



OFFICE OF THE SECRETARY

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1/13/2022

Senator Kim Hammer, Co-Chair
Arkansas Legislative Council
Administrative Rules Subcommittee
Via Email

Representative Les Eaves, Co-Chair
Arkansas Legislative Council
Administrative Rules Subcommittee
Via Email

Dear Co-Chairs,

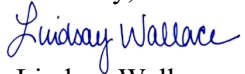
Please consider this as the Department of Corrections (DOC) quarterly report on new and revised secretarial directives issued in the fourth quarter of Calendar Year 2021. There were no new or revised administrative memorandums or administrative directives issued during the fourth quarter. Submitted along with this letter are copies of the following directives:

Arkansas Department of Corrections	
Secretarial Directive Summary	Beginning Page #
SD 2021-19 Time Computation Auditing (effective: 11/18/2021) This Secretarial Directive was created to establish guidelines that govern time computation audits. This directive addresses any potential discrepancies related to time calculation in either division.	Clean: 001
SD 2021-20 Policy Development and Implementation (effective: 12/2/2021) This Secretarial Directive was updated to reflect current practices regarding the development and implementation of Department policies, rules, and directives. Notable revisions include updated procedures for policy development, templates for the uniformity in the development and revision of existing Administrative Rules, Administrative Directives, and Secretarial Directives, as well as the inclusion of new definitions and revisions to previous definitions to be used henceforth in effort to ensure consistency in Department policies and to ensure that the entire DOC is covered under the updated policy.	Markup: 003 Clean: 013

Division of Correction	
Administrative Directive Summary	Beginning Page #
AD 2018-17 Procedures for the Development and Distribution of Departmental Policies Repealed by SD 2021-20 Policy Development and Implementation (effective: 12/2/2021)	Markup: 023

Division of Community Correction	
Administrative Directive Summary	Beginning Page #
AD 2018-11 Policy and Procedure Development Repealed by SD 2021-20 Policy Development and Implementation (effective: 12/2/2021)	Markup: 033

Sincerely,



Lindsay Wallace

Chief of Staff

Department of Corrections

Cc: Solomon Graves, Secretary, Department of Corrections
Christine Cryer, Chief Legal Counsel, Department of Corrections
Dexter Payne, Director, Division of Correction
Jerry Bradshaw, Director, Division of Community Correction
Benny Magness, Chairman, Board of Corrections
File

Enclosure

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SECRETARIAL DIRECTIVE**SUBJECT:** Time Computation Auditing**NUMBER:** 2021-19**SUPERSEDES:** none**APPLICABILITY:** All DOC Employees**REFERENCE:** A.C.A. §§ 12-27-113, 25-43-105, 25-43-106, 25-43-108, 25-43-403**PAGE:** 1 of 2**APPROVED:** Original Signature on File**EFFECTIVE DATE:** 11/18/2021**I. POLICY:**

As the executive head of the Arkansas Department of Corrections (DOC), it is the responsibility of the Secretary of Corrections (Secretary) to ensure that Divisions within the Department comply with applicable state laws and administrative rules regarding the time computation and release eligibility of offenders sentenced to the Division of Correction or judicially or administratively transferred to the Division of Community Correction, that the Department maintain an independent audit system for time computation and release eligibility, and that relevant operational policies are reviewed and revised on a regular basis.

II. PROCEDURES:

- A. Process Review: The Director of the Sentencing Commission shall coordinate with appropriate division staff to periodically review policies and procedures related to time computation and release eligibility. The Director of the Sentencing Commission shall be given access to any staff or records necessary to implement this Directive.
- B. Offender Record Review: The Director of the Sentencing Commission shall assign Commission staff to audit time computation at the point of commitment and prior to release of an offender. The results of the audit shall be retained in eOMIS as a part of the full and complete record of each offender, pursuant to A.C.A. § 12-27-113.
 - 1. Types of review:
 - a. Reviews of new sentences should be conducted in weekly batches. At the beginning of each week, the eOMIS Project Manager or designee will send a list to the Sentencing Commission Director of inmates and residents with new sentences entered within the past week. This list should be broken into three sections:
 - i. New sentences to the ADC with consecutive sentences or special parole eligibility rules.
 - ii. All other new sentences to the ADC.

- iii. New sentences to a Community Corrections Center (CCC).
- b. Reviews will also be conducted prior to release from custody.
 - i. At the beginning of each month, the eOMIS Project Manager or designee will send a list to the Sentencing Commission Director of inmates who are scheduled to be released nine months in the future. This list should be broken into two sections:
 - 1. Sentences to the ADC with consecutive sentences or special parole eligibility rules.
 - 2. All other sentences to the ADC.
 - ii. By the 15th of each month, the eOMIS Project Manager or designee will send a list to the Sentencing Commission of individuals who will be released due to flattening their sentence in the following month. This list should be broken into two sections:
 - 1. Sentences to the ADC with consecutive sentences or special parole eligibility rules.
 - 2. All other sentences to the ADC.
- 2. Notification of discrepancies:
 - a. Any discrepancies in time computation discovered as part of intake review shall be immediately reported to the appropriate division records administrator.
 - b. Any discrepancies in time computation discovered as part of release review shall be immediately reported to the Secretary of Corrections, the appropriate Division Director, and the appropriate division records administrator.
- 3. Selection of records for review: The Director of the Sentencing Commission will implement a method for randomly selecting which records will be audited. This process is subject to the review and approval of the Secretary.
- 4. Reports on results: The Director of the Sentencing Commission will provide a quarterly report on review results to the Secretary of Corrections, the Board of Corrections, and the Arkansas Sentencing Commission.
- C. Committee: After adjournment of each regular legislative session or relevant special session, the Director of the Sentencing Commission will convene a committee to review administrative rules, operational policies, and offender management system (eOMIS) programming.
 - 1. This committee will, at a minimum, contain representatives from:
 - a. the Division of Correction (ADC), designated by the Director of the ADC,
 - b. the Division of Community Correction (ACC), designated by the Director of the ACC, and
 - c. the Compliance Division of the Board of Corrections, designated by the Chair of the Board of Corrections.
 - 2. The committee will, at a minimum:
 - a. Review and identify any necessary changes to administrative rules, operational policies, or eOMIS programming, and
 - b. Review training materials for any necessary changes.
 - 3. The Director of the Sentencing Commission will provide a report to the Secretary on the findings and recommendations of the Committee.



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SECRETARIAL DIRECTIVE

SUBJECT: Policy Development and Implementation

NUMBER: 2021-

SUPERSEDES: SD 19-01

ADC AD 18-17

ACC AD 18-11

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APPLICABILITY: All Arkansas Department of Corrections Employees

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REFERENCE: A.C.A. §§ 12-27-106, 16-93-210, 25-15-216, 25-43-103, 25-43-107, 25-43-108, 25-43-403;
AR 001, Executive Order 15-02, and SD Legislative Liaison and Legislative Communication

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I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), it is the statutory responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, directives, and other forms of operational policy promulgated or issued by the entities within the DOC. The purpose of this directive is to ensure that policy throughout the Department is developed and implemented in a manner consistent with state laws, administrative rules, and the mission statement of the Department.

II. DEFINITIONS:

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A. Administrative Directive (AD). Official statements for internal management within a division that outline policies and specific procedures for implementation. ADs must be signed and approved by the appropriate Division Director. ADs will be formatted using the attached template.

