

244-RICR-00-00-2

TITLE 244 – BATTERERS INTERVENTION PROGRAM STANDARDS OVERSIGHT COMMITTEE

CHAPTER 00 – N/A

SUBCHAPTER 00 – N/A

PART 2 – Comprehensive Standards

2.1 Authority

These rules (“Rules”) are adopted pursuant to the Administrative Procedures Act (R.I. Gen. Laws Chapter 42-35) for the purpose of assisting the Batterers Intervention Program Standards Oversight Committee (“Committee”) in carrying out the functions, powers, and duties assigned to it by statutory authority (Domestic Violence Prevention Act, R.I. Gen. Laws §§ 12-29-5 and 12-29-5.1 through 12-29-5.3).

2.2 Purpose

- A. These comprehensive program standards are established for the purpose of guiding the design and monitoring of a batterers intervention program, as referenced in law. The standards are intended to enable individuals and agencies to become familiar with the requirements for being certified as a batterers intervention program; and to enable the duly constituted Oversight Committee to identify, certify, and monitor programs that provide services to court mandated batterers. Effective and ethical services promote the accountability of perpetrators; teach and support perpetrators in learning non-abusive behavior; make every feasible effort to stop perpetrators from committing further abuse; and are committed to participating in a system that furthers the safety of, and accountability to, victims of domestic abuse.
- B. The Oversight Committee seeks to exercise its authority in a responsible and responsive manner, providing reasonable assistance to programs that apply for certification and striving for a cooperative relationship with batterers intervention programs. Each of the standards is considered to be important and necessary, but they are the means toward achieving offender accountability, not an end in themselves. The Committee recognizes that effective programming requires some degree of flexibility to address unusual or unforeseen circumstances. An occasional, reasonable exception to a specific standard for cause is not necessarily inconsistent with faithful adherence to the principles underlying the standards.

- C. All service providers involved with domestic violence perpetrators or victims, whether the services are directly related to domestic violence or incidental to it, and whether or not criminal charges have been filed, are strongly urged to become aware of the relevant issues, principles, dynamics, and ancillary services in recognition of the specialized nature of intervention for domestic abuse.

2.3 Foundation Principles

- A. Domestic violence is a crime. The consequences for perpetrators sanctioned pursuant to R.I. Gen. Laws § 12-29-5 include criminal penalties, and require participation in and completion of a certified batterers intervention program. The principles and goals at the core of programs certified by the Batterers Intervention Program Standards Oversight Committee shall include but not be limited to the following:
1. Batterers are responsible for their own behavior and must be held accountable for that behavior.
 2. Violent, threatening, and abusive behavior is purposeful, serving to exercise power and control over another individual.
 3. Abusive behavior is a choice; individuals can learn alternatives to abusive behavior and can behave non-abusively.
 4. Batterers intervention differs from and is not replaceable by substance abuse treatment, mental health services, family/marital/couples or other counseling.
 5. Becoming and remaining non-violent and non-abusive requires a sustained commitment by the abusive person.
 6. Those who have been victimized by an abusive person, or who could be victimized, have no legal, moral, ethical, or personal responsibility for the abuser's behavior.

2.4 General Program Responsibilities

2.4.1 General Mission

- A. Program principles, practices, and organization shall incorporate awareness of and sensitivity to the needs of victims; hold batterers accountable for their own behavior; and report on offender compliance to the criminal justice system.
- B. Batterers intervention programs shall have written policies reflective of the basic standards, program requirements, principles, and practices as set forth in this document. Programs shall maintain such written records of activities as needed to document compliance with requirements and standards, and shall provide

reasonable access to representatives of the Committee to enable them to observe groups, review documents, and monitor compliance with the standards.

2.4.2 Certification Application

Agencies or individuals interested in providing a batterers intervention program to mandated domestic violence offenders shall apply to the Batterers Intervention Program Standards Oversight Committee to be certified for that purpose. (Refer to [Part 1](#) of this Subchapter.)

2.4.3 Updating Programs

- A. To the extent feasible, program managers shall strive to adopt evidence-based practice as it emerges, to update curriculum materials on an ongoing basis, to refine Facilitator techniques and methods, and to ensure that staff, materials and approaches reflect the best of current knowledge and understanding within the field.
- B. Major program changes that contradict or are not otherwise consistent with the existing extensive Comprehensive Standards shall require requesting a variance [see Variances, § 2.9 of this Part].

2.4.4 Changes in Business Operations

- A. The Oversight Committee recognizes that programs will sometimes be faced with the need to make changes in scheduling, group composition, staffing, billing procedures, reporting procedures, and other operational details. Many such changes amount to relatively minor adjustments, while occasionally a program may find that it needs to terminate some or all of its services.
- B. Consistent with good business and professional practice, program directors are requested to provide the Committee advance notice of significant changes whenever feasible, and to work with clients, referral sources, other programs and the Committee to provide as smooth a transition as possible.
 - 1. For adjustments to group times and locations, programs shall notify all affected clients of changes as soon as possible, and provide alternatives (comparable groups and services) as feasible.
 - 2. The Committee and all affected referral sources shall also be notified of changes as soon as possible.
 - 3. Should a program anticipate terminating some or all of its services, it is requested that the program complete services with as many current clients as possible.

4. For program closures or schedule changes that would require a client to transfer to another program, programs shall notify affected clients and referral sources; such transfers shall be the responsibility of the referral source to arrange and/or approve. Cooperation and coordination among programs is requested as a professional courtesy. The sending program is requested to provide a summary of each client's attendance, cooperation, participation, number of sessions completed/number of unexcused absences, payment contract and account status. The sending program is also requested to advise clients, referral sources and the Oversight Committee of how to access closed records, if needed.
5. Any and all program changes that could have implications for certification status are required to be forwarded to the Oversight Committee for review. Examples of such matters to inform the Committee about (with advance notice, when possible) include but are not limited to changes in director, program affiliation, or organizational identity; changes or additions among individual staff or staffing patterns; significant modifications to curriculum; and other changes of substance. [See the Rules of Practice and Procedure, and Comprehensive Standards section on Facilitator Qualifications, Supervisor Qualifications, and Curriculum [§ 1.3.2\(C\)](#) of this Subchapter.]
6. Programs anticipating a change in business entity (including but not limited to the examples described above) should be aware that the certification status and/or certification application process shall be impacted as a result of changes in business entity [see the Rules of Practice and Procedure for details, [Part 1](#) of this Subchapter].

2.4.5 Client Records, Reports and Discharge

- A. Individual participant records (paper and/or computer files) shall be maintained by batterers intervention programs throughout the individual's enrollment in the program. All such individual records shall be maintained in a secure, confidential, and private manner, for a minimum of three (3) years and until such time as they are destroyed.
- B. Individual participant records (paper and/or computer files) shall include a referral form (if applicable), police report (if available), signed authorization for release of confidential information, individualized contract, records of fee payment and/or compliance with other compensation alternatives, monthly progress reports, and discharge or termination summary.
- C. Batterers intervention programs shall evaluate participant progress and shall compile status reports at a minimum interval of once monthly. Such reports shall be made a part of the individual's record, and shall be provided as appropriate to the referral source and/or the court that has jurisdiction. Reports shall address

the client's attendance, missed sessions (excused and/or unexcused), cooperation, participation, and contract compliance.

