

# KANSAS DEPARTMENT OF CORRECTIONS

	<b>INTERNAL MANAGEMENT POLICY AND PROCEDURE</b>	<b>SECTION NUMBER</b>  <b>01-127D</b>	<b>PAGE NUMBER</b>  <b>1 of 6</b>
		<b>SUBJECT:</b>  <b>ADMINISTRATION: Development and Review of General Orders</b>	
<b>Approved By:</b>   Secretary of Corrections		<b>Original Date Issued:</b> <b>04-29-15</b>	<b>Replaces Version Issued:</b> <b>N/A</b>
		<b>CURRENT VERSION EFFECTIVE: 04-29-15</b>	

<b>APPLICABILITY:</b>	<input type="checkbox"/> <b>ADULT Operations Only</b>	<input type="checkbox"/> <b>JUVENILE Operations Only</b>	<input checked="" type="checkbox"/> <b>DEPARTMENT-WIDE</b>
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**POLICY STATEMENT**

All General Orders shall be consistent with applicable federal and State statutes, departmental regulations (KARs), policies and procedures (IMPP), and any other official manifestation of agency policy, such as the classification manual, affirmative action plan, and similar documents of a regulatory nature. Facilities shall be operated and maintained as specified in applicable statutes, regulations, IMPPs and General Orders.

**DEFINITIONS**

Facility: An institution under the authority of the Secretary of the Kansas Department of Corrections which house either adult or juvenile offenders committed by the courts to serve a sentence.

General Order: Written manifestations of local procedures and practice for an adult or juvenile facility. For purposes of this IMPP, General Order is the term used when referring collectively to General Orders, deletions of General Orders via the placement of their numbers on reserve status, and/or any facility policy memoranda that may be issued as supplemental to certain General Orders.

Offender: For purpose of this IMPP, a person remanded to the custody of the Secretary of the Kansas Department of Corrections and housed in either an adult or juvenile facility.

Redline Format: Text marked for modification or deletion. Language proposed for addition shall be in a bright red and underlined (e.g., new) and language proposed for deletion shall be in a bright red and strikethrough (e.g., ~~delete~~). For purposes of this policy redline format does not include the use of the markup changes tools available in word processing software.

Secretary's Designee: The Management Team member that has been appointed by the Secretary to oversee central office review of new, revised, and deleted General Orders. The Secretary's designee shall use whatever staff resources that are available in his/her division/unit to accomplish the reviews required by the provisions of this IMPP, including delegation of the completion and discharge (signatory approval) of General Order reviews.

Substantive Change: Any change that represents a major shift in philosophy or mode of operation for the facility.

## PROCEDURES

### I. General Provisions

- A. Unless an IMPP specifically prohibits the issuance of a General Order on a particular subject, wardens/superintendents may issue General Orders on any subject for purposes of establishing local procedure and practice as follows:
1. **ADULT**: Only on IMPP's designated as "ADULT Operations Only" or "DEPARTMENT-WIDE".
  2. **JUVENILE**: Only on IMPP's designated as "JUVENILE Operations Only" or "DEPARTMENT-WIDE".
- B. References shall be made to any agency policy meant to be implemented by the General Order.
1. General Orders shall not be developed solely to:
    - a. Restate or interpret such departmental policy; or
    - b. To re-enforce or re-emphasize language already contained in Departmental IMPPs.
- C. No General Orders shall be issued that either establish disciplinary offenses or related sanctions duplicative of those currently existing with appropriate KDOC Administrative Regulations that increase the sanctions already provided within those regulations or that seek to re-establish the substance of any regulation previously revoked.
- D. General Orders shall be reviewed and approved/disapproved by a designee of the Secretary.
1. The Policy Administrator shall act as the Secretary's designee.
  2. The Secretary's designee may request assistance from other staff in order to conduct a more in depth review of the General Order's content and operational feasibility.
  3. Review of any revisions to General Orders by the Secretary's designee shall not be required when non-substantive changes, as set forth herein, are the sole revisions to an Order.
  4. All General Orders shall be subject to Central Office review, from time-to-time, as the Secretary's designee may require, in the same manner as General Orders submitted with substantive revisions to ensure consistency with revisions to statutes, regulations, and/or departmental policy.
- E. General Orders shall be reviewed for:
1. Compliance with statutes and regulations;
  2. The Department's vision and mission statements and principles and values;
  3. Policy guidelines;
  4. Policies and procedures; and
  5. Sound correctional practice.
- F. General Orders may be issued on a temporary basis, not to exceed 60 days, as need and urgency dictate, without the prior review and approval of the Secretary's designee; however, issuance on a permanent basis shall require the approval of the Secretary's designee.

