

**POLICY**

Residential juvenile justice facilities must implement and maintain a progressive discipline response system to address the inappropriate behaviors of each youth in the facility.

**PURPOSE**

To ensure each youth is treated fairly under a consistent system of discipline focused on encouraging appropriate behaviors, discouraging inappropriate behaviors and teaching new behaviors.

**DEFINITIONS**

See JRG, JJ Residential Glossary.

**RESPONSIBLE  
STAFF**

Facility director and direct care staff.

**PROCEDURE**

Each residential juvenile justice facility must develop and implement a written procedure for its discipline response system. This procedure must contain the following requirements:

**System  
Description**

The discipline system description must:

- Describe how staff responds to inappropriate youth behavior through a continuum of response. The response continuum includes but is not limited to all of the following:
  - Teaching interventions; see JR6 600.
  - Positive behavior supports; see JR6 601.
  - De-escalation strategies including those in approved physical restraint curricula.
  - Mechanical restraint; see JR6 620.
  - Behavior management rooms; see JR6 631.
  - Due process; see JR6 631.

- Restorative activities; see JR6 640. Require that staff use the least restrictive intervention necessary to initiate a change in the youth's undesirable behavior.
- Include provisions for the exercise of due process; see JR6 631.
- Include the use of a teaching intervention and/or restorative activity following the culmination of the discipline activity to facilitate reintegration into the treatment program.
- Require documentation of all behavior response interventions excluding teacher interventions and positive behavior supports; see JR6 600 and JR6 601.

### **Criteria-Choosing an Intervention**

Staff must always use the least restrictive disciplinary intervention.

Staff may never use any of the following:

- Corporal punishment inflicted in any manner. Corporal punishment includes, but is not limited to striking, hog-tying, beating, slapping and spanking. Corporal punishment also includes forced exercise and forced immobilization such as forcing a youth to stand at attention for prolonged periods of time. Calisthenics conducted as part of a facility-approved physical education program are not included in this restriction.
- Threat of corporal punishment.
- Discipline of a group for the misbehavior of an individual group member.
- Verbal abuse, ridicule, demeaning or degrading language or actions intended to humiliate. Use of profanity or slurs based on offense, race, ethnicity, gender, religion or sexual orientation.
- Denial of any essential program services.
- Withholding of food or water or creating special menus or meal presentations for behavior management or discipline purposes.
- Denial of visits and communications with family, including mail.

- Denial of the opportunity for at least eight hours of sleep in a 24-hour period.
- Denial of shelter, clothing or essential personal needs.

Staff must never allow another youth or volunteer to discipline another youth.

Staff must never discipline any youth as a means of retaliation or reprisal.

Any discipline or actions perceived as discipline may be the subject of a grievance.

### **Documentation**

Staff must document training for each youth in the discipline system as part of youth orientation.

### **Distribution**

As part of facility admission, the facility must send a copy of this policy and the facility discipline procedure to the youth's parents/guardian, the youth's juvenile justice specialist and, where appropriate, the youth's probation officer and/or care management organization caseworker.

### **LEGAL BASIS**

Public Health Code, 1978 PA 368, as amended, MCL 333.16101 et seq.

Social Welfare Act, 1939 PA 280, as amended, MCL 400.115a(1)(l).

Child Caring Institutions Rules, R400.4137, R400.4150, R400.4152