

Division of Youth Rehabilitative Services

<b>Chapter 2:</b> Professional Practices	<b>Policy #:</b> 2.22	<b>Page:</b> 1 of 5
<b>Subject:</b> Placement Authorization Committee (PAC)	<b>Standards:</b> 29 Del C 9001; ACA 2-7156; 2-7101; CSP 2.7; Dispo. Guide; HIPAA	
<b>Effective Date:</b> 9/1/2020	<b>Revised:</b> 12/11/13, 8/5/15, 11/14/16, 2/20/17, 12/10/18, 8/27/19, 9/1/2020, 4/21/21, 6/26/23 <b>Reviewed:</b> 11/1/11, 8/17/16	
<b>Authorized Signature:</b> <i>Renee Ciconte</i>		

I. POLICY:

- A. It is the policy of the Division of Youth Rehabilitative Services (DYRS) to protect public safety by helping delinquent youth develop the positive skills necessary to lead pro-social lives. DYRS will provide treatment in a variety of settings, including the youth’s home, community-based non-residential programs, residential programs, and secure care programs.
- B. The Placement Authorization Committee (PAC) reviews and makes a determination on placement requests made by DYRS staff. Youth involved in DYRS due to an adjudication or pending charges may require residential treatment to address criminogenic or other assessed needs that increase risk of delinquent behavior.

II. AUTHORITY:

- A. 29 Del. C. 9001: (a) Intent and Purpose (of DSCYF) – The General Assembly finds and declares that parents/legal guardians have the primary responsibility for meeting the needs of their children and the State has an obligation to help them discharge this responsibility or to assume this responsibility when parents/legal guardians are unable to do so; that the State has a basic obligation to promote family stability and preserve the family as a unit whenever feasible and protect and safeguard the well-being of children through the provision of a comprehensive program of social services and facilities for children and their families who require care, guidance, control, protection, treatment, rehabilitation or confinement.
- B. 10 Del. C. 1009: (c) Following adjudication in which the court declares a child is delinquent, it may: (9) Award custody of a child to the Department of Services for Children, Youth and Their Families.
- C. ACA Standard 2-7156: Written policy and procedures require the consideration of a variety of intervention measures before, or as an alternative to, recommending institutionalization to the court or releasing authority.
- D. ACA Standard 2-7101: The agency provides, whether directly or via contractual agreements, a variety of residential, and nonresidential programs and services for

Division of Youth Rehabilitative Services

**POLICY # 2.22**

**SUBJECT: Placement Authorization Committee (PAC)**

**PAGE: 2 of 5**

juveniles and related services for their parents.

E. Least Restrictive Setting, Policy # CS2-7

F. Dispositional Recommendation Matrix: A collaborative effort by Delaware Juvenile Justice Agencies to create a set of guidelines that address risk and ensure public safety using a graduated approach for the rehabilitation of juveniles.

III. PAC COMMITTEE:

A. PURPOSE: The PAC reviews and makes a determination on placement requests made by DYRS staff. PAC will review youth who may require a more restrictive environment based on pending charges, adjudications, assessed risk to the community, and criminogenic needs.

B. ORGANIZATION:

1. PAC will meet once a week. The date is subject to change based on holidays or agency need.
2. The Quality Assurance Unit (QA) will ensure that PAC information is forwarded to appropriate parties, manage the online sign-up form, coordinate PAC sign-ups, write PAC Decisions in FOCUS, and track data on PAC outcomes.
3. PAC is comprised of two Regional Managers, and representatives from secure care, education, and a licensed behavioral health professional. The committee members shall send a designee if the committee member is not available. If there is a time when committee members cannot find a designee to attend PAC, the Chief of Community Services shall be notified to determine if the committee shall proceed. The division recognizes that education staff may not be available during scheduled school breaks.
4. Placement decisions will be made by consensus.
5. The family, youth, other departmental workers (including DFS and PBH), and preapproved stakeholders will be invited to PAC. Their involvement will be arranged by the Probation Officer, who will provide all necessary meeting information to the youth, family, and/or facility to allow them to attend. This may be by phone, virtually, or in person, depending on each situation.
6. The Probation Officer will present all relevant information before the committee.
7. The committee will have a chairperson who facilitates the process. This includes reviewing the process and roles of attendees and completing any follow up as discussed by the committee. If the chairperson is not available, the clinical designee shall assume the role of chairperson for that PAC meeting.