B. Administrative Memoranda (AM). Policy statements that delineate operational requirements which are not department wide and apply to a specific division or area of operation. An AM may also be issued to establish day-to-day operational procedures not specifically covered by another operational policy.

C. Administrative Rules (AR). Official statements of general applicability promulgated according to the Arkansas Administrative Procedures Act. ARs must be approved by the appropriate body, the Governor's Office, and the Arkansas Legislative Council prior to implementation. ARs do not concern the internal management of an entity.

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D. Entity. A board, commission, committee, office, department, institution, council, agency, or division whose administrative functions were transferred to the DOC under Transformation and Efficiencies Act of 2019, hereafter referred to as Act 910 or the Act.

E. Office of the Secretary. An office within the DOC, comprised of multiple operational areas, established by the Secretary to support the Secretary's administration of the Department.

F. Secretarial Directives. Official policies authorized or issued by the Secretary, which direct the implementation of administrative rules, federal or state laws, Executive Orders, direct operations within a shared service area, or direct operations impacting multiple entities within the Department.

III. PROCEDURES FOR DEVELOPMENT OF OPERATIONAL POLICIES:

A. Operational policies (OPs) must, at a minimum, adhere to the following guidelines:

1. OPs must be written clearly and concisely to be understood by staff at all levels of the DOC.
2. Unnecessary references and abbreviations should not be included in OPs.
3. OPs must not be unnecessarily burdensome to the operations of the DOC.
4. OPs must not unnecessarily create entry barriers for business, prohibit entrepreneurial activity, or curb innovation.

B. Operational policies issued by the Secretary will be issued as Secretarial Directives (SD). These directives will be abbreviated as "SD," followed by the year in which the directive was issued and a two-digit number reflecting the order in which the directive was issued (e.g. SD 2019-01). SDs will be formatted using the attached template.

1. The Secretary will ensure that the Board of Corrections (Board) is notified of the development or issuance of a SD through the Board's Compliance Division.
2. All SDs will be reviewed at least annually by the Office of the Secretary.
3. Unless authorized by the Secretary, SDs shall not be made available in the law library.
4. DOC employees may submit proposed revisions or additions to SDs by submitting their ideas through the chain of command to be reviewed by their Deputy or Assistant Director. Upon approval by the appropriate Division Director, a proposal may be submitted to the Chief of Staff for review.

C. The Chief of Staff is the Secretary's designee for coordinating policy development and implementation throughout the DOC.

1. Coordination will include the supervision of employees tasked with supporting policy development and implementation within the Division of Correction (ADC) and Division of Community Correction (ACC), consistent with the provisions of this directive. Supervision shall include providing instruction and guidance on the policy development process.
2. Coordination will include maintaining regular contact with the leadership of all entities within the DOC regarding operational policy.
3. Coordination will include reviewing all policies prior to issuance by divisions of the DOC.
4. The Chief of Staff shall coordinate submission of Legislatively Mandated Reports on behalf of the DOC.
 - a. Any reports required to be submitted shall be formatted and submitted in the manner determined by the Legislative Council or its staff.
 - b. Pursuant to A.C.A. § 12-27-106, the Chief of Staff shall file a quarterly report on new and revised ARs, SDs, ADs, and AMs, on behalf of the Board and the ADC and ACC, with the Legislative Council.
 - c. Pursuant to A.C.A. § 16-93-210, the Executive Administrator of the Arkansas Parole Board, or designee, shall file a quarterly report on new and revised ADs issued by the Board.
 - d. Pursuant to A.C.A. § 25-15-216, following each legislative session, the Chief of Staff shall coordinate reporting on the status of AR development or amendment as a result of legislative changes.
5. As soon as practical after each regular session and fiscal session of the General Assembly, the Chief of Staff must review any newly enacted laws to determine whether any existing rule should be repealed or amended; or any new rule should be adopted. At the conclusion of each review, the Chief of Staff must provide a written report of the review to the Secretary. A copy of each report must be maintained as a public record by the agency.
6. All operational policies within the DOC must be preserved and maintained in an electronic format with availability and distribution determined by current law and policies.

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D. All entities must promptly report to the Secretary, via the Chief of Staff, any operational policy issued within that entity.

1. Entities within the DOC may propose ARs. ARs will be submitted to the Governor's Office for review and approval, pursuant to Executive Order 15-02, by the Secretary or designee.
2. Rules impacting multiple entities, or the DOC as a whole, will be developed by the Office of the Secretary in consultation with the leadership of the impacted entities.

E. Guidance Regarding the Effect of Act 910 of 2019 on Preexisting Policies.

1. Act 910 did not affect the orders, rules, regulations, directives, or standards made or promulgated prior to the effective date of the Act by an entity subject to a cabinet-level DOC transfer initiated by the Act.
2. The orders, rules, regulations, directives, or standards referenced in paragraph one (1) of this subsection continue with full force and effect until amended or repealed.
3. Existing rules and operational policies properly referencing the Department of Correction are applicable to the Division of Correction.
4. Existing rules and operational policies properly referencing the Department of Community Punishment or the Department of Community Correction, are applicable to Division of Community Correction.

IV. PROCEDURES FOR THE DEVELOPMENT OF DIVISION OF CORRECTION POLICIES

A. General Procedures

1. The Division Policy Coordinator is the Director's designee for coordinating policy development and implementation throughout the Division.
2. The Director may appoint a Policy Committee to review policy proposals, which may include personnel from areas such as, accreditation, legal, communications, etc. or other personnel determined at the discretion of the Director.
3. The Director shall designate one (1) member of the Committee to serve as its Chair. The ADC Management Team member initiating the proposal, or their designee, will be known as the "originator" and will work with the Division Policy Coordinator to ensure the following steps are followed.
 - a. The Originator will submit electronically the proposed policy in a standard format with a memorandum outlining the reasons and justifications why the proposal is needed and whether the proposal should be placed in the inmate law libraries to the Division Policy Coordinator. The originator must also include a financial impact statement if the proposal is for an AR.
 - b. The Division Policy Coordinator will acknowledge receipt of the proposed policy and forward copies to the Policy Committee. The Division Policy Coordinator will notify the originator when the policy is scheduled for review by the Policy Committee. The Policy Committee will review the substance of the proposed policy. Non-substantive issues related to grammar and formatting may be resolved by the Division Policy Coordinator and the Policy Committee Chair.
 - c. Any revised or new Administrative Directives must be sent to the Chief of Staff for review after it is approved by the Policy Committee. Once the Chief of Staff has reviewed the policy and approved all changes, the Division Policy Coordinator will notify the Chair.
 - d. The Chair will notify the Originator who will place the proposed policy on the agenda for a subsequent Management Team meeting.
 - e. A recommendation as to whether the policy should be placed in the law library shall be made by the Policy Committee Chair to the Management Team. The Director will make the final decision.
 - f. The Division Policy Coordinator will report the status of all submissions at each Policy Committee meeting through final enactment.

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B. Administrative Directive (AD) Procedure. In addition to the General Procedures outlined above, the following procedures must be followed when developing ADs:

1. The Director has the final approval as to whether a policy will be distributed as an AD. The AD is not effective unless and until signed by the Director.
2. Once approved, the policy will be assigned a number and the Director will determine an effective date for the AD. The Division Policy Coordinator will distribute the new or revised AD to all ADC staff as directed including an Executive Summary that is appropriate for presentation during staff meetings, shift briefings, and inmate notification when required.
3. The Division Policy Coordinator is responsible for maintaining an accessible copy of all current ADs as well as a system for locating repealed and modified ADs.
4. The Division Policy Coordinator will maintain all current ADs on the DOC's intranet site. Directives that are designated as confidential shall not be placed on the intranet site.
5. Consistent with applicable state law, the Secretary or Director may designate an AD as confidential and restrict both the distribution of, and access to the AD.
6. ADs that are repealed by SDs must be signed by the Director before removal from the intranet site or the law library. The signed form (see attached) must be placed in record storage indefinitely.