- D. Upon a client's completion of the required 40 hours of group, programs shall provide a written discharge summary to the referral source. In addition, the program shall provide a notice of completion to the client.
- E. Upon unsatisfactory or premature termination of a court-mandated batterer, the program shall notify the referral source the next business day, or as soon as feasible, and shall provide a written discharge summary. Reasons for such unsatisfactory or premature termination shall be specified.
- F. Programs shall maintain reports of unusual incidents involving clients. As appropriate, such reports shall be forwarded to the referring agent and/or court having jurisdiction, police, victim advocates, or other parties with a need to know.

2.4.6 Responsibilities to Victims and the Community

- A. Batterers intervention program staff are obligated to report any imminent threat to harm self or others. Such threats shall be reported to the police immediately, and reasonable efforts shall be made to notify any identified victim. Adult Probation and Parole and/or other referral source shall be notified as soon as possible. Illegal, dangerous, or threatening behavior that does not appear to pose an immediate credible risk of harm shall be reported to the appropriate individuals and/or authorities within a reasonable time frame, according to the nature of the behavior.
- B. Batterers intervention programs are not encouraged to seek contact with victims or family members of clients. However, response to contact initiated by victims or family members, and all other activities of batterers intervention programs, shall be guided by principles of victim and community safety.
 - 1. Programs shall inform victims with whom they have contact that completion of a batterers intervention program is not a guarantee that the abuse will stop; and shall articulate to such victims that being non-abusive requires long-term commitment and continuing effort on the part of the batterer.
 - 2. Programs that are contacted by victims may provide information about the specific intervention program and batterers intervention in general, and referrals for victim services from local domestic violence service programs. Brochures and updated lists of local domestic violence victim services are available through the Rhode Island Coalition Against Domestic Violence and/or its member agencies.

3. Victims contacting programs with inquiries about specific batterers shall be referred to Adult Probation and Parole and/or other referral source. Victims shall be offered referral information for victim service programs.
 4. Batterers intervention programs shall not ask a victim to support a batterer's participation in the program, financially or otherwise.
- C. If an agency offers a batterers intervention program and also provides services to victims or family members, or is knowingly located in close proximity to victim service providers, the following safety precautions shall be in place:
1. All reasonable efforts shall be taken to avoid having batterers and victims present in the same location in order to preserve victim safety and privacy.
 2. Particular program staff providing services to batterers and victims or family members shall not provide services to both members of a victim/perpetrator relationship, at least until after completion by the abuser of a batterers intervention program.
 3. Program staff providing services to victims shall not share information about individual victims with batterers intervention staff.
- D. Programs shall work cooperatively with shelters for victims of domestic abuse, victim advocates, the criminal justice system, and task forces formed on behalf of victims of battering, as feasible.
- E. Program staff shall maintain familiarity with state laws regarding domestic violence and protective and no-contact orders; maintain a resource library for referrals for victims to advocates, support services, shelters, and access to protective orders; and be familiar with local law enforcement, prosecution, and court policies regarding domestic violence cases.
- F. Programs shall establish and work to maintain linkages with the courts, probation and parole, law enforcement, and other segments of the criminal justice system; and shall, with proper releases, report each batterer's compliance with program and mandated requirements.

2.4.7 Confidentiality and the Limits of Confidentiality

- A. As clients of a social service agency, batterers are entitled to reasonable privacy and confidentiality, including protections provided by law, regulation, and ethical considerations. However, public safety concerns result in limitations on confidentiality.
1. Batterers intervention programs shall develop and implement written policies that require mandated batterers upon enrollment to provide written and signed authorization to release confidential information regarding

program enrollment, attendance, cooperation, participation, and contract compliance for the purpose of reporting to Probation and Parole or other referring agency, the court having jurisdiction, and other law enforcement entities.

2. Enrolled batterers shall be informed that dangerous, threatening, or illegal behavior within the batterers intervention program or coming to the attention of program staff shall not be considered confidential; and that such information shall be communicated to appropriate individuals and authorities.
3. Programs shall notify Probation and Parole and/or other referral sources when court mandated batterers are terminated from the programs prior to completion.
4. If audio or videotaping is done of groups for release in the public arena, consent shall be secured from the identified victims of participants, as well as from the participants themselves.
5. Batterers intervention programs that conduct research, participate in research, and/or provide data to researchers shall ensure that the research protocols disguise or eliminate identifying information related to batterers and victims.
6. Programs requesting certification shall provide reasonable access to individuals authorized by the Batterers Intervention Program Standards Oversight Committee for the purpose of program review and certification. Such individuals shall be permitted to review client and program records, observe group sessions, conduct staff and/or client interviews, and perform other activities as part of the certification process and in accordance with duly established procedures.
7. With the indicated exceptions, client information and records shall be kept strictly confidential.

2.4.8 Complaints

- A. Batterers intervention programs shall develop a mechanism for considering and responding to written complaints from batterers, victims or other individuals regarding staff conduct, program practices, or other substantive matters. Program participants shall be informed that there is a process for filing such a complaint with the program, the details of which shall be made available to any interested person.
- B. Records shall be maintained for a minimum of three (3) years for each written complaint, how it was handled, and whether there was a disposition, decision, or other outcome within the program.

- C. If a complaint is not resolved by the program to the satisfaction of the complainant, and if the complaint is related to the Comprehensive Standards, the complainant shall be informed that he or she can refer the matter to the Batterers Intervention Program Standards Oversight Committee. The program will be asked by the Committee to report what efforts were made to resolve the matter internally.

2.4.9 Non-Discrimination/ Legal Requirements

- A. Batterers intervention programs shall maintain written policies and shall implement practices that prohibit discrimination against victims, batterers, staff, or other individuals on the basis of race, class, age, gender, marital status, sexual orientation, physical or mental ability, religion, ethnicity, or political affiliation. This listing is not limiting in scope and all written policies on non-discrimination must abide by federal and state law.
- B. Agencies and individuals providing batterers intervention programs shall be responsible to meet their obligations under existing laws, regulations, or requirements related to facilities, personnel, clients, conduct of business, and any and all applicable rules, independent of the authority and responsibility of the Batterers Intervention Program Standards Oversight Committee.

2.5 Program Content

Batterers intervention program goals, values, practices, curricula and policies shall reflect the basic principles enumerated in this document and summarized in the Foundation Principles.

2.5.1 Group Format Standards

- A. Batterers intervention shall ordinarily be conducted in the context of psycho-educational groups of peers under the leadership of professional Facilitators trained and experienced in such work.
 1. Completion of a batterers intervention program requires participation in group sessions over a minimum of twenty (20) weeks with a total of at least forty (40) contact hours. Each participant shall be credited only for time actually in attendance.
 2. Fee collection and scheduled breaks shall not be considered contact time for the purpose of completing forty (40) contact hours. Any group time spent in pursuit of these activities must be made up by adjusting the length of the group session or adding group sessions.
 3. Group sessions shall be scheduled for one and one half to two (1½ to 2) hours each in duration, exclusive of fee collection and breaks. Groups

shall begin and end at scheduled times, with prohibitions against late arrival and early departure.

4. All groups shall be led by a Seasoned Facilitator. For groups with more than ten (10) participants, a Seasoned Facilitator shall have a co-Facilitator: either another Seasoned Facilitator or a qualified Facilitator Trainee. Maximum group size with two (2) or more Facilitators shall not exceed eighteen (18) members.
 - a. It is recognized that the occasional illness or unanticipated absence of a co-Facilitator may occur, and/or that occasionally the group size may unexpectedly exceed the maximum. Such exceptions shall not constitute non-compliance for a program and/or group that demonstrates overall adherence to the standards and their underlying principles.
5. All groups shall be comprised of batterers of the same gender.

