

Report on Department Policy

Department: Corrections
Secretary: Wendy Kelley

The primary purpose of this report is to review existing policies and prompt an analysis of the opportunities for the integration of division policies within your department for standardization. An analysis of *policies* should consider all relevant factors including outdated processes, duplication across divisions, unique requirements, and opportunities for standardization. This analysis should take a holistic approach for developing action plans to deliver efficiency and effectiveness improvements while maintaining standardization across the Department.

Policy Integration Project

- 1.1. Provide a brief description of integration opportunities across divisions for policy standardization at the department level where practicable. What is the action plan for integrating policies? What are the benefits?
The Divisions of Correction and Community Correction have hundreds of policies, many covering the same topics that are being consolidated into Secretarial Directives. This project will allow the Department to eliminate duplicative policy and standardize practices across both Divisions. Several of the smaller entities within the Department did not have a robust policy system. Department-level policies will be developed and implemented to support all entities when possible. This project will also support a sustained culture of Transformation within the Department.
- 1.2. What steps will you take to gather the necessary information to determine whether division policies can be integrated? Address any key division requirements preventing policy integration if applicable.
In July 2019, Secretary Kelley issued Secretarial Directive 19-01 (enclosed). This policy established standards for Policy Development and Implementation within the Department. Following the issuance of this policy, the Department's Chief of Staff chaired a committee that reviewed all existing policies within the Divisions of Correction and Community Correction. The Committee has developed a policy crosswalk with recommended next steps. This document will be reviewed with the Division Directors and Secretary for final implementation, and several Secretarial Directives have already been issued. Seventeen (17) Division policies have been repealed due the issuance of Secretarial Directive effective to date.
- 1.3. Are there any anticipated costs associated with revising and standardizing policies? Does your current budget have sufficient funds to cover all anticipated costs?
None.
- 1.4. What is the implementation timeline and key action steps for this policy roll-out? How will you communicate this timeline and policy roll-out to division stakeholders?
Secretarial Directives issued in place of existing Division Policies will be developed and issued by December 31, 2020. Proposals to the revision or repeal of Administrative Rules will be submitted to the Governor's Office by December 31, 2020.

The Department has two (2) intranet sites which serve as a repository for policies and other information. A single intranet site is being developed. Policies are also sent to staff through distribution lists and selected policies are available on public websites.
- 1.5. How could the Department of Transformation and Shared Services provide support to your Department?
Provide feedback on best practices developed by other Departments.

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Additional thoughts/comments:

The following Secretarial Directives has been issued since July 1, 2020:

- SD 19-01 policy Development and Implementation
- SD 19-02 Incident Notification Procedure
- SD 19-03 Employee Work Schedules & Leave
- SD 19-04 Equal Employment Opportunity
- SD 19-05 Employment
- SD 19-06 Employee Involved Solicitations
- SD 19-07 Date-driven Decision Making
- SD 20-01 Dress Code for Non-Uniformed Personnel
- SD 20-02 Secondary Employment (Effective: 1/21/20)

Asa Hutchinson
Governor

Wendy Kelley
Secretary



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SECRETARIAL DIRECTIVE

SUBJECT: Policy Development and Implementation

NUMBER: 2019-01

SUPERSEDES: N/A

APPLICABILITY: All Department of Corrections Employees

REFERENCE: Ark. Code Ann. §§ 25-43-103, 25-43-107, 25-43-108, 25-43-403; and Executive Order 15-02 **PAGE 1 of 4**

ISSUED BY: Signature on File

EFFECTIVE DATE: August 8, 2019

I. POLICY:

As the executive head of the Department of Corrections, it is the statutory responsibility of the Secretary to administer the rules, orders, directives, and other forms of operational policy promulgated or issued by the entities within the Department. This responsibility will be implemented through generally applicable directives issued by the Secretary. The goal of those directives will be to ensure the efficient, effective, and consistent implementation of all operational policies throughout the Department.

II. PURPOSE:

The purpose of this directive is to establish the procedures by which the Secretary, and the entities within the Department, will develop and implement operational policies.

III. DEFINITIONS:

Entity - A board, commission, committee, office, department, institution, bureau, council, administrative program, agency, or division whose administrative functions were transferred to the Department of Corrections under the Transformation and Efficiencies Act of 2019 (hereafter referred to as Act 910 or the Act).

Operational Policy – Documents issued by an entity that provide guidance or direction for employees regarding the expected implementation of an entity's responsibilities. Operational policies also include documents which govern the management of offenders under the custody or supervision of the divisions within the Department.

Office of the Secretary – An office within the Department established by the Secretary to support the Secretary's leadership of the Department. Functional areas within the Office of the Secretary include Policy, Research and Planning, Fiscal and Administrative Services, Legal Services, Legislative Affairs, and Communications; in addition to other areas which may be deemed necessary by the Secretary.

Secretarial Directives – Official statements, authorized or issued by the Secretary, which direct the implementation of administrative rules, federal or state laws, Executive Orders, or Departmental expectations.

IV. PROCEDURES:

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

1. Operational policies must be written clearly and concisely in order to be understood by staff at all levels of the Department involved in the implementation of the policy.
2. Operational policies must not be unnecessarily burdensome to the operations of the Department.
3. Operational policies 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 a Secretarial Directive. These directives will be properly 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).

1. The Secretary will ensure that the Board of Corrections is notified of the issuance of a Secretarial Directive through the Board's Compliance Division.
2. All Secretarial Directives will be reviewed at least annually by the Office of the Secretary.

- C. The Chief of Staff is the Secretary's designee for coordinating policy development and implementation throughout the Department.
1. Coordination will include the supervision of employees tasked with supporting policy development and implementation within the Divisions of Correction and Community Correction.
 2. Coordination will also include maintaining regular contact with the leadership of all entities within the Department regarding operational policy.
- D. The entities within the Department may issue operational policies in the form of Administrative Directives, Administrative Memoranda; manuals, guides, and other necessary formats. They are encouraged to involve employees at all levels in the development of operational policies.
- E. All operational policies within the Department must be preserved and maintained in an electronic format with availability and distribution determined by current law and policies.
- F. All entities must promptly report to the Secretary, via the Chief of Staff, any operational policy issued within that entity.
- G. Entities within the Department may propose Administrative Rules. When submitting rules to the Governor's Office for review and approval, pursuant to Executive Order 15-02, the proposing entity will also notify the Chief of Staff of the submission.
- H. Guidance Regarding the Effect of Act 910 of 2019 on Preexisting Policies.
1. Act 910 does 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 Department 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 properly 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, the Department of Community Correction, or Arkansas Community Correction are applicable to the Division of Community Correction.

IV. IMPLEMENTATION:

The entities within the Department are directed to review their existing operational policies and ensure that those policies reflect the procedures contained within this directive.