

DOUGLAS F. GANSLER
Attorney General



KATHERINE WINFREE
Chief Deputy Attorney General

JOHN B. HOWARD, JR.
Deputy Attorney General

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL
JUVENILE JUSTICE MONITORING UNIT

FACILITY REPORT
NEW DOMINION SCHOOL
JANUARY – MARCH, 2008

Facility: New Dominion School - Maryland
Three Springs, Inc.
20700 Wagner Cutoff Road
Oldtown, MD 21555
Administrator: Gary Wolz

Date(s) of Visit: January 24, 2008
February 11 and 27, 2008
March 6, 2008

Reported by: Tim Snyder, Jeff Merson, Moira Lee
Juvenile Justice Monitors

Issues Monitored: Youth Served
Staff Training
Safety and Security
Incident Reporting

Persons Interviewed: Group Administrator, Program Administrator, Program Director, Admissions Director, Various Groups Supervisors, Group Leaders, and youth

Date of Report: April, 2008

INTRODUCTION

New Dominion School in Oldtown, Maryland, began accepting youth in 1981. In 1994, Three Springs Inc., headquartered in Huntsville Alabama, assumed ownership of New Dominion School. New Dominion provides treatment and education in the natural environment. The facility is located on 330 mostly wooded acres in Allegany County, Maryland. New Dominion assigns residents to therapeutic groups who live in campsite villages consisting of structures designed and built by youth and staff.

1. Population

The Maryland Department of Juvenile Services licenses New Dominion School to serve 72 youth in six groups of up to 12 youth in a group. The population has been significantly under capacity for several years, and during this quarter, it ranged from 30 to 34 youth. New Dominion has recently contracted with DJS to open a short-term 90 day impact program, "Expeditions", which when full will serve 24 youth. New Dominion reports that currently 88% of its residents are court ordered from the Maryland Department of Juvenile Services.

New Dominion describes its population as adolescent males, ages 11 to 18 who experience emotional, behavioral, and learning problems and have a history of difficulty in dealing with structure and/or authority, low self-esteem and substance abuse or experimentation. Most of the students at New Dominion possess at least average intelligence, but experience failure in school. Traditional educational approaches have generally not proved effective for these students.

New Dominion Policy states that the program does not accept residents who are actively psychotic, seriously physically handicapped, a danger to themselves or others. New Dominion screens felonious offenders on a case-by-case basis. Program staff evaluators must find referrals to be capable of benefiting from this type of educational and therapeutic intervention.

Review of the current DJS population as of April 15, 2008 revealed that the primary sustained adjudications leading to placement at New Dominion included:

● Controlled Dangerous Substance Possession	1
● Manslaughter, Felony Theft 2X, & Burglary 1 st Degree	1
● Controlled Dangerous Substance Manufacture and Distribution	1
● Robbery 2X & Unspecified Felony	1
● Robbery	1
● Malicious Destruction	3
● Carjacking	1
● Burglary 3 rd Degree	1
● Felony Theft	1
● Motor Vehicle Theft	1
● Assault 2 nd Degree	3
● Assault 1 st Degree	1

This Monitor did not have access to information concerning charges and convictions of youth enrolled from other states.

2. Staffing

a. Administration

Ron Brown is the Regional Director for Three Springs Inc. Gary Wolz is the Administrator of New Dominion School – Maryland. Mike Heron is the Program Director. Josh Zeigler is the Assistant Program Director. Tracy Smith serves as the Administration Coordinator.

b. Recruitment and Coverage

Two Group Leaders and a Supervisor work with each group of youth. Group Leaders are part of the group. Direct care staff stay with the group continuously for 5 days per week. Additionally, night watchmen are present in each group from 10pm to 6am, along with another floating night watchman, to maintain security throughout the campus. New Dominion’s policy requires that at least one staff member be on duty for every twelve or fewer residents.