- G. General Orders shall be maintained in manuals that are accessible to all employees and to the public. (ACI 3-4013)
- H. Both new and revised General Orders shall be disseminated to designated staff and, as appropriate for security and control, to contract personnel, volunteers, and when appropriate, to offenders prior to the implementation of such orders or revisions. (ACI 3-4015)

## II. General Orders

- A. General Orders shall be written according to the procedures and standard format outlined in Attachment A.
- B. Any facility employee may initiate a proposal for a new or to revise or revoke an existing General Order. (ACI 3-4004)
  - 1. Such a proposal shall be created in digital format according to the procedures outlined in Attachment A and shall be advanced through established chain of command within the employee's facility.
    - a. If the proposal is a revision of an existing Order, the draft shall contain the full text of the currently effective document presented in redline format as defined herein.
      - (1) When modifications and revisions are so extensive that redline formatting would be entirely too burdensome for the reader, a draft revision, as defined herein, maybe submitted.
      - (2) The following types of revisions to existing General Order are considered to be non-substantive in nature, and shall not require Central Office review:
        - (a) Changes in staff classification titles due to revisions promulgated by the Department of Administration, Division of Personnel Services;
        - (b) Changes in staff working titles by the warden/superintendent;
        - (c) Technical revisions including spelling, grammar, punctuation, diction, and similar areas of written presentation; or
        - (d) Changes in the official designations of various buildings, program delivery sites, training/work/recreation areas, and such other items of nominal identification.
    - b. If the proposal is for a new General Order, the draft shall be created using the General Order template (Attachment B).
    - c. If the proposal is for revocation of an existing General Order, a face sheet shall be generated that shall include a first-page header, followed by a brief history of the General Order prior to deletion.
  - 2. The proposal may only be modified or rejected by the warden/superintendent or his/her respective designee.
- C. Prior to the General Order being submitted to Central Office for review and approval, the Policy Compliance Officer shall attach the General Order Review Sheet (Attachment B) to begin the circulation of the General Order to the facility Legal Counsel, the Warden/Superintendent, and Policy Compliance Officer.

1. The facility Legal Counsel, Warden/Superintendent and Policy Compliance Officer shall acknowledge by their signature on the General Order Review Sheet that they have each reviewed the General Order and attests to the following:
    - a. The Policy Compliance Officer's acknowledges that the General Order is not to be written for the purpose to re-enforce or re-emphasize language already contained in any departmental policies nor does it duplicate, restate or interpret departmental policies nor does it conflict with any current Departmental policies or General Orders of the facility.
    - b. The facility Legal Counsel's acknowledges that he/she does not perceive any conflicts with any current laws or regulations.
    - c. The Warden/Superintendent acknowledges that the General Order is consistent with the operational needs of his/her respective facility and meets the objectives of the KDOC.
  2. The General Order and attached General Order Review Sheet with each of the acknowledgment signatures shall be returned to the Policy Compliance Officer/Policy Coordinator within seven (7) days of the date listed on the General Order Review Sheet.
- D. All new or revised General Orders shall be submitted by facility staff for Central Office review.
1. All proposed new or revised General Orders shall be accompanied by a completed General Order Review Sheet (Attachment B) for each General Order submitted to the Secretary's designee.
    - a. General Orders shall not be grouped together and submitted under one (1) cover sheet.
    2. Individual facilities shall be limited to the submission of a maximum of 20 General Orders per month, unless other arrangements have been approved by the Secretary's designee.
    3. New General Orders to be placed in effect on a temporary basis pending Central Office review shall be forwarded to the Secretary's designee within five (5) calendar days of their issuance.
      - a. All new temporary Orders shall be in force and effect for only 60 calendar days from the date of issue, pending final Central Office review and approval.

### **III. Central Office Review**

- A. Within 30 calendar days of the receipt of a proposed new, revised or revocation of a General Order, the Secretary's designee shall perform a review of the General Order for compliance with the policy requirements of this IMPP.
  1. Upon the completion of this review, and following any additional assessment of operational feasibility deemed necessary by the Secretary's designee, the Secretary's designee shall complete the General Order Comments Form (Attachment C), attach it to the General Order, and return the General Order to the initiating warden/superintendent.
    - a. Upon receipt, the warden/superintendent shall take whatever action is indicated on the General Order Comment Form.
- B. If a General Order cannot be reviewed and a response prepared within 30 calendar days, the Secretary's designee shall, prior to the expiration of the 30 calendar days, advise the warden/superintendent in writing that an extension shall be required.
  1. Extension requests shall be limited to one (1) request, not to exceed 30 calendar days.

