JUSTICE AND PUBLIC SAFETY CABINET

Department of Juvenile Justice

(New Administrative Regulation)

505 KAR 1:290. Juvenile allowance and work detail.

RELATES TO: KRS 15A.065, 15A.0652, 200.080-200.120, Chapters 600-645

STATUTORY AUTHORITY: KRS 15A.065(1), 15A.0652, 15A.160, 200.115, 605.150, 635.095, 635.100(7), 640.120, 645.250

NECESSITY, FUNCTION, AND CONFORMITY: KRS 15A.065(1), 15A.0652, 15A.067, 15A.160, 15A.210, 605.150, 635.095, and 640.120 authorize the Justice and Public Safety Cabinet and the Department of Juvenile Justice to promulgate administrative regulations for the proper administration of the cabinet and its programs. This administrative regulation establishes requirements for allowances and work detail for juveniles in youth development centers and group homes.

Section 1. Work shall be considered a part of normal daily living activities. Nothing in this section shall be viewed as restricting either voluntary juvenile services to the community or staff involvement in juvenile fundraising activities.

Section 2. Juvenile Allowance.

(1) A juvenile residing in a group home or youth development center shall receive $3.00 per week as an allowance. The Commissioner may increase the allowance.

(2) The juvenile's allowance shall be paid from the program's annual operating budget into the juvenile's account maintained as part of the Youth Activity Fund.

Section 3. Work Detail.

(1) A juvenile shall not be required to participate in uncompensated work assignments unless it is related to housekeeping, maintenance of the facility or its grounds, personal hygiene needs, part of an approved vocational or training program, or for restitution.

(2) A work detail shall not conflict with school attendance, unless approved by the educational staff. Work experience programs may be included in the juvenile's Individual Treatment Plan or Individual Learning Plan.

(3) Staff shall not enter into a work agreement with any juvenile under the care and custody of the department.

(4) A work agreement shall be executed if a juvenile will earn wages through participation in ongoing work release. This agreement shall include the:

(a) Employer's name;

(b) Salary paid;

(c) Work schedule assigned;

(d) Level of supervision; and

(e) Requirement that the employer abide by Kentucky child labor laws, if applicable.

(5) A Kentucky child labor law poster regarding hours of work permitted, for a juvenile fourteen (14) to seventeen (17) years of age, shall be posted in a conspicuous place in the facility.

(6) Medical documentation for a juvenile who participates in a work program, indicating that the juvenile is physically capable of performing the required work, shall be maintained in the juvenile's individual medical record.

(49 Ky.R. 250; eff. 3-5-2024.)

VICKI REED, Commissioner

APPROVED BY AGENCY: May 15, 2023

FILED WITH LRC: May 15, 2023 at 3:59 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on August 22, 2023, at 9:00 a.m. at the Justice and Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through August 31, 2023. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Amy Barker, Assistant General Counsel, Justice & Public Safety Cabinet, 125 Holmes Street, Frankfort, Kentucky 40601, phone (502) 564-3279, fax (502) 564-6686, email Justice.RegsContact@ky.gov.