2.5.2 Curriculum Topics

- A. Batterers intervention programs shall implement a psycho-educational group intervention model of practice that incorporates at a minimum the following topics, concepts, and skills:
 1. Domestic abuse shall be defined as part of a pattern of coercive control that may include physical, verbal, emotional, sexual, and financial abuse.
 2. Domestic violence shall be defined as a crime with serious legal consequences and not as a private or family problem.
 3. Batterers must be held fully responsible for their own abusive behaviors. Consistent with this, all program materials, models, and group content must ensure that batterers are held accountable for their own behavior and are prevented from minimizing or justifying abusiveness, or any other form of defense mechanism.
 4. Programs shall ensure that victims are not blamed in any way for the behavior of the batterers. Consistent with this, no program materials, models, or group content shall place blame on the victim, enable the batterer to hold the victim responsible, or presume equal power within an abusive relationship.
 5. Batterers intervention programs shall treat violent and abusive behavior as a choice for which the abuser is responsible. Programs shall recognize that violence is a learned pattern of behavior supported by a system of beliefs and attitudes.

6. Curriculum topics shall include learning to choose and practice non-abusive behavior, effective communication, and listening skills.
7. A responsibility plan/safe behavior plan shall be developed with each batterer, including basic steps the batterer agrees to take in conflict situations to recognize and address individual high risk situations and to assure the safety of victim(s) and of themselves (e.g. from self-harm). Program providers shall ensure that the individualized safety plan is current and up-to-date at the time of program completion.
8. The program curriculum shall inform batterers about the impact of abuse on the victim.
9. The program curriculum shall inform batterers about the impact of the abuse on children, the incompatibility of abuse with responsible parenting, and the frequent co-occurrence of domestic violence and child abuse.
10. The program curriculum shall include information about the impact of the abuse on the larger community, including such entities as other members of the household, extended family, neighbors, co-workers, police and courts, hospital and health services, community agencies, and/or public services.
11. The program curriculum shall include information batterers about cultural and social influences, including gender role stereotypes, which can contribute to attitudes that support and/or rationalize abusive behaviors.
12. The program curriculum shall include about sexual abuse (defined as coercion and/or manipulation associated with any form of sexual behavior) as one form of domestic abuse.
13. The program curriculum shall include information batterers about the relationship between substance abuse and domestic violence, including how substance abuse can contribute to the frequency and severity of abuse, rationalizing abuse, and planning abuse. The curriculum shall make clear that substance abuse is not the cause of domestic abuse.
14. The program curriculum shall inform batterers that completion of a batterers intervention program is not a guarantee that the abuse will stop; and shall articulate to batterers that being non-abusive requires long-term commitment and continuing effort on the part of the individual batterer.

2.5.3 Presentation of Curriculum

- A. Curriculum language, topics, and approaches must accommodate diverse clients and populations. All materials shall be presented in a manner that demonstrates non-discrimination and sensitivity to diversity of all kinds.

1. Materials shall be presented in a manner that maximizes comprehensibility to batterers of various levels of education, literacy, or cognitive skills.
2. Programs that offer bilingual or non-English speaking groups shall ensure that the Curriculum materials for such groups may be made available in the appropriate language.

2.5.4 Written Curriculum Format

- A. Each program shall submit its curriculum (or curricula) for review by the Committee. The curriculum shall consist of detailed lesson plans for each session, materials for use by Facilitators, and handouts for group members. Any substantial changes to a program's curriculum shall be submitted to the Committee for review.
 1. All materials and tasks shall be presented in a manner that demonstrates their relationship to domestic abuse.
 2. Participant disclosure/description of events surrounding an abusive act can be allowed, if relevant to the group process and individual learning in the judgment of the Facilitator, as long as the information conveyed maintains victim confidentiality, does not minimize or justify the batterer's behavior, and does not place blame on the victim.
 3. Programs shall ensure through on-going supervision that all Facilitators are familiar with the curriculum and associated materials, including the focus and purpose of each session and how materials are used.

2.6 Client Enrollment Requirements

2.6.1 Identified Problem and Referrals for Other Services

- A. Batterers intervention programs shall only serve clients whose needs or problems relate to being the perpetrator of domestic abuse or domestic, interpersonal, or intimate partner violence.
- B. Batterers intervention shall not provide services for: marital or couples problems; relationship or personal problems; anger management or impulse control; or substance abuse, mental health or medical needs. (See § 2.6.3 of this Part)
 1. A client who is considered inappropriate for group participation based upon any pattern of behavior or any apparent medical, psychiatric, psychological, cognitive, language, communication, or physical condition or limitation deemed likely to interfere with the ability to participate meaningfully in group or interfere with the group process shall be referred to court through the referral source for a determination as to how to

address the mandate for batterers intervention. The basis for considering the client inappropriate for group shall be provided to the court, along with potential alternatives, if any. The court shall be requested to determine whether alternative(s) might be acceptable in fulfillment of mandated batterers intervention, or whether batterers intervention by necessity should be waived for individuals functionally unable to participate. The program shall follow the ruling of the court.

2.6.2 Referral/Transfer Procedures

- A. Program shall provide written notification to referral source if program staff members become aware of co-occurring client problems and/or may believe that treatment is required for substance abuse, mental health problems, medical needs, or other problems beyond the scope of batterers intervention that could impact the individual's participation in batterers intervention. Program staff will work with referral source to determine how to address the co-occurring problems.
- B. Program shall provide written notification, with explanation, to referral source should a client be deemed inappropriate by program for group participation based upon any pattern of behavior deemed likely to interfere with client's ability to participate meaningfully in group or interfere with the group process.
- C. Program shall provide written notification to referral source should a client be adjudicated on a new domestic violence offense while enrolled in a batterers intervention program, or after having completed a program, consistent with the legal mandate (R.I. Gen. Laws § 12-29-5)

2.6.3 Intake Procedures

- A. Batterers intervention programs shall make every effort to admit a batterer into a group within three (3) weeks of the batterer's initial enrollment. If the program projects that no group will be available within this time frame, the referral source shall be notified in writing.
- B. At the time of enrollment, batterers intervention programs shall inquire whether the participant has been referred to the program as a result of court involvement. If so, the program shall promptly notify the referral source of enrollment (by telephone, fax, mail, or e-mail).
 - 1. No batterers intervention program shall knowingly enroll a court-mandated individual who is currently enrolled in or has been referred to another program, or who has been discharged unsatisfactorily from another program, except with the express agreement of the referral agency and exchange of information with the sending program.
- C. The intake process shall include:

1. Interviewing and gathering identifying information, a full history of abuse and other violence, social history, police report, arrest history, and other information as available;
2. Informing each client of the program rules and expectations;
3. Notifying the client of the limits of confidentiality; and
4. Review of all agreements and contracts as noted in § 2.6.5 of this Part.

2.6.4 Fees/Compensation Policy

- A. Batterers intervention programs shall require that all mandated batterers pay fees for the programs, in accordance with R.I. Gen. Laws § 12-29-5.2.
- B. Each program is to accommodate varying levels of ability to pay by means of sliding fee scales, in accordance with R.I. Gen. Laws § 12-29-5.2.
- C. Programs may elect to offer alternatives to payment in the form of community restitution required and/or deferred payment for a portion of the fees, in accordance with R.I. Gen. Laws § 12-29-5.2.
- D. No program or program staff member may accept or allow personal services from a client to substitute for any portion of fees or legitimate alternatives to compensation.
- E. Program shall develop explicit written policies detailing client fees, potential fee adjustments and alternatives, information required from the client, and consequences for non-compliance with the contract.
- F. The program shall maintain a file record of compensation by the client: that is, all monetary payments made by or on behalf of the client, and/or a file record of each activity completed by the client as an agreed-upon alternative to a portion of fees (community service or other).
- G. The program shall provide a receipt to the client for each fee payment and/or contracted alternative activity completed and documented by the client.
- H. The program shall provide a record of client fees and/or alternatives to the referring agency if requested or appropriate.
- I. Programs shall make their fee schedules and compensation policies available as requested to the referring agency and/or the court having jurisdiction.