New Dominion School began developing a 90-day program over a year ago, and hired a number of staff in the summer and fall of 2007 to receive training in anticipation of beginning the “Expeditions” program. New Dominion had to lay off several staff members due to the length of time taken to finalize the contract with DJS, and will now have to re-fill those positions.

c. Training

New staff members receive training in Satori Alternative Management of Aggression (SAMA), CPR, First Aid, and Automated External Defibrillator (AED), Child Abuse and Neglect Identification and Reporting, and Suicide Risk Assessment and Prevention. It can take up to six months for new staff to receive all of the required initial training. New Dominion rotates other topics of training throughout the year, so that within one year a new hire has received all the required training. New direct care staff members are on probation for 90 days and shadow experienced staff typically for a month, or until the Program Director assigns the new staff to a group.

New Dominion School is not compliant with training standards when a new employee works with a group unaccompanied by a fully trained staff member before completing required orientation training.

d. Teambuilding

New Dominion direct care staff meet weekly to review youth in each group and to participate in staff training and teambuilding. Staff members also meet on an as needed basis to work out any conflicts and to coordinate group and individual treatment intervention needs.

Applicable Standards

COMAR 14.31.06.05 D. (4). *(The licensee shall) (m)aintain adequate staff coverage at all times based on the time of day, the size and nature of the program and layout of the physical plant.*

COMAR 14.31.06 F. *Training of Child Care Workers. Each employee who provides direct care to children shall receive a minimum of 40 hours of initial and annual training. The program administrator shall designate an employee to accompany new direct care employees on initial tours of duty until the employee's supervisor determines that the new employee: (a) Is able to effectively safeguard the health and safety of the children; and (b) Has completed...training...to...include: emergency preparedness and general safety practices; cardiopulmonary resuscitation leading to certification; annual first-aid training...child abuse and neglect identification and reporting, suicide risk assessment and prevention; and approved forms of discipline and behavior management techniques including crisis management and the use of isolation and restraints.*

3. Safety and Security

a. AWOLs

A number of youth have AWOLed from the program over the 26 years of operation. Some of those youth have caused neighbors distress as they ventured onto their property, in some cases took items from cars or homes, and in at least one occasion assaulted a neighbor. While these episodes are relatively few, during this quarter there were four AWOL incidents involving seven youth. The neighborhood community formed a committee to discuss AWOL concerns. This Monitor attended the community meeting held in March in which New Dominion Administrators listened to concerns and agreed to implement changes to help address those concerns.

One outcome of the meeting was an agreement to form a community safety committee including New Dominion Staff and community members. New Dominion also agreed to install an automated call system that, when activated, would alert neighbors of the facility when a youth runs away from the program. The automated system would again be activated and notify neighbors when the youth is returned to the New Dominion campus.

b. Unsafe Use of Tools

This Monitor visited New Dominion on January 11, 2008 and observed youth using an axe and a maddox in an unsafe manner. The youth members had received tool use instruction, and the staff member should have been aware of the unsafe practice, but no one intervened in the activity until this Monitor pointed out the danger. This Monitor notified the Administrator who immediately went to the group to provide corrective action and counseling.

c. Key Control

In January, a youth was able to take car keys from the jacket of a teacher and subsequently steal his car.

Applicable Standards

COMAR 14.31.06.06 (1)(c). *(The licensee shall) (g)uide and supervise the children; manage the children's behavior; and promote the physical and emotional well being of the children.*

COMAR 14.31.06.09 (A)(2). *(The licensee shall) (e)nsure that community residents have reasonable access to the program administrator to address concerns about the program staff and residents.*

American Correction Association 1D-09 *Written procedure and practice (shall) provide that all new juvenile care workers receive training during their first year of employment. At a minimum, this training covers...key control.*

4. Incidents

a. DJS Database

Staff members label incidents according to the precipitating event. For example, an incident may begin because of a youth making a derogatory or threatening comment, but then escalates, and may result in a restraint, which may lead to an injury. The table below captures that information by including the reporting category and the number of restraints, and/or injuries that resulted from the initial event. Gang involvement may mean that the incident was gang related or that the youth or youths are gang members.

