

**NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION
801**

CORRECTIONAL PROGRAMS/CLASSES/ACTIVITIES

Supersedes: 04/08/11; (Temporary, 10/02/13); 10/15/13; (Temporary, 02/13/2017)
Effective Date: 03/07/2017

AUTHORITY: NRS 209.389; NRS 209.391; NRS 209.433 -449; NRS 209-331

PURPOSE

The purpose of Administrative Regulation (AR) 801 is to ensure NDOC is compliant with federal and state regulations and correctional best practices by establishing quality programs for general education, vocational education, training, rehabilitation and/or activities.

RESPONSIBILITY

The Director is responsible for the implementation of all Departmental programs for inmates.

The Deputy Director of Programs is responsible for approving all Department programs/classes/activities for inmates after the proposed programs have been vetted through the Program Review Committee.

The Deputy Directors are responsible for approving all Department programs/classes/activities for inmates, in their respective Divisions, after the proposed programs have been approved by the Deputy Director of Programs.

Wardens are responsible, through their subordinate staff, for daily management and operation of correctional program, classes, and activities for inmates, within their institution and facilities.

The Psychologist IVs are responsible to provide the clinical and administrative supervision of assigned staff who are conducting mental health programs and classes for inmates.

The Education Program Professional is responsible for monitoring and developing educational programs in cooperation with the Nevada Department of Education and the county educational programs where NDOC facilities are located and reporting on performance goals, quarterly.

The Quality Assurance Manager is responsible for recommending Programs to the Program Review Committee and the overall quality control of programs to include, but not limited to, defining performance measures; program goals; location of programs and delivery; reporting program activities; ensuring audit tools are in place and providing system audits with corrective action recommendations; and monitoring the delivery of these programs. The Quality Assurance Manager will provide training and provide quarterly reports on recommendations for system improvement as it relates to programs.

The Re-Entry Coordinator is responsible for the implementation, training, monitoring and quarterly reporting of re-entry programs.

Director for Substance Abuse Programs is responsible for the implementation, training, monitoring, quarterly reporting and providing corrective action plans for the substance abuse programs.

801.01 CORRECTIONAL PROGRAMS/CLASSES/ACTIVITIES

1. The Department shall provide inmates with correctional programs/classes designed to reduce recidivism and in-custody misconduct through methods that may demonstrate or result in measurable positive changes in inmate behavior. The programs will be provided commensurate with the inmate's risk assessment, individualized case plan, classification score, custody level, and availability of the program at the facility where the inmate is housed.

2. Authorized correctional programs consist of Core Programs, Classes and/or Activities.

A. Core Programs –Include, but are not limited to, substance abuse treatment programs, educational/vocational programs, Re-Entry and Evidence-Based behavioral programs. Core Programs are eligible for meritorious credits. Evidence-Based Programs are included on at least one of the national clearinghouses or registries to include, but not limited to: The Results First Clearinghouse, American Correctional Association (ACA), Association of State Correctional Administrators (ASCA), CrimeSolutions.gov, Blueprints for Healthy Youth Development, California Evidence-Based Clearinghouse for Child Welfare, National Institute of Corrections (NIC), Substance Abuse and Mental Health Services Administration (SAMSHA), National Registry of Evidence-Based Programs and Practices (NREPP), Promising Practices Network, U.S. Department of Education's What Works Clearinghouse, What Works in Reentry Clearinghouse, and the Vera Institute.

B. Best Practices Programs/Classes: Include, but are not limited to, psycho-educational and life-skills programs/classes. These best practice programs/classes will be based on "Best-Practices" as identified by, but not limited to, the National Institute of Corrections (NIC), the American Correctional Association (ACA), the Vera Institute, SAMSHA and the Association of State Correctional Administrators (ASCA). Best Practice programs/classes may be eligible for meritorious credits.

C. Activities: Include but are not limited to, support groups, volunteer sponsored groups (i.e. Veterans, Pups on Parole, God Behind Bars, Alcoholics Anonymous, etc.) and religious activities (excluding regular religious services or religious literature study groups). Activities are not eligible for meritorious credits.

D. Positive Correctional Management Practices: The NDOC may implement practices and activities that are designed to enhance an inmate's ability to program in socially acceptable manner with other inmates by increasing out-of-cell time. Such activities may include recreational activities such as physical fitness programs through a coach or team sports such as basketball. Other activities may include availability of board games such as, but not limited to, checkers, chess and dominos that may increase an inmate's ability to interact with others in a positive manner.

