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<b>POLICY NUMBER: (AF) 24.11</b>		
<b>CHAPTER 24: PROGRAMS AND SERVICES</b>		
	<b>STATE of MAINE</b> <b>DEPARTMENT of CORRECTIONS</b>	<b>PROFESSIONAL STANDARDS:</b>
	<b>Approved by Commissioner:</b> 	<b>See Section VIII</b>
<b>EFFECTIVE DATE:</b> <b>May 30, 2023</b>	<b>LATEST REVISION:</b>	<b>CHECK ONLY IF</b> <b>APA [ ]</b>

**I. AUTHORITY**

The Commissioner of the Department of Corrections adopts this policy pursuant to the authority contained in Title 34–A M.R.S.A. Section 1403.

**II. APPLICABILITY**

All Departmental Adult Facilities

**III. POLICY**

It is the policy of the Maine Department of Corrections to support a positive facility culture and promote collaboration and communication with residents using Resident Advisory Councils. Resident Advisory Councils shall be managed in a manner that fosters respectful, honest, and solution-focused dialogue between residents, administrators, and other staff to address issues, support programs, provide input into policy development, and enhance communication.

**IV. DEFINITIONS**

None

**V. CONTENTS**

- Procedure A: Resident Advisory Councils, General
- Procedure B: Selection
- Procedure C: Agenda Items
- Procedure D: Meetings
- Procedure E: Minutes
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**VI. ATTACHMENTS**

None

## VII. PROCEDURES

### Procedure A: Resident Advisory Councils, General

1. Each facility Chief Administrative Officer, or designee, shall maintain a Resident Advisory Council (RAC) with members representative of the facility's population to include:
  - a. representation from each facility housing unit; and
  - b. representation from civic groups or programs, at the discretion of the Chief Administrative Officer, or designee.
2. A housing unit may have more than one representative and must have no fewer than one representative for every eighty residents in the unit.
3. The RAC shall have a minimum of three members and a maximum of fifteen members.
4. A RAC member selected to represent a housing unit does not necessarily need to reside in the unit they represent, e.g., intake unit where residents are there for only a short amount of time.
5. Participation as a RAC member is:
  - a. voluntary;
  - b. considered a privilege, not a right; and
  - c. entails a significant commitment and responsibilities.
6. Being a RAC member shall not prevent a resident from progressing in relation to custody level and participation in community programs, e.g., work crews, furloughs, community transition program (work release, education release, and public service release), and the Supervised Community Confinement Program (SCCP).
7. The existence of the RAC does not prevent residents from using other means to address issues.
8. Each facility Chief Administrative Officer, or designee, shall designate a facility staff RAC point-of-contact, who shall serve as the chair of RAC meetings.

### Procedure B: Selection

1. When a vacancy exists on the Resident Advisory Council (RAC), the facility staff RAC point-of-contact shall ensure a notice is posted in facility housing units.
2. To be eligible to be selected for the RAC, a resident must:
  - a. be at least a Privilege Level 3 or in a minimum security facility or minimum security housing unit;
  - b. be case plan compliant;
  - c. not have been found guilty of a Class A or B disciplinary violation within ninety days prior to being selected for RAC membership;
  - d. must have one year or more remaining until their current custody release date; and

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e. must be recommended for selection to the RAC by the resident's Unit Team.

A minimum time at the facility may be required for eligibility at the discretion of the Chief Administrative Officer, or designee.

3. If the resident does not reside in the housing unit to be represented, the resident must be familiar with the unit, e.g., lived in the unit, is a peer mentor for the unit, etc. and must also be recommended for selection to the RAC by the Unit Team for that housing unit.
4. An eligible resident may be considered for the RAC:
  - a. by the resident submitting a written request to their Unit Team (and, if applicable, the other housing unit's Unit Team);
  - b. by the Unit Team(s) recommending a resident for the RAC, whether or not the resident has submitted a request, if the resident is willing to serve on the RAC; or
  - c. by a group or program recommending to the Unit Team a resident to represent the group or program, whether or not the resident has submitted a request, if the resident is willing to serve on the RAC.
5. The Unit Team(s) shall make a recommendation whether or not to approve the resident for selection to the RAC to the Chief Administrative Officer, or designee, based upon the following factors:
  - a. the resident's ability to represent the housing unit, group, or program effectively on the RAC;
  - b. the resident's ability to engage with others in a positive manner;
  - c. diversity, equity, and inclusion (DEI);
  - d. length of sentence so as to include residents with varying sentence lengths; and
  - e. sufficient time remaining in the facility.
6. The Chief Administrative Officer, or designee, shall either approve or deny the selection of the resident to the RAC and the resident's Unit Manager, or designee, shall inform the resident of the decision and the reason(s) in writing.
7. If approved, the RAC member's term shall be for two years, unless it is extended or ended as set out below.
8. The staff who is the facility staff RAC point-of-contact shall maintain a list of RAC members and the beginning and end dates of their terms and post this in the housing units.

**Procedure C: Agenda Items**

1. The Resident Advisory Council (RAC) shall be allowed to hold monthly informal, interim preparatory meetings with the facility staff RAC point-of-contact for discussion, research, and preparation of agenda items for the joint meeting with the facility administration.
2. A RAC member shall be responsible for pre-meeting work, which shall include discussing proposals for agenda items with the residents they represent. The RAC member shall be allowed reasonable access to the residents they represent.