DJS Incident Database Summary Report – January 1 – March 31, 2008

Incidents	Total	Restraint	Injury	Gang Involvement
AWOL of youth(s)	4 incidents, 7 youth			1
Alleged Inappropriate Conduct/Comments by Youth	6	5		2
Physical Assault Youth on Youth	2 incidents, 4 youth			
Sick Youth Requiring Emergency/Hospital Care	1			
Youth requiring non routine off grounds medical care(Sports or non-incident related injury)				
Total	15 incidents	5	2	3

5. Education

a. Overview

Upon Admission, New Dominion enrolls a new student immediately in school, and schedules him for seven credit-bearing courses. In addition to English/Language Arts, Math, Science, and Social Studies, students earn three credits for experiential courses in Health/Physical Education, Life Skills, and Sociology/Citizenship.

During the course of stay in the treatment program, students earn academic credit hours for participation in activities directly related to basic needs, such as building campsite structures, planning and cooking meals, planning and taking extended adventure trips, and engaging in the group problem solving process

The academic program operates on a rolling enrollment so students can enter the school at any time during the year. The academic school is in session 246 days a year. New Dominion High School issues a secondary school diploma to students who have satisfactorily completed the minimum requirements for earning a diploma. A minimum teacher/youth ratio of 10 to 1 is maintained as a minimum.

b. General Educational Development Program (GED)

Students may enter the Pre-GED program or enter directly in the GED Program. When ready, the student takes the GED test to earn his Maryland High School Diploma.

c. Special Education

New Dominion School contacts Allegany County Public Schools when an admitted student has special education needs and requests that an IEP team meeting convene to review the student's IEP.

d. Misbehavior in School

Teachers and Administrators report that school misbehavior has increased over the past three years since New Dominion has been required to enroll youth immediately in the formal education program. Previously, New Dominion provided a new youth two months to acclimate to the program and begin to address the issues that necessitated placement. A student perceived enrollment in the formal school classroom as an earned privilege as he demonstrated his growth in treatment and readiness to take responsibility for his academic work.

Applicable Standard

COMAR 14.31.06.12 A (a). *.(The licensee shall) (e)nsure that each child...who has not earned a high school diploma or certificate of completion...is receiving an appropriate elementary or secondary school education; (b) If the child is a student with disabilities, (ensure) that the child receives special education and related services as provided for in the child's individualized education program; and (c) Ensure that each child...who has not received a secondary school diploma or certificate of completion...participates in a secondary school education program; a tutoring program to prepare the child to take the (GED) Test; or developmentally appropriate vocational skills training.....*

6. Programming

New Dominion views the group process as the primary therapeutic intervention necessary to achieve lasting change. Psychiatric/psychological services, individual therapy, family therapy, and substance abuse education services are also available.

When on grounds, the groups meet around their campfire at campsite each evening to discuss the day and address any unresolved feelings or concerns. At any

time during the day, a student or staff may call for a group meeting to resolve an issue. When on an adventure trip, the groups maintain the structure and hold group meetings just as they would on campus. New Dominion staff express that maintaining structure, routine and order is very important in providing safety and security and important aspects of maintaining a therapeutic environment.

a. Treatment Groups

Upon admission, New Dominion assigns a new student to a family worker, group counselor(s), and peer group. The team assigns a new student to a peer group based on clinical consideration of factors such as age, developmental level, past history and problem nature, and severity. The basic treatment team consists of the Director of Family Services, Program Director, Counselor, Supervisor, Nurse, Family Worker, and Teacher. The team participates in developing an individual treatment plan, which includes discharge and after care planning.

