

UTAH DIVISION OF JUVENILE JUSTICE AND YOUTH SERVICES POLICY AND PROCEDURES		
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ACTIVITIES APPROVAL AND INFORMED CONSENT		
<p>RATIONALE: The purpose of this policy is to establish specific guidelines for Division staff to ensure appropriate approval for non-routine activities, and to ensure that underage minors and their parent or guardian are fully informed and have given written consent for participation in non-routine activity while receiving services from the Division.</p> <p><i>Replaces: 03-06 Non-Routine Activities–Approval and Informed Consent</i></p> <p><i>Related Policies, Applicable Standards, Statutes: JJYS policy 01-04 Research and Evaluation</i></p>		
Original Effective: August 14, 2008	Revision: May 16, 2024	Next Review Due: May 17, 2027

I. DESCRIPTION

Division staff shall allow individual minors receiving services from the Division to participate in non-routine activities only when that activity has been approved in writing by the Assistant Program Director (APD) and Program Director (PD), and informed written consent has been given by the minor and the parent or legal guardian of a minor under 18 years of age.

II. DEFINITIONS

The following terms are defined for this policy as:

- A. **Activity Informed Consent Form:** A form prepared by Division staff to be signed prior to participation in a non-routine activity.

- B. **Non-routine Activity:** An event that is outside of the day-to-day program schedule or routine program activities of Division facilities/programs.
- C. **Routine Activities:** Events that are part of the day-to-day programming of a JJYS program and are not high-risk for injury.
- D. **Legal guardian:** A person recognized by the Division as having the authority to give consent on behalf of a minor under the age of 18 as defined in Utah State Code. Division staff are not legal guardians.
- E. **Diligent Efforts:** Actions taken to contact a parent or legal guardian for consent as demonstrated by three or more attempts to reach the parent or legal guardian, beginning 5-30 days in advance of an activity. Diligent efforts include staff making phone calls, email, letters, or face to face contact with the parent or legal guardian of a minor participating in JJYS programs.
- F. **High Risk Activity:** Activities that pose a risk of death or serious injury.

III. POLICY

- A. Staff shall not conduct a non-routine activity until the activity and the list of participating minors has been approved by the facility/program APD and PD.
- B. Participating as a subject of a research project is not considered a non-routine activity under this policy and consent cannot be given by anyone except the parent or legal guardian in accordance with JJYS policy 01-04 Bureau of Research and Evaluation.
- C. Prior to participating in routine program activities, minors and their parent(s)/guardians shall complete and sign a consent to participate.

IV. PROCEDURE

- A. Staff shall not allow an individual minor to participate in a non-routine activity until the minor has been given information about the activity and signed the Non-Routine Activity Informed Consent Form.
 - 1. For a minor 18 years or older: Consent from a parent or legal guardian is not required for participation. A Non-Routine Activity Informed Consent Form signed by the minor is adequate.
 - 2. For a minor under the age of 18: Staff shall not allow a minor to participate in a non-routine activity until the minor's parent or legal guardian has been informed of and consented to

- participation by reading and signing the Non-Routine Activity Informed Consent Form.
3. Consent from the parent or legal guardian may be given over the phone, email or text message when a written consent has not been submitted. Verbal consent over the phone must be verified and documented by a second staff member on the consent form and placed in the minor's file.
- B. For a minor in JJYS custody who does not have a parent or legal guardian, or the parent or legal guardian is unable to be reached after diligent efforts:
1. Staff shall document diligent efforts to contact the parent or legal guardian for the opportunity to provide consent.
 2. When diligent efforts have been unsuccessful to reach a parent or legal guardian of a minor in JJYS custody, the Division Case Manager and a supervisor may grant the needed consent, after staffing the non-routine activity.
 - a) High risk activities shall be staffed with the APD, PD and JJYS legal counsel.
- C. The completed Activity Informed Consent Form(s) for each participating minor shall be placed in the minor's file.
- D. A case manager may not allow a minor in their care to participate in a non-routine activity with a private provider until informed written consent has been obtained from the minor, and in the case of a minor under the age of 18, also from the parent or legal guardian.
1. In the case of a minor who does not have a parent or legal guardian, or the parent/guardian has not been reached after diligent efforts, the minor's Division case manager, supervisor and APD may staff the activity and may grant the needed consent.
- E. During intake to a community program, minors and parents shall be informed of routine activities the minor will engage in while participating in the program.
1. For a minor 18 years or older: Consent from a parent or legal guardian is not required for participation. A program consent form signed by the minor is adequate.
 2. For a minor under the age of 18: Staff shall not allow a minor to participate in the program until the minor's parent or legal guardian has been informed of and consented to participation by reading and signing the program consent form.

VI. Continuous Renewal

This policy shall be reviewed every three years to determine its effectiveness and appropriateness. This policy may be reviewed before that time to reflect substantive change.

This policy has been reviewed by the Division of Juvenile Justice and Youth Services Executive Management Team and is approved upon the signature of the director.



Brett Petersen, Director
Division of Juvenile Justice & Youth Services

05/16/2024

Signature Date