2.6.5 Client Agreements and Contracts

- A. Upon enrollment, each client shall be provided with the program's rules of conduct and any other program documents as well as written agreement (s) and/or contract(s).
1. Program representative shall explain/review all documents and agreement (s) and/or contract(s) in detail with client.
 2. All agreements/contracts shall be signed by both client and a program representative. The program representative's signature shall attest to having read and explained the agreement to the client, and having provided a copy to the client.
 3. The written agreement(s) and/or contract(s) shall include (but are not limited to):
 4. A section explaining program expectations including:
 - a. In order to successfully complete the mandated batterers intervention program, the client is required to attend a minimum of forty (40) hours over the course of twenty (20) weeks or longer, and to participate meaningfully to the individual's capacity; except under unusual circumstances, which would require approval by the referral source, all forty (40) hours must be completed at the same program. Discharge from the program prior to completion will result in immediate notification to the referral agent.
 - (1) Any client who is adjudicated on a new domestic violence offense while enrolled in a batterers intervention program, or after having completed a program, shall be required to re-enroll and complete an entire program.
 - (2) Completion of a batterers intervention program is not a guarantee that the abuse will stop, and that being non-abusive requires a long-term commitment and continuing effort on the part of the batterer.
 - (3) The agreed-upon fee and/or compensation alternatives;
 - b. The required means and time frame for fee payment and/or completion of other alternatives;
 - c. The means and responsibility for the client to notify the program immediately if unable to meet the agreed obligations.
 - d. Release of information signature sheet;
 - e. Attendance requirements;

- f. Rules of conduct.

2.6.6 Release of Information

- A. Each client shall be required to complete authorized release forms for confidential information sharing, including: reports of client attendance, missed sessions, cooperation, participation and contract compliance between the batterers intervention program and the referring agent and/or court having jurisdiction.
- B. Batterers intervention programs shall request an authorized release from the referral source allowing the referral agent to provide to batterers intervention programs reports of criminal history and dispositions, police reports, compliance with court-ordered sanctions, and other appropriate information.

2.6.7 Fees Contract

- A. Fees contract shall include:
 - 1. The fee or range of fees for intake/registration, group sessions, and any other services related to the batterers intervention program.
 - 2. The specific fee(s) and/or alternative(s) agreed upon by the program and the individual client.
 - 3. A clear explanation of how the actual fee is determined for each individual client, specifying the evidence, documentation or other information needed from clients for determination of any reduction of fees.
 - 4. Any alternative(s) available at the option of the program for qualifying individuals, either to substitute for full fees or to supplement reduced fees.
 - 5. Deferred compensation or late payment agreement, subject to ongoing documentation of short-term lay-off, reduction in work hours, pending benefits or insurance settlement, or other time-limited circumstances.
 - 6. The required means of fee payment (e.g., personal check, money order, cash) and time frame for fee payment (e.g., a maximum time period or dollar amount of arrearage tolerated); and/or required verification and time frame for completion of alternatives as delineated.
 - 7. A statement of the client's responsibility (and notice of the means) to contact the program immediately if unable to meet the agreed obligations, whether temporarily or long-term, and to request reconsideration of the terms of compensation.

8. A statement of the client's responsibility to provide the program appropriate documentation or other evidence to demonstrate financial hardship, if an adjustment to fees and/or alternative(s) is being sought.
9. Notice to the client that the terms of the initial agreement and/or contract (and any revisions) may be made available as appropriate to the referring agent and/or court having jurisdiction, along with progress reports that include the client's compliance or non-compliance with the terms of the agreement.
10. Signature of the client, after having had the terms of the contract verbally reviewed and having indicated understanding and agreement.
11. Signature of a program representative, indicating that all of the terms of the agreement and/or contract have been discussed with and apparently understood by the client, that the signature of the client has been witnessed, and that the client is being provided a copy.
12. Any revisions to the compensation agreement shall result in a revised agreement.

2.6.8 Compliance with the Fee Agreement and/or Contract.

- A. Once a client and a program representative have agreed to and signed the terms of the client contract, the client may not be discharged for a documented financial inability to pay full fees if the client is otherwise compliant.
- B. If an enrolled client provides reasonable evidence of a change in financial or other circumstances that interfere with the ability to fulfill the terms of the compensation agreement, the program shall work with the client to find mutually acceptable compensation terms.
- C. If a client fails to make good faith payment or to complete other agreed-upon compensation alternatives as delineated in the agreement and fails to provide reasonable evidence of an inability to meet the terms of the agreement despite active efforts by the program to engage the client, then the program may discharge the client unsatisfactorily and inform referral source.
- D. If an enrolled client is turned away from a group session and not allowed to participate specifically because of an arrearage, the program must demonstrate, in writing, to the referral source that program staff have made reasonable efforts to secure cooperation from the client in meeting contract obligations.
- E. A program that discharges a client unsatisfactorily based in part or in whole upon non-compliance with the compensation agreement shall give timely notice to the referral source, and shall provide documentation of having made reasonable efforts to assist the client to become compliant.

2.6.9 Attendance Requirements

- A. Batterers programs shall be a minimum of forty (40) program hours over a minimum of twenty (20) weeks in duration.
- B. Programs shall require that batterers arrive on time for all scheduled sessions.
- C. All late arrivals shall be considered absences.
- D. Each program shall maintain written policies defining excused and unexcused absences, and practices regarding making up late or missed sessions.
- E. In most cases, absences for documented medical need, incapacitation, death in the family, required attendance at work, or other bona fide inability to attend may be considered excused, with verification provided to the program by the client.
- F. All absences, excused or unexcused, must be made up, such that the participant attends forty (40) program hours. Programs shall determine how to manage make-up time by participants while maintaining group continuity.
- G. At the discretion of the program, clients may be permitted to attend more than one (1) group session in a given week. The forty (40) program hours must encompass a minimum of twenty (20) weeks duration, except that the forty (40) hours may be completed in fewer weeks if the court-ordered term of probation is shorter than that.
- H. Any client who has three (3) consecutive unexcused absences or who has four (4) unexcused absences in total shall be considered non-compliant and shall be dismissed unsatisfactorily. A program seeking to make an exception for specific reasons shall consult with the referring agency. The program shall maintain a composite file listing all such exceptions.

2.6.10 Rules of Conduct for Group Participants

- A. Batterers intervention programs shall develop written rules of conduct for all group participants. Upon enrollment, each batterer shall be informed of such rules and of the potential consequences for non-compliance. Non-compliance with program rules are grounds for termination from the program. Failure to comply could result in legal action, unsuccessful discharge, notification to the referral source and/or the court having jurisdiction, and/or being required to start the program over. At a minimum, program requirements for participants shall address the following:
 - 1. Participants shall refrain from any and all violence, abusiveness and disruptive behavior during group sessions and while at the program site.