C. Administrative Memoranda (AM) Procedure. The following procedures apply:

1. AMs may be issued to establish day-to-day operational procedures not specifically covered or defined by an AR, AD, AM, or State Law. A member of the management team who is responsible for operation of the area requesting a memorandum must approve the AM.
2. AMs will be distributed by the Division Policy Coordinator and posted on the DOC's intranet site.

D. Unit Policies

1. Unit policies may be issued by a Warden, Center Supervisor, or Administrator pursuant to the provisions of Administrative Rule 001. These policies will provide specific guidance to the unit/center/operational areas related to the implementation of ARs, ADs, and AMs.
2. Unit policy will be distributed by the Warden, Center Supervisor, or Administrator or their designee and posted to the department's intranet site.

E. Annual Review

1. The Director or designee will ensure an annual review of all policies is conducted. The annual review shall include a review of the law library availability for each policy.
2. The results of the annual review will be compiled and provided to the Director for approval.

F. Law Library Availability

1. The Division Policy Coordinator will maintain a current record of all policies that are available and any policies which are not available in the law library. The record must contain, at a minimum, the policy title, review date, and the assigned member of the management team. In the event the content of a policy changes, the Director may, at his or her discretion, change the accessibility of a policy.
2. The Division Policy Coordinator will make the record available on the DOC's intranet site and will distribute according to provisions of this policy.
3. The Warden or their designee will be responsible for ensuring copies of approved policies and the records is maintained in their law library.

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V. PROCEDURES FOR THE DEVELOPMENT OF DIVISION OF COMMUNITY CORRECTION POLICIES

A. General Procedures.

1. ACC Management Team Members are responsible for submitting revisions to existing policies, or the development of any new policies, rules, and manuals to the Division Policy Coordinator.
2. An ACC employee may submit proposed revisions or additions through the supervision chain to be considered by their Deputy Director.
3. Appropriate subject matter experts, supervisors and/or managers may be asked to review, edit, and comment on the proposed policy revisions.
4. Non-substantive issues related to grammar and formatting may be resolved by the Division Policy Coordinator and the applicable Management Team Member.
5. The Division Policy Coordinator must submit any new or revised AD to the Chief of Staff for review before the AD is sent to the Director. Once the Chief of Staff has reviewed the policy and approved all changes, the Division Policy Coordinator must notify the applicable Management Team Member.
6. The Management Team Member will place the proposed policy on the agenda for a subsequent Management Team meeting for consideration by the Director.
7. Once approved, the policy will be assigned a number and the Director will determine an effective date for the AD.

B. Annual Policy Review

1. The Director or designee will ensure an annual review of all policies. The annual review shall include a review of the law library availability for each policy.
2. The results of the annual review will be compiled and provided to the Director for approval.

C. Law Library Availability

1. The Division Policy Coordinator will maintain a current record of all policies that are available and any policies which are not available in the law library. The record must contain, at a minimum the policy title, review date, and the assigned member of Management Team. In the event the content of a policy changes, the Director may, at his or her discretion, change the accessibility of a policy.
2. The Division Policy Coordinator will make the record available on the DOC's intranet site and distribute according to provisions in this policy.
3. The Area Manager/Center Supervisor or their designee will be responsible for ensuring copies of approved policies and the record is maintained in their law library.

D. Administrative Directives. In addition to the General Procedures outlined above, the following procedures apply to AD development and implementation:

1. The Director has the final approval as to whether a policy will be distributed as an AD. The AD is not in effect unless and until signed by the Director.
2. The Board of Corrections must approve the employee Code of Ethics and any other documents as directed by the Board.
3. All ADs must be reviewed and concurred with by the appropriate managers.
4. All ADs must be filed pursuant to ACC's Records Management AD.
5. Manuals must be approved by the Deputy Director or Assistant Director responsible for operation of the area that the manual addresses.
6. The Division Policy Coordinator is responsible for maintaining an accessible copy of all current ADs as well as a system for locating repealed and modified ADs. The Division Policy Coordinator will maintain all current ADs on the DOC's intranet site.

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Once revisions are made, the applicable Management Team Member must notify the Division Policy Coordinator that the revised policy is ready for consideration by the Division Policy Committee. ¶

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Policy Review Committee ¶

The Director will appoint at least one (1) member of the Management Team to serve as their designee on the Policy Review Committee. The Policy Review Committee will meet as necessary to review changes to existing or new policies/rules. The Division Policy Coordinator may make non-substantive edits to submissions to improve consistency, clarity, and accuracy. ¶

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SD 2021-XX Policy Development and Implementation

Page 6 of 6

F. Supervisor Responsibilities for Distribution and Training

1. Supervisors must ensure new and revised policy is provided in a timely manner to appropriate staff, agents, and offenders.
2. When possible, policy must be provided to staff prior to implementation.
3. Except in emergency situations, supervisors should not issue policy via email.
4. All operational policies should go through the proper policy implementation and development process as outlined in this SD.

VI. ATTACHMENTS

1. AD Template
2. AR Template
3. SD Template
4. AD Repeal Form

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ADMINISTRATIVE RULE

STATE OF ARKANSAS

BOARD OF CORRECTIONS

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Board Approval Date:

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SUBJECT:

I. POLICY:

II. PURPOSE:

III. DEFINITIONS:

IV. PROCEDURES:



ADMINISTRATIVE REGUL

STATE OF ARKANS.

BOARD OF CORREC

SUBJECT:

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_____**I. POLICY:****II. DEFINITIONS:****IV. PROCEDURES:****V. ATTACHMENTS:**

POLICY REPEAL MEMO

TO: Director

FROM: Division Policy Coordinator

RE: AD 20-XX

DATE: _____

The above Administrative Directive has been repealed due to the new Secretarial Directive:

SD 2021-XX was issued with an effective date of ____/____/____.

In order to remove the policy from the intranet site and/or the law library, your signature is required.

Approving Authority _____
Director Date



OFFICE OF THE SECRETARY

1302 Pike Avenue, Suite C
North Little Rock, Arkansas 72114
Phone: (501) 682-3309 | Fax: (501) 534-3958
DOC.ARKANSAS.GOV

SECRETARIAL DIRECTIVE

SUBJECT: Policy Development and Implementation

NUMBER: 2021-20

SUPERSEDES: SD 19-01
ADC AD 18-17
ACC AD 18-11

APPLICABILITY: All Department of Corrections Employees **PAGE:** 1 of 6

REFERENCE: A.C.A. §§ 12-27-106, 16-93-210, 25-15-216, 25-43-103, 25-43-107, 25-43-108, 25-43-403; AR 001, Executive Order 15-02, and SD Legislative Liaison and Legislative Communication

ISSUED BY: Original Signature on File

EFFECTIVE DATE: 12/2/2021

I. POLICY:

As the executive head of the Arkansas Department of Corrections (DOC), it is the statutory responsibility of the Secretary of Corrections (Secretary) to administer the various rules, orders, directives, and other forms of operational policy promulgated or issued by the Entities within the DOC. The purpose of this directive is to ensure that policy throughout the Department is developed and implemented in a manner consistent with state laws, administrative rules, and the mission statement of the Department.