3. A program survey will be conducted every three (3) years to determine the programming needs and interests of inmates. The survey will include an assessment of the NDOC's ability to deliver the programs to the inmate population and will include information on program space, equipment,

supplies and instructor/facilitator(s) level of competency. A schedule will be developed by the Associate Warden of Programs at each facility, as directed by the Warden so that each year at least one-third of the programs will be surveyed. The survey results will be provided to the Quality Assurance Manager, who will compile the information for possible system review and improvement.

801.02 CORE PROGRAMS

1. Core Programs are grounded in research and have been shown to improve outcomes for inmates or they have been shown to have promising potential to improve outcomes. To be considered for a core program, an inmate will be assessed by staff using a validated risk assessment instrument.

- A. Inmates shall be prioritized for programming based on their risk to re-offend.
- B. A criminogenic risk/needs assessment shall be used to refer inmates to appropriate programs through the inmate's caseworker.
- C. The result of the criminogenic risk/needs assessment shall be addressed on an individual case plan (ICP).
- D. Core Programs may not be available to all inmates who are at risk, but good faith efforts will be made to enroll inmates in Core Programs, as space is available.
- E. Inmates may decide not to participate in a Core Program. When this occurs, the inmate's decision and the reason for the decision will be documented in NOTIS in the case notes. For example, an inmate may decide that he/she may want vocational training or an assignment to a fire-fighting camp.
- E. Inmates enrolled in Core Programs will not be reassigned, transferred or be subject to bed moves that will prevent the completion of the Core Program, unless it is due to the inmate's misconduct, failure to comply with program requirements or because the continued participation in the program will result in a danger to the safety of the inmate or others or the orderly operation of the prison.

2. Core Programs should follow standardized curricula approved by the Program Review Committee. The approved curricula will include the lesson plan, the number of hours required to complete the course, and delivery system for the curricula. The delivery system can be instructor based, instructor and group interaction, and educational computerized tablets as approved by the AR 143, Inmate Access to Information Technology.

The Program Review Committee will consist of a minimum of three (3) members from the following:

- A. Deputy Director of Programs;
- B. Psychologist IV;
- C. Education Programs Professional;

D. Mental Health Administrator; and

E. Quality Assurance Manager for Behavioral Services;

The Deputy Director of Program reserves the right to include any NDOC staff member; contractor; and/or community partner to review information presented to the Program Review Committee.

3. All proposed Core Programs and Best Practice Programs will be submitted to the Program Review Committee using Form 2060 or 3501. All Evidence-based program proposals must also include DOC Form 2061.

A. Wardens or Associate Wardens may submit requests to the Program Review Committee for consideration of a Core Program specific to their facility. Prior to any program being implemented at a facility, the warden must review and approve the program proposals (DOC 2060). These program proposals will be subject to final approval by the Deputy Director of Programs, after they have been vetted by the Program Review Committee.

B. The Program Review Committee will identify programs that have been approved for use by NDOC facilities.

C. Inmates will not teach or facilitate any correctional programs or classes approved for meritorious credit.

D. The Program Review Committee provides recommendations to the Deputy Director of Programs, who has the authority to deny or approve NDOC Programs, under the authority of the Director.

4. New Core Programs and Best Practice Programs shall undergo a pilot period of a minimum of 90-days at an NDOC facility, approved by the Deputy Director of Programs, to test new interventions, modalities and processes before the program is introduced system-wide.

5. Core Programs shall have program and participant manuals, established schedules, attendance requirements, program goals and program audit instrument. Staff conducting the program will adhere to the requirements of the program. Any requests for exceptions are to be submitted to the Program Review Committee. Exceptions may be granted on a case-by-case basis depending on the degree of variance requested and the reason for the variance, see DOC 2060 or DOC 3501.

6. The recommendation for the introduction of a Core Program will include the target group that the Core Program is designed to assist.

7. The recommendation for the implementation of Core Program will include the identification of which staff will provide the program/class, the resources needed to implement the program (fiscal and institutional), which includes, but is not limited to: training, the cost for materials, qualifications of trainer, facility space, impact on correctional facilities and staff, as well as the identification of the funding source

8. Core Programs will be conducted only by qualified facilitators. The qualification for the staff series/level that will serve as facilitators for any Core Program will be determined by the Program

Review Committee. For example; a teacher, vocational instructor or group facilitator will have the appropriate credential and/or training.

9. Core Programs will be evaluated every three-years by qualified individuals, and the results will be reported to the Program Review Committee. The Quality Assurance Manager will develop the audit instrument that will be used to evaluate the program and will provide the results to the Deputy Director for Program and the Program Review Committee.

10. Meritorious credits will be issued to core programs, pursuant to statute.

11. Offender daily attendance shall be recorded in NOTIS by an NDOC staff person.

12. Meritorious Credits will only be awarded upon completion of each core program. This applies during the current incarceration and any subsequent incarceration under the same booking number.

