



DEPARTMENT OF JUVENILE JUSTICE

3408 Covington Highway, Decatur, Georgia 30032
404-508-6500 FAX: 404-508-7340

July 15, 2011

TRANSMITTAL #11-07

TO: DJJ Staff

FROM: Amy V. Howell
Commissioner

A handwritten signature in cursive script, appearing to read "A. Howell".

RE: DJJ 3.27, Workers' Compensation
DJJ 3.59, Employment Eligibility Verification
DJJ 12.22, Special Management Planning
DJJ 13.10, Curriculum
DJJ 13.12, Student Grades
DJJ 13.32, Special Education Services
DJJ 18.1, Program Activity Schedule

DJJ 3.27, Workers' Compensation, states employees of the Department of Juvenile Justice who sustain work related injuries or experience occupational diseases that arise out of and in the course of their employment shall be entitled to receive workers' compensation benefits as provided by state law. This policy replaces the existing DJJ 3.27, Workers' Compensation. This policy does not require local operating procedures. The following changes have been made to the policy:

- The Department will ensure that employees are advised of their rights and responsibilities under the Workers' Compensation program and understand who to contact for treatment of work-related injuries or occupational diseases. The local Human Resources representative at each work site will help employees file and process workers' compensation claims. (See Section III.A.)
- An employee must report any injury or occupational disease that occurs during work hours to their immediate supervisor. The report must be submitted by completing a Special Incident Report (SIR) (DJJ 8.5, Special Incidents and 8.5, Special Incident and Child Abuse Reporting in Secure Facilities). A Special Incident Report must be completed even if medical treatment is not required or anticipated. (See Section III.C.1.)
- The Special Incident Report must set forth the details of the injury or occupational disease and the statements of any witnesses to the injury. (See Section III.C.2.)
- If the employee is unable to complete the Special Incident Report, the employee's supervisor must complete the SIR. (See Section III.C.3)
- If the employee indicates an intention to seek medical care, the supervisor must report the injury to the Managed Care Organization and inform the employee of the designated location to receive medical treatment/services. (See Section III.C.4)
- The supervisor will forward the Special Incident Report (and all attached witness statements) to the facility/program/office Director or Assistant Director. The facility/program/office Director or Assistant Director will notify the local Human Resources representative that a Special Incident Report has been filed. (See Section III.C.5)
- If the employee has indicated that medical treatment/services will not be sought, the facility/program/office Director or Assistant Director will file the Special Incident Report as "in-house". (See Section III.C.6)

- If the employee has indicated that medical treatment/services will be sought, the facility/program/office Director or Assistant Director will forward a copy of the Special Incident Report (and all attached witness statements) to the Workers' Compensation Coordinator. (See Section III.C.7)
- If a Special Incident Report has been filed as "in-house" and the employee subsequently elects to receive medical treatment/services for the reported injury or occupational illness, the facility/program/office Director or Assistant Director will immediately forward the Special Incident Report (and all attached witness statements) to the Workers' Compensation Coordinator. (See Section III.C.8)
- The Workers' Compensation Coordinator will notify DOAS when an employee is unable to work as a result of a work-related injury or occupational disease. The Workers' Compensation Coordinator will notify DOAS when the employee is able to return to work. (See Section III.D.)
- An employee who is dissatisfied with the physician selected by the Managed Care Organization may make a one-time change to another physician within the Managed Care Organization without prior authorization of the State Board of Workers' Compensation. To change physicians, the employee must contact the Managed Care Organization. (See Section III.E.5)
- The employee must select one of the following options:
 - Use some or all of his/her accumulated paid leave; or
 - Receive workers' compensation payments for lost salary during the period of the employee's absence from work. (Employees will not receive workers' compensation payments and regular salary (i.e., use of accrued FLSA compensatory time or leave) at the same time. (See Section III.G.2.)
- If the employee elects to use accumulated paid leave, the leave will be deducted in the following order:
 - Deferred holiday time;
 - Fair Labor Standards Act (FLSA) compensatory time;
 - Sick leave; and
 - Annual leave
- During the 2 weeks provided for leave selection, the absence will be charged to available paid leave. If paid leave is unavailable, the employee will be placed on leave without pay. (See Section III.G.6.)
- Employees who choose to receive workers' compensation payments for lost wages will be placed on leave without pay. If the employee is placed on leave without pay, the Workers' Compensation Coordinator will notify the employee that he/she is responsible for continuing payments for health insurance coverage and flexible benefits until the employee is returned to active pay status. (See Section III.G.8.)
- Appropriate retroactive adjustments will be made to the employee's pay and leave records if:
 - The employee chooses to receive workers' compensation payments after being placed on paid leave as specified in Paragraph 6 above; or
 - The absence exceeds 21 consecutive calendar days.