II. DEFINITIONS:

- A. Administrative Directive (AD). Official statements for internal management within a division that outline policies and specific procedures for implementation. ADs must be signed and approved by the appropriate Division Director. ADs will be formatted using the attached template (Attachment 1).
- B. Administrative Memoranda (AM). Policy statements that delineate operational requirements which are not department wide and apply to a specific division or area of operation. An AM may also be issued to establish day-to-day operational procedures not specifically covered by another operational policy.
- C. Administrative Rules (AR). Official statements of general applicability and future effect that implements, interprets, or prescribes law or policy or describes the organization, procedure, or practice of a state agency and includes without limitation the amendment or repeal of a prior rule. ARs are promulgated according to the Arkansas Administrative Procedures Act. ARs must be approved by the appropriate entity, the Governor's Office, and the Arkansas Legislative Council prior to implementation. ARs do not concern the internal management of an Entity.
- D. Entity. A board, commission, committee, office, department, institution, council, agency, or division whose administrative functions were transferred to the DOC under Transformation and Efficiencies Act of 2019, hereafter referred to as Act 910 or the Act.
- E. Office of the Secretary. An office within the DOC, comprised of multiple operational areas, established by the Secretary to support the Secretary's administration of the Department.
- F. Secretarial Directives. Official policies authorized or issued by the Secretary, which direct the implementation of Administrative Rules, federal or state laws, Executive Orders, operations within a shared service area, or operations impacting multiple Entities within the Department.

III. PROCEDURES FOR DEVELOPMENT OF OPERATIONAL POLICIES

A. Operational policies (OPs) must, at a minimum, adhere to the following guidelines:

1. OPs must be written clearly and concisely to be understood by staff at all levels of the DOC.
2. Unnecessary references and abbreviations should not be included in OPs.
3. OPs must not be unnecessarily burdensome to the operations of the DOC.
4. OPs must not unnecessarily create entry barriers for business, prohibit entrepreneurial activity, or curb innovation.
5. For policies repealed without the issuance of another policy, the attached policy repeal form (Attachment 4) must be signed by the appropriate Division Director before removal from the intranet site or the law library. The signed form must be placed in record storage indefinitely.
6. All operational policies within the DOC must be preserved and maintained in an electronic format with availability and distribution determined by current law and policies.

B. Operational policies issued by the Secretary will be issued as Secretarial Directives (SD). These directives will be abbreviated as “SD,” followed by the year in which the directive was issued and a two-digit number reflecting the order in which the directive was issued (e.g. SD 2019-01). SDs will be formatted using the attached template (Attachment 3).

1. The Secretary will ensure that the Board of Corrections (Board) is notified of the development or issuance of a SD through the Board’s Compliance Division.
2. All SDs will be reviewed at least annually by the Office of the Secretary.
3. Unless authorized by the Secretary, SDs shall not be made available in the law library.
4. DOC employees may submit proposed revisions or additions to SDs by submitting their ideas through the chain of command to be reviewed by their Deputy or Assistant Director. Upon approval by the appropriate Division Director, a proposal may be submitted to the Chief of Staff for review.

C. The Chief of Staff is the Secretary’s designee for coordinating policy development and implementation throughout the DOC.

1. Coordination will include the supervision of employees tasked with supporting policy development and implementation within the Division of Correction (ADC) and Division of Community Correction (ACC), consistent with the provisions of this directive. Supervision shall include providing instruction and guidance on the policy development process.
2. Coordination will include maintaining regular contact with the leadership of all Entities within the DOC regarding operational policy.
3. Coordination will include reviewing all policies prior to issuance by divisions of the DOC. However, Division specific policies are issued at the discretion/direction of the individual Division Directors.
4. The Chief of Staff shall coordinate submission of legislatively mandated reports on behalf of the DOC.
 - a. Any reports required to be submitted shall be formatted and submitted in the manner determined by the Legislative Council or its staff.
 - b. Pursuant to A.C.A. § 12-27-106, the Chief of Staff shall file a quarterly report on new and revised ARs, SDs, ADs, and AMs, on behalf of the Board and the ADC and ACC, with the Legislative Council.
 - c. Pursuant to A.C.A. § 16-93-210, the Executive Administrator of the Arkansas Parole Board, or designee, shall file a quarterly report on new and revised ADs issued by the Board.
 - d. Pursuant to A.C.A. § 25-15-216, following each legislative session, the Chief of Staff shall coordinate reporting on the status of AR development or amendment as a result of legislative changes.

5. As soon as practical after each regular session and fiscal session of the General Assembly, the Chief of Staff must review any newly enacted laws to determine whether any existing rule should be repealed or amended; or any new rule should be adopted. At the conclusion of each review, the Chief of Staff must provide a written report of the review to the Secretary. A copy of each report must be maintained as a public record by the agency.
- D. All Entities must promptly report to the Secretary, via the Chief of Staff, any operational policy issued within that Entity.
1. Entities within the DOC may propose ARs. ARs will be submitted to the Governor's Office for review and approval, pursuant to Executive Order 15-02, by the Secretary or designee.
 2. Rules impacting multiple Entities, or the DOC as a whole, will be developed by the Office of the Secretary in consultation with the leadership of the impacted Entities.
- E. Guidance Regarding the Effect of Act 910 on Preexisting Policies.
1. Act 910 did not affect the orders, rules, regulations, directives, or standards made or promulgated prior to the effective date of the Act by an Entity subject to a cabinet-level DOC transfer initiated by the Act.
 2. The orders, rules, regulations, directives, or standards referenced in paragraph one (1) of this subsection continue with full force and effect until amended or repealed.
 3. Existing rules and operational policies properly referencing the Department of Correction are applicable to the Division of Correction.
 4. Existing rules and operational policies properly referencing the Department of Community Punishment or the Department of Community Correction, are applicable to Division of Community Correction.

IV. PROCEDURES FOR THE DEVELOPMENT OF DIVISION OF CORRECTION POLICIES

A. General Procedures

1. The Division Policy Coordinator is the Director's designee for coordinating policy development and implementation throughout the Division.
2. The Director may appoint a Policy Committee to review policy proposals, which may include personnel from areas such as, accreditation, legal, communications, etc. or other personnel determined at the discretion of the Director. The Director may bypass using the Policy Committee to issue policy in a special or emergency situation.
3. The Director shall designate one (1) member of the Committee to serve as its Chair. The ADC Management Team member initiating the proposal, or their designee, will be known as the "Originator" and will work with the Division Policy Coordinator to ensure the following steps are followed:
 - a. The Originator will electronically submit the proposed policy in a standard format with a memorandum outlining the reasons and justifications why the proposal is needed and whether the proposal should be placed in the inmate law libraries to the Division Policy Coordinator. The Originator must also include a financial impact statement if the proposal is for an AR.
 - b. The Division Policy Coordinator will acknowledge receipt of the proposed policy and forward copies to the Policy Committee. The Division Policy Coordinator will notify the Originator when the policy is scheduled for review by the Policy Committee.
 - c. The Policy Committee will review the substance of the proposed policy. Non-substantive issues related to grammar and formatting may be resolved by the Division Policy Coordinator and the Policy Committee Chair.
 - d. The Chair will notify the Originator who will place the proposed policy on the agenda for a subsequent Management Team meeting.
 - e. A recommendation as to whether the policy should be placed in the law library shall be made by the Policy Committee Chair to the Management Team. The Director will make the final decision.