13. The satisfactory completion of a Core Program should be documented with the completion of DOC 3077 in NOTIS, and reported on the Parole Board Report.

14. An approved Merit Credit Program list will be established and revised as necessary to reflect the addition and removal of programs. See AR 803 for further details.

801.03 BEST PRACTICE - PROGRAMS

1. Best Practice Program are classes or groups, taught by approved staff or volunteers, on topics that include, but are not limited to psycho-educational programs, life-skills programs and re-entry programs that have been vetted and recommended by the Program Review Committee as a best practice. Best Practice programs must be submitted with the supporting documentation from one of the agencies listed in this AR.

2. Best Practice Programs will be taught by qualified and approved staff or volunteers.

3. Best Practice Programs/classes may be eligible for meritorious credits and successful completion of these programs will be reported on the Parole Board Report.

4. Best Practice programs will be vetted in the same manner as Core-Programs.

5. The determination as to whether a Best Practice Program is eligible for meritorious credit and how many credits will be awarded will be determined by the Program Review Committee.

6. New Best Practice Programs shall undergo a pilot period of a minimum of 90-days at an NDOC facility, approved by the Deputy Director of Programs, to test new interventions, modalities and processes before the program is introduced system-wide.

801.04 ACTIVITIES

1. Activities include but are not limited to, support groups, volunteer sponsored groups (i.e. Veterans, Pups on Parole, God Behind Bars, Alcoholics Anonymous etc.) and religious activities (excluding regular religious services or religious literature study groups).

2. Activities are not eligible for meritorious credits, but will be included in the Parole Report.
3. No inmate may teach or facilitate an activity without prior written approval of the Warden.
4. All activity proposals will be submitted on DOC 2060 for review and approval by the Warden, with final approval by the Deputy Director.

801.05 POSITIVE CORRECTIONAL MANAGEMENT PRACTICES

Positive correctional management practices are designed to increase inmate out-of-cell time in an effort to increase positive socialization. These practices can include work details on the tiers and yard, interaction with clinicians, intermural sports such as basketball, recreation yard access in small groups and board games or access to library books. These practices do not need Program Review Committee approval and data is not collected. These practices may include, but not limited to the following:

1. Behavior Modification Units will provide a reintegration or step-down process for inmates that have been housed in segregation units in an effort to review the inmate's ability to interact with staff and inmates in a socially acceptable manner.
 - a) The stay in the behavior modification units will be a maximum of 30-days, and may be shorter depending on the inmate's positive, socially acceptable, disciplinary free conduct while in the Behavior Modification Unit (BMU).
 - b) Inmates in the BMU will be evaluated weekly by unit officer(s), supervisor(s) and caseworker(s). Mental health staff will interview the inmate while in the BMU to determine the inmate's need for counseling prior to release to a general population unit and or the community.
 - c) Social interaction will be encouraged during out-of-cell time with intermural sports, board games and library access.
2. Close Custody will receive a minimum of five (5) hours a day out-of-cell time, contingent on positive conduct. Allowable activities include exercising in small groups and/or being assigned to work details on the tier or exercise yard.
3. Administrative Segregation will receive between one (1) to three (3) hours of out-of-cell time, contingent on positive conduct. Inmate may be allowed to exercise in small groups and/or may be assigned to work details on the tier or exercise yard.
4. Medium Custody – will be allowed as much out-of-cell time that is consistent with staff resources, after the inmate has completed his/her Core, Best-Practice or Activity Programs each day. Socially acceptable activities and interaction with staff and inmates, whether in housing units or exercise yards is encouraged

801.05 COMMUNITY VOLUNTEER PROGRAM OR ACTIVITY FACILITATORS

1. Community volunteer facilitators must first be approved as Department Volunteers in accordance with the requirements of AR 802.

2. Community volunteers will submit Volunteer Program Proposals (DOC 3501) to the Warden. Upon approval by the Warden, the program will be reviewed by the Program Review Committee, with final approval by the Deputy Director of Programs.

801.06 MONTHLY PROGRAM ACTIVITY REPORTS

1. The Associate Warden over Programs will provide a Monthly Program Activity report (DOC 3524) to the Warden and Deputy Director Designee including, but not limited to, the number of participants and the number of completions year-to-date. Monthly Program Activity Reports will be submitted in accordance with the established time frame.

APPLICABILITY

1. This AR requires an Operational Procedure (OP) for each institution/facility governing program classes, substance abuse classes, and reentry.
2. This AR requires an audit.

REFERENCES:

ACA Standards 4-4377, 4-4464 through 4-4471, 4-4474, 4-4481


James Dzurenda, Director

3/2/17
Date