



**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)

Effective Date: January 25, 2021

AUTHORITY: NRS 209.131

RESPONSIBILITY

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

The Executive Administrative Regulation Policy Panel (Executive 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 (SMEs) 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 policies. Once an AR has been approved by the Director, it will be added to the agenda for the next scheduled Board of Prison Commissioners meeting 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 of 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 7-day deadline for input from the Executive AR Policy Panel.

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4. 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 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 to the Attorney General's Office for review.
 - 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 a Permanent AR. Draft Temporary ARs will be effective on the date they are signed by the Director.
 9. Temporary ARs will be introduced to the Board of Prison Commissioners at the next scheduled Board meeting for approval as a Permanent AR, or retained as a Temporary AR with further 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. ARs relating to Health Care Services put forth as Temporary ARs in accordance with 100.01.8 and 100.01.9, will be co-signed by both the Director and the Medical Director.
 11. ARs will be organized in the following series:
 - A. 100 series - General Administration
 - B. 200 series - Fiscal Management

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- 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. ARs 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, staff, and/or inmates. Specific operational procedures that affect the safety and/or security of NDOC institutions/facilities, staff, and/or inmates are 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 Board of Prison Commissioners.

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's 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 ARs to their subordinate staff, as appropriate. Wardens and Division Heads will ensure a complete and current hardcopy of all ARs 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 ARs affecting their employment.

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5. Wardens and Division Heads will ensure that ARs and definitions are placed in all inmate law libraries for inmate access, as appropriate.
 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 to implement the requirements of ARs 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

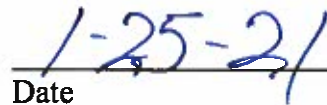
This regulation requires an audit.

REFERENCES:

ACA Standards 4-4012; 4-4014



Charles Daniels, Director



Date