2. Requests for extensions shall not be allowed on new General Orders issued on a temporary basis prior to their being submitted for review.

#### **IV. Distribution and Implementation of General Orders**

- A. The warden/superintendent shall determine the effective date once the Order receives approval.
- B. The warden/superintendent shall be responsible for producing copies of the approved General Order for distribution within the facility.
  1. General Orders which may be read by staff, volunteers, and offenders shall be produced on white paper. (ACI 3-4015)
  2. General Orders which are for staff information only shall be produced on light yellow paper and shall include a header on each page that indicates that they are for "Staff Read Only".
    - a. General Orders indicating they are for "Staff Read Only" shall be accessible by staff and others approved by KDOC legal counsel.
  3. General Orders issued on a temporary basis and/or facility policy memorandums shall be produced on pink paper.
  4. General Orders revoked due to their contents being deleted or merged into another General Order shall be reflected on a General Order header page, including a brief history of the General Order prior and up to deletion, including prior titles and effective dates.
    - a. As required elsewhere in this document, such header pages for deleted Orders shall be submitted to the Secretary's designee prior to their deletion and/or subsequent placement on reserve status.
- C. All General Orders, except security related Orders designated as "Staff Read Only" shall be public documents and subject to review by anyone prior to and during implementation. (ACI 3-4013)

#### **V. Annual Review**

- A. All General Orders shall be reviewed at least annually by the issuing authority.
- B. Each warden/superintendent shall establish a General Order review committee.
  1. General Order Review committees shall meet at least annually (ACI 3-4013) for the purpose of:
    - a. Evaluating current General Orders and their compliance with the policy requirements of this IMPP. (ACI 3-4013)
    - b. Considering proposals for revisions, deletions and/or additions to current General Orders.
    - c. Making recommendations regarding the organization or content of General Orders.
- C. Each warden/superintendent shall ensure that the annual review of each General Order is documented.
- D. When revisions are made to any General Order during the annual review process, the General Order shall be processed in accordance with all applicable provisions of Sections I. and II. of this IMPP.

- E. Whenever a revised General Order containing non-substantive changes is issued, a courtesy copy shall be provided to the Secretary's designee.
  - 1. A General Order Review Sheet should **not** accompany the courtesy copy.

**VI. This IMPP shall serve as final policy in all departmental facilities and no General Orders shall be allowed on this subject.**

**NOTE:** The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by a Departmental facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this document are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

**REPORTS REQUIRED**

None.

**REFERENCES**

KSA 75-5256  
IMPP 01-107  
ACI 3-4004, 3-4013, 3-4014, 3-4015

**ATTACHMENTS**

<b>Attachment</b>	<b>Title of Attachment</b>	<b>Page Total</b>
A	General Order Development Instruction Sheet	5 pages
B	General Order Review Sheet	1 page
C	General Order Comments	1 page

## GENERAL ORDER DEVELOPMENT INSTRUCTION SHEET

### GENERAL GUIDELINES

Do not allow General Orders to become too long and unwieldy. As a general rule, consider subdividing any General Order over 10 pages (exclusive of attachments) into multiple, shorter ones.

#### General Formatting

General Orders shall be drafted for a standard page size of 8.5" x 11" using a left margin of .75" and a right margin of .7" and a top margin of .5" and a bottom margin of .6"; right-justified. Text shall be black Arial 10 pt.

Every General Order shall including the following sections:

- First Page Header
- Policy Statement
- Definitions
- Procedures
- Closing Note
- Reports Required
- References
- Attachments

When a required section is not applicable, include the section heading and indicate "None".

If a General Order requires the completion of forms, such form shall be listed and included as attachments to the General Order.

#### Common Terms

To indicate that a provision is mandatory, use the terms "shall" and "shall not". To indicate that a provision is permissive and allows for discretion, use the term "may". Avoid use of the terms "will" and "should".

Use the term "facility", not "institution" or "office".

Use the term "corrections" or "correctional", not "penal" or "prison".

Use the term "offender", not "inmate", "youth" or "resident".

