



NEVADA DEPARTMENT OF CORRECTIONS
ADMINISTRATIVE REGULATION

ADMINISTRATIVE REGULATIONS
ADMINISTRATIVE REGULATION – 100

Supersedes: AR 100 10/15/12; AR 100 (Temporary 12/17/15)

Effective date: Pending

AUTHORITY: NRS 209.131

RESPONSIBILITY

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

The Executive Administrative Regulation (AR) Policy Panel will consist of one (1) Deputy Director and one (1) Warden, Chief or Medical Director based on the subject matter. The Executive AR Policy Panel will be responsible for all policy development. The Executive AR Policy Panel must consult with Subject Matter Experts (SME's) regarding proposed input. The designated counsel from the Attorney General's Office must also be consulted during the AR review process. The Director is responsible for the final approval regarding all polices. Once the AR has received the Director's approval, it will be added to an upcoming Board of Prison Commissioners meeting agenda where it may be approved and made permanent or not approved and retain its temporary status with recommendations for further amendment.

100.01 DEVELOPMENT OF ADMINISTRATIVE REGULATIONS

1. The Director will designate a Departmental AR Policy Coordinator to facilitate the Executive AR Policy Panel meetings, and who will perform duties as AR Custodian.
2. The AR Policy Coordinator will establish a general standard format for the publication of regulations.
3. The AR Policy Coordinator will notify the Executive AR Policy Panel which AR's are scheduled to be reviewed. The coordinator will attach the current version of each AR scheduled to be reviewed to the notification and will set a seven (7) day deadline for input from the Executive AR Policy Panel.

4. SME's may recommend changes, additions, and/or submit input for any of the AR's scheduled to be reviewed as well as no changes/revisions needed by the Executive AR Policy Panel. 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 is being commented upon, and must include recommended verbiage for the proposed changes, as well as an explanation of the justification and/or need for the proposed change.
5. The Deputy Director will work with the appropriate Administrative Assistant to draft the proposed AR incorporating some, all, or none of the recommendations with track changes and submit the draft AR to the AR Policy Coordinator for review.
6. The AR Policy Coordinator will submit the draft AR to the Executive AR Policy Panel for review and comments.
7. Once the Executive AR Policy Panel has tentatively approved the draft AR, the AR Policy Coordinator will submit the AR for review by the Attorney General's Office.
 - A. The Executive AR Policy Panel will consider all proposed input, and will make the final decision regarding any changes, additions, or deletions to the AR, prior to presenting to the Director for final review.
8. Any draft AR that has been signed by the Director will become a Temporary AR with the force of policy, until presented at the meeting of the Board of Prison Commissioners and if approved will become the Permanent AR. Draft temporary AR's will be effective on the date they are signed by the Director.
9. Temporary AR's put forth to the Board of Prison Commissioners will at the next scheduled board meeting, be considered for approval as a Permanent AR or retained as a Temporary AR with recommendations for amendment and future consideration at the next meeting. **If approved by the Board of Prison Commissioners, the Permanent AR will be effective on the date of approval.**
10. AR's relating to Health Care Services put forth as Temporary AR's in accordance with 100.01.8 and 100.01.9, will be co-signed by both the Director and the Medical Director.
11. AR's will be organized in the following series:
 - A. 100 series - General Administration
 - B. 200 series - Fiscal Management
 - C. 300 series - Human Resources (Personnel/EEO/Employee Development/Payroll)

- D. 400 series - Institutional Management
 - E. 500 series - Classification & Management of Inmates
 - F. 600 series - Health Care Services
 - G. 700 series - Inmate Regulations
 - H. 800 series - Inmate Programs
12. AR's approved by the Board of Prison Commissioners are public documents and will not contain specific operational procedures that affect the safety and/or security of NDOC institutions/facilities, inmates and/or staff. Specific operational procedures that affect the safety and/or security of NDOC institutions/facilities, inmates and/or staff are confidential and do not constitute public documents.

100.02 ADMINISTRATIVE REGULATION REVIEW AND REVISION

1. AR's may be revised as necessary, without schedule, using the Draft/Temporary AR process set forth within this AR.
2. AR's 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 Board of Prison Commissioners.

100.03 DISTRIBUTION AND IMPLEMENTATION OF ADMINISTRATIVE REGULATIONS

1. The AR Policy Coordinator will maintain the original signed AR's and distribute copies of the newly approved AR's to Wardens and Division Heads. The AR Policy Coordinator should ensure the AR's, 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 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 AR's to their subordinate staff, as appropriate. Wardens and Division Heads will ensure a complete and current paper copy of all AR's is maintained at their facility to ensure accessibility to employees who may not have computer access.
4. Wardens and Division Heads will ensure that all of their staff are trained regarding AR's affecting their employment.
5. Wardens and Division Heads will ensure that AR's and definitions are placed in all inmate law libraries for inmate access.

6. The establishment of NDOC Administrative Regulations 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 Administrative Regulations do not create any liberty interest or right to any classification status, employment or housing placement, on behalf of inmates, nor is any liberty interest to be implied from any part of these regulations.
8. Divisions, institutions, and facilities will establish Operational Procedures (OP's) to implement the requirements of AR's into their operations and environment. Operational Procedures 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 4-4012; 4-4014

Charles Daniels, Director

Date