



Transmittal Memo

TO: TJJJ Staff
FROM: Executive Office, Policy and Standards Section
SUBJECT: GAP Transmittal
DATE: July 8, 2024

Please be advised that changes have been made to the General Administrative Policy (GAP) Manual. These changes will go into effect on **July 15, 2024**.

Summary of Changes

GAP.05.13 Texas Administrative Code and Rule Review

- Revised the title of the policy and added a paragraph explaining TJJJ's rule review process.

GAP.380.8597 Certain Actions by the Executive Director – NEW

- Established that TJJJ tracks how frequently the executive director takes certain actions and reports the information to the TJJJ Governing Board and the Sunset Advisory Committee.

GAP.380.8767 Crisis Stabilization Unit

- Clarified that a mental-health-status review hearing must be held for each youth within 72 hours (rather than 96 hours) after the youth's arrival at the stabilization unit.

GAP.380.9147 Youth Career and Technical Education Advisory Committee – NEW

- Establishes the Youth Career and Technical Education Advisory Committee, which assists TJJJ with overseeing and coordinating vocational training for youth in state custody.
- Describes the duties and goals of the committee.
- Describes the composition of the committee's membership and the appointment of the presiding officer.
- Includes the following:
 - information pertaining to ex officio committee members;
 - an explanation of what constitutes a quorum;
 - term lengths of committee members;
 - an explanation of how to fill vacancies on the committee;
 - an explanation that the appearance of conflicts of interest should be avoided;
 - a description of updates the advisory council's presiding officer provides to the Board; and
 - information about other statutory requirements.

GAP.380.9188 Suicide Alert for High-Restriction Facilities

- Changed the requirement for mental health professionals at high-restriction TJJD facilities to consult with the designated mental health professional (i.e., the local clinical director) when determining whether changes will be made to a youth's observation level or suicide precautions *to apply only when: (1) the assessing mental health professional is not licensed to practice independently, and (2) the youth's observation level or precautions would be lowered.*
- Specified that, when a youth on suicide alert is transferred to another high-restriction TJJD facility, the mental health professional at the receiving facility *communicates* (rather than *consults*) with the designated mental health professional or designee regarding the plan for treatment and assessment.

GAP.380.9503 Rules and Consequences for Residential Facilities

- Added that a Level II hearing will be requested for any youth who allegedly commits a first- or second-degree felony unless TJJD determines, given all circumstances, a hearing would not be appropriate. Such a decision must be documented. Also added that TJJD will review the youth for placement in the most restrictive setting appropriate, including the intervention program in Section 380.9510, if the allegation is proved.
- Added a new rule violation entitled *Failure to Comply with Electronic Monitoring Program Conditions*, which applies only to youth in medium-restriction facilities and includes failing to comply with any of the specific electronic monitoring conditions listed in the rule.
- Changed the definition of the rule violation entitled *Participating in a Major Disruption of Facility Operations* to no longer require that a youth must participate with two or more persons.
- Deleted *for the first ten days* from the requirement that a youth must remain at the approved placement while on electronic monitoring.

GAP.380.9504 Rules and Consequences for Youth on Parole

- Added the following to the list of parole rule violations:
 - *Failure to Comply with Electronic Monitoring Program Conditions*, which includes failing to comply with any of the specific conditions listed in the rule; and
 - *Participating in a Major Disruption of Facility Operations*, which is conduct that poses a threat to persons or property and substantially disrupts the performance of facility operations or programs (only for youth on parole status in medium-restriction facilities).
- Added that a parole revocation hearing will be requested for any youth who allegedly commits a first- or second-degree felony while on parole, although it may not be held if a deferral is requested by local prosecutors or TJJD determines that, given all circumstances, a hearing would not be appropriate. Also added that TJJD shall review the youth for placement in the most restrictive setting appropriate if the youth's parole is revoked.
- Deleted *for the first ten days* from the requirement that a youth must remain at the approved placement while on electronic monitoring.

GAP.380.9510 Intervention Plan

- Added first- or second-degree felony to the list of violations that require a youth in a high-restriction facility to be reviewed for possible placement in the intervention program.
- Added that youth whose parole has been revoked and youth who are transferred from a medium-restriction facility to a high-restriction facility may be reviewed for placement in the intervention program. This review is mandatory if the return to a high-restriction facility is due to a first- or second-degree felony.

- Added that youth in the primary level of the intervention program move around campus for non-program-related activities in a manner generally comparable to the general campus population. Removed a provision stating that youth in this level of the program to continue to sleep at their assigned dorm but engage in other activities at the site of the program.
- Removed a reference that stated which staff divisions are involved in reviewing youth for possible placement in the primary level of the intervention program.

GAP.380.9571 Procedure for Mental-Health-Status Review Hearing

- Clarified that a mental-health-status review hearing must be held for each youth within 72 hours (rather than 96 hours) after the youth's arrival at the stabilization unit.
- Clarified that, if the hearing manager determines an unavoidable absence would prevent a key witness or party from attending the hearing, the hearing may be rescheduled to the earliest possible time but not later than 72 hours (rather than 96 hours) from the original scheduled hearing.

GAP.385.8183 Advocacy, Support Group, and Social Services Provider Access

- Added that TJJJ tracks the frequency with which the executive director finalizes appeals described elsewhere in the rule.
- Added that TJJJ compiles frequency data on a quarterly basis.
- Added that, at the beginning of each quarter, TJJJ provides the frequency data from the previous quarter to the TJJJ Board and the Sunset Advisory Commission.