its jurisdiction suspected of having a disability are identified and evaluated for special education and related services. These requirements apply to highly mobile children with disabilities and children who are suspected of having a disability and may be in need of special education though they are advancing from grade to grade.

Source: *20 U.S.C. §1400*

Rule 4.5 Class Size

Oakley Youth Development Center class sizes will not exceed a ratio of one (1) teacher for every ten (10) students. An educational administrator will monitor class sizes as students enter and withdraw from the school.

Source: *Miss. Code Ann. §43-27-29*

Rule 4.6 Multi-Tiered System of Supports (MTSS)/Teacher Support Team (TST)

MDHS will comply with existing state and federal law regarding the implementation of the Multi-Tiered System of Supports process for general education students. Upon admittance to the MDHS/DYS facility, all general education students will participate in the Three Tier Model created and required by the Mississippi Department of Education. The Three Tier Model is designed to facilitate success for all students, including those students deemed as struggling or at risk of failing.

Source: *Miss. Code Ann. §43-27-29*

Rule 4.7 Special Education: Request for Educational Records

MDHS will request students' educational records from the previous school(s) within a reasonable time to ensure appropriate placement of students in the educational programs.

Source: *Miss. Code Ann. § 43-27-22*

Rule 4.8 Special Education: Access to Confidential Educational Records

It is the policy of the Mississippi Department of Human Services, Division of Youth Services that the school programs respect and monitor the privacy rights of individuals and families by limiting access to confidential educational records to authorized individuals only.

Source: *Miss. Code Ann. § 43-21-259*

Rule 4.9 Special Education: Independent Evaluation

It is the policy of the Mississippi Department of Human Services, Division of Youth Services, in accordance with the Individuals with Disabilities Education Act of 2004, to provide parents the option of an independent evaluation in the event there is disagreement with MDHS/DYS evaluation outcomes.

Source: *20 U.S.C. §1400*

Rule 4.10 Special Education: Career/Technical

It is the policy of the Mississippi Department of Human Services, Division of Youth Services, in accordance with the Individuals with Disabilities Education Act of 2004, the Williams School ensure that special education students have access to educational and vocational education as outlined in their IEP. The IEP committee and/or the educational program will determine Career/Technical classes.

Source: *20 U.S.C. §1400*

Rule 4.11 Surrogate Parent

It is the policy of the Mississippi Department of Human Services, Division of Youth Services, that the rights of students, who are referred for or who receive special education services, are protected. An adult surrogate parent shall be appointed to represent the student in the following instances:

- A. A parent cannot be identified;
- B. The local educational agency (LEA) cannot locate a parent after reasonable efforts;
- C. The student is a ward of the State;
- D. The student is an unaccompanied homeless youth.

Source: 20 U.S.C. §1400

Rule 4.12 Individualized Education Program

MDHS will ensure students are entitled to receive a free and appropriate public education in the least restrictive environment and that it provides for the student to receive special education services that may be reasonably predicted to benefit the student. In order to provide these services, MDHS will maintain an Individualized Education Program (IEP) for students eligible for special education services.

Source: 20 U.S.C. §1400

Rule 4.13 Special Education: Continuum of Services

Special education students shall have access to a continuum of educational services and MDHS will accommodate the educational needs of all youth with disabilities in the least restrictive environment.

Source: 20 U.S.C. §1400

Rule 4.14 Special Education: Related Services

All related services noted on a student's IEP that cannot be provided by current DYS staff will be provided by contractual personnel that are licensed in that specific area.

Source: 20 U.S.C. §1400

Rule 4.15 Special Education: Qualification/Licensure

MDHS teachers, providing educational services to General Education and Special Education students, will be certified in accordance with the rules and regulations set forth by the Mississippi Department of Education. Licensure will be based on a specific area and must meet all standards of the *Every Student Succeeds Act (ESSA)*, but such endorsements are not mandatory.

Source: *Miss. Code Ann. § 37-17-7, Miss. Code Ann. §43-27-29*

Rule 4.16 Special Education: Professional Development

Educational staff shall maintain, update and improve their knowledge and competencies required to teach Special Education Students at Oakley Youth Development Center. Educators shall participate in ongoing professional development activities consistent with the programmatic needs of special education students and staff interests.

Source: *Miss. Code Ann. § 37-17-7*

Rule 4.17 Special Education: Behavior Management and Discipline

It is the policy of the Mississippi Department of Human Services, Division of Youth Services that behavior management strategies will be implemented that support student learning and the development of more appropriate behavioral responses by the student.