- f. The Division Policy Coordinator will report the status of all submissions at each Policy Committee meeting through final enactment.

B. Administrative Directive (AD) Procedure. In addition to the General Procedures outlined above, the following procedures must be followed when developing ADs:

1. The Director has the final approval as to whether a policy will be distributed as an AD. The AD is not effective unless and until signed by the Director.
2. Once approved, the policy will be assigned a number and the Director will determine an effective date for the AD. The Division Policy Coordinator will distribute the new or revised AD to all ADC staff as directed including an Executive Summary that is appropriate for presentation during staff meetings, shift briefings, and inmate notification when required.
3. The Division Policy Coordinator is responsible for maintaining an accessible copy of all current ADs as well as a system for locating repealed and modified ADs.
4. The Division Policy Coordinator will maintain all current ADs on the DOC's intranet site. Directives that are designated as confidential shall not be placed on the intranet site.
5. Consistent with applicable state law, the Secretary or Director may designate an AD as confidential and restrict both the distribution of, and access to the AD.

C. Administrative Memoranda (AM) Procedure. The following procedures apply:

1. AMs may be issued to establish day-to-day operational procedures not specifically covered or defined by an AR, AD, AM, or State Law. A member of the management team who is responsible for operation of the area requesting a memorandum must approve the AM.
2. AMs will be distributed by the Division Policy Coordinator and posted on the DOC's intranet site.

D. Unit Policies

1. Unit policies may be issued by a Warden, Center Supervisor, or Administrator pursuant to the provisions of Administrative Rule 001. These policies will provide specific guidance to the unit, center, or operational area related to the implementation of ARs, ADs, and AMs.
2. Unit policy will be distributed by the Warden, Center Supervisor, or Administrator or their designee and posted to the department's intranet site.

E. Annual Review

1. The Director or designee will ensure an annual review of all policies is conducted. The annual review shall include a review of the law library availability for each policy.
2. The results of the annual review will be compiled and provided to the Director for approval.

F. Law Library Availability

1. The Division Policy Coordinator will maintain a current record of all policies that are available and any policies which are not available in the law library. The record must contain, at a minimum the policy title, review date, and the assigned member of the management team. In the event the content of a policy changes, the Director may, at his or her discretion, change the accessibility of a policy.
2. The Division Policy Coordinator will make the record available on the DOC's intranet site and will distribute according to provisions of this policy.
3. The Warden or their designee will be responsible for ensuring copies of approved policies and the records are maintained in their law library.

V. PROCEDURES FOR THE DEVELOPMENT OF DIVISION OF COMMUNITY CORRECTION POLICIES

A. General Procedures

1. ACC Management Team Members are responsible for submitting proposed revisions to existing policies, or the development of any new policies, rules, and manuals to the Division Policy Coordinator.
2. An ACC employee may submit proposed revisions or additions through the supervision chain to be considered by their Deputy Director.
3. Appropriate subject matter experts, supervisors and managers may be asked to review, edit, and comment on the proposed policy revisions.
4. Non-substantive issues related to grammar and formatting may be resolved by the Division Policy Coordinator and the applicable Management Team Member.
5. The Management Team Member will place the proposed policy on the agenda for a subsequent Management Team meeting for consideration by the Director.
6. Once approved, the policy will be assigned a number and the Director will determine an effective date for the AD.
7. Consistent with applicable state law, the Secretary or Director may designate an AD as confidential and restrict both the distribution of, and access to the AD.

B. Annual Policy Review

1. The Director or designee will ensure an annual review of all policies. The annual review shall include a review of the law library availability for each policy.
2. The results of the annual review will be compiled and provided to the Director for approval.

C. Law Library Availability

1. The Division Policy Coordinator will maintain a current record of all policies that are available and any policies which are not available in the law library. The record must contain, at a minimum the policy title, review date, and the assigned member of Management Team. In the event the content of a policy changes, the Director may, at his or her discretion, change the accessibility of a policy.
2. The Division Policy Coordinator will make the record available on the DOC's intranet site and distribute according to provisions in this policy.
3. The Area Manager/Center Supervisor or their designee will be responsible for ensuring copies of approved policies and the record are maintained in their law library.

D. Administrative Directives. In addition to the General Procedures outlined above, the following procedures apply to AD development and implementation:

1. The Director has the final approval as to whether a policy will be distributed as an AD. The AD is not in effect unless and until signed by the Director.
2. The Board of Corrections must approve the employee Code of Ethics and any other operational policies as deemed necessary by the Board.
3. All ADs must be reviewed and concurred with by the appropriate managers.
4. All ADs must be filed pursuant to ACC's Records Management AD.
5. Manuals must be approved by the Deputy Director or Assistant Director responsible for operation of the area that the manual addresses.
6. The Division Policy Coordinator is responsible for maintaining an accessible copy of all current ADs as well as a system for locating repealed and modified ADs, consistent with state law on records retention. The Division Policy Coordinator will maintain all current ADs on the DOC's intranet site, excluding any policies designated as confidential by the Director or the Secretary.

E. Supervisor Responsibilities for Distribution and Training

1. Supervisors must ensure new and revised policy is provided in a timely manner to appropriate staff, agents, and offenders.
2. When possible, policy should be provided to staff prior to implementation.
3. Except in emergency situations, supervisors should not issue policy via email.
4. All operational policies should go through the proper policy implementation and development process as outlined in this SD.

VI. ATTACHMENTS

Attachment #1: Administrative Directive Template


Attachment #2: Administrative Rule Template

Attachment #3: Secretarial Directive Template

Attachment #4: Administrative Directive Repeal Form

ADMINISTRATIVE DIRECTIVE**SUBJECT:****NUMBER:****SUPERSEDES:****APPLICABILITY:****PAGE:** 1 of**REFERENCE:****APPROVED:****EFFECTIVE DATE:**

I. POLICY:**II. DEFINITIONS:****IV. PROCEDURES:****V. ATTACHMENTS:**

 <p style="text-align: center;">ADMINISTRATIVE RULE STATE OF ARKANSAS BOARD OF CORRECTIONS</p>	Section Number:	Page Number:
	Board Approval Date:	
	Supersedes:	Dated:
	Reference:	Effective Date:
SUBJECT:		

I. **POLICY:**

II. **PURPOSE:**

III. **DEFINITIONS:**

IV. **PROCEDURES:**

SECRETARIAL DIRECTIVE**SUBJECT:****NUMBER:****SUPERSEDES:****APPLICABILITY:****PAGE:** 1 of**REFERENCE:****APPROVED:****EFFECTIVE DATE:**

I. POLICY:**II. DEFINITIONS:****IV. PROCEDURES:****V. ATTACHMENTS:**

SECRETARIAL/ADMINISTRATIVE DIRECTIVE POLICY REPEAL FORM

TO: Secretary or Director

FROM: Division Policy Coordinator or Appropriate Personnel

RE: [Directive/Policy Name or Number]

DATE: _____

The above Directive has been repealed due to the _____:

AD/SD 20xx-xx was issued with an effective date of __ / __ / ____ .

In order to repeal the policy, your signature is required.