2. Participants shall attend all sessions free of alcohol, non-prescription drugs, prescription drugs used abusively, or any substance that could impair the ability to function or could jeopardize the safety of self or others.
3. Participants shall have no weapons in their possession while attending group.
4. Participants shall turn all cell phones and pagers off except in critical circumstances. Participants shall address these circumstances with the Facilitator at the beginning of the group session.
5. Participants shall take full responsibility for their abusive behavior and make every effort to learn non-abusive alternatives.
6. Group members shall engage in full and active participation to the best of their ability including responding to Facilitator questions, contributing to discussions, completing in-group and homework assignments, and taking part in interaction with the Facilitator(s) and/or other group members as expected by the program.
7. Group members shall inform the Facilitator if there is another group member with whom they share a pre-existing and ongoing professional or business relationship, substantial social interaction, or family relationship. The Facilitator shall determine whether the nature of the relationship is such that transfer of one of the members to another group would be advisable.
8. Group members shall be instructed to maintain confidentiality regarding personal information and identity learned from or about any group member.

2.7 Group Facilitators and Other Staff

2.7.1 Program Responsibilities to Staff

- A. Batterers intervention programs shall recruit, hire, train, and supervise staff in accordance with policies that promote professional conduct, effective intervention, and victim and community safety.
- B. All program personnel policies shall be based upon non-discrimination.
- C. Program policies shall promote a drug-free and violence-free workplace. Personnel policies shall address violence and/or abusiveness in the professional and personal lives of program staff, and shall provide for recommended treatment or intervention when appropriate, and/or potential discipline for substance abuse, violence, abusiveness, or other dangerous or unprofessional conduct by staff.

- D. Programs shall provide internal monitoring mechanisms, training, and supervision aimed at identifying and eliminating collusion. In the context of batterers intervention, collusion between facilitator and group participants.
- E. Programs shall provide orientation for all new staff with respect to organization goals and philosophy, policies and procedures, safety precautions, confidentiality and the limits of confidentiality. Non-Facilitator staff shall be provided with basic information and training regarding domestic violence issues and dynamics.
- F. Programs shall provide, or shall provide access to, a minimum of twelve (12) hours per year of relevant in-service and on-going training for all Facilitator and Supervisor staff in areas outlined below in sections on Facilitator and Supervisor Qualifications. All required or voluntary training that helps to meet this requirement shall be documented by the programs, including subject, trainer, participants, and number of hours.
- G. Programs shall develop and implement policy guidelines regarding staff reporting any personal and/or other business relationships with agency clients. Staff shall disclose to the supervisor and/or manager the nature of any current or past personal, business or professional relationship with clients other than the present agency services.
- H. Programs shall conduct a written evaluation of all new staff at two (2) or more intervals during the first year of employment. On-going written evaluation shall be conducted at least yearly thereafter, and shall be maintained in confidential personnel files (not subject to review by the Oversight Committee).
- I. Programs shall provide evidence of regular and on-going professional supervision as described herein for all Facilitators by one or more qualified individuals who are on staff or available as consultants.

2.7.2 Facilitator Qualifications

- A. All those who interact in batterers groups must meet minimum qualifications in the areas of Educational Degree Requirements, Specialized Training, and Batterers Group Facilitation Experience, as described herein. Such documentation shall be submitted for individuals prior to their participation in the group process
- B. Program managers shall be responsible to ensure that any and all Seasoned Facilitators, Facilitator Trainees, Student Inter Facilitators and Group Observers have demonstrable and substantive skill, knowledge and experience appropriate to their respective roles, and that they are able to fulfill their roles effectively within the batterers intervention program.

2.7.3 Seasoned Facilitators

- A. **Role.** Seasoned Facilitators are qualified to lead batterers groups on their own, provided that group size does not exceed ten (10) participants, and/or to co-lead groups with another Facilitator. They are also qualified to work with and mentor Facilitator Trainees or Student Intern Facilitators, at the discretion of the program.
- B. **Summary of Qualifications.** Seasoned Facilitators must have achieved a minimum of a Bachelor's degree in a related field, thirty- five (35) contact hours of Specialized Training, and one hundred (100) contact hours conducting batterers groups as a Facilitator Trainee under supervision, all as detailed herein.
- C. **Educational Degree Requirement.** In order to qualify as a Seasoned Facilitator, individuals must possess a minimum of a Bachelor's degree in an appropriate field of study. Fields of study may include (but are not limited to) social work, psychology, counseling, sociology, social sciences, child and family services, education, criminal justice, mental health, and others with demonstrable and substantial applicability to batterers intervention.
 - 1. Exceptional experience and training may substitute for some portion of the educational requirement in limited circumstances. Such an exception will be considered upon written request and justification provided by the program.
- D. **Specialized Training/Experience.** Seasoned Facilitators must acquire a minimum of thirty-five (35) hours of training and/or education that provides specific preparation for facilitation of batterers intervention groups. The thirty-five (35) hour training requirement shall be completed prior to facilitating batterers groups. Such training and/or education shall consist of courses, conferences, seminars, workshops, training sessions, online training courses, internships, and clinical work and must be suitably documented as having been completed within the preceding ten (10) years. Credits and classes that are part of the Educational Degree requirement may also be used if such credits and classes can be shown to meet the detailed criteria for Specialized Training.
 - 1. Twenty-one (21) hours of training are required in these areas:]:
 - a. Seven (7) hours of training in domestic abuse issues and dynamics.
 - b. Seven (7) hours of training relative to abuse victim services and community safety issues related to domestic violence.
 - c. Seven (7) hours of training relative to group dynamics.
 - 2. The remaining fourteen (14) hours may be distributed among other related areas.

- E. Batterers Group Facilitation Experience. In order to qualify as a Seasoned Facilitator, individuals must ALSO have completed a minimum of one hundred (100) hours of facilitation of batterers groups under the direct supervision of a Facilitator determined to have met the requirements of a Seasoned Facilitator. Initial hours may be spent primarily in observation or writing tasks in group but no fewer than eighty (80) hours shall be spent actively participating in facilitation. Active participation includes but is not limited to: conducting the check-in/check-out, participating in/conducting the lesson plan, eliciting group interaction, and/or responding to defense mechanisms, such as minimization, denial, and blaming statements. Such responsibilities shall be carried out jointly with a Seasoned Facilitator to assist in learning how to balance shared leadership of a group.
- F. Continuing Education. Seasoned Facilitators must participate in a minimum of twelve (12) hours of continuing education annually. A minimum of six (6) of the required continuing education hours must be related to domestic abuse dynamics and issues, abuse victim services, and/or community safety issues. The remaining six (6) hours may be distributed among other related areas.
 - 1. Program directors/administrators shall submit documentation annually for each Facilitator on-staff indicating how the continuing education requirement has been satisfied.
- G. Supervision. Seasoned Facilitators must receive regular supervision from a Supervisor who is qualified in accordance with the standards [Refer to Nature of Supervision for Facilitators, § 2.7.8 of this Part].

2.7.4 Facilitator Trainees

- A. Role. Facilitator Trainees are qualified to learn and practice the skills of batterers group facilitation through participating in group leadership with one or more Seasoned Facilitators, who act as mentors. Trainees are also subject to agency supervision in accordance with standards on Nature of Supervision for Facilitators. Facilitator Trainees shall spend a minimum of one hundred (100) hours of batterers group contact time in training. While a Facilitator Trainee may not lead a group alone until the full one hundred (100) hours of experience have been completed satisfactorily, a qualified Facilitator Trainee who has been determined to have the needed skills, qualifications and readiness may co-facilitate a group under the direct guidance of a Seasoned Facilitator.
- B. Summary of Qualifications. In order to be qualified as a Facilitator Trainee, individuals must have achieved a minimum of a Bachelor's degree in a related field and thirty-five (35) contact hours of Specialized Training, as detailed herein.
- C. Educational Degree Requirement. In order to qualify as a Facilitator Trainee, individuals must generally possess a minimum of a Bachelor's degree in an

appropriate field of study. Fields of study to include specialty areas that show demonstrable and substantial applicability to batterers intervention.