DJJ 3.59, Employment Eligibility Verification, states that the Department of Juvenile Justice shall comply with federal and state laws and regulations concerning verification of employment eligibility and record keeping. This policy replaces the existing DJJ 3.59, Employment Eligibility Verification. This policy does not require local operating procedures. The following changes were made to the policy:

- Employees being internally promoted, transferred, or demoted will not be required to complete a Form I-9. (See Section III.A.)
- DJJ staff may not specify which document(s) must be presented. If the employee asks which document(s) to present, he/she should be told to present any document from List A or, any document from List B plus any document from List C. (See Section III.A.2.b.)
- The local DJJ human resources representative will review Section 1 of the Form I-9 to ensure that it has been properly completed. The local DJJ human resources representative will review and photocopy the documentation provided by the employee and immediately complete Section 2 of the I-9 Form. (Even though certain documents indicate that they may not be photocopied, they may be photocopied for this purpose.) (See Section III.A.3.)
- A new employee who is unable to provide required documentation upon reporting to work must provide the required documentation or provide a receipt for replacement documentation within 3 business days of employment. (See Section III.B.)

- A Personnel Technician within the Office of Human Resources will verify employment eligibility in the Employment Eligibility Verification system within 3 days after hire. The printed verification will be filed in the employee's official personnel record (DJJ 5.9, Personnel Records). If an employee's eligibility for employment cannot be verified, the Hiring Manager will be notified and the employee must be dismissed. (See Section III.D.)
- When an employee's name changes or his/her work authorization expires, employment eligibility must be re-verified. Section 3 of the employee's Form I-9 must be used for updating or re-verifying the form. Local human resources representatives will monitor the expiration dates of employment authorizations and re-verify employment eligibility *prior to* the expiration of the employee's work authorization. (See Section III.F.)
- It is illegal to discriminate against any individual authorized to work in the United States in hiring, discharging or recruiting because of that individual's national origin or citizenship status. The refusal to hire an individual because of a future expiration date of employment documents may constitute illegal discrimination. (See Section III.I.)

DJJ 12.22, Special Management Planning, states that youth who have difficulty adjusting to their environment or present other high risk behavior management problems (e.g., assaultive behavior, in danger of being victimized, etc.) may be referred to behavioral health staff for consideration for the development of an individualized Special Management Plan. This policy replaces the existing DJJ 12.22, Special Management Planning. This policy requires local operating procedures. The following changes were made to the policy:

- **Crisis Management Strategies:** Interventions that are used during a crisis event to reduce or resolve immediate youth risk. (See Definitions)
- The facility treatment team may serve as the facility Special Management Team as long as it includes all of the identified team members. If this option is selected by a facility, dual function of the treatment team will be specified in the local operating procedure. (See Section III.A.2. and Section IV.A.)
- Youth who remain on Level 3 following a full mental health assessment and who require a Special Management Plan for suicide/self-harm risk will not require a new mental health assessment for the development of the Special Management Plan. (See Section III.B.1.)
- The rationale for the team decision will be documented in a multi-signature Special Management Team communication note in the Juvenile Tracking System (JTS). (See Section III.C)
- Youth who are involved as the victim or accused in 3 or more of the following special incident types within a 30-day period must be referred for consideration for a Special Management Plan: **B5S** – Inappropriate Use of Physical Intervention. (See Section III.F.)
- Minor modifications may be made to an existing Special Management Plan without the development of a new plan. Minor modifications will be initialed and dated on the plan and entered in a Special Management Team progress note in JTS. Signatures will not be required for this note. (See Section III.M.5)
- Special Management Plans for suicide/self-harm risk will be developed by the qualified mental health professional within 72 hours in accordance with the timeframes specified in DJJ 12.21, Suicide Prevention. The qualified mental health professional will bring the Special Management Plan to the next scheduled meeting of the Special Management Team for review and input. (See Section IV.B.)
- Youth may be removed from participation in the daily program activity schedule by a Special Management Plan for victim risk (other than closed unit placements) for up to 120 hours. Facility Directors who wish to request removal from regular programming for more than 120 hours will submit the Request for Extended Confinement/Removal from Programming, (Attachment C). The form will be scanned and emailed for approval to the Director of the Office of Behavioral Health Services (OBHS) as soon as possible but no less than 12 hours prior to the start time of the requested extension. The Director of OBHS will enter an approval in JTS and will respond via email prior to the start of the extension. Continued extensions will be requested every 24 hours thereafter. (See Section V.C.)
- When a youth requests confinement for victim risk, the qualified mental health professional will be contacted to complete an assessment of the youth's mental status. If no qualified mental health professional