C. PREPARATION FOR PAC PRESENTATION:

The assigned Probation Officer, after consultation with the Supervisor, will do the following:

Division of Youth Rehabilitative Services

**POLICY # 2.22**

**SUBJECT:** Placement Authorization Committee (PAC)

**PAGE:** 3 of 5

1. Establish the youth's eligibility for residential services, using the Dispositional Recommendation Matrix and, if applicable, minimum mandatory laws.
2. Document the failure of reasonable effort interventions and how the youth's needs would be more appropriately served by residential placement.
3. Check the availability and appropriateness of the out-of-home placement option being considered. A referral shall be made to out of state programs being considered for placement.
4. Invite the youth, family, active departmental case managers, and approved stakeholders to participate in the meeting. The Probation Officer will explain the PAC process and inform each attendee of the purpose of the meeting and their role. (See Appendix B – 2.22 PAC Pre-Presentation Checklist)
5. Prepare the PAC Plan event in FOCUS and assign the PAC decision and PAC approval to the QA Representative (or designee) assigned to complete the PAC decision. (See Appendix A – 2.22 PAC Decision Tracking Form)
6. Arrange for their Supervisor or designee to present to PAC when they are not available to.
7. When a youth enters a detention center or residential alternative to detention (RAD), planning will begin immediately. Any youth in a detention center will be presented before PAC at the next PAC meeting date if the plan for the youth is residential placement.

**D. PROCESS:**

1. Presentations will be scheduled, and the PAC Decision Tracking Form (see Appendix A) shall be completed by 12:00 pm on the business day before the PAC meeting.
2. Off-cycle PAC considerations are made electronically on an expedited basis as needed and follow the same decision-making process as a standard PAC request. Off-cycle PAC considerations will only be used when extenuating circumstances do not allow a presentation during a scheduled PAC time. Failure to sign-up for PAC in time is not an extenuating circumstance.
3. If an off-cycle PAC is necessary, the staff member will send the off-cycle PAC form to their Regional Manager via the chain of command. If the Regional Manager agrees with the off-cycle PAC request, the form will be sent to the QA for distribution to the committee by email. QA will schedule a teleconference as soon as schedules allow, but no longer than 3 business days. The committee will discuss the request and issue a decision.

**E. DECISIONS:**

1. PAC approves, denies, or modifies recommendations presented.
2. PAC considers the following information about the youth when making a determination:
  - a. Age
  - b. Current supervision level

Division of Youth Rehabilitative Services

**POLICY # 2.22**

**SUBJECT:** Placement Authorization Committee (PAC)

**PAGE:** 4 of 5

- c. Risk to re-offend and potential impact on community safety
  - d. Pending charges and adjudication history
  - e. Prior services and placements
  - f. Family dynamics/opportunities for family involvement
  - g. Education and school information
  - h. Behavioral health and other assessment information
  - i. Mandatory sentencing requirements
  - j. Treatment needs
  - k. Least restrictive setting
  - l. Any other relevant information presented
3. When PAC denies a placement request, the PAC committee members will provide feedback to assist the Probation Officer with case planning. The feedback will be documented in the PAC decision.

**F. AFTER PAC APPROVAL:**

1. The PAC decision in FOCUS will include the rationale for the approved placement option and a summary of how the approved placement will best meet the youth's needs and supervision requirements.
2. The assigned Probation Officer shall do the following:
  - a. During the sentencing for the youth, present to the court the rationale based on the youths' risks and needs in the PAC decision for the selected placement.
  - b. Prepare the youth and the family for the placement. (See CS Policy #3.5).
  - c. Complete the referral process (See CS Policy #3.3).
  - d. Complete the appropriate Interstate Compact forms for out-of-state placements. (See CS Policy #4.5)
  - e. Complete the PAC Outcome and resulting placement events in FOCUS.
  - f. PAC approval expires ninety (90) days from the date it is approved and if any significant circumstances change prior to the ninety (90) day expiration. When PAC approval expires, the Probation Officer shall schedule another PAC presentation.

**G. POST PLACEMENT IN-STATE REVIEW:**

1. When youth are placed in an in-state facility and the youth is not amenable to the treatment services provided, the Superintendent or designee will notify via email the Chief or designee about the reasons for the request to change the youth's placement. The email should include a brief explanation of the youth's behavior and why the youth is not amenable to the treatment services provided. After determination by the youth's team (treatment specialist, PO, FCT, clinical staff, etc.) that the youth is not amenable to the treatment services
  - a. The assigned probation officer will complete a PAC referral in collaboration with facility staff and prepare the case to present to PAC. The assigned

Division of Youth Rehabilitative Services

**POLICY # 2.22**

**SUBJECT:** Placement Authorization Committee (PAC)

**PAGE:** 5 of 5

probation officer will provide historical information to PAC regarding the youth.

- b. The facility will have adequate representation for the presentation to the PAC Committee about the concerns within the facility that prompted the request for change in placement.
- c. The Director or designee will participate in the presentation to the PAC Committee.