1. Exceptional experience and training may substitute for some portion of the educational requirement in limited circumstances. Such an exception will be considered upon written request and justification provided by the program.
- D. Specialized Training/Experience. Facilitator Trainees must acquire a minimum of thirty-five (35) hours of training and/or education providing specific preparation for facilitation of batterers intervention groups. The thirty-five (35) hour training requirement may be earned prior to, or while earning the one hundred (100) hours facilitating batterers groups, but must be completed prior to being considered a Seasoned Facilitator. Such training and/or education shall consist of courses, conferences, seminars, workshops, training sessions, online training and courses, internships, and clinical work and must be suitably documented as having been completed within the preceding seven (7) years. Credits and classes that are part of the Educational Degree requirement may also be used if such credits and classes can be shown to meet the detailed criteria for Specialized Training.
1. Twenty-one (21) hours of training are required in these areas:
 - a. Seven (7) hours of training in domestic abuse issues and dynamics.
 - b. Seven (7) hours of training relative to abuse victim services and community safety issues related to domestic violence.
 - c. Seven (7) hours of training relative to group dynamics.
 2. The remaining fourteen (14) hours may be distributed among other related areas.
- E. Batterers Group Facilitation Experience. In order to qualify as a Seasoned Facilitator, trainees must complete a minimum of one hundred (100) hours of facilitation of batterers groups under the direct supervision of a Seasoned Facilitator. Initial hours may be spent primarily in observation or writing tasks in group but no fewer than eighty (80) hours shall be spent actively participating in facilitating the group process.
- F. Trainees as Co-Facilitators. Once a qualified Facilitator Trainee has acquired a minimum of twenty (20) hours of observation, a program manager and/or qualified Supervisor may consider placing the Trainee with a Seasoned Facilitator as a Co-Facilitator. If requested by the Batterers Intervention Program Standards Oversight Committee as part of program review, programs shall be prepared to provide information to support decisions made about individual

Trainees' readiness to co-facilitate groups, amount and type of supervision provided, and number of groups co-facilitated.

- G. Continuing Education. Facilitator Trainees must participate in a minimum of twelve (12) hours of continuing education on an annual basis. A minimum of six (6) of the required continuing education hours must be related to domestic abuse dynamics and issues, abuse victim services, and/or community safety issues. The remaining six (6) hours may be distributed among other related areas. Program directors/administrators shall submit documentation annually for each Facilitator on-staff indicating how the continuing education requirement has been satisfied.
- H. Supervision. Facilitator Trainees must receive regular supervision from a qualified Supervisor in accordance with the standards. [Refer to Nature of Supervision for Facilitators, § 2.7.8 of this Part].

2.7.5 Student Intern Facilitators

- A. Role. Student Interns who meet the qualifications may participate in batterers groups under the direct and constant oversight of one or more Seasoned Facilitators. Student Intern Facilitators are also subject to agency supervision in accordance with standards on the Nature of Supervision for Facilitators, as well as supervision through the college or university placement office.
- B. Summary of Qualifications. In order to be considered as a Student Intern for verbal participation/interaction in the batterers group process, the program must ensure that individuals have completed a minimum of three (3) years of study (90 credits) in a related field, AND thirty-five (35) contact hours of Specialized Training as detailed herein. At the program's discretion, Student Interns not meeting these requirements may be involved in other aspects of the program. Examples include but are not limited to conducting the intake process under the direction of a Supervisor/Seasoned Facilitator, observing, taking group notes, and participating in staff/supervision meetings.
 - 1. Suitable Student Intern Facilitators can be considered for supervised internship field placement as part of a structured degree program in an appropriate field of study.
- C. Related Fields of Study. Fields of study may include others with demonstrable and substantial applicability to batterers intervention.
- D. Specialized Training/Experience. Student Intern Facilitators must acquire a minimum of 35 hours of training and/or education providing specific preparation for facilitation of batterers intervention groups. Such training and/or education shall consist of courses, conferences, seminars, workshops, training sessions, internships, and/or clinical work and must be suitably documented as having

been completed within the preceding five (5) years. Credits and classes that have been completed as part of a relevant Educational Degree program may also be used if such credits and classes can be shown to meet the detailed criteria for Specialized Training.

1. Twenty-one (21) hours of training are required in these areas:
 - a. Seven (7) hours of training in domestic abuse issues and dynamics.
 - b. Seven (7) hours of training relative to abuse victim services and community safety issues related to domestic violence.
 - c. Seven (7) hours of training relative to group dynamics.
2. The remaining fourteen (14) hours may be distributed among other related areas.

2.7.6 Group Observers

- A. Role. Under certain circumstances, programs may determine it is appropriate to permit individuals to observe batterers intervention groups. In this context, observation may include note taking and observing the group process, but no direct interaction with the group. A brief introduction or explanation of the observer's presence may be made, either by the observer or Facilitator, at the program's discretion.
 1. Observers might include Student Interns who do not meet the qualifications for group interaction, Probation and Parole Officers, agency case managers, supervisors, victim services representatives, researchers, and other professionals. In addition, programs are required to provide reasonable access to representatives of the Batterers Intervention Program Standards Oversight Committee to observe groups.
 2. Such observers shall not participate in group interaction, play a role within the group, or be considered Facilitators for any purpose.
- B. General Guidelines. Program guidelines for the presence of non- participating observers shall ensure that:
 1. There is a clear purpose for the observation.
 2. The confidentiality of the group and its members is maintained.
 3. Observers are introduced to the group and/or their presence is explained.
 4. Observers agree not to play an active role within the group.

2.7.7 Supervisor Qualifications

- A. Supervisors who provide supervision to Facilitators must meet minimum qualifications in the areas of Educational Degree Requirements and Specialized Training/Experience as detailed herein. Programs shall be responsible to ensure that Supervisors meet all such requirements, and shall make documentation available to the Oversight Committee upon request.
- B. Role. Supervisors are qualified to provide supervision of individuals identified as Facilitator/Supervisors, Seasoned Facilitators, Facilitator Trainees, and Student Interns.
- C. Summary of Qualifications. Supervisors must generally have achieved a minimum of a Master's degree in a related field and have three (3) years of substantive experience in a related field, as described below. Program managers shall be responsible to ensure that any and all Supervisors have demonstrable and substantive skill, knowledge and experience and are able to supervise batterers intervention program Facilitators effectively.
- D. Educational Degree Requirement. In order to qualify as a Supervisor, an individual must generally possess a minimum of a Master's degree in an appropriate field of study. Fields of study may include but are not limited to social work, psychology, counseling, sociology, social sciences, child and family services, education, criminal justice, mental health, and others with demonstrable and substantive applicability to batterers intervention.
 - 1. Exceptional experience and training may substitute for some portion of the educational requirement in limited circumstances if the individual has completed a Bachelor's degree in an appropriate field PLUS five (5) years experience (7500 hours) working directly with victims, batterers, offenders, and/or other mandated clients in a treatment, counseling, instructional or case management role. Such an exception will be considered upon written request to the Oversight Committee with a full explanation of the individual's qualifications.
- E. Specialized Training/Experience. Supervisors shall have a minimum of three (3) years substantive work experience in related fields, including BOTH victim and perpetrator issues. Relevant experience shall include work closely involved with such areas as domestic violence issues and dynamics; victim services and community safety issues; facilitation and co-facilitation of psycho-educational groups for batterers or other mandated treatment or counseling clients; group and interpersonal dynamics; clinical assessment, intervention, counseling and therapeutic skills; adult education and instruction; staff supervision; legal and ethical issues related to domestic abuse or intervention; and any other areas deemed appropriate by the Oversight Committee.
- F. Batterers Group Facilitation Experience. It is strongly encouraged that every Supervisor have specific experience facilitating batterers intervention groups. In

the absence of such direct batterers intervention group experience by individuals who otherwise possess the requisite skills, experience, training and education, programs shall ensure that Supervisors observe batterers intervention group facilitation. (Such observation of Facilitators, which is strongly recommended for all Supervisors, may also provide the opportunity for supplemental supervision as described elsewhere.)