is on site, the on-call system will be used in accordance with DJJ 12.4, Staffing and On Call. (See Section V.D.3.)

- Facility Directors who wish to request extension of confinement for more than 72 hours will submit the Request for Extended Confinement/Removal from Programming, (Attachment C). The form will be scanned and emailed for approval to the Director of the Office of Behavioral Health Services (OBHS) as soon as possible but no less than 12 hours prior to the start time of the requested extension. The Director of OBHS will enter approval in JTS and will respond via email prior to the start of the extension. Continued extensions will be requested every 24 hours thereafter. (See Section V.F.)
- Facility Directors who wish to request an extension of confinement for more than 120 hours will submit the Request for Extended Confinement/Removal from Programming (Attachment C). The form will be scanned and emailed for approval to the Deputy Commissioner of Youth Services and Director of OBHS no less than 12 hours, unless there is an emergency, prior to the start time of the requested extension. The Director of the Office of Behavioral Health Services, in consultation with the Deputy Commissioner of Youth Services, will enter approval in JTS and will respond via email prior to the start of the extension. Continued extensions will be requested every 24 hours thereafter. (See Section V.G.)
- Use of confinement over 72 hours will require the approval of the Designated Mental Health Authority and Director of the Office of Behavioral Health Services, in consultation with the Regional Behavioral Health Services Administrator, Facility Director and Director's immediate supervisor. Facility Directors who wish to request extension of confinement for more than 72 hours will submit the Request for Extended Confinement/Removal from Programming (Attachment C). The form will be scanned and emailed for approval to the Director of the Office of Behavioral Health Services (OBHS) as soon as possible but no less than 12 hours prior to the start time of the requested extension. The Director of OBHS will enter approval in JTS and will respond via email prior to the start of the extension. Continued extensions will be requested every 24 hours thereafter. (See Section VI.D.4.)
- Facility Directors who wish to request extension of confinement for more than 120 hours will submit the Request for Extended Confinement/Removal from Programming (Attachment C). The form will be scanned and emailed for approval to the Deputy Commissioner of Youth Services and Director of OBHS no less than 12 hours prior to the start time of the requested extension. The Director of the Office of Behavioral Health Services, in consultation with the Deputy Commissioner of Youth Services, will enter approval in JTS and will respond via email prior to the start of the extension. Continued extensions will be requested every 24 hours thereafter. (See Section VI.D.5.)

DJJ 13.10, Curriculum, states that the Department of Juvenile Justice shall utilize a curriculum that meets the requirements of the Standards for Georgia Public Schools and the rules and regulations of the State Board of Education for the provision of regular, special, and vocational education. Post secondary educational programs shall be offered, when appropriate, for qualified students. This policy replaces the existing DJJ 13.10, Curriculum. This policy does not require local operating procedures. The following changes were made to the policy:

- The criteria to determine which DJJ students may participate in a GED program are as follows:
 - The student must be 1 year or more off track for graduation; and
 - The student must be at least 16 years old to participate in GED instruction and to take the GED exam.
 - The student must make a 6.0 in reading and math on the D Level TABE test in order to enroll in the pre-GED program. (See Section III.G.1.)
- Youth awaiting YDC in the RYDC and youth under the jurisdiction of the Superior Court may be enrolled in the GED program as soon as they meet the GED admission requirements. (See Section III.G.7.)