#### Paper Color

Printed copies of General Orders shall conform to the following requirements:

- |                                    |   |
|------------------------------------|---|
| • General Orders                   | Standard white paper, except for "Staff Read Only" General Orders |
| • "Staff Read Only" General Orders | Light yellow paper  |
| • Temporary General Orders         | Light pink paper  |
| • General Order Memoranda          | Light pink Paper  |

### PAGE HEADERS

#### First Page Header SUBJECT

The first page of all General Orders shall include the following header:

## KANSAS DEPARTMENT OF CORRECTIONS

	(Facility Name)  <b>GENERAL</b>  <b>ORDERS</b>	<b>SECTION NUMBER</b>  ##-###	<b>PAGE NUMBER</b>  1 of #
	<b>SUBJECT:</b>  <b>CHAPTER TITLE: General Order Title</b>		
<b>Approved By:</b>   <div style="text-align: right;"><b>Warden/Superintendent</b></div>	<b>Original Date Issued:</b>		
	<b>Replaces Version Issued:</b>		
	<b>CURRENT VERSION EFFECTIVE:</b>		

Staff read only General Orders shall be identified as “**STAFF READ ONLY**” on the first page. It shall be indicated in bold capital letters, highlighted in “yellow”, centered between the header box and before the “Policy” section:

**STAFF READ ONLY**

### Subsequent Page Headers

All subsequent pages shall include a page header in the upper right hand corner indicating the page number, total number of pages in the General Order (exclusive of attachments), the General Order number, and the effective date of the current revision:

	<b>Page 1 of #, WCF ##-###</b> <b>Effective ##-##-##</b>
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On subsequent pages of staff read only General Orders, this shall be indicated in bold capital letters, highlighted in “yellow”, at the left margin of each subsequent page header:

<b>STAFF READ ONLY</b>	<b>Page 1 of 3, WCF 01-127</b> <b>Effective ##-##-##</b>
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### POLICY STATEMENT

Every General Order shall contain an introductory statement of philosophy and purpose. The policy statement shall explain in simple and direct complete sentences, the purpose(s) of the General Order. Policy statements shall be limited to a few sentences and shall not include procedures.

### DEFINITIONS

Definitions shall be provided for key words or phrases used within the General Order that are not commonly understood, need further explanation, or have a specific meaning within the policy. If no definitions are necessary, state “None”.

The word or phrase being defined shall be entered in Title Case/Initial Caps, followed by a colon (which shall not be underlined) and two (2) spaces, followed by the definition. The definition may include complete sentence, if applicable, but shall not include procedures.

## PROCEDURES

Procedures shall be written in an “active voice”, using terms such as “shall” and “may”. The terms “shall” and “shall not” communicate that requirements are mandatory; the term “may” is permissive and allows for discretion. Avoid use of the terms “will” and “should”. In order to avoid creating legal rights, include provisions for exceptional circumstances.

Procedures shall be presented as direct, simple, complete sentences stating the specific actions to be taken (how) and by whom. Using descriptive titles (e.g., “Chief of Security”, not “Corrections Supervisor II”) indicate the individual or unit responsible for the action, and state the extent to which discretion is allowed.

Procedural steps shall be presented in the order in which they are to occur. Indicate the time(s) and location(s) relevant to the procedure, and the form of communication involved (telephone, written notice, etc.) in completing procedures.

### Outlining

The topics and subtopics may be organized with Roman numerals (I), capital letters (A), Arabic numerals (1), and small letters (a) in that order.

- I.
  - A.
    - 1.
    - 2.
      - a.
      - b.
        - (1)
        - (2)
          - (a)
          - (b)
            - i.
            - ii.
- B.

Use margin and tab settings to indent, not the space bar. Do not use periods after or within parentheses when numbering outline levels. Capitalize the first letter of the first word of each topic and subtopic. Use periods after complete sentences. Use commas or semicolons between continuing subtopics with the conjunctions "and", "or", or "and/or" before the last of the subtopics.

## CLOSING NOTE

This note shall follow the Procedures section of all General Orders:

**NOTE: The General Orders set forth herein are intended to establish directives and guidelines for staff, offenders and those entities who are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or offenders, or an independent duty owed by the Department of Corrections to employees, offenders, or third parties. Similarly, those references to the standards of various accrediting entities as may be contained within this document are included solely to manifest the commonality of purpose and direction as shared by the content of the document and the content of the referenced standards. Any such references within this document neither imply accredited status by the facility or organizational unit, nor indicate compliance with the standards so cited. The policy and procedures contained within this General Order are intended to be compliant with all applicable statutes and/or regulatory requirements of the Federal Government and the state of Kansas. This General Order is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.**

## REPORTS REQUIRED

Any reports that are required on a regular basis as a result of the procedures shall be listed in this section of the General Order.

Specify who is responsible for preparation of the report, to whom the report is submitted, and the time schedule for the required report.