Approving Authority _____	_____
Secretary/Director	Date



P O Box 8707
 Pine Bluff, AR 71611-8707
 Phone: 870-267-6999
 Fax: 870-267-6244
 www.adc.arkansas.gov

~~ADMINISTRATIVE DIRECTIVE~~

~~SUBJECT: Procedures for the Development and Distribution of Departmental Policies~~

~~NUMBER: 18-17~~ **~~SUPERSEDES: 17-12~~**
~~13-116~~

~~APPLICABILITY: To All Departmental Staff~~

~~REFERENCE: AR 001 Administrative Regulations, PAGE: 1 of 10~~
~~Directives and Memoranda~~
~~Act 1258 of 2015 and Executive Order 15-02~~

~~APPROVED: Original signed by Wendy Kelley~~ **~~EFFECTIVE DATE: 4/13/18~~**

I. POLICY:

Efficient and effective management and administration of the Department requires the adoption and implementation of objective and thorough Administrative Regulations, Administrative Directives, and Administrative Memoranda designed to carry out the responsibilities of the Board of Corrections and the Department. These policies are made available to staff to access as well as inmates consistent with the provisions of this directive.

To ensure that all policies are properly considered, it is important that each step of the following procedures is completed. However, the Director may authorize deviations from these procedures on a case-by-case basis.

II. PROCEDURES:

~~The Director or any member of the Management Team may initiate a request for a new or amended Administrative Regulation (AR), Administrative Directive (AD) or Administrative Memorandum (AM) as deemed necessary.~~

~~The Director will appoint a Policy Committee to review policy proposals, which will include the Department's Accreditation Coordinator, and designate one (1) member of the Committee to serve as its Chair. The Management Team member initiating the proposal, or their designee, will be known as the "originator" and will work with the Department's Agency Policy Coordinator to ensure that the following steps are followed:~~

~~A. General Procedures~~

- ~~1. The originator will submit electronically the proposed policy in a standard format with a memorandum outlining the reasons why the proposal is needed and whether the proposal should be placed in the inmate law libraries. The originator must also include a financial impact statement if the proposal is for an Administrative Regulation.~~
- ~~2. The Agency Policy Coordinator will acknowledge receipt of the proposed policy and forward copies to the Policy Committee. The Agency Policy Coordinator will notify the originator when the policy is scheduled for review by the Policy Committee. The Policy Committee will review the substance of the proposed policy. Non-substantive issues related to grammar and formatting may be resolved by the Agency Policy Coordinator and the Policy Committee Chair.~~
- ~~3. After approval by the Policy Committee, the Chair will notify the sponsoring member of Management Team who will place the proposed policy on the agenda for a subsequent Management Team meeting.~~
- ~~4. The Policy Committee Chair will forward the recommendation to the Management Team as to whether the policy should be placed in the law libraries.~~
- ~~5. The Agency Policy Coordinator will report the status of all submissions at each Policy Committee meeting through final enactment.~~

~~B. — Administrative Regulations Procedures~~

~~In addition to the general procedures above, if it has been determined that the proposal will be recommended to become a new or amended Administrative Regulation (AR), the following procedures are to be followed:~~

- ~~1. Administrative Regulations will be written using the standard format (see attachment #1), and drafted to reflect broad policy and avoid, if possible, detailed implementation language which is more appropriately addressed in an AD or AM.~~
- ~~2. The Department will ask the Board of Corrections for permission to proceed with the continued development, approval, repeal, or modification of the AR.~~
- ~~3. The member of Management Team will advise the Agency Policy Coordinator, in writing after each Board action, of the results or action needed on any policy requiring Board review.~~
- ~~4. After receiving Board approval of the Department's request for permission to proceed, the Agency Policy Coordinator will make the required notification to the Governor's Office requesting the Governor's approval of the new or revised AR and will complete the legal notice and Bureau of Legislative Research questionnaire. Both documents will be filed with the Legislative Council. An Administrative Regulation shall only be filed with the Legislative Council following the approval of the Governor.~~
- ~~5. Representatives of the Department will attend Legislative Council Meetings, and/or any other legislative committee to which the AR may be referred, to discuss the AR as needed.~~
- ~~6. Upon completion of all requirements, the AR will be submitted to the Board for final approval. Any public comments received regarding the AR will be provided to the Board at this time.~~
- ~~7. If then approved by the Board, Governor and Legislative Council the AR will be filed with the Secretary of State's Office and the State Library as soon as reasonably possible. The AR will take effect ten (10) days after it is filed with the Secretary of State's Office.~~
- ~~8. The Agency Policy Coordinator is responsible for maintaining an accessible copy of all current Administrative Regulations as well as a~~

~~system for locating repealed and modified Administrative Regulations.~~

- ~~9. The Agency Policy Coordinator will ensure that all ARs are available on both the Department's website and intranet site.~~

~~C. Emergency Administrative Regulations Procedures~~

~~If the Board of Corrections determines that an AR must be adopted on an emergency basis, the following applies:~~

- ~~1. Neither a legal notice nor a public hearing is necessary to issue an Emergency Regulation~~
- ~~2. Upon approval by the Board of Corrections, an Emergency Regulation shall be forwarded to the Governor's Office for approval and then filed with the Subcommittee on Administrative Rules and Regulations of the Legislative Council who will schedule the Emergency Regulation for presentation before the Executive Subcommittee of the Legislative Council. The Emergency Regulation becomes effective following its approval by the Executive Subcommittee of the Legislative Council, notification by the Executive Subcommittee to the full Legislative Council, and its filing with the Secretary of State's Office.~~
- ~~3. Justification explaining the reasons an AR is adopted on an emergency basis must accompany the Emergency Regulation sent to the Committee on Administrative Rules and Regulations of the Legislative Council.~~
- ~~4. An emergency regulation is effective for only 120 days. The procedures outlined in Section III—B of this Directive should be implemented as soon as the Board of Corrections recommends the approval of the emergency administrative regulation. This includes placing a legal notice in a newspaper of general circulation and a minimum 30-day notice of intended action. An Emergency Regulation must be refiled with the Legislative Council in order to become a permanent AR.~~

~~D. Administrative Directives Procedure~~

~~Administrative Directives are policy statements which explain operational requirements which are departmental in scope and are issued by the Director. AD's are for the internal operation of the Department of Correction. In addition to the General Procedures, the following procedures are to be followed:~~

- ~~1. Administrative Directives will be written using the standard format and heading (attachment #2).~~
 - ~~2. The Director has the final approval as to whether a policy will be distributed as an Administrative Directive. The AD must contain the Director's signature.~~
 - ~~3. Once approved, a number will be assigned and the Director will determine an effective date for the AD. The Agency Policy Coordinator will distribute the new or revised AD to the Director's staff, Management Team, Compliance Administrator/Attorney, Unit Accreditation Managers and other departmental staff as directed. The distribution of a new or revised AD will include an Executive Summary sufficient for presentation during staff meetings, shift briefings, and for inmate notification when required.~~
 - ~~4. The Agency Policy Coordinator is responsible for maintaining an accessible copy of all current Administrative Directives as well as a system for locating repealed and modified Administrative Directives. Except for AD's designated as confidential, the Agency Policy Coordinator will maintain all current ADs on the Department's intranet site.~~
- ~~—Note: Consistent with applicable state law, the Director may designate~~
~~—an AD as confidential and restrict both the distribution of, and~~
~~—access to, the AD.~~

~~E. Administrative Memoranda Procedure~~

~~Administrative Memoranda are policy statements which delineate operational requirements which are not departmental wide and apply to a particular area of operation. The following procedures apply:~~