DJJ 13.12, Student Grades, states that numerical grades shall be recorded in all courses for which credit is given. This policy replaces the existing DJJ 13.12, Student Grades. This policy does not require local operating procedures. The following changes were made to the policy:

- Progress Review Committee: A team of DJJ staff, to include the lead teacher, facility case manager, and the school counselor, where applicable, responsible for reviewing the student's academic progress, test scores, and behavior. (See Definitions)

- Each student's work will be graded and posted in the Juvenile Tracking System (JTS) within 15 business days of being submitted to the teacher. The student's course work will be maintained in accordance with DJJ 5.1, Records Management. (See Section III.C.)
- Progress reports will be issued to students and mailed to parents/guardians every six weeks. (See Section III.D.)
- Report cards will be issued to students and mailed to parents/guardians at the end of each semester. Upon request, copies of the report cards will be provided to the community case manager and the local school system. (See Section III.E.)
- End of the Course Tests (EOCT) will be administered to each student for required courses. Students are required to pass courses associated with the EOCT, with the EOTC contributing 20% to the course grade. (See Section III.G.4.)
- When a student completes high school graduation requirements, the principal will approve and submit a copy of all transcript(s) to the Director of Student Support Services. The Director of Student Support Services will verify that all graduation requirements have been met. The Director will submit transcript(s) to the DJJ Associate Superintendent for final approval. The Associate Superintendent will then submit the diploma to the Superintendent/Commissioner and Board Chairperson for signatures. The Director of Student Support Services will affix the Official DJJ Seal onto the Superintendent's signature. A permanent copy of the diploma and transcript(s) will be kept on file in the Office of Education. (See Section III.H.)

DJJ 13.32, Special Education Services, states that Department of Juvenile Justice schools shall identify students through 21 years of age with disabilities and provide these students a free and appropriate public education in compliance with state rules and the Individuals with Disabilities Education Act. This policy replaces the existing DJJ 13.32, Special Education Services. This policy does not require local operating procedures. The following changes were made to the policy:

- SEMSNet was changed to SEMSTracker throughout the policy.

DJJ 18.1, Program Activity Schedule, states that Department of Juvenile Justice secure facilities shall provide 14 hours of out-of-room activities every day for youth. This policy replaces the existing DJJ 18.1, Program Activity Schedule. This policy requires local operating procedures. The following changes were made to the policy:

- Confinement: For the purposes of this policy, the placement of a youth in a room, excluding placement for disciplinary reasons or medically-necessary isolation ordered by a licensed health care professional. (See Definitions)
- Each facility will offer core programming as identified in Attachment A, and approved facility specific programming (i.e., Sexually Harmful Behaviors Program, Aggression Replacement Training (A.R.T.), Substance Abuse Programming, etc.). (See Section III.B.)
- Program scheduling will be based on the best interest of the youth and monitored by the facility Director, or designee. Staff schedules will be established to ensure that evening and weekend/holiday activities are being conducted. (See Section III.C.)
- Television watching may be considered part of an organized leisure activities program. Staff should ensure that the television program content is age and content appropriate. (See Section III.D.)
- Youth will be provided 14 hours of out-of-room activities. The only approved exceptions will be:
 - Youth may be confined for up to 15 minutes during a transition period (e.g., during meal times, after school, etc.);
 - Youth may be confined for up to 45minutes during a shower period; and
 - Youth may be confined for a period of time necessary for staff to respond to an emergency or threat to the security of the facility. The facility Director or the Administrative Duty Officer must be immediately notified and give approval for the confinement. The approval will be documented in the log book. The confinement will be limited to the time necessary to safely and adequately manage the emergency or to immediately investigate emergencies or threats to safety, security or order. (See Section III.J.)
- If programming does not occur at the scheduled time, it will be rescheduled during the same week. If a cancelled program is not rescheduled within the same week, the Director will be notified in writing

regarding the reason for cancellation and why it could not be rescheduled within the same week. (See Section III.K.)

INSTRUCTIONS:

DJJ Policy Manual

Remove the following policies from the policy manual

- DJJ 3.27, Workers' Compensation
- DJJ 3.59, Employment Eligibility Verification
- DJJ 12.22, Special Management Planning
- DJJ 13.10, Curriculum
- DJJ 13.12, Student Grades
- DJJ 13.32, Special Education Services
- DJJ 18.1, Program Activity Schedule

Place the following policies in the policy manual

- DJJ 3.27, Workers' Compensation
- DJJ 3.59, Employment Eligibility Verification
- DJJ 12.22, Special Management Planning
- DJJ 13.10, Curriculum
- DJJ 13.12, Student Grades
- DJJ 13.32, Special Education Services
- DJJ 18.1, Program Activity Schedule

Make the proper notations