

 <p style="text-align: center;"><b>ADMINISTRATIVE RULES</b></p> <p style="text-align: center;"><b>STATE OF ARKANSAS</b></p> <p style="text-align: center;"><b>BOARD OF CORRECTIONS</b></p>	<b>Section Number:</b>	<b>Page Number:</b>
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	<b>Board Approval Date:</b> <b>5/11/2018</b>	
	<b>Supersedes:</b> <b>001</b>	<b>Dated:</b> <b>5/11/2018</b>
	<b>Reference:</b> <b>N/A</b>	<b>Effective Date:</b> <b>5/21/2018</b>
<b>SUBJECT: Administrative Rules, Directives and Memoranda</b>		

**I. POLICY:**

The Board of Corrections is vested with the authority to promulgate Administrative Rules by Act 50 of 1968 as amended by the Administrative Procedures Act (Act 434 of 1967 as amended). It shall be the policy of the Department to formulate such Administrative Rules, Directives and Memoranda to provide for the lawful, safe, orderly, and responsible operation of the Department. Applicable staff shall be notified of, provided access to, trained if necessary and held responsible for abiding by these policies. The Warden/Center Supervisor is responsible for placement of Rules, Directives and Memoranda that are applicable to the inmate population in areas where inmates will have access to them. It is the responsibility of the Warden/Center Supervisor to make sure the inmate population is aware of the guidelines applicable to them.

**II. EXPLANATION:**

Administrative Regulation 001 establishes the process by which the Arkansas Department of Correction formulates, amends and repeals Administrative Rules, Directives, and Memoranda. This Administrative Regulation also applies to the Board of Corrections, the Director, and such staff as the Director may charge with the responsibility of formulating, amending, and/or reviewing departmental rules and policies.

**III. DEFINITIONS:**

- A. Administrative Rules: Official statements approved by the Board of Corrections and the General Assembly that are filed with the Secretary of State. They are also the general policies which guide the operation of the Arkansas Department of Correction. Prior to their submission to any committee of the General Assembly, staff will ensure that all proposed new Administrative Rules and proposed amendments to existing Administrative Rules are submitted to the Governor, as appropriate, for their review or approval.
- B. Administrative Directives: Official statements, authorized by the Director, which explain Administrative Rules, laws, policies, and establish specific procedures for their implementation throughout the Department.

- C. Administrative Memoranda: Official statements specifying procedures for applying an Administrative Rules or Directive, a law or policy to a particular area of operation. An Administrative Memorandum may also be issued to establish day-to-day operational procedures not specifically covered by Administrative Rules, law or policy. The Deputy Director, Assistant Director, Administrator, or Warden/Center Supervisor responsible for operation of that area must approve or authorize the Administrative Memorandum.

#### IV. **PROCEDURES:**

- A. The procedures for formulating, amending or deleting an Administrative Rules, Directive, or Memorandum will be specified in an Administrative Directive.
- B. Those staff authorized to do so, shall issue Administrative Directives and Memoranda, as necessary to guide staff in implementation of Administrative Rules and to regulate day-to-day operation in specific areas.
- C. Pre-Service and In-Service training shall be conducted to familiarize staff with all Administrative Rules, Directives, and Memoranda. The issuing authority shall ensure that affected staff are notified of, provided access to, trained if necessary and held responsible for abiding by these policies.
- D. All Administrative Rules, Directives and Memoranda should be reviewed, at least annually.
- E. All Administrative Rules, Administrative Directives and Administrative Memoranda shall be preserved and maintained by the Department of Correction in electronic format with availability and distribution determined by current law and policies.