

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Department Directives	PAGE <u> 1 </u> OF <u> 8 </u>
	NUMBER: 01-COM-01
RULE/CODE REFERENCE:	SUPERSEDES: 01-COM-01 dated 01/02/15
RELATED ACA STANDARDS: 4-4004, 4-4012 thru 4-4014, 4-4049; 4-APPFS-3D-06, 3D-07; 2-1013, 2-1014; 2-CTA-1A-03, 2-CTA-1A-10, 1A-12; 2-CO-1A-05, 2-CO-1A-07, 1A-15 to 1A-17; 1-HC-7A-03	EFFECTIVE DATE: July 25, 2016
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to establish a coordinated system for the drafting, review, and dissemination of written agency policies, procedures, and operations manuals. Guidelines shall be set for the development and revision process to ensure input from appropriate stakeholders.

III. APPLICABILITY

This policy applies to persons employed by the Ohio Department of Rehabilitation and Correction (DRC), independent contractors providing a service to the DRC, inmates, and volunteers.

IV. DEFINITIONS

Department Policy - A policy developed and reviewed through the Chief Inspector's Office and approved by the Director/designee for dissemination. Policies shall define operational guidelines for department employees, volunteers, inmates, and the public.

Drafter - Any employee of the Ohio Department of Rehabilitation and Correction (DRC) assigned to write a policy draft.

Field PRT Chairperson - The managing officer's designee who is responsible for disseminating information from the Operation Support Center PRT chairperson/designee and coordinating feedback on policies and operational manuals.

Operation Support Center Policy Review Team (PRT) Chairperson - The chief inspector/designee shall serve as the Operation Support Center PRT chairperson and shall be responsible for initiating, coordinating, and overseeing the DRC policy and operations manual review process and facilitating the Operation Support Center Policy Review Team (PRT) meeting.

Operations Manual - A guide that defines the technical procedures and processes associated with any particular set of job responsibilities or expectations. Operations manuals shall serve as technical support or procedural guides only and shall not contain language that sets policy requirements or standards or conflicts with existing policies, Administrative Rules, or ACA expected practices. All operations manuals should make reference to regulations, policies, procedures and standards that govern the procedures being defined. The policy owner is responsible for the accuracy of the contents of the operations manuals associated with their respective areas.

Policy Administrator - The employee designated by the Operation Support Center PRT chairperson responsible for administering and coordinating the DRC policy and operations manual review process.

Policy Owner - A division, bureau, or office that, by the area of responsibility, has been assigned reviewer authority for a policy or operations manual. The chief inspector shall coordinate ownership of policy areas.

Stakeholder - Any person or group with a direct interest, involvement, or investment in the policy area.

Variance - A temporary authorization for a facility or facilities to deviate from a specific policy or its sections to accommodate local issues or non-routine situations prior to the scheduled annual review.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to develop and maintain current and meaningful policies and operations manuals. Policy and operations manuals shall assist in ensuring compliance with agency directives, professional standards, legal requirements, settlement agreements or consent decrees, and/or any requirements or guidelines mandated by an external agency.

VI. PROCEDURES

A. Policy Access

DRC policies are public information and shall be made available upon request. The only exception to public access are the 310-SEC series policies, which are security related and are not public information and shall be kept confidential. When authorized, security policies shall only be printed and/or copied on goldenrod colored paper. Within institutions, each managing officer shall determine the distribution list for these restricted policies. These policies shall be maintained in a secure area and shall not be placed in inmate libraries or other unsecured locations. Security policies used in accreditation files must have the approval of the chief of the Bureau of Operational Compliance

