

**Sixteenth Special Master Report (Filed Nov. 22, 2010)**

Area	Compliance	Source	Page
<b>CURRENT AND FUTURE CHALLENGES</b>			
Administration Change	-	"The Gubernatorial administration change in January 2011 will result in policy reassessment and changes and likely turnover in management...could delay or curtail the progress of the remedial efforts."	12
Chronic Fiscal Challenges	-	"Garnering the needed resources to complete the remedial efforts will be a challenge for DJJ...current fiscal crisis, concerns raised by experts, plaintiff, and legislators regarding the use of past appropriations provided for remedial reform and/or the high cost of providing current services...has created a situation where most likely DJJ will continue to have its funding reduced."	12
Implementation of IBTM	-	"The inability of the parties to reach agreement on the overarching approach to behavior management has created challenges. Without a clearly articulated vision and operating plan for achieving the desired behavior management approach, it has been difficult for staff to understand how the many efforts of the various remedial plans fit together."	14
Facility Limitations	-	"Several of the existing DJJ facilities have limited program space...none of the facilities are well designed for a reformed system...almost all facilities need upgrades in critical infrastructure."	16
Quality Assurance	-	"...most management staff in institutional settings...have little understanding or knowledge about how to use data to identify and determine if there are gaps in quality, programs or processes. Staff will need to be trained to learn how to use data systems to analyze and understand if implementation of policy and practice is adequate."	18
<b>WARD WITH DISABILITIES PROGRAM (WDP)</b>			
Remedial Plan Progress (as of 08/10/10)	Substantial	"...DJJ has achieved substantial compliance for 86% of the WDP audit items...[however] there is currently no system in place to document alternatives to use of force on youth with disabilities."	20
<b>EDUCATION SERVICES</b>			
Remedial Plan Progress (as of 08/10/10)	Substantial	"...90% compliance with remedial plan audit items...[however] DJJ continues to face challenges in meeting minimum student school attendance requirements...[resulting from] scheduling and custody movement issues that have been exacerbated by problematic Program Service Day implementation."	20-21
Restricted Settings	Non	"Youth in restricted custody, including regular and special education students, continue to receive fewer than 240 minutes of instruction per day and educational services provided in restricted custody remain inadequate... The reason for the inadequacy is a combination of insufficient custody, education and support staffing on restricted housing units and lack of proper instructional space."	37
Vocational Opportunities	Partial	"...DJJ must improve students' access to vocational programming... The fewer vocational opportunities afforded DJJ youth, the fewer employment skills with which youth parole into the community."	37
<b>HEALTH CARE SERVICES</b>			
Remedial Plan Progress (as of 08/10/10)	Substantial	"Four of five DJJ facilities are now in substantial compliance (85% or higher) consistent with the Medical Plan criteria... While the Dental Expert has been impressed with and has positively acknowledged DJJ's provision of dental services, the expert has expressed great concern over the recent retirement and replacement of DJJ's dental services administrator, with whom he credits much of the program's success."	22
Medical Reception,	Non	"DJJ's Health Care Services program needs to improve in, among other areas, medical reception, nursing sick call and proper documentation of services	22

Nursing Sick Call, Documentation of Services		including medication administration...these issues could be resolved with proper and consistent Central Office oversight...current restrictions on travel render such oversight impossible at this time."	
<b>SAFETY AND WELFARE</b>			
Remedial Plan Progress (as of 08/10/10)	Substantial	"DJJ has achieved an overall substantial compliance rating of 79%...However, some items such as violence reduction, gang management, and conversion of facilities to the rehabilitative treatment model are qualitative and subjective...it is difficult to assess actual progress in the absence of predetermined specific outcome measures."	22
<b>SEXUAL BEHAVIOR TREATMENT PROGRAM (SBTP)</b>			
Remedial Plan Progress (as of 08/10/10)	Partial	"...substantial compliance in the third round was 36%, a decline since the 39% substantial compliance ratings for the second...SBTP is currently in transition. The original plan and audit tools, adopted without input from the SBTP Expert, contained ambiguities, conflicts, and inconsistencies that hampered remedial efforts and raised questions about the reliability of audit results."	23
<b>MENTAL HEALTH</b>			
Remedial Plan Progress (as of 08/10/10)	Partial	"The mental health remedial effort is also in transition. The Mental Health Experts resigned on August 2, 2010...overall substantial compliance of 36% (first audit round)...partially completed second round, showed that the overall substantial compliance rating has increased to 41%. DJJ staff, including its Mental Health Administrators, believes that the Mental Health Remedial Plan and the accompanying audit tool is overly subjective and do not provide sufficient basis to measure progress or quality assurance."	23-24
Staffing	Partial	"Despite DJJ's facility closures and 50% population reduction, the number of authorized mental health clinical positions remained at 43 in FY 2005-06 and 38 in FY 2009-10. It appears that available treatment resources increased substantially with little progress (preliminarily) identified."	23-24
<b>OSM INITIATIVES (OFFICE OF THE SPECIAL MASTER)</b>			
Transfer of Monitoring	-	"In January of this year (2010), the Defendant moved for relief from the Court in some areas of monitoring in the Education, Safety and Welfare and Disabilities remedial plans. The relief was denied... Collectively the experts and Special Master created a process for the transfer of monitoring functions...the plan provides discretion for experts to work with DJJ staff to determine what audit items logically can be turned over to DJJ for monitoring..."	40