

TITLE 8 SOCIAL SERVICES
CHAPTER 14 JUVENILE JUSTICE
PART 3 FACILITY CLIENT EDUCATION

8.14.3.1 ISSUING AGENCY: Children, Youth and Families Department.

[8.14.3.1 NMAC - Rp, 8 NMAC 14.3.1, 12/30/2005]

8.14.3.2 SCOPE: This rule applies to clients and employees of the juvenile justice services of the children, youth and families department.

[8.14.3.2 NMAC - Rp, 8 NMAC 14.3.2, 12/30/2005]

8.14.3.3 STATUTORY AUTHORITY: Chapters 32A-1-1, et seq., 32A-2-1 et seq., 32A-3-1, et seq., 32A-3A-1 et seq., 32A-4-1 et seq., 32A-6-1 et seq., 32A-7-1 et seq., 32A-9-1 et seq., 32A-10-1 et seq., 32A-11-1 et seq., 32A-12-1 et seq., 32A-13-1 et seq., 32A-17-1 et seq., 32A-21-1 et seq., 33-9A-1 et seq. NMSA 1978 Comp., as amended. P.L. 89-133, P.L. 94-142, P.L. 89-199.

[8.14.3.3 NMAC - Rp, 8 NMAC 14.3.3, 12/30/2005]

8.14.3.4 DURATION: Permanent.

[8.14.3.4 NMAC - Rp, 8 NMAC 14.3.4, 12/30/2005]

8.14.3.5 EFFECTIVE DATE: December 30, 2005, unless a later date is cited at the end of a section.

[8.14.3.5 NMAC - Rp, 8 NMAC 14.3.5, 12/30/2005]

8.14.3.6 OBJECTIVE: Clients placed in the department's custody receive appropriate and individualized educational programs and services. The programs are designed to meet treatment, education and rehabilitative needs.

[8.14.3.6 NMAC - Rp, 8 NMAC 14.3.6, 12/30/2005]

8.14.3.7 DEFINITIONS:

A. Educational program refers to a program of formal academic education or vocational training.

B. IDEA refers to Individuals with Disabilities Education Act.

[8.14.3.7 NMAC - Rp, 8 NMAC 14.3.7, 12/30/2005]

8.14.3.8 EDUCATION, VOCATIONAL AND WORK PROGRAMS:

A. Clients are provided academic and vocational counseling, initial screening, assessment and evaluation to determine individual needs. The programs are consistent with the needs of the client population and the requirements of state and federal statutes.

B. Educational programs are accredited with the state of New Mexico public education department and comply with federal and state mandates governing regular and special education (IDEA) requirements. The state of New Mexico licenses juvenile justice service educational instructors.

C. Coordination and continuity between educational, vocational and work programs are provided in the plan of care and transitional plan. Work programs do not interfere with educational and treatment programs. Educational services are not used as a reward or punishment for client behavior.

D. Clients have access to a comprehensive collection of general and specialized reference materials that meet educational, recreational and legal needs. Client special requests for reference materials, subject to limitations necessary to maintain facility order and security, are accommodated.

E. Credits, diplomas, letters of attendance, graduation exercises and other incentives are formally provided to recognize clients for educational and vocational achievements and are equivalent to those issued by the public education department.

F. Clients employed in the community are compensated at prevailing rates.

G. Juvenile justice service clients must adhere to and follow all federal and state laws as they relate to the terms, conditions and limitations on working hours and conditions of clients performing work in a JJS facility.

H. Educational records are confidential according to law.

I. Each facility superintendent is responsible for ensuring that staff who have contact with clients sign a copy of the department approved form called acknowledgement of receipts and understanding and that these signed forms are part of the employee's personnel file.

[8.14.3.8 NMAC - Rp, 8 NMAC 14.3.11, 12/30/2005]

HISTORY OF 8.14.3 NMAC:

Pre-NMAC History: The material in this part replaces the material that was previously filed with the State Records Center and Archives under:

DDC/GS 10-60, Special Leave of Absences for Juveniles, filed 5/23/90.

YDDC/GS 15-01, Equal Opportunities for Juveniles Programs, filed 5/23/90.

YDDC/GS 06-20, Participation in Religious Programming, filed 5/23/90.

YDDC/GS 06-21, Provision of Staff and Resources for Religious Program, filed 5/23/90.

YDDC/GS 08-02, Classification for Reintegration Center Transfers, filed 5/23/90.

YDDC/GS 08-10, Classification of Juveniles with Special Needs, filed 5/23/90.

YDDC/GS 08-11, Juvenile Releases, filed 5/23/90.

BS 67-19, Boys Personal Property, filed 5/23/67.

BS 67-23, Students Supervision, filed 5/23/67.

BS 67-45, Students Personal Property, filed 5/23/67.

BS 67-49, Organization and Management Policy Cigarette and Candy Issue, filed 5/23/67.

BS 67-53, Students Notification of Parents Change of Status, filed 8/16/67.

BS 67-54, Students On-Campus Group Work, filed 9/5/67.

History of Repealed Material:

8 NMAC 14.49, Pre-Parole Release Passes and Furloughs, filed 11/15/96 - repealed effective 11/15/98.

8 NMAC 14.3, Facility Programs, filed 11/2/98 - repealed effective 12/30/2005.