- ~~1. Administrative Memoranda will be written using the standard format and heading (attachment #3).~~
- ~~2. Administrative Memoranda may be issued to establish day-to-day operational procedures not specifically covered or defined by an AR, AD, AM or State Law. The member of Management Team responsible for operation of the area requesting a memorandum must approve the Administrative Memorandum.~~
- ~~3. Administrative Memoranda will be distributed by the Policy Coordinator, and posted on the department's intranet site.~~

~~F. Unit and Divisional Policies~~

- ~~1. Unit or divisional policy may be issued by a Warden, Center Supervisor, or Administrator pursuant to the provisions of Administrative Regulation 001. These policies will provide specific guidance to the unit/center/operational areas related to the implementation of Administrative Regulations, Directives, and Memoranda.~~
- ~~2. Unit or divisional policy will be distributed by the Warden, Center Supervisor, or Administrator or their designee and posted to the department's intranet site.~~

~~G. Quarterly Report on New and Revised Administrative Regulations, Directives, and Memoranda~~

- ~~1. The Department's Legislative Liaison, with the assistance of the Policy Coordinator, shall file a quarterly report, on behalf of the Board of Corrections and the Department, with the Legislative Council containing all new and revised administrative regulations, directives, and memoranda.~~
- ~~2. The report shall be formatted and submitted in the manner determined by the Legislative Council or its staff.~~

~~H. Annual Review~~

- ~~1. The member of Management Team responsible for policy development and implementation, with the assistance of the Agency Policy Coordinator, will facilitate an annual review of all departmental policies. The annual review shall include a review of the law library availability for each policy.~~
- ~~2. The results of the annual review will be provided to the Director for approval.~~

~~Notes: In the event the content changes, and therefore applicability
criteria changes, the Director may alter his/her previous
decision.~~

~~I. Law Library Availability~~

- ~~1. The Agency Policy Coordinator will maintain a current index detailing the law library availability of each policy. The index will at a minimum also contain the policy title, review date, and the assigned member of Management Team.~~

- ~~2. The Agency Policy Coordinator will make the index available on the department's intranet site. It will be distributed according to the provisions of Section III-D, paragraph 3; with the exception of the noted summary.~~
- ~~3. The Warden/Center Supervisor or their designee will be responsible for ensuring copies of approved policies and the index is maintained in their law library.~~


III. ATTACHMENTS:

~~Attachment 1—AR Format~~

~~Attachment 2—AD Format~~

~~Attachment 3—AM Format~~

~~Attachment 1~~

 <p style="text-align: center;">ADMINISTRATIVE REGULATIONS</p> <p style="text-align: center;">STATE OF ARKANSAS</p> <p style="text-align: center;">BOARD OF CORRECTIONS</p>	Section Number:	Page Number: 1 of
	Board Approval Date:	
	Supersedes:	Dated:
	Reference:	Effective Date:
SUBJECT:		

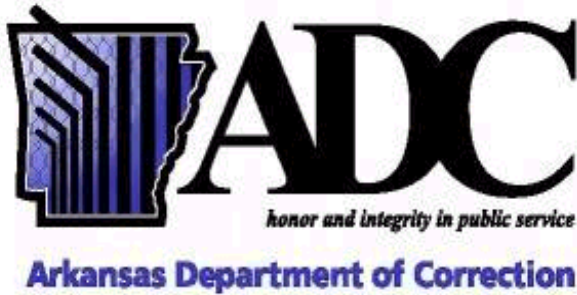
~~I. POLICY:~~~~II. PURPOSE:~~~~III. DEFINITIONS:~~~~IV. PROCEDURES:~~

REPEALED

Attachment 2

PO Box 8707
Pine Bluff, AR 71611-8707
Phone: 870-267-6999
Fax: 870-267-6244
www.adc.arkansas.gov

ADMINISTRATIVE DIRECTIVE**SUBJECT:** _____ **SUPERSEDES:** _____**NUMBER:** _____**APPLICABILITY:** _____**REFERENCE:** _____ **PAGE:** 1 of _____**APPROVED:** _____ **EFFECTIVE DATE:** _____**I. POLICY:****II. PURPOSE:****III. DEFINITIONS:****IV. PROCEDURES:****V. ATTACHMENTS:**

~~Attachment 3~~

PO Box 8707
Pine Bluff, AR 71611-8707
Phone: 870-267-6999
Fax: 870-267-6244
www.adc.arkansas.gov

~~ADMINISTRATIVE MEMORANDUM~~

~~SUBJECT: _____~~

~~NUMBER: _____~~

~~SUPERSEDES: _____~~

~~APPLICABILITY: _____~~

~~REFERENCE: _____~~

~~PAGE 1 of~~

~~APPROVED: _____~~

~~EFFECTIVE DATE: _____~~



Arkansas Community Correction

Two Union National Plaza Building
105 West Capitol, 3rd Floor
Little Rock, AR 72201-5731
501-682-9510 (office) 501-682-9513 (fax)

ADMINISTRATIVE DIRECTIVE: 18-11 Policy and Procedure Development

TO: ——— Arkansas Community Correction Employees

FROM: Sheila Sharp, Director

SUPERSEDES: AD 16-24

APPROVED: ——— Signature on File ——— EFFECTIVE: April 30, 2018

- I. ~~POLICY.~~** ACC will produce and maintain policies and procedures to guide the activities of staff, agents, and offenders; and where appropriate, visitors. Agents are volunteers, interns, contractors, and vendors.
- II. ~~EXPLANATION.~~** Written policy and procedures are essential to the operations, management and review of Arkansas Community Correction. All ACC policy must meet state and federal laws, Executive Orders, Board of Corrections' guidance and legislative requirements.
- III. ~~POLICY FORMATS.~~** Policy formats used by ACC include:
 - A. ~~Administrative Regulations.~~**

Administrative Regulations are official statements of general applicability that guide the agency. Administrative Regulations are the agency's rules and must be promulgated according to the Arkansas Administrative Procedures Act.

Administrative Regulations must be approved by the Board of Corrections, the Governor's Office pursuant to Executive Order 15-02, and the Arkansas Legislative Council prior to implementation.
 - B. ~~Administrative Directives.~~**

Administrative Directives are official statements for internal agency management that explain Administrative Regulations, laws and policies and set specific procedures for their implementation. Administrative Directives must be approved by the Director.