- G. Continuing Education. Supervisors must participate in a minimum of twelve (12) hours of continuing education annually. A minimum of six (6) of the required continuing education hours must be in the areas of domestic abuse issues and dynamics, abuse victim services, and/or community safety issues. Program managers shall submit documentation annually to the Oversight Committee indicating how the continuing education requirement has been satisfied for each Supervisor.

2.7.8 Nature of Supervision for Facilitators

- A. Every person who facilitates or co-facilitates any batterers group shall be provided formal supervision (required) and may be provided supplemental supervision and/or other staff support (optional). All formal supervision shall be conducted by one or more individuals who meet the qualifications as a Supervisor.
 - 1. Areas of Competency. Supervision, both formal and supplemental, shall be directed at monitoring, improving and providing feedback on areas of competency important to the conduct of batterers intervention groups. Examples of supervision topics include group dynamics, individual offender issues, intervention strategies, facilitation and co-facilitation skills, instructional methods, staff dynamics, ethical issues, agency issues, and staff-initiated topics.
 - 2. Formal (Required) Supervision/Format.
 - a. Every person who facilitates or co-facilitates any batterers group (Supervisors who also facilitate groups, Seasoned Facilitators, Facilitator Trainees and Student Interns) shall receive a minimum of one (1) hour of formal face-to-face supervision per month.
 - b. Qualified individuals who provide supervision to one or more Facilitators and who also facilitate one or more groups shall be subject to the requirement to receive formal supervision, either from an individual qualified Supervisor or as part of a peer group that includes at least one other qualified Supervisor.
 - c. Formal supervision shall be conducted in blocks of time of one half (1/2) hour or longer. Shorter time segments can be used for

supplemental supervision, but shall not be applicable to the minimum formal supervision requirement.

- d. Formal supervision shall be conducted in a professional setting with a minimum of distractions.
3. Formal (Required) Supervision/Modalities. The minimum requirement of one hour monthly formal supervision can be provided through any or all of the following modalities:
- a. One-on-one meetings between a qualified Supervisor and a Facilitator.
 - b. Group meetings between a qualified Supervisor and two or more Facilitators.
 - c. Peer supervision groups comprised of at least three members, two or more of whom meet the qualifications as a Supervisor.
 - d. Supervisors and/or peer group members may include professionals from other batterers intervention program(s) and/or other social service/criminal justice agencies so long as the nature and content of supervision sessions meet the requirements for batterers intervention program supervision.
 - e. Programs are urged to give careful consideration to ethical and professional standards in the event there is a personal relationship among Facilitators, Supervisors or peers that could adversely impact professional objectivity.
4. Supervision Records. Each program shall maintain a written record of formal supervision as required for every individual who facilitates any batterers group. Programs are encouraged but not required to maintain records of supplemental supervision and other staff support. Required formal supervision records shall include the following at a minimum:
- a. Date, location and duration of each formal supervision session.
 - b. The name(s) of the qualified Supervisor(s) conducting the session.
 - c. The name(s) of all staff in attendance.
 - d. A brief description of the topic(s) covered.

2.7.9 Standards of Conduct for Group Facilitators and Supervisors

- A. Batterers intervention programs shall implement policies, staff monitoring, training, and/or other mechanisms that ensure that Seasoned Facilitators,

Facilitator Trainees, Student Intern Facilitators, Group Observers and their Supervisors promote non-abusive behavior among group participants and fellow staff. Facilitators and Supervisors shall be required to set a positive personal example as an important means of communicating, teaching and modeling appropriate behavior.

1. Facilitators and Supervisors shall be responsible to uphold the Comprehensive Standards and agency policies in conducting groups and in all other professional activities.
2. Facilitators and Supervisors shall be violence-free in their professional and personal lives.
3. Facilitators and Supervisors shall attend work functions free of alcohol, non-prescription drugs, prescription drugs used abusively, or any other substance that could impair the ability to function or could jeopardize the safety of self and others.
4. Facilitators and Supervisors shall attend all work functions with no weapons in their possession.
5. Facilitators and Supervisors shall report all dangerous, threatening or illegal behavior that comes to their attention, in accordance with the Comprehensive Standards and agency policies.
6. Facilitators and Supervisors shall ensure that all staff and client cell phones and pagers are turned off during group sessions except in critical circumstances.
7. Facilitators and Supervisors shall demonstrate respect for and cooperation with their colleagues. When co-leading groups, Facilitators shall share group leadership responsibilities, including confrontation and support of participants.
8. Facilitators and Supervisors shall conduct themselves in a manner that consistently promotes and demonstrates respectful and non-abusive language, behavior and attitudes.
9. Facilitators and Supervisors shall uphold professional and ethical standards of conduct, and shall report to the appropriate program authorities any instances in which their professional role could be compromised through other relationships with or knowledge of program clients. Programs shall encourage Facilitators and Supervisors to refrain from social interaction with clients who are enrolled in the program, and to seek reassignment from working with clients with whom they have other personal, social or business interaction.

10. Facilitators and Supervisors shall hold batterers responsible and accountable for their abusive behavior; shall confront minimization, justification and denial of abusive behavior; shall challenge attitudes of sexism, victim-blaming and expressions of power and control over other individuals; shall promote zero tolerance for any level of abuse; and shall prohibit participants from engaging in any form of abuse in group.

2.8 Special Issues

2.8.1 Split Program Completion

- A. Circumstances may arise in which an individual seeks to fulfill a court mandate for batterers intervention through attending group sessions in different venues - that is, being credited for some portion of the required attendance in one jurisdiction, location or program and some portion in another jurisdiction, location or program.
 1. Split program crediting shall be permissible under the following circumstances:
 - a. Completion of the mandate at the program attended initially is not possible.
 - b. Both the sending and receiving program providers have been certified in Rhode Island (or certified in the sending jurisdiction, if applicable);
 - c. The referring agency approves of and agrees to the transfer between certified in-state community-based programs, if applicable; and
 - d. The sending programs shall provide all appropriate information about offense, attendance, participation, topics covered, legal status, and other information needed to the referral source to ensure a smooth transition.
 2. Split program crediting shall ordinarily not be permissible under the following circumstances:
 - a. Transfer has been completed unilaterally by client without consultation with and approval of programs and referring agency;
 - b. Prior transfer within the same cycle of 40 credit hours has already occurred (except based on program closings); or
 - c. Client has started but not completed a community-based program at the time of being sentenced to incarceration (that is, short of a

complete 40-hour program, sessions attended prior to incarceration may not be credited). [See Special Issues related to prison-based programs, § 2.8.2 of this Part below.]