Each group of 10-12 students and three staff members have their own campsite village that they construct and maintain as a group. The treatment model involves adults and students working together and experiencing the rewards and consequences of their combined efforts. Each group has a name based on Native American words having significant meaning such as Honishi, (to excel), Kemotte (brothers), and Mikawa (strong leaders).

b. Special Therapeutic Adventure Activities

Residents participate in extended adventure trips including canoeing, backpacking, and bicycling. Students and staff plan trips together. The therapeutic adventure trips take about two weeks to complete and help build confidence, problem solving skills, and better relationships.

c. Community Outings

Each week every group participates in a “night out” activity. On these days, the groups plan and prepare their own meals at campsite. If staff members determine that the group has passed campsite inspection and is functioning appropriately, they may go off campus to a nearby town. Activities typically include eating out, shopping for personal items, or going to a movie. Occasionally groups also visit museums or historical sites.

d. Recreation

Groups plan on-campus recreational activities such as basketball, fishing, hiking, volleyball, horseshoes, softball, and soccer. Off campus recreational activities are also planned which include canoeing, swimming, basketball, biking, hiking, sailing, sea-kayaking, ice-skating, roller-skating, and bowling.

Each group generally has the opportunity for at least one hour per day of recreational time. Competition is discouraged in favor of team participation. On rainy days, the group uses the Library/Craft Tent structure at campsite for indoor activities.

New Dominion does not have a gym but does have a weight room. Sometimes during inclement weather, the students do not receive the one hour of required large muscle physical activity.

e. Parental Involvement

New Dominion School involves parents/guardians in the treatment process, and presents them with a parent handbook at the time of admission. Parents participate in the treatment planning process and discharge planning. New Dominion holds periodic parent conferences to discuss progress and problems. Parents/guardians also attend special events such as Open House and Family Day.

As a student progresses in the treatment program, he becomes eligible to apply for weekend home visits. These visits become more frequent as the student continues in treatment and demonstrates progress at home.

Applicable Standard

Md. Dept. of Juvenile Services Policy and Procedure RF-08-07. *Residential facilities shall provide each youth a minimum of one hour of (large muscle development through physical exercise) daily.*

7. Health and Medical

a. Nursing Facility

The Nurse's suite includes several clinic beds. The Nurse sees every resident once a month for a nursing summary and at any other time a need arises.

b. Health Records

Student health records are maintained for each student and include consent for treatment, insurance information, health history, all health complaints, illnesses, injuries, immunizations, evaluations, medication, and hospitalizations of the student, and all health care provided while the child is in the care of the Program.

c. Nurse Duties

The Nurse trains staff, ensures that physician orders are carried out, maintains communication with parents/guardians, packages medications for counselors to administer, makes medical appointments, schedules monthly medication reviews, verifies immunization records and administers initial health screenings, monitors youth for normal growth and development, keeps medication records, obtains physicians' medication orders, discusses medication side effects with physicians, and instructs staff on infection precautions.

d. Safety Committee

The Safety Committee monitors the infection control program each month. Both the Program Director and the Nurse report their findings to the Safety Committee. The Nurse provides a liaison between the program and the local health department.

e. Food

Cooks prepare meals five days each week and students eat in the dining hall. A registered dietitian approves the menus and cooks post the menus. Two days each week, the groups eat at campsite. Students, with help from counselors, plan and prepare the meals, which must be approved for balance and nutrition.

8. Facility and Maintenance.

a. Buildings, Structures, and Grounds

The central campus complex consists of an office building, school, dining hall, Nurse's suite/clinic, shower house, and laundry facility. The program typically has two staff to maintain the physical plant, but recently had to cut back to one staff.

Students and counselors live in campsite villages. The group constructs the campsite tents from harvested pine trees to form a framework, and then covers the structure with heavy-duty tarp and plastic for windows. Each tent structure has a wood stove for heat when needed. There are six campsite villages located within a quarter-mile of the central administrative area. Each village site is autonomous and is comprised of structures for sleeping, dining, cooking, personal hygiene, and group meetings.



b. Fire Safety

New Dominion presented a Fire Safety Inspection report dated 6/24/07. The report noted no areas of deficiency.

