§ 502-a. Day placement. 1. Definition. "Day placement" shall mean a program for youth placed with the division which is an alternative to or includes a period of residential placement. Such program shall require the youth to adhere to conditions of participation and to attend programs on certain days or during certain periods of days, or both, as specified by the director.

2. Authorization for day placement. The director is authorized to establish day placement programs for eligible youth as defined by the director, pursuant to the rules and regulations of the division. The director's decision to allow a youth to participate in the day placement program shall be discretionary. As a part of day placement, the director shall impose conditions of participation upon the youth. Such conditions may include but shall not be limited to community, educational, vocational, recreational and treatment services; evening and weekend reporting programs; alternative educational programs; and periods of residential placement.

3. Use of day placement. The director, pursuant to the rules and regulations of the division, may approve a day placement in any case where the court has ordered placement with the division pursuant to section 353.3 of the family court act.

4. Duration of day placement. The duration of a day placement may be for the same period of placement imposed by the court pursuant to section 353.3 of the family court act. The term of the placement shall commence on the day it is imposed and shall be calculated upon the basis of the duration of its term, rather than upon the basis of the days spent in residential placement, so that no youth shall be subject to placement for a period that is longer than the initial period of placement, unless an extension is granted pursuant to section 355.3 of the family court act.

5. Interruption of placement. Consistent with the rule and regulation of the division, in any case where a youth fails to report to the facility or program specified by the director, the term of placement shall be interrupted and such interruption shall continue until the

youth reports to such facility or program or is otherwise returned to the custody of the division.

6. Modification or termination of day placement. It shall be within the discretion of the director to modify or terminate a youth's participation in day placement at any time. If the day placement is terminated the youth shall be immediately placed in a residential facility consistent with the court order.

7. Release and discharge. Decisions of the director regarding day placement pursuant to this section or any conditional release or discharge pursuant to sections five hundred ten-a and five hundred hundred ten-c of this article shall be deemed a judicial function and shall not be reviewable if done in accordance with law.