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3. Any RAC member or facility staff may submit agenda items to the Chief Administrative Officer, or designee, who has final approval of the agenda. Agenda items shall be submitted in writing at least two weeks in advance of the meeting.
4. Agenda items shall include:
  - a. standing agenda items consisting of:
    - 1) a reporting on the Resident Benefit Fund (RBF) expenditures and an opportunity for comments regarding past or proposed future use of RBF revenues;
    - 2) notification about new or revised non-confidential policies or rules;
    - 3) general announcements by facility administrators and facility staff to residents;
    - 4) any decisions made on prior meeting agenda items; and
    - 5) unresolved carry-over items from previous meetings for a status check.
  - b. new agenda items consisting of:
    - 1) agenda items submitted by the RAC members and facility staff that have been approved by the Chief Administrative Officer, or designee;
    - 2) agenda items added by the facility staff RAC point-of-contact; and
    - 3) emergency items, if approved by the facility staff RAC point-of-contact.
5. A RAC member shall include sufficient detail on any agenda item they submit to allow advance research or preparation by relevant staff.
6. All agenda items presented at a RAC meeting shall be thoughtfully considered and to the extent practicable explore possible solutions.
7. An agenda item may be disallowed if the item has been addressed within the past year unless the circumstances have substantially changed.

**Procedure D: Meetings**

1. Resident Advisory Council (RAC) meetings shall be held at least quarterly and to the extent practicable shall be scheduled to allow the maximum number of members to attend.
2. The facility staff RAC point-of-contact shall ensure that the RAC meeting dates and the agenda items are posted in the housing units.
3. In order for a meeting to proceed, at least half of the RAC members must be present.
4. The facility staff RAC point-of-contact shall facilitate the RAC meeting or allow another staff or a RAC member to facilitate or co-facilitate the meeting. A facilitator shall:
  - a. allow time for discussion and deliberation of each item;
  - b. keep the meeting focused on the agenda items;
  - c. ensure that discussion remains respectful and solution-oriented; and
  - d. ensure minutes are taken of the meeting.

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5. Discussion shall not be allowed if it reveals personal information about a specific resident.
6. The facility Chief Administrative Officer, or designee, shall ensure that staff from facility administration and Unit Managers, or their designees, are present, as applicable. In addition, the Chief Administrative Officer, or designee, shall ensure that appropriate managers or other appropriate staff are present to discuss relevant agenda items (e.g., medical, maintenance, etc.).
7. The Chief Administrative Officer, or designee, may approve others to attend a RAC meeting to observe or participate, as appropriate. These attendees may include other Department staff, residents who are not RAC members (including prospective RAC members), and an outside guest who may have relevant input to an agenda item. Any person approved to attend shall be invited by the facility staff RAC point-of-contact.
8. A RAC member who submitted an agenda item shall be given an opportunity to present the item, to include a problem statement and a reasonable proposed solution.
9. The Chief Administrative Officer, or designee, shall have the final authority to make the decision on any item. The decision or a status update shall be provided within thirty days, shall be in writing, and, if appropriate, shall include the reason(s) for not approving a proposal.
10. The agendas and minutes of RAC meetings shall be provided by the Chief Administrative Officer, or designee, to the Commissioner, or designee.
11. A RAC member shall be responsible for post-meeting work, which shall include discussion of the meeting results with residents they represent. The RAC member shall be allowed reasonable access to the residents they represent.

**Procedure E: Minutes**

1. Minutes of the meeting shall be taken to record the date, time, and location; the names of those in attendance; the person taking the minutes; the agenda items; and any actions taken or follow up actions to be taken with respect to each agenda item.
2. RAC minutes may be drafted by staff, or a RAC member as determined by the facility staff RAC point-of-contact but must be reviewed and approved by the facility Chief Administrative Officer, or designee, prior to distribution.
3. The Chief Administrative Officer, or designee, shall ensure that the minutes are:
  - a. distributed to applicable staff and RAC members; and
  - b. readily available to all residents by having them available in every housing unit and on tablets, if applicable.

**Procedure F: Extension or Ending of Term**

1. A RAC member may resign at any time for any reason by giving written notice of their resignation to the facility staff RAC point-of-contact. Unless otherwise specified in the notice, the resignation shall take effect upon receipt by the facility staff RAC point-of-

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contact. The resignation shall not have any negative consequences for the RAC member.

2. Each member is selected for an initial term of up to two years. If the resident is willing to serve for a second term and the Chief Administrative Officer, or designee, agrees, the resident may remain on the RAC for an additional term of up to two years. A former RAC member who remains eligible may be considered for RAC membership after one year of not being on the RAC.
3. A resident's term on the RAC ends if a RAC member:
  - a. is found guilty of a Class A or B disciplinary violation;
  - b. receives a drop in their privilege level to Level 1 or 2; or
  - c. is no longer a resident of the facility.
4. If a RAC member is moved to another housing unit within the facility, the facility Chief Administrative Officer, or designee, shall make the determination whether or not the resident will remain on the RAC.
5. The Chief Administrative Officer, or designee, may end a resident's term as a RAC member at any time for any reason and shall provide the resident the reason(s) in writing.

#### **VIII. PROFESSIONAL STANDARDS**

None

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