




KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 01-127	PAGE NUMBER 1 of 4
		SUBJECT: ADMINISTRATION: Development and Review of General Orders	
Approved By:  Secretary of Corrections		Original Date Issued: 07-01-89	Current Amendment Effective: 10-01-07
Reissued By:  Policy & Procedure Coordinator		The substantive content of this IMPP has been reissued as per the appropriate provisions of IMPP 01-101. The only modifications within the reissue of this document concern technical revisions of a non substantive nature. Date Reissued: 11-09-10	

POLICY

Unless an IMPP specifically prohibits the issuance of a General Order on a particular subject, wardens may issue General Orders on any subject for purposes of establishing local procedure and practice. References shall be made to any agency policy meant to be implemented by the General Order, but General Orders shall not be developed solely to restate or interpret such departmental policy. Additionally, no General Orders shall be issued that either establish disciplinary offenses or related sanctions duplicative of those currently extant within appropriate KDOC Administrative Regulations, which increase the sanctions already provided within those regulations, or which seek to re-establish the substance of any regulation previously revoked.

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.

General Orders shall be reviewed and approved/disapproved by a designee of the Secretary. General Orders shall be reviewed for compliance with statutes, regulations, the Department's vision statement, mission statement, principles and values, policy guidelines, policies and procedures, and sound correctional practice.

General Orders may be issued on a temporary basis, not to exceed sixty (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.

The designee of the Secretary may request assistance from other staff in order to conduct a more in depth review of General Order content and operational feasibility.

All General Orders shall be reviewed at least annually by the issuing authority. Review of any revisions to General Orders by the Secretary's designee shall not be required when non-substantive changes, as set forth within this IMPP, are the sole revisions to an Order. 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.

Facilities shall be operated and maintained as specified in applicable statutes, regulations, IMPPs and General Orders. General Orders shall be maintained in manuals that are accessible to all employees and to the public. (ACI 3-4013) 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 inmates prior to the implementation of such orders or revisions. (ACI 3-4015)

DEFINITIONS

General Order(s): General Orders are written manifestations of facility policies and procedures. 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 memorandums which may be issued as supplemental to certain General Orders.

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.

PROCEDURES

I. Development of General Orders and Submission for Central Office Review

- A. Any employee of a facility may initiate a proposal for a new or a revision of an existing General Order. (ACI 3-4004)
 - 1. Such a proposal shall be processed through established lines of authority within the employee's facility.
 - 2. The proposal may only be modified or rejected by the warden or his/her designee.
- B. Except as noted below, all new General Orders and revisions of existing General Orders shall be submitted by facility staff for Central Office review.
 - 1. All General Orders shall be written in the manner and format specified in Attachment A.
 - 2. If the proposal is for the revision of an existing Order, the draft shall contain the full text as currently approved with existing language proposed for deletion stricken and new language highlighted by underlining.
 - a. The following types of revisions to existing General Order are considered to be non-substantive in nature, and shall not require Central Office review:
 - (1) Changes made to staff titles accomplished to accommodate revisions promulgated by either the Department of Administration, Division of Personnel Services, or (as for working titles) the facility warden;
 - (2) Such technical revisions as would include spelling, grammar, punctuation, diction, and similar areas of written presentation, or;
 - (3) Changes in the official designations of various buildings, program delivery sites, training/work/recreation areas, and such other items of nominal identification.
 - 3. If new General Orders are to be placed in effect on a temporary basis pending Central Office review, they shall be produced on light pink paper and shall be forwarded to the Secretary's designee within five (5) calendar days of their issue.
 - a. All such new Orders shall have temporary force and effect for only sixty (60) calendar days subsequent to their date of issue, pending final approval via Central Office review.
 - 4. Prior to submission of a proposed new General Order or revision of an existing General Order to the Secretary's designee, a General Order Review Sheet (Attachment B, form 01-127-001) shall be completed for each General Order submitted. General Orders shall not be grouped together under one cover sheet.

- a. All General Orders submitted to the Secretary's designee shall be accompanied by a completed General Order Review Sheet.
5. Individual facilities shall be limited to the submission of a maximum of twenty (20) General Orders per month, unless other arrangements have been approved by the Secretary's designee.

II. Central Office Review

- A. Within thirty (30) calendar days of the receipt of either a proposed new General Order, or deletion or revision of an existing 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, form 