~~C. Administrative Memoranda.~~

~~Administrative Memoranda are official statements specifying procedures for applying an Administrative Regulation or Directive, a law or policy to a particular area of operation. An Administrative Memorandum may also be issued to establish day-to-day operational procedures not specifically covered by Administrative Regulations, law or policy. The Director, Chief Deputy Director, Deputy Director or Assistant Director responsible for operation of that area must approve or author the Administrative Memorandum.~~

~~D. Manuals.~~

~~Manuals are official statements that provide supplemental direction and procedures compatible with applicable law and policy.~~

~~E. Other Formats.~~

~~Other formats may be used where needed such as guides, handbooks, operating procedures and post orders.~~

~~IV. RULES PERTAINING TO AGENCY DOCUMENTS~~

~~A "rule" means an agency statement of general applicability and future effect that implements, interprets, or prescribes law or policy, or describes the organization, procedure, or practice of an agency and includes, but is not limited to, the amendment or repeal of a prior rule.~~

~~"Rule" does not mean:~~

- ~~• a statement that concerns the internal management of an agency and that does not affect the private rights or procedures available to the public;~~
- ~~• a declaratory ruling issued pursuant to Arkansas law section 25-15-206; or~~
- ~~• Intra-agency memoranda.~~

~~A rule will expire after 24 years unless it is extended through the rule making process, pursuant to Arkansas law 25-15-402.~~

~~V. POLICY REVIEW, REVISION AND CREATION.~~

~~**A. Policy Review and Creation in General.** Policy creators and reviewers should consider how well the policy conforms to laws, Executive Orders, other ACC policy, ACA standards and efficient operation of the ACC. (2 CO 1A-05; 2 CO 1A-17; 4-ACRS 7B-08)~~

B. Annual Policy Review. ~~The ACC Management Team must ensure Administrative Regulations, Administrative Directives and applicable manuals that pertain primarily to their areas of responsibility are reviewed annually. The “Policy and Forms” page on the agency intranet can be used to “view” the policies and manuals each Management Team member or their designee is responsible for reviewing for the annual policy review.~~

~~This review must be documented using the form(s) available on the agency intranet. This review must be completed no later than June 1 for the proceeding 11-month period.~~

~~Deputy Directors, Assistant Directors, Area Managers and Center Supervisors must ensure written guidance they produce is reviewed annually, and this review is appropriately documented.~~

C. Recommending and Processing Policy Revisions and New Policy. ~~All Policies, Procedures and Manuals are posted to the Policy and Forms tab on the agency intranet. Management Team Members assigned to conduct the Annual Policy Review are responsible for submitting revisions to existing policies/rules/manuals or for development of any new policies/rules/manuals that may be deemed necessary. The agency intranet > Policy and Forms > Policy Review Committee website will include any revisions that may already be in progress so any recommendations for revisions can be considered in light of edits already proposed.~~

~~Any employee may submit proposed revisions through the supervision chain to the Deputy Director level. Appropriate subject matter experts, supervisors and managers may be asked to review, edit and comment on the proposed policy revisions prior to submission to the Policy Committee. Once revisions are made, the applicable Management Team Member must notify the Agency Policy Coordinator that the revised rule is ready for consideration by the Agency Policy Committee. (4-ACRS-7B-09)~~

~~The Policy Section Coordinator or another person designated by the Deputy Director of Communications and Public Affairs will be primarily responsible for coordinating the final review of each policy on the Policy Review Committee website.~~

D. Policy Review Committee. ~~The ACC Director will appoint at least one member of each agency division to serve on a Policy Review Committee. The Policy Review Committee will meet as necessary to review changes to existing or new policies/rules. The Deputy Director of Communications and Public Affairs will serve as Chairperson of the Policy Review Committee. The Agency Policy Coordinator and/or Deputy Director of Communication and Public Affairs may make non-substantive edits to submissions to improve consistency, clarity, and accuracy.~~

~~The Agency Policy Coordinator will forward committee members an agenda containing link(s) to items to be reviewed at least 3 days in advance of the established meeting.~~

~~Committee members must read each proposed policy prior to the meeting. They should make any recommended edits using “track changes” and add their comments as appropriate.~~

~~At the meeting the committee must decide to:~~

- ~~• accept the policy as submitted~~
- ~~• accept the policy with minor revisions or~~
- ~~• return to the Management Team Member to address concerns identified by the committee.~~

~~The Agency Policy Coordinator will route all items recommended for approval by the Policy Review Committee to the Chief Deputy Director and Director for final approval/signature.~~

~~**E.** During annual policy reviews, the Deputy Director of Communications and Public Affairs must ensure agency rules that will expire before the end of the next fiscal year due to the 24-year limit are reviewed and renewed through the Administrative Procedures Act process or the Director approves of allowing the rule to expire.~~

~~**F. Review After Regular and Fiscal Legislative Sessions.** (Arkansas Code 25-15-216)~~

~~As soon as practical after each regular session and fiscal session of the General Assembly, the Deputy Director of Communications and Public Affairs must review any newly enacted laws to determine whether:~~

- ~~○ Any existing rule should be repealed or amended; or~~
- ~~○ Any new rule should be adopted.~~

~~At the conclusion of each review, the Deputy Director must provide a written report of the review to the Director.~~

~~A copy of each report must be maintained as a public record by the agency.~~

~~G. Policy Writing and Reviewing Guidance.~~

~~Policies must be written using clear language and approved formats. For new and revised ARs, ADs and manuals, the Deputy Director of Communications and Public Affairs must:~~

- ~~• ensure appropriate review~~
- ~~• consider recommendations~~
- ~~• process pursuant to policy~~
- ~~• obtain appropriate approvals~~
- ~~• ask the Policy Section Manager to accomplish the following:~~
 - ~~○ when applicable, process pursuant to the Administrative Procedures Act~~
 - ~~○ publish ARs and ADs on the ACC public website~~
 - ~~○ publish ARs, ADs, manuals and related forms on the intranet, and~~
 - ~~○ notify appropriate staff and others of the new or revised policy.~~

~~H. Approval and Filing Requirement Details.~~

~~1. Rules:~~

~~Rules, as described above, must be processed pursuant to the Administrative Procedures Act (Arkansas law beginning at section 25-15-201), Governor's Executive Order 15-02, and guidance provided by the Secretary of State, Bureau of Legislative Research and State Library.~~

~~2. Administrative Regulations: The Deputy Director of Communications and Public Affairs must ensure Administrative Regulations are reviewed, approved and filed as follows:~~

- ~~a. Initial review by the appropriate Deputy Director, Director and then the Board of Corrections~~
- ~~b. In compliance with the Administrative Procedures Act and Governor's Executive Order 15-02, to include:~~
 - ~~• public notice~~
 - ~~• initial filing pursuant to Secretary of State guidance~~
 - ~~• obtaining the Governor's approval~~
 - ~~• initial filing with the Bureau of Legislative Research for presentation and approval by the Legislative Council (Rules and Regulations Sub-committee)~~
 - ~~• final rule filing with the Secretary of State, Bureau of Legislative Research and State Library.~~

~~3. Administrative Directives:~~

~~The Deputy Director of Communications and Public Affairs must ensure Administrative Directives are reviewed, approved and filed as follows:~~

- ~~• the ACC Director must approve all Administrative Directives~~
- ~~• the Board of Corrections must approve the employee Code of Ethics and other documents as directed by the Board~~
- ~~• review and concurrence by the appropriate managers~~
- ~~• filing pursuant to the agency Records Management Administrative Directive.~~

~~4. Manuals must be approved by the Chief Deputy Director, Deputy Director or Assistant Director responsible for operation of the area that the manual addresses.~~

~~5. Law Library. The Deputy Director of Communications and Public Affairs must ensure distribution of the approved Law Library Policy Table of Contents.~~

~~I. Supervisor Responsibilities for Distribution and Training.~~

~~Supervisors must ensure new and revised policy is provided in a timely manner to appropriate staff, agents and offenders. When appropriate, policy must be provided prior to implementation. (4-ACRS-7B-07 and 08)~~

~~VI. QUARTERLY POLICY REPORT FOR LEGISLATIVE COUNCIL.~~

~~The Deputy Director of Communications and Public Affairs must submit a quarterly report on behalf of the Board of Corrections to the Arkansas Legislative Council. The report must contain all new and revised Administrative Regulations, Administrative Directives and Administrative Memoranda issued in the previous quarter. (Arkansas law section 12-27-106)~~