



DEPARTMENT OF JUVENILE JUSTICE

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DJJ Transmittal # 10-13
Effective September 15, 2010

MEMORANDUM

TO: DJJ Staff

FROM: Garland R. Hunt, Esq. *Garland R. Hunt*
Commissioner

RE: DJJ 3.64, Military Leave
DJJ 5.9, Personnel Records
DJJ 12.3, Behavioral Health Autonomy
DJJ 12.4, Staffing and On-Call Mental Health Services
DJJ 12.5, Behavioral Health Quality Assurance
DJJ 15.6, Access to Mail

DJJ 3.64, Military Leave, states that the Department of Juvenile Justice shall grant military leave to eligible employees in accordance with applicable federal and state law and the Rules of the State Personnel Board. This policy replaces the existing DJJ 3.64, Military Leave. The policy does not require local operating procedures. The following changes have been made to the policy:

- Section III.A. lists the employees who are eligible for military leave.
- Service with the State Defense Force will not be considered ordered military duty. Employees performing such service will not be eligible for military leave. (See Section III.B.)
- Section III.C. requires that a copy of the military orders be submitted to the employee's immediate supervisor for placement in the official personnel record at Central Office.
- An employee ordered to military duty will be granted a leave of absence for the period of time specified in the military orders. The period of time will not generally exceed a cumulative absence of more than 5 years. (See Section III.D.)
- For employment and benefit purposes, an employee's absence while performing ordered military duty or attending services schools will not constitute an interruption of continuous employment. (See Section III.E.)
- An employee ordered to military duty for more than 144 hours in any federal fiscal year will be required to use any accumulated deferred holiday time and Fair Labor Standards Act (FLSA) compensatory time. The employee may then elect to use accrued annual leave and/or personal leave. (See Section III.F.2.)
- Employees ordered to report for a pre-induction or other examination to determine physical or other fitness for service in the armed forces of the United States may, upon specific request of the employee, charge the absence from work to accrued leave. (The use of annual leave will

not be approved until all available deferred holiday time and Fair Labor Standards Act (FLSA) compensatory time has been exhausted.) (See Section III.G.)

- Section III.H. describes how an employee can request re-employment.
- The “Your Rights Under USERRA” poster (Attachment A) must be permanently and prominently posted on the official bulletin board of each office/facility. (See Section III.J.)

DJJ 5.9, Personnel Records, states that the Department of Juvenile Justice shall establish and maintain an individual personnel record for each employee. Personnel records shall be secured in a designated, locked location. This policy replaces the existing DJJ 5.9, Personnel Records. The policy does not require local operating procedures. The following changes have been made to the policy:

- Employees will provide the Department, through Employee Self-Service and/or required documentation, accurate, up-to-date personal information. (See Section III.A.)
- Personnel records will not be removed from any facility/program/office without the express permission of the Director of Human Resources. (See Section IV.D.)
- The Director of Human Resources will be the custodian of the official personnel record, and will be responsible for the maintenance and security of the record. (See Section V.A.)
- The facility/program/office Director will be the custodian of all other personnel records, and will be responsible for the maintenance and security of the records. The Office of Human Resources will have open access to all personnel records. (See Section V.B.)
- When an employee ceases to be employed with the Department, the local human resources representative will store the shadow file, productivity file and employee health record together for a period of 7 years following separation. The workers compensation file will be retained for a period of 10 years following separation. Records will only be destroyed upon approval of the Records Management Officer in accordance with DJJ 5.1, Records Management. (See Section V.I.)
- Requests to remove documents from the official personnel record, shadow files, productivity files, health records, and/or workers compensation records must be approved by the Director of Human Resources. (See Section V.J.)
- Section VI. provides information about the maintenance and confidentiality of employee health records.

DJJ 12.3, Behavioral Health Autonomy, states that the Office of Behavioral Health Services shall assure that quality behavioral health services are provided to youth housed in all DJJ secure facilities. This policy replaces the existing DJJ 12.3, Behavioral Health Autonomy. The policy does not require local operating procedures. The following change has been made to the policy:

- All clinical decisions and actions regarding behavioral health services shall be the sole province of the designated responsible clinician and designated mental health authority and shall not be compromised for security reasons. (See Section I.,Policy)

DJJ 12.4, Staffing and On-Call Mental Health Services, states that Department of Juvenile Justice secure facilities shall provide mental health care staffing patterns sufficient to meet the needs of youth assigned to the facilities. This policy replaces the existing DJJ 12.4, Staffing and On-Call Mental Health Services. The policy requires local operating procedures for all secure facilities. The following changes have been made to the policy:

- Any changes to the on-call roster will require the approval of the Designated Mental Health Authority. (See Section D.2.)
- All on-call mental health staff must have ready access to a telephone. The facility will provide a Department-issued pager or cell phone. (See Section F.1.)