Source: *20 U.S.C. §1400*

Chapter 5: Security and Control Practices

Rule 5.1 Campus Searches

MDHS shall search all individuals' vehicles and personal property (i.e. purses, backpacks, lunchboxes, lockers, etc.) to promote the safety of students and staff. Searches shall be conducted as often as necessary to ensure the safety and security of Oakley Youth Development Center.

Source: *Miss. Code Ann. § 43-27-12 Rule*

5.2 Incident Reporting

MDHS will report in writing all incidents pertaining to youth and staff safety and other major events. The incident report will be used to document events that have taken place and to provide the organization with accurate and complete information to make decisions and take appropriate action.

Source: *Morgan v. Sproat, 432 F. Supp. 1130 (S.D. Miss. 1977)*

Rule 5.3 Inventory and Control of Restraint Equipment

MDHS will establish guidelines to address staff responsibilities for the secure storage, control and perpetual inventory of restraint equipment used by staff to maintain security and control at Oakley Youth Development Center. Staff shall be trained in approved restraint equipment inventory and control procedures annually. In no event shall restraint devices be issued for purposes of discipline or punishment. Restraint equipment shall be stored in a locked secure area.

Source: *Morgan v. Sproat, 432 F. Supp. 1130 (S.D. Miss. 1977)*

Rule 5.4 Off Campus Transportation of Youth

Youth in the custody of Oakley Youth Development Center will be transported on or off campus safely and only under the authorization of the Director of Institutions.

Source: *Miss. Code Ann. § 43-27-12*

Rule 5.5 Use of Force

Use of physical force is limited to situations where there is a direct, imminent threat to the safety of the student and/or staff and no other alternative is available. To prevent injuries to staff and youth, only the minimal amount of force necessary shall be used to control a youth or situation in the facility.

Source: *Morgan v. Sproat*, 432 F. Supp. 1130 (S.D. Miss. 1977)

Rule 5.6 Due Process Isolation

Due Process Isolation (DPI) shall be imposed only after a due process hearing and/or investigation has been conducted. The purpose of Due Process Isolation is to change youth behavior and ensure the safety and security of all youth and staff. Due Process Isolation (DPI) shall never exceed seventy-two (72) hours.

Source: *Morgan v. Sproat*, 432 F. Supp. 1130 (S.D. Miss. 1977)

Rule 5.7 Youth Grievances

All youth shall have a right to file a grievance at any time. To ensure an effective and protective grievance policy:

- A. Youth who file a grievance shall not be subject to disciplinary sanction or reprisal. Any staff engaged in such conduct in violation of this policy will be subject to disciplinary action.
- B. All phases of the process shall be addressed and processed in a timely manner.
- C. Youth shall have the right to appeal any resolution provided on a grievance; and
- D. Youth may request assistance of any person in the completion and submission of a grievance.

Source: *Morgan v. Sproat*, 432 F. Supp. 1130 (S.D. Miss. 1977)

Rule 5.8 Institutional Investigations

MDHS shall ensure all serious and unusual incidents be objectively and thoroughly investigated to resolve complaints against staff, security breaches, incidents resulting from youth misconduct and other incidents when necessary. Such incidents will be conducted by Investigators from the MDHS Office of Inspector General, MDHS Human Resources, and/or other appropriate investigative office.

Source: *Morgan v. Sproat*, 432 F. Supp. 1130 (S.D. Miss. 1977)

Chapter 6: Medical and Clinical Practices

Rule 6.1 Health Care Personnel Qualifications

MDHS shall ensure that a team of licensed health care personnel be employed to deliver health care or mental health services for the medical, dental, and emotional well-being of youth confined at Oakley Youth Development Center.

Source: *United States v. Mississippi, Civ. 3:03-cv-1354WSu (S.D. Miss.) Rule*

6.2 Medical Facility, Equipment and Environmental Monitoring

A. MDHS facility will maintain a designated clinic with a private examination area so that health care encounters, including medical, dental and mental health interviews, examinations, and procedures can be conducted while respecting the youth's privacy.

B. Equipment, supplies, and materials shall be provided and maintained as determined by the Director of Medical Services, in consultation with the Physician/Dentist, for the performance of health care services. Medical equipment monitoring by health care personnel shall be completed at least monthly.

Source: *United States v. Mississippi, Civ. 3:03-cv-1354WSu (S.D. Miss.) Rule*

6.3 Admission Health Screening and Assessment

MDHS shall ensure that an intake medical, dental and mental health screening commences upon the youth's arrival at Oakley Youth Development Center by health care personnel.

Source: *United States v. Mississippi, Civ. 3:03-cv-1354WSu (S.D. Miss.) Rule*

6.4 Health Care Appraisal and Examination

An intake medical appraisal and examination for each youth shall be completed by a Physician/Practitioner within fourteen (14) days after arrival at Oakley Youth Development Center.