New Dominion conducts fire drills on a monthly basis, and presented evidence that the school and dining hall had fire drills in January, February, and March. Two of the three campsite villages also presented documents showing that staff held fire drills in each month of this quarter. One campsite did not conduct a fire drill in January.

c. Health Inspection

New Dominion presented a health inspection report conducted by the Maryland Department of Health and Mental Hygiene. DHMH held the inspection in early April 2008, and noted only one violation under 16 (a) (walls, floors, ceilings, windows, doors – clean, repair, and construction).

Applicable Standards

COMAR 14.31.06.07 (B)(5) *(The licensee shall) (m)aintain evidence that the physical plant had been tested for and found to be free of hazards from lead paint, asbestos, and radon...Protect the physical plant from insect or rodent infestation and...(m)aintain all structures and grounds in good condition, free from health or safety hazards.*

COMAR 14.31.06.08 (A)(5) *(The licensee shall) (h)old emergency drills...(a)t least monthly...(o)n each shift, at least quarterly...(a)t unexpected times and under varying conditions...and...(f)or different types of emergencies.*

9. Advocacy, Investigation, and Monitoring

a. Child Abuse

New Dominion states in its Policy Manual that; “it is the policy of New Dominion School that employees have a legal and moral responsibility to report suspected or confirmed cases of child abuse. Individuals making such reports, in good faith, will not be subjected to reprisals of any sort.”

b. Grievance Process

New Dominion School maintains an internal grievance process, a locked grievance box located in the lodge/dining hall, and has a comprehensive grievance resolution procedure.

The Policy Manual states that a resident may lodge a grievance (written/verbal) with any member of the program staff. It is the responsibility of the staff to activate the grievance process. In the event the grievance is of a highly serious nature, the staff member must take whatever legal and reasonable steps are necessary to ensure the immediate safety and well-being of the resident. Additionally, the staff member will notify the individual in the chain of command he feels most likely able to handle/address the situation/issue, regardless of normal/routine supervision processes and the employee may not suffer any reprisal for not following this process.

In April, DJS assigned Child Advocate Bob Pressman to New Dominion School. Mr. Pressman has made several visits to the facility to interview DJS youth. DJS will reportedly provide a separate grievance box for which only Mr. Pressman will have the key.

c. Community Case Management

Most, but not all, DJS youth see their Community Case Managers monthly.

d. Incident Reporting

Two incidents reported on the DJS Database noted that there was an injury, but failed to describe the injury. Another AWOL incident report made no mention of police contact.

According to DJS Policy that applies to private vendors, incidents are to be entered into the DJS Database or faxed to DJS by 9:00 a.m. the next business day following the incident. Of the 15 reportable incidents during this quarter, six were entered 5-7 days after the incident, and three AWOL incidents that occurred in early January were not entered into the Database until March 25th. New Dominion Administrators stated that DJS gave them the wrong fax number, but that they had faxed the incidents as required.

Applicable Standards

Md. Dept. of Juvenile Services Policy and Procedure CJ-04-3. *Juvenile counselors shall visit a child at the child's placement no less than once every month if the (child's) placement is in state.*

Md. Dept. of Juvenile Services Policy and Procedure MGMT 03-07. *The Program's management staff shall ensure a DJS Incident Reporting Form is completed, entered into the DJS Incident Reporting Database, and electronically forwarded to OIA by 9:00 a.m. the next business day. If access to the DJS Incident Reporting Database is not available, the DJS Incident Reporting Form shall be faxed to the attention of the OIA Administrator by 9:00a.m the next business day following the incident.*

RECOMMENDATIONS

1. Staff must receive all of the required training before being alone with youth.
2. New Dominion must monitor to ensure that students and staff use tools appropriately and safely.
3. All staff should place keys in a secured location when on campus.
4. New Dominion must provide one hour of large muscle recreation daily. New Dominion should consider building a gym or other structure so that during inclement weather youth have a suitable place to get the needed recreation.
5. DJS Community Case Managers should visit youth on a monthly basis.
6. Incidents should be reported completely and in the time required.
7. Fire drills should be held as required.