B. New Policies and Operation Manuals

1. All employees are encouraged to participate in the formulation of policies, procedures, operations manuals, and related programs. The chief inspector/designee shall be responsible for coordinating the review and approval of all policy directives and operation manuals and shall serve as the chairperson of the Operation Support Center PRT.
2. No new policy shall be developed to address an issue if the subject matter is already contained in a current policy and/or a current policy can be reasonably revised to include the subject matter. Prior to drafting a new policy or operations manual, the drafter shall request approval to start the process from the chief inspector. This approval process shall be used to determine any overlaps or inconsistencies with existing policies or directives. The chief inspector/designee shall designate the policy owner for new or revised policies. New policies shall be routed and approved as described in sections VI.C and VI.D of this policy.
3. Staff involved in drafting a new proposed policy or operations manual shall analyze and research the topic and solicit input from the significant stakeholders of the proposed policy or manual. The drafter shall also research any related Administrative Rules, ACA expected practices, or other existing directives and, if applicable, incorporate any necessary language to comply with such standards.
4. Operations manuals must be developed, reviewed, and approved through the same process used for the authorization of department policies. Operations manuals that are not approved through this process shall be considered invalid and not authorized for use within the agency. Any bureau, office, or section that would like to propose the development of an operations manual must contact the chairperson of the Operation Support Center PRT for prior authorization.

C. Policy Review and Revision

1. Each department policy and operations manual shall be reviewed annually, divided into a quarterly review schedule, which shall be posted on the DRC Intranet. However, at any time during the year, employees may provide input concerning policies or operations manuals via e-mail by connecting to the intranet and submitting an electronic comment. Policy owners are responsible for reviewing their policies prior to the assigned quarter of review and submitting comments through this electronic means prior to the first day of the quarter if it is determined that a revision to the policy is warranted. The general public and/or volunteers may provide input regarding policy issues by directly contacting via e-mail the Operation Support Center PRT chairperson/designee or the policy administrator.
2. Revisions to existing policies and operations manuals shall only be initiated during the assigned quarterly review period or in valid, urgent situations that are discussed with and approved by the Operation Support Center PRT chairperson/designee.

3. On or about the first business day of the quarter in which the policies are scheduled for review, the policy administrator shall review all e-mail input and determine if a revision is necessary. If no significant suggestions for revision were received, the policy administrator shall document the annual review period as being completed and no further action shall be necessary. If significant suggestions were received, the policy administrator shall forward any significant e-mails to the policy owner for consideration.
4. The policy owner shall have approximately thirty (30) calendar days following receipt of the e-mailed comments to consider and take action on the policy, including submitting a policy revision for consideration. The Operation Support Center PRT chairperson or the policy administrator must be notified and grant approval for any extension to this deadline. If a policy revision has not been submitted by the established deadline and a deadline extension has not been requested or granted, the annual review may be considered complete and a subsequent revision to the policy may not be accepted.
5. After review of all submitted comments, if the policy owner determines no revision is necessary, the policy owner shall notify the policy administrator and the annual review shall be documented as complete. In the event the policy owner determines revisions are needed, he/she shall prepare a draft revision of the policy in accordance with section VI.C.7 and Appendix A of this policy and forward the draft to the policy administrator within thirty (30) calendar days following receipt of the e-mailed comments.
6. Regardless of whether the policy owner determines the policy does or does not warrant a revision, the policy owner shall respond to any submitted comment that was not incorporated into the policy revision. The response shall be e-mailed directly to the staff member who submitted the comment with a copy to the policy administrator. The response shall be tactful and provide a brief explanation as to why the submitted comment is not being incorporated into the policy revision.
7. All policies shall be prepared on the approved DRC Policy Template (DRC1361/DRC1362). Policy text shall be formatted in Microsoft Word, Times New Roman, font size 12. All paragraphs within the policy shall be formatted with a justified alignment. For revisions to existing policies and operations manuals, language being eliminated shall have a line drawn through it and new language shall be Times New Roman bold print. New language shall not be in all capital letters and the Track Changes feature may not be used. If the revision is so extensive that this practice is not feasible, the policy administrator shall be notified for approval to deviate from this requirement.
8. The drafter is responsible for carefully proofreading the proposed draft policy or operations manual revision prior to submission for conciseness, clarity, punctuation, and grammar. In addition, the drafter is responsible for reviewing the entire policy for accuracy; not just the revised sections. The drafter shall utilize the Policy/Impact Analysis Writing Guidelines attached as Appendix A as a guideline.
9. A DRC Policy Impact Analysis (DRC1907) shall be completed for all policy and/or operations manuals revisions. It is the drafter's responsibility to obtain the required signatures on the DRC Policy Impact Analysis before submitting to the policy

administrator. The DRC Policy Impact Analysis (DRC1907) shall be completed in its entirety showing the revision made to the policy, the factors supporting the revision, and the anticipated impact on DRC operations.

