

Avery D. Niles, Commissioner

Tracy D. Masters, General Counsel



DEPARTMENT OF JUVENILE JUSTICE

OFFICE OF LEGAL SERVICES

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June 25, 2015

BOARD MEETING SUMMARY

Members Present: Chair Elaine Snow, Vice-Chair Sandra Taylor, Willie Bolton, Julia Neighbors, Fred Stephens, Sturgeon Ambrose, Dick Yarbrough, Danny Porter, Angie Holt, Franklin Rozier and James Valbrun.

Judicial Advisory Council Members Present: Judge Gilbert.

Motions and Other Business:

1. Chair Snow called the meeting of the Board of Juvenile Justice to order on Thursday, June 25, 2015 at 10:00 a.m. in the Board Room of the Central Office of the Department of Juvenile Justice, at 3408 Covington Highway, Decatur, GA 30032.
2. A motion to approve the minutes of the May 28, 2015 meeting was made, seconded, and approved unanimously.
3. A motion to approve the agenda for today's meeting was made, seconded, and approved unanimously.
4. Commissioner Niles gave an overview of the agency's activities since the last Board Meeting.
5. Tracy Masters, General Counsel, presented a proposed amendment to the Board's Rules to authorize the Commissioner to require the Director to reside on the grounds, or nearby, in DJJ provided housing at certain designated facilities. A motion to provisionally adopt the proposed rule amendment was made, seconded, and approved unanimously. (A synopsis of the provisionally adopted rule is attached.)
6. A motion to adjourn the Board of Juvenile Justice and to reconvene as the Juvenile Justice Board of Education was made, seconded, and approved unanimously.
7. Dr. Audrey Armistad, Associate Superintendent of Schools, gave an overview of the Office of Education Services' activities since the last Board Meeting including a report of a Department of Education audit and an overview of the "electronic core-curriculum" of college courses for DJJ youth program.
8. A motion to adjourn the Juvenile Justice Board of Education and to reconvene as the Board of Juvenile Justice was made, seconded, and approved unanimously.

Page Two
June 25, 2015

9. New Business: Judge Gilbert invited the Board to hold its July meeting in Macon to attend a dedication of the new Juvenile Court facility in conjunction with the Board's open meeting and to attend a session of juvenile court as a training experience.
10. Old Business: There was no old business before the Board.
11. Chair Snow announced that the next Board Meeting will be held at a location to be determined at 10:00 a.m. on Thursday, July 23, 2015.
12. With no further business before the Board, the meeting was adjourned.



Tracy D. Masters, General Counsel

Attachment

DEPARTMENT OF JUVENILE JUSTICE



NOTICE OF INTENT TO CONSIDER AMENDING AN AGENCY RULE

Synopsis

The Board of Juvenile Justice finds that its Rule 97-1-.04 regarding the Commissioner of the Department of Juvenile Justice, Amended; is in need of revision so as to authorize the Commissioner to require the Director of certain facilities, as a condition of employment, to reside in housing on the facility grounds or nearby, in leased housing. Therefore, in accordance with the Board's grant of authority pursuant to O.C.G.A. § 49-4A-6, O.C.G.A. § 50-13-3 and O.C.G.A § 50-13-4, notice is hereby given to the public of the Board's intent to amend Rule 97-1-.04 pertaining to the Commissioner of the Department of Juvenile Justice. Amended.

Proposal

Note: Underlined text is proposed to be added.

Pursuant to the provisions of the Administrative Procedures Act, notice is hereby given to all interested persons that the Board and the Department of Juvenile Justice proposes to amend Rule 97-1-.04, relating to the Commissioner of the Department of Juvenile Justice, Amended, by adding additional language to read as follows:

97-1-.04 Commissioner of the Department of Juvenile Justice. Amended.

(1) The Board shall appoint a Commissioner to serve as the chief administrative officer of the Department of Juvenile Justice. The Commissioner shall hold office at the pleasure of the Board and be both appointed and removed by the Board subject to the approval of the Governor. Subject to the general policy and rules and regulations of the Board, the Commissioner shall supervise, direct, account for, organize, plan, administer, and execute the functions of the Department of Juvenile Justice.

(2) In recognition of the security, emergency, and continuous operational needs of the Department, and with particular recognition of the need for a capability of immediate reaction to emergency situations, the Commissioner is authorized to require the Director of certain facilities, as a condition of employment, to reside in housing on the facility grounds, where such housing is available. In the event such housing is not available, the Department shall lease adequate housing close to the Director's assigned facility.

(3) The occupation of such housing by the Director shall be pursuant to an agreement whereby it will be acknowledged by the Director, that: the occupancy of administrative housing is a condition of employment and is not provided as an additional benefit for the performance of his or her job; the occupancy of the housing does not create an entitlement arising out of the Director's job; each Director shall agree to abide by the terms,

June 25, 2015

conditions and provisions of the agreement as a condition of his or her employment; and will acknowledge that the agreement creates no estate or other interest in the real property occupied. The immediate family members of the Director shall be allowed to reside in the housing as long as they comply with the terms agreed to by the Director. The Commissioner or the Commissioner's designee shall be authorized to enter into and execute such agreements on behalf of the Department.

The Board of Juvenile Justice will receive views presented by interested parties and otherwise consider this amendment of its Rules at its August monthly open meeting, currently scheduled for 10:00 a.m. on Thursday, August 27, 2015, in the DJJ Board Room at 3408 Covington Highway, Decatur, Georgia 30032. Written comments regarding this matter should be forwarded to the DJJ Legal Services Office, 3408 Covington Highway, Decatur, Georgia 30032. If you have any questions, you should call the DJJ Legal Office at 404-508-7243.

Citation of Applicable Authority: O.C.G.A. § 49-4A-2(d), O.C.G.A. § 49-4A-3(a), O.C.G.A. § 49-4A-4, O.C.G.A. § 49-4A-5(c)(2), O.C.G.A. § 49-4A-6(a), O.C.G.A. § 50-13-3 and O.C.G.A. § 50-13-4.

This 25th day of June 2015.



Tracy D. Masters
General Counsel
Department of Juvenile Justice