



NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION

SUMMARY OF CHANGES
AR 100 – ADMINISTRATIVE REGULATIONS
Effective August 30, 2023

Description	Page Number
Replace Executive Administrative Regulation Policy Panel with Executive Team member and Subject Matter Experts and counsel from Attorney General's Office.	1-2
Identification of ARs subject to Nevada Revised Statute (NRS) Chapter 233B – Nevada Administrative Procedure Act.	3
Other minor changes have been made in formatting for improved clarity and consistency.	


James E. Dzurenda, Director

8/30/23
Date

This summary of changes is for training record purposes only. You must also consult the Administrative Regulation and/or Manual for proper instructions.

I, _____, acknowledge receipt of this Summary of Changes and understand it is my responsibility to implement into the course of my duties.

Signature

Date



NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION

ADMINISTRATIVE REGULATIONS
ADMINISTRATIVE REGULATION – 100

SUPERSEDES: AR 100 (10/15/12); AR 100 (Temporary 12/17/15); AR 100 (01/14/16);
AR 100 (01/25/21)

EFFECTIVE DATE: August 30, 2023

AUTHORITY: NRS 209.131; NRS 233B

RESPONSIBILITY

The Director of the Nevada Department of Corrections (NDOC and Department) is responsible for the implementation of this Administrative Regulation (AR).

The Wardens will ensure that their appropriate assigned subordinate supervisors have read and understand this regulation.

The Associate Wardens will ensure that their appropriate assigned subordinate supervisors have read and understand this regulation.

Supervisors will ensure that their appropriate subordinate staff members have read and understand this regulation.

Designated staff members will know, comply with, and enforce this regulation.

If, and where applicable, offenders will know and comply with this regulation.

100.01 DEVELOPMENT OF ADMINISTRATIVE REGULATIONS

1. The Director will designate a Departmental AR Policy Coordinator to facilitate the AR review process and who will perform duties as AR Custodian.
2. The AR Policy Coordinator will establish a general standard format for the publication of regulations.

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3. ARs will be organized in the following series:
 - A. 100 series - General Administration
 - B. 200 series - Fiscal Management
 - C. 300 series - Human Resources (Equal Employment Opportunity (EEO), Employee Development, Payroll)
 - D. 400 series - Institutional Management
 - E. 500 series - Classification & Management of Offenders
 - F. 600 series - Health Care Services
 - G. 700 series - Offender Regulations
 - H. 800 series - Offender Programs
 4. Each member of the Executive Team will be responsible for review and update of all ARs falling under their area of responsibility. The Executive Team member must consult with Subject Matter Experts (SMEs) regarding proposed input. The designated counsel from the Attorney General's Office must also be consulted during the AR review process.
 5. The AR Policy Coordinator will notify the Executive Team members which ARs are scheduled to be reviewed. The AR Policy Coordinator will attach the current version of each AR scheduled to be reviewed to the notification and will assign a deadline for input based on the date of the next Board of State Prison Commissioners (BoPC) meeting.
 - A. Any requests to receive an AR from the AR Policy Coordinator must be made by the Executive Team member or their Administrative Assistant.
 - B. If the current AR is in an older format, the AR Policy Coordinator will provide the current template for use in producing the appropriate updates.
 6. SMEs may recommend changes, additions, and/or provide input for any of the ARs scheduled to be reviewed, as well as no changes/revisions needed for the AR. Input must be submitted using established procedures which include, but are not limited to, the following:
 - A. Input submitted, must relate to the current version of the AR and/or the proposed draft of the AR.
 - B. Input must specifically identify which section(s) of the AR are being recommended for revision, the proposed verbiage for the revision, an explanation, justification, and/or supporting documentation for the proposed revision.