- The on-call mental health staff will respond as soon as possible, but no later than 30 minutes of being paged or called. (See Section F.2.)
- Staff will take precautionary measures to ensure the safety of the youth and others while awaiting contact and further instructions from mental health staff. (See Section F.3.)

DJJ 12.5, Behavioral Health Quality Assurance, states that the Office of Behavioral Health Services shall recognize and promote adherence to professional standards pertaining to the delivery of mental health services in all secure facilities. This policy replaces the existing DJJ 12.5, Behavioral Health Quality Assurance. The policy requires local operating procedures for all secure facilities. The following changes have been made to the policy:

- The Office of Behavioral Health Services will determine the focus and methodology of the clinical reviews. (See Section B.1.)
- The results of each clinical review will be discussed with the individual clinician and trends will be discussed during the Behavioral Health Continuous Quality Improvement Meeting. (See Section B.2.)
- The Director of the Office of Behavioral Health Services may extend the date by which the Regional Behavioral Health Services Administrators' reports will be disseminated if extenuating circumstances arise.

DJJ 15.6, Access to Mail, states that youth housed in Department of Juvenile Justice facilities shall have the right to communicate through written correspondence with members of their family and other persons or organizations, subject to the limitations necessary to maintain order and security of the facility/program. This policy replaces the existing DJJ 15.6, Access to Mail. The policy requires local operating procedures for all secure facilities. The following changes have been made to the policy:

- The local operating procedure will designate the individual employee to function as the mail handler and a back-up mail handler who will handle all mail for youth. (See Section A.)
- The Director will ensure that mail handlers receive training regarding mail rules and local procedures. (See Section B.)
- Mail received from someone at another correctional facility will be returned to the sender. Exceptions may be made on a case-by-case basis, as approved by the Director, for mail received from a family member at another correctional facility. (See Section E.5.a.)
- Youth will not be given mail sent from a youth previously detained at the facility. Exceptions may be made on a case-by-case basis, as approved by the Director, for mail received from a family member at another correctional facility. (See Section E.5.b.)
- All outgoing mail, excluding confidential correspondence and sensitive correspondence, will be on a postcard that is 6 inches long and 4.25 inches high. The facility return address and the name and address of the addressee will be on the same side of the post card. (See Section F.2.)
- Youth will not be allowed to send any type of mail or other communication to victims and/or their family members, upon the victim's request. When a victim has requested to not receive mail, the facility case manager will advise the youth that he/she is not allowed to send mail or otherwise communicate in any way with the victim and/or their family members. This acknowledgement will be documented on Acknowledgement of Victim's Request for No Communication (Attachment A). (See Section F.6.a.)
- The mail handler will check all outgoing correspondence to ensure that youth are not attempting to communicate with the victim and/or their family members. (See Section F.6.b.)

- Youth will be permitted to send sensitive correspondence in a sealed envelope, as approved on a case-by-case basis, by the facility case manager. (See Section G.1.)
- Youth shall be permitted to send and receive confidential letters in a sealed envelope to or from specified persons and organizations at no cost to the youth, including courts, legal representatives, community case manager, Director of Legal Services, Deputy Commissioner, and Commissioner. (See Section H.1.)
- For youth who are released or transferred to any other secure facility or non-secure residential program whose victim has requested no communication from the youth, the facility Director will notify the receiving facility/program of the victim's request. (See Section N.)

INSTRUCTIONS:

DJJ Policy Manual

Remove the following policies from the policy manual

- DJJ 3.64, Military Leave
- DJJ 5.9, Personnel Records
- DJJ 12.3, Behavioral Health Autonomy
- DJJ 12.4, Staffing and On-Call Mental Health Services
- DJJ 12.5, Behavioral Health Quality Assurance
- DJJ 15.6, Access to Mail

Place the following new policies in the policy manual

- DJJ 3.64, Military Leave
- DJJ 5.9, Personnel Records
- DJJ 12.3, Behavioral Health Autonomy
- DJJ 12.4, Staffing and On-Call Mental Health Services
- DJJ 12.5, Behavioral Health Quality Assurance
- DJJ 15.6, Access to Mail

Make the proper notations