Source: *United States v. Mississippi, Civ. 3:03-cv-1354WSu (S.D. Miss.)*

Rule 6.5 Health Record: Structure, Documentation and Confidentiality

MDHS shall ensure that a structured health record is maintained on each youth admitted to Oakley Youth Development Center and the youth's health status remain confidential in compliance with all applicable privacy policies, including, but not limited to HIPAA and Youth Court Act confidentiality requirements.

Source: 45C.F.R. §164.502, Miss. Code Ann. § 43-21-259 Rule

6.6 Medical Release Summaries

Medical release summaries shall be completed on all youth to maintain the provision of continuity of care including referral to community-based providers when indicated. Source:

United States v. Mississippi, Civ. 3:03-cv-1354WSu (S.D. Miss.)

Rule 6.7 Consent and Authorization to Treat

All informed consent standards in the jurisdiction will be observed by MDHS and documented for medical care.

Source: Miss. Code Ann. § 43-27-12

Rule 6.8 Medical Notification of Designated Individuals

Prompt notification will be provided to a youth's parent, guardian, or the custodian in case of serious illness, surgery, major incident resulting in injury that requires medical care and treatment outside the facility or death. This includes cases where the youth was committed to OYDC while in the legal custody of the Mississippi Department of Child Protection Services.

Source: Miss. Code Ann. § 43-27-12

Rule 6.9 Administration of Medical Treatment

MDHS shall provide treatment by health care personnel other than a physician, dentist, psychiatrist, or other independent provider pursuant to written standing orders, medical protocols or direct orders by personnel authorized by law to give such orders.

Source: *United States v. Mississippi, Civ. 3:03-cv-1354WSu (S.D. Miss.) Rule*

6.10 Participation in Medical Research

The use of youth for medical, pharmaceutical, or cosmetic experimental procedures is prohibited by Oakley Youth Development Center.

Source: Miss. Code Ann. § 43-27-22

Rule 6.11 Medical Consultation and Hospitalization

MDHS shall ensure youth who need health care beyond the resources available at Oakley Youth Development Center, as determined by the responsible Physician, Dentist, Psychiatrist or other

health care practitioner licensed pursuant to federal and state law, shall be transported under appropriate security provisions to a provider where such care shall be provided.

Source: *United States v. Mississippi*, Civ. 3:03-cv-1354WSu (S.D. Miss.); *Miss. Code Ann. § 43-27-22*

Rule 6.12 Emergency Medical Response and Services

Direct care staff and other personnel shall be trained to respond to health-related situations within a four (4) minute response time.

Twenty-four (24) hour emergency medical, dental, and psychiatric services shall be provided that include arrangements for the following:

- A. On-site emergency first aid and crisis intervention.
- B. Emergency on-call 24-hours per day Physician, Dentist, and Psychiatrist if an emergency facility is not located in a nearby community.
- C. Emergency evacuation and/or transportation of youth from the facility.
- D. Use of one or more designated hospital emergency rooms or other appropriate health care facilities.

Source: *United States v. Mississippi*, Civ. 3:03-cv-1354WSu (S.D. Miss.)

Rule 6.13 Pharmaceutical Management

MDHS shall provide pharmacy services as needed or appropriate to the youth in its custody. These services shall be provided in compliance with all applicable state and federal regulations regarding the procurement, management, and security of all pharmaceuticals and the regulations regarding the prescribing and administering of all pharmaceuticals.

Source: *United States v. Mississippi*, Civ. 3:03-cv-1354WSu (S.D. Miss.)

Rule 6.14 Communicable Disease Management

Oakley Youth Development Center shall address the management of serious infectious and communicable diseases for the safety of staff and youth. In the event of an epidemic or pandemic or declared medical emergency, Oakley Youth Development Center shall have the authority to establish alternative standards of care regarding departmental policies and procedures related to communicable and infectious disease management, which supersede facility programming and may supersede other specific departmental policies and procedures.

Source: *Miss. Code Ann. § 43-27-12*

Rule 6.15 Immunization Program

MDHS shall have a youth immunization program. The program shall apply to the following vaccines:

- A. Hepatitis A Vaccine (HAV)
- B. Hepatitis B Vaccine (HBV)
- C. Human Papillomavirus (HPV)
- D. Meningococcal
- E. Measles/Mumps/Rubella Vaccine (MMR)
- F. Tetanus Toxoids, Diphtheria and Acellular Pertussis (Tdap)
- G. Varicella

Source: *Miss. Code Ann. § 43-27*

