

**OKLAHOMA COMMISSION ON CHILDREN AND YOUTH
OFFICE OF JUVENILE SYSTEM OVERSIGHT**

Name and Location of Facility: Cherokee Nation Youth Services
John A. Ketcher Youth Services Center
Tahlequah, Oklahoma

Date of Visit: June 4, 2008

Oversight Reviewer: Tina Pendergraft, Oversight Specialist

Focus of Visit: Announced Oversight Visit

Date: August 28, 2008

Introduction

The Office of Juvenile System Oversight (OJSO) conducted an announced visit on June 4, 2008, at the Cherokee Nation emergency youth shelter, located in Tahlequah, Oklahoma. The purpose of the visit was to assess compliance with established responsibilities and facility policy and procedures. The facility's twelve-bed emergency shelter was licensed as a Residential Child Care Facility by the division of Oklahoma Child Care Services (OCCS) of the Oklahoma Department of Human Services (OKDHS). The shelter contracted with the Office of Juvenile Affairs (OJA) to provide emergency shelter care for a maximum of twelve residents. Cherokee Nation Youth Services was accredited by the Oklahoma Association of Youth Services, with the educational needs of the residents provided by the Tahlequah Public School System. On the day of the OJSO visit, the census was six adolescent residents.

Interviews Conducted

- Entry interview and an exit conference with the Associate Director and Shelter Manager
- Two staff members
- Three residents

Documents Reviewed

- Two staff files
- Files on three residents
- Grievance log regarding grievances filed during the past six months
- Medical log
- Recreation log

- OKDHS Office of Client Advocacy incident reports for January 1, 2007, through May 30, 2008
- Oklahoma State Department of Health Food Inspection report dated May 21, 2007
- Office of the Oklahoma State Fire Marshal report dated May 14, 2007
- OKDHS OCCS inspection report dated March 25, 2008
- Cherokee Nation Environmental Health Services report dated February 22, 2008
- OJA Office of Public Integrity monitoring report dated February 21, 2008
- Oklahoma Association of Youth Services (OAYS) Peer Review/Agency Certification report dated February 26, 2008

Areas Toured

- Six resident rooms (three each for males and females)
- Two bathrooms (one for males, one for females)
- Kitchen and dining area
- Recreation room
- Food storage room
- Housekeeping closet

Findings

Interviews

The OJSO interviewed three residents. All made positive comments regarding the staff and the facility, such as they said they liked the staff because the staff members were nice; they said they felt safe; and they said they liked staying at the shelter. No concerns were identified from the resident interviews.

Two staff members were interviewed: a resident assistant and a resident advisor. Both rated the morale of the staff and residents as high. The two staff members stated that the facility was a good place to work because the staff wanted to provide proper care to the residents.

File Reviews

The files on three residents were reviewed. The OJSO noted:

- Documentation in one file indicated the resident did not receive a health screening within the required timeframe.
- One file did not document all of the required information upon admittance, as the juvenile's physical condition had not been recorded.
- Policies covered in the facility's handbook were being revised; therefore, agreements were being used between the residents and staff to substitute for written policies.
- One file did not contain a record of the resident's immunizations.

No other concerns were noted from the resident files reviewed.

The OJSO reviewed two staff files. The OJSO noted:

- Both files contained copies of expired driver's licenses for the employees.
- Documentation in one file indicated the staff member had not completed behavioral management training within thirty days of hire.

No other concerns were noted from the staff files reviewed.

Observational Tour

On the day of the OJSO visit, the facility was clean and well-maintained. No concerns were noted from the inspection of the facility.

Areas of Concern

1. Documentation in one of the three resident files reviewed indicated the resident did not receive a health screening within the required timeframe after admission, although the resident remained at the facility more than seven days. The shelter manager indicated this had occurred because the resident arrived on a Thursday and stayed until the next Friday, which included a weekend. However, the OKDHS Licensing Standards for Residential Child Care Facilities, OAC 340:110-3-167 Requirements for children's shelters, (e) Admission, (4), in part, states, "Each child remaining in a shelter for over seven days receives a health screening by an RN or LPN."
2. The facility's handbook was being revised, and, therefore, until the revisions were completed, agreements between the residents and staff were being used to substitute for the written policies. The OKDHS Licensing Standards for Residential Child Care Facilities, OAC 340:110-3-154.1 Program, (a) Rights of residents, in part, states, "The facility has current, written clients' rights policy that supports and protects all residents, which is available for residents, parents or custodians, staff, and licensing staff to review."
3. The facility inspections by the state fire marshal's office and the health department were past due. The shelter manager advised that the facility had contacted both the state fire marshal's office and the health department to request inspections. According to the shelter manager, the state fire marshal's office had advised that an inspection was not necessary by the state agency because of the sovereignty of the Cherokee Nation tribe. The OKDHS Licensing Standards for Residential Child Care Facilities, OAC 340:110-3-157 Physical facility and equipment, (n) Fire safety, states, "The facility complies with the state fire marshal's office regulations for construction and fire safety and is inspected annually by the state fire marshal's office or its designee." The shelter manager advised that she again would contact the state fire marshal's office and the health department to inquire and make another request.

Violations

1. One of the two staff files reviewed indicated that the staff member did not complete behavioral intervention techniques training within the required timeframe. The OKDHS Licensing Requirements for Residential Child Care Facilities, OAC 340:110-3-153.1 Personnel, (m) Staff training, (5) Behavioral intervention techniques, in part, states, "Within 30 days of employment, all child care staff and those support staff who occasionally provide instruction or training to residents complete training in behavioral intervention techniques."
2. One of the three resident files reviewed indicated the resident's physical condition was not documented at admission. The OKDHS Licensing Requirements for Residential Child Care Facilities, OAC 340:110-3-167 Requirements for children's shelters, (e) Admission, (6), (H), states, "Upon admission, the facility documents description of the child's physical and emotional condition."

Summary

The OJSO discussed all of its findings from the visit with the associate director and the shelter manager in the exit conference. The OJSO was provided with a copy of the health department's immunization record for the resident whose file did not contain this information. In addition, the OJSO was provided with copies of the renewed driver's licenses for the employees whose personnel files contained copies of expired licenses. One employee whose personnel file was reviewed had not completed behavioral intervention techniques training within thirty days of hire, a violation of the OKDHS licensing standards. The shelter manager advised that the training had not been available to the facility, but that the employee would be scheduled for the next available session.

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