*Example:*

<u>Name/Type of Report</u>	<u>By Whom/To Whom</u>	<u>Due</u>
Maintenance Inspection Sheet	Chief of Security to Warden/Superintendent	Monthly

If no reports are necessary, state "None".

## REFERENCES

Citations shall be made to any official documents, laws, regulations, policies, and accreditation standards that serve as foundations of the policy or are referenced in the policy. References shall be listed in descending order of authority; numbers with each group shall be listed in ascending order.

K.S.A. . . .  
 K.A.R. . . .  
 IMPP . . .  
 ACO . . .  
 ACI . . .  
 APPFS . . .  
 JCF . . .  
 Executive Order . . .

## ATTACHMENTS

All attachments shall be identified by capital letters and listed in this section, including the titles of the attachments and the total number of pages in each attachment.

Attachment(s)	Title of Attachment(s)	Page Total
A	Title	# page(s)
B	Title	# page(s)
C	Title	# page(s)

All attachments shall include a page header in the upper right hand corner indicating page number, total number of pages in the attachment, the identifying letter of the attachment, the associated General Order number, and the effective date of the current revision.

*Example:*

Page 1 of #, Attachment A, WCF ##-###  
 Effective ##-##-##

If no attachments are necessary, state "None".

## GENERAL ORDER REVOCATION

General Orders revoked due to their contents being deleted or merged into another General Order shall have such status reflected on a General Order face page that shall include a first-page header, followed by a brief history of the General Order prior to revocation.

### *Example 1:*

#### **NOTICE OF REVOCATION**

(Title of Revoked General Order) – This General Order was originally issued on (date). Because (reason for revocation), this General Order was revoked on (date) and incorporated into General Order ##-###. To avoid redundancy, General Order ##-### is deleted and General Order manual users seeking policy and procedures related to this subject are referred to General Order ##-###: CHAPTER TITLE: Policy Title.

### **Example 2**

#### **NOTICE OF REVOCATION**

(Title of Revoked General Order) – This General Order was originally issued on (date). Because (reason for revocation), this General Order was revoked on (date). Portions of this General Order pertaining to (topic) were incorporated into General Order ##-###, while portions pertaining to (topic) were incorporated into General Order ##-###. To avoid redundancy, General Order ##-### is deleted, and General Order manual users seeking policy and procedures related to this subject are referred to General Order ##-###: CHAPTER TITLE: Policy Title or General Order ##-###: CHAPTER TITLE: Policy Title, as applicable.

**GENERAL ORDER REVIEW SHEET**

<b>Order #:</b>	<b>Subject:</b>	
<b>Facility:</b>		<b>Date:</b>

New: \_\_\_\_\_ Revise: \_\_\_\_\_ Revoke: \_\_\_\_\_

As policy compliance officer of this facility, I attest that I have reviewed this General Order and it does not duplicate, restate or interpret any departmental policies; nor is it written for the purpose to re-enforce or re-emphasize language already contained in departmental policies; nor is it in conflict with any other General Order of this facility or existing Kansas Department of Corrections Internal Management Policy and Procedure (IMPP).

\_\_\_\_\_  
Date

\_\_\_\_\_  
Policy Compliance Officer/Policy Coordinator

As legal counsel for this facility, I attest that I have reviewed this General Order and that I do not perceive any conflicts with either current law, regulations of the Secretary, or any other Kansas Administrative Regulations.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Facility Legal Counsel

As warden/superintendent of this facility, I attest that I have reviewed this General Order and that it is consistent with the operational needs of this facility and it meets the objectives of the Kansas Department of Corrections.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Warden/Superintendent

**KANSAS DEPARTMENT OF CORRECTIONS  
GENERAL ORDER COMMENTS FORM**

Facility: \_\_\_\_\_ General Order #: \_\_\_\_\_

Action: \*Approved \_\_\_ \*\*Approved w/Comments \_\_\_ \*\*\*Approved/Temporary \_\_\_ \*\*\*\*Disapproved \_\_\_

---

Title: \_\_\_\_\_

\_\_\_\_\_  
Secretary's Designee

\_\_\_\_\_  
Date

- 
- \* Approved for issuance.
  - \*\* Approved for issuance, please make minor corrections as indicated, send a copy to the designee of the Secretary when implemented.
  - \*\*\* Approved for temporary issuance, moderate to major revision is necessary, make necessary changes and resubmit to the Secretary's designee within 120 calendar days.
  - \*\*\*\* Disapproved, do not issue, refer to comments.