2.8.2 Transfers From Prison-Based Programs

- A. Incarcerated offenders who are subject to a court mandate to complete a batterers intervention program, and who are afforded the opportunity to initiate attendance at such a program while incarcerated under sentence at the Rhode Island Department of Corrections Adult Correctional Institutions, may seek to transfer into a community-based program upon release and may request that their documented participation in such program be accepted in satisfaction of some portion of their obligation to attend forty (40) hours of a certified batterers intervention program, subject to the qualifications below.
- B. The Batterers Intervention Program Standards Oversight Committee shall ensure that all provisions of the Comprehensive Standards, including the standards specific to transfers from prison-based batterers programs, shall be made available to the Department of Corrections. If requested by the Department of Corrections, the Oversight Committee shall be available to consult on the development, implementation, and/or certification of a prison-based batterers program. Nothing in these provisions shall be construed in any way as a requirement or expectation that the Department of Corrections provide batterers intervention or any other form of programming.
 1. Attendance at a batterers intervention program by offenders while incarcerated is subject to:
 - a. The availability of such programming, as determined by the Department of Corrections;
 - b. Terms and conditions of any such programming, whether provided by Department of Corrections staff, contracted vendor(s), or volunteers; and/or
 - c. Policies and procedures as determined by the Department of Corrections.
 2. A creditable prison-based program must be consistent with the principles and requirements of the Comprehensive Standards, within the following guidelines:
 - a. Facilitator qualifications and supervision requirements shall meet all requirements of the Comprehensive Standards;
 - b. The curriculum content and principles shall be consistent with the requirements of the Comprehensive Standards, except that any

program elements not consistent with Department of Corrections requirements may be eliminated or modified;

- c. The curriculum safety plan may be modified to assist in the transition from prison to community;
 - d. The client contract and rules may be modified to recognize the primacy of prison security and other policy requirements, to require full release of confidential information with staff within the prison and Probation and Parole, and to reflect the absence of program fee payment by offenders during the period of incarceration;
 - e. All other Comprehensive Standards shall be in full force and effect, except that any standards not consistent with Department of Corrections requirements may be eliminated or modified; and
 - f. Within the guidelines herein enumerated, the prison-based program shall be subject to the same certification procedures as community-based batterers intervention programs.
3. Transfers Upon Release. Offenders who have attended a prison-based batterers program that meets the qualifications above may seek to be credited for some portion of the 40 credit hours, and to transfer into a community-based batterers program, subject to the following criteria.
- a. The supervising Probation and Parole Officer has verified attendance at the prison-based program, including the certification status of the program, the number of hours satisfactorily completed, and review of any available information from the provider regarding the nature of the offender's participation;
 - b. Referral to a suitable community-based certified batterers intervention program is made and/or approved by Probation and Parole;
 - c. The number of hours to be credited is to be determined by the referring Probation and Parole Officer in consultation with the receiving program and the sending program;
 - d. Credit is awarded at the maximum rate of fifty percent (50%) of the hours completed in the prison program, up to a maximum number of ten (10) hours credit for completion of twenty (20) hours or more. [Depending on the number of hours credited, no fewer than thirty (30) hours would need to be completed at the community-based program];

- e. Repeat offenders who have previously been credited for batterers program attendance while incarcerated are subject to close scrutiny by the Probation and Parole Officer and the community program when determining credit hours, and additional limitations may apply;
- f. No offender's obligation to attend a batterers intervention program could be completed while incarcerated, regardless of the number of hours attended while in prison or whether the offender has attended some number of hours of a community- based program prior to incarceration;
- g. No credit toward the mandate to complete a batterers intervention program would be given for attendance at any other prison-based or community-based program, such as anger management, substance abuse treatment, or other counseling or therapy; and
- h. Such provisions shall apply only to those offenders who are released from incarceration on or after the date these provisions become effective, pursuant to the requirements of R.I. Gen. Laws Chapter 42-35 (the Administrative Procedures Act) and other applicable regulations.

2.9 Variances

- A. Variances are accepted deviations from established standards for program content and/or format granted by the Oversight Committee in response to a specific request by a batterers intervention program to modify standards within a specific context. A batterers intervention program must request a variance in writing and receive approval prior to implementing any program feature that would not otherwise be consistent with the established Comprehensive Standards. Requests for variances shall be submitted to the Chair of the Oversight Committee. [See the Rules of Practice and Procedure, [Part 1](#) of this Subchapter, for procedures guiding the granting of variances.]
- B. Description
 - 1. A variance is the means by which a batterers intervention program may request modification of one or more specific standards for a particular identified purpose and within required guidelines, as explained below. Variances are intended to be limited in scope and must be compatible with the overall intent of the Comprehensive Standards.
 - 2. The Oversight Committee does not have the authority to waive the standards required by statute (R.I. Gen. Laws § 12-29-5).

3. Variances are not intended to be a means of circumventing or securing a waiver from standards, as for a program that is (temporarily or long-term) unable or unwilling to meet the existing Comprehensive Standards; rather, they establish alternative or modified standards within a specific context.
4. Variances offer batterers intervention programs an opportunity to propose and (if granted) to implement a modified program approach, curriculum content or format to fulfill particular needs that cannot be met within the confines of the established Comprehensive Standards, or that could be met substantially better in a different way without adverse effect.
5. The Oversight Committee is under no obligation to grant any variance from the established Comprehensive Standards. A program that is denied a request for a variance by the Oversight Committee may reapply for the same variance no sooner than six (6) months after the date of denial.

C. Purpose of Variance

1. The batterers intervention program must identify the particular purpose of the proposed variance to the satisfaction of the Oversight Committee, citing one or more purposes such as those described below.
2. To serve certain populations who would benefit from different content and/or format.
3. Treatment or education concerning such needs cannot substitute for batterers intervention. However, the approach to batterers intervention might be modified to accommodate the special needs of members with identified issues.
4. To test/implement new or different curriculum topic, content, approach, or format that would not otherwise conform to existing standards.
5. To enable structured research requiring modification of group content and/or format.
6. To respond to new, unforeseen or exceptional circumstances within the program or community.
7. To supplement - but not supplant - the statutory requirements.

D. Requirements for Proposed Variance

1. In requesting consideration of a variance, a program must be prepared to demonstrate to the satisfaction of the Oversight Committee, that the proposed modification(s) would continue to meet all statutory minimum standards.

2. A variance proposal is required to address each of the following to the satisfaction of the Oversight Committee:
 - a. The specific standard(s) the proposal would modify, citing each of the Comprehensive Standards involved by section and brief description.
 - b. The nature of the modification(s) proposed, being as specific as possible. Provide a suggested alternative standard the program would meet; variations in curriculum, format or approach; exemption(s) being sought; or other, as appropriate.
 - c. The reason for proposing the modification(s), citing purpose, intent or need.
 - d. The desired outcome or anticipated benefit(s).
 - e. Potential obstacles, adverse effects, or diminishing of benefit(s), with plans to mitigate such problems.
 - f. Plan for tracking and reporting all program modifications and their impact.

3. A program that has been granted a variance shall be required to report back to the Oversight Committee any significant effects of program modifications, anticipated or unanticipated, positive or negative. Such reports shall be due within six (6) to twelve (12) months, as established at the time the variance is granted. However, exceptional positive or negative impact shall be reported as soon as possible after becoming apparent.

244-RICR-00-00-2

**TITLE 244 - BATTERER'S INTERVENTION PROGRAM STANDARDS
OVERSIGHT COMMITTEE**

CHAPTER 00 - N/A

SUBCHAPTER 00 - N/A

PART 2 - COMPREHENSIVE STANDARDS

Type of Filing: Amendment

Agency Signature

Agency Head Signature

Agency Signing Date

Department of State

Regulation Effective Date

Department of State Initials

Department of State Date