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- C. All proposed edits to the AR must be identified using the Track Changes feature in Microsoft Word.
7. The Executive Team member will work with their assigned Administrative Assistant to draft the proposed AR incorporating some, all, or none of the recommendations with all track changes included. Upon completion of the draft AR, it will be submitted to the AR Policy Coordinator for review.
- A. Any ARs submitted without track changes or incorrect formatting will be returned to the Executive Team member and Administrative Assistant for correction.
8. The AR Policy Coordinator will submit the draft AR to the Attorney General's Office for review.
- A. The Attorney General's Office will consider all proposed input and will make recommendations regarding any changes, additions, or deletions to the AR. The AR Policy Coordinator will provide these recommendations to the Executive Team member for possible revision. These revisions will be completed prior to the AR being presented to the Director for final review.
- 1) ARs relating to Health Care Services will be co-signed by both the Director and the Medical Director. ARs related to Mental Health services will also be co-signed by the Mental Health Director.
9. Any draft AR signed by the Director becomes effective as a Temporary AR until presented to the BoPC and if approved, it will become a Permanent AR.
- A. ARs identified in item 11 below which are subject to NRS Chapter 233B may not be issued as a temporary AR until the 233B process is complete.
10. Temporary ARs will be introduced to the BoPC at the next scheduled Board meeting for consideration and approval as a Permanent AR. The Board may approve, retain, or rescind Temporary ARs and may provide further revision recommendations for amendment and future consideration at an upcoming meeting. If approved by BoPC, the Permanent AR will become effective on the date of the Board's approval.
11. The following ARs are subject to NRS Chapter 233B – Nevada Administrative Procedure Act and must complete the 233B process before being presented to the BoPC for approval:
- A. 200 series - Fiscal Management
- B. AR 719 - Offender Visitation
- C. AR 750 – Offender General Correspondence and Mail

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12. ARs approved by the BoPC are public documents and will not contain specific operational procedures that affect the safety and/or security of NDOC institutions/facilities, staff, and/or offenders. Specific operational procedures that affect the safety and/or security of NDOC institutions/facilities, staff, and/or offenders are considered confidential and do not constitute public documents.

100.02 ADMINISTRATIVE REGULATION REVIEW AND REVISION

1. ARs may be revised as necessary, without a schedule, using the Draft/Temporary AR process set forth within this AR.
2. ARs should be revised as needed and must be reviewed for update annually.
3. An AR is in effect until it is rescinded, replaced by a Temporary AR, or until a revised Permanent AR has been approved by the BoPC.

100.03 DISTRIBUTION AND IMPLEMENTATION OF ADMINISTRATIVE REGULATIONS

1. The AR Policy Coordinator will maintain the original signed ARs and distribute copies of the newly approved ARs to Wardens and Division Heads. The AR Policy Coordinator will ensure the AR Table of Contents, and any definitions are updated on the Department's website.
2. The AR Policy Coordinator will send a Department-wide email via the NDOC Help Desk to all NDOC staff notifying them when a new or revised AR has been posted to the Department website.
3. Wardens and Division Heads will distribute ARs to their subordinate staff, as appropriate.
4. Wardens and Division Heads will ensure a complete and current hardcopy of all ARs are maintained at their facility to ensure accessibility to employees who may not have computer access.
5. Wardens and Division Heads will ensure that ARs and definitions are placed in all institutional law libraries for offender access, as appropriate.
6. The establishment of NDOC ARs does not create any right, liberty, or property interest, or establish the basis for any cause of action against the State of Nevada, its political subdivisions, agencies, Boards, Commissions, Departments, officers, or employees.
7. NDOC ARs do not create any liberty interest or right to any classification status, employment, or housing placement, on behalf of offenders, nor is any liberty interest to be implied from any part of these regulations.
8. Divisions, institutions, and facilities will establish Operational Procedures (OPs) to implement the requirements of ARs into their operational environment. OPs do not

create any right, liberty, or property interest, or establish the basis for any cause of action against the State of Nevada, its political subdivisions, agencies, Boards, Commissions, Departments, officers, or employees.

APPLICABILITY

This regulation requires an audit.

REFERENCES:

ACA Standards 5th Edition 5-ACI-1A-12, 5-ACI-1A-13, 5-ACI-1A-14


James E. Dzurenda, Director

8/30/23
Date