10. Operation Support Center Policy Review

- a. Upon receipt of a proposed policy or manual revision and the corresponding DRC Policy Impact Analysis (DRC1907), the policy administrator shall determine the appropriate stakeholders and coordinate an in-person policy review team hearing on the draft policy if warranted. The purpose of this hearing shall be to consider the proposed revision and its impact on overall agency operations. Unless extenuating circumstances exist, attendance at the policy review team hearing by the policy owner/designee is required.
- b. In efforts of efficiency and as determined by the chief inspector/designee, policies that have minor revisions and/or do not significantly impact agency operations shall be routed electronically by the policy administrator to the appropriate stakeholders and an in-person policy review hearing shall not be held. Those stakeholders shall have approximately fourteen (14) calendar days to review the proposed policy revisions and submit any comments/concerns back to the policy administrator who shall compile the comments/concerns and submit to the policy owner for consideration.

11. Field Policy Review

Following review at the Operation Support Center level, whether electronic or in-person, the drafted policy or manual shall be updated by the policy administrator and/or policy owner, if necessary. The updated draft shall be posted on the intranet for approximately fourteen (14) calendar days to allow for review by field staff. The policy administrator shall notify field staff by e-mail using the DRC – All Users distribution list; however, the field PRT chairperson shall determine appropriate stakeholders at the local level who may not have access to e-mail and provide them the opportunity to review the posted policy or manual. Local stakeholders, field staff, and the field PRT chairperson shall forward comments to the policy administrator using the same e-mail process utilized for earlier input. The field policy review may be held concurrently to an electronic Operation Support Center policy review for those policies that have minor revisions and/or do not significantly impact agency operations. If suggested revisions are recommended during the field policy review, the policy owner shall consider and may make any necessary changes. Similar to the requirements in section VI.C.6 of this policy, the policy owner shall respond to any comments submitted during the field policy review period that are not incorporated into the policy revision. The response shall be e-mailed directly to the employee who submitted the comment with a copy to the policy administrator. The response shall be tactful and provide a brief explanation as to why the submitted comment is not being incorporated into the policy revision.

D. Approval and Implementation

1. When a final version of the policy or operations manual is complete, it shall be submitted to the policy administrator via e-mail along with an updated and signed DRC Policy Impact Analysis (DRC1907), if warranted. All editing marks in operations manuals must be removed by the policy owner before this submission. The policy administrator shall remove the editing marks from policy revisions. The policy administrator shall subsequently submit all department policy revisions to the Director/designee for review and approval. Because operations manuals may not establish policy requirements or standards, revisions to the operations manuals may be approved by the chairperson of the Operation Support Center PRT.
2. Upon approval of the policy or operations manual, the policy administrator shall assign an effective date approximately thirty (30) calendar days from the date of approval. The effective date may be expedited under limited circumstances, based on operational need. All new or revised policies and operations manuals shall be available on the intranet prior to their effective date, unless an expedited effective date makes advanced posting infeasible.
3. The policy administrator shall facilitate posting the new or revised policy on the DRC intranet, and shall disseminate notice of such to all DRC staff using the DRC – All Users distribution list. It is the responsibility of the deputy directors and managing officers to ensure that affected employees without e-mail access are provided appropriate notice of new or revised policies within their respective areas or institutions. Current policies shall remain posted and effective as normal until the revised policy takes effect. If circumstances occur where the current and revised policy both remain posted on the intranet past the new/revised effective date, the revised policy is still effective and the old policy is rescinded.
4. Institutions and parole regions shall be responsible for disseminating new or revised policies to volunteers and, when appropriate, inmates prior to implementation. Guidelines for inmate access to department policies are specified in DRC policy 58-LIB-01, Comprehensive Library Services.

E. Rescinding Policies

1. In the event a policy or operations manual is no longer needed or otherwise should be rescinded, the appropriate managing officer shall send that request to the policy administrator with a brief explanation as to the reason the policy should be rescinded. The policy administrator shall then consider the request and the impact that rescinding the policy would have on agency stakeholders. Where appropriate, a request to rescind a policy or manual may be scheduled for review by the Operation Support Center PRT.
2. If it is determined appropriate to rescind the policy, the request shall be forwarded to the Director/designee for consideration. If approved, the policy or manual shall be rescinded and notice provided consistent with this policy.

F. Policy Maintenance

1. The chief inspector shall initiate and track the review of all DRC policies and operations manuals each year. A hard copy of all current policies shall be maintained in the Chief Inspector's Office.
2. Each managing officer shall conduct an annual review of all department human resource policies and institution local policies. Recommended changes that affect department human resource policies shall be submitted through the electronic comment process. The managing officer shall maintain a written, dated acknowledgement of all annual reviews conducted.

G. Policy Variance

1. A variance process is available to accommodate local facility or agency wide issues that arise that may require a facility or facilities to deviate from a policy or section of policy until the next scheduled annual revision is accomplished.
2. To be considered for a variance, a managing officer shall request a waiver from a policy, in whole or in part, by completing a DRC Policy Variance Request (DRC1887) and forwarding it to the policy administrator. The Policy Variance Request (DRC1887) must be detailed and specific as to why it is necessary for the facility or facilities to deviate from established policy. The specific policy and section(s) must be noted. If the managing officer requesting the variance is not the policy owner, input from the policy owner must be received before initiating the request.
3. To facilitate staff input, non-emergency variances with DRC wide impact shall be posted for a five (5) day field review prior to approval. The policy administrator shall share the field input with the managing officer/designee requesting the variance. Following the field review period, if held, the Operation Support Center PRT chairperson shall consider and make a recommendation on the DRC Policy Variance Request (DRC1887). When the chairperson recommends the variance, the policy administrator shall obtain the recommendation of the appropriate managing director, deputy director or regional director and submit it for the final decision of the Director/designee. The policy administrator shall be responsible for recording the effective and expiration dates on the approved variance. In most cases, the approved variance shall be effective on the date that it is disseminated to staff and posted on the DRC intranet. The policy administrator shall be responsible for the distribution and posting of the variance. The facility may not deviate from established policy and procedure while the variance request is under consideration, unless temporary authorization has been granted in writing to address an urgent situation.
4. A copy of the approved DRC Policy Variance Request (DRC1887) shall be forwarded to all DRC employees using the DRC – All Users distribution list unless other distribution is warranted. Managing officers/designees shall be responsible for ensuring employees without e-mail accounts are notified of the policy variance when warranted. All approved variances shall also be posted on the intranet until the expiration date occurs. All approved policy variances shall be considered during the next annual review of the

Writing or Revising DRC Policy Directives/Impact Analysis

Policy

1. Review the entire policy for accuracy. As a policy owner, you are responsible for **all language** in the policy. Do not just focus on a specific section as there may be other language in the policy that needs updated as well. For example, all references to Central Office must be changed to Operation Support Center.
2. Pay attention to the deadline for policy revisions as it enables related policies to be scheduled together for Operation Support Center PRT eliminating the need for some staff to attend multiple PRT's.
3. Policy drafts must be developed using the most current, up-to-date, department policy format. The current format is (DRC1361/1362 rev. 04/08). If the previous policy was developed in an outdated format, the policy owner is responsible for transitioning the policy into the current, approved format.
4. Policy text shall be formatted in Microsoft Word, Times New Roman, font size 12. All paragraphs within the policy shall be formatted with a justified alignment.
5. When revising a policy, ~~strike out old language~~ and place new language in **bold**. Do not use all capital letters or the "Track Changes" function.
6. Review the use of the term "should" vs. the term "shall". Using the term "should" implies that you should do something but it is not always required, whereas "shall" implies that you must do it.
7. Review the use of the terms Warden and Deputy Warden of Special Services, Operations, and/or Administration. Instead of Warden, the term Managing Officer is more appropriate. Also, not all institutions have a DWSS, DWO, or DWA; therefore, it is more appropriate to use the language "responsible Deputy Warden".
8. Review the use of the terms Unit Management Administrator and/or Major. Those positions are now Unit Management Chief and/or Security Chief. Also, all references must be changed to Operation Support Center as opposed to Central Office.
9. Any related legislation or administrative rule must be properly cited in the header of the policy
10. Appropriate ACA Expected Practices (Standards) must be cited in the header of the policy. The ACA Expected Practices listed in the policy header must match the policies cited for that Expected Practice in the approved DRC Documentation Lists. When the revision to policy will impact the DRC Documentation Lists, the BAPOC Chief must be consulted prior to revising the policy.

11. Ensure the Applicability Statement is accurate and lists any facilities/entities that should be exempted from the policy requirements. The Applicability Statement must correspond to the response for Question Three on the Impact Analysis.
12. Definitions must be listed in alphabetical order with the term underlined. Also, we do not define positions or forms in policy; however, we may define roles. For example we may define Volunteer Coordinator because that is a role of a staff person and not their actual position. Do not define terms that are not specifically referenced within the policy language.
13. The policy statement must start with the phrase "It is the policy of the Ohio Department of Rehabilitation and Correction...." This phrase shall not be abbreviated or altered.
14. When using an acronym, the policy owner must first write out the entire title within the body of the policy, immediately followed by the acronym in parenthesis. Only then may an acronym be used throughout the remainder of the directive. Example: Rules Infraction Board (RIB)
15. When referring to another department policy within the body of a policy, the full name of the related policy and policy number must be cited in the following format: "The reception center shall ensure that all documents detailed in Department Policy 07-ORD-09, Inmate Education Records, are included."
16. Policies are not to contain a training component without the express approval of the CTA Superintendent or designee.
17. When referring to a DRC form within the body of a policy, the full name of the form and form number must be cited. For example: "The Managing Officer shall request a waiver by completing a DRC Policy Variance Request (DRC1887) and forwarding it to the CO PRT Chairperson."
18. All DRC forms cited within the policy must be listed at the end of the policy in the format below. Do not list forms at the end of the policy that are not referenced in the policy.

Impact Analysis

1. A DRC Policy Impact Analysis (DRC1907) must be completed when creating or revising any DRC policy or operational manual. When creating a new directive, the impact analysis shall include a review of the impact that the new directive will have on the agency. When the owner is revising a directive, the impact analysis shall only include a review of the impact that the proposed revision will have on the agency.
2. Be thorough in your answers.
3. At times the practice is already in place and the policy is being revised to reflect the current practice. If that is the case, it should be stated in Question One.
4. If policy comments were received but not incorporated in the policy revision an explanation must be provided in the appropriate section on the first page.

5. The response in Question Three must match the Applicability Statement of the policy. Be sure that you consider all areas of our agency. For example, does the policy only apply to institutional staff? All DPCS staff? APA staff only? CTA? OPI? Does it apply to inmates, contractors and/or volunteers? You may need to revise the existing Applicability Statement in the policy if it is not accurate.
6. If the revision requires a change to DRC forms, ensure the response states whether the forms are electronic/paper and if the existing forms can be used until depleted.
7. If the proposed revision has an effect on any other areas of the agency, ensure that you document any discussion held with those other areas. Be specific as to who it was discussed with.
8. If the proposed revision will require staff training, ensure that CTA was contacted regarding the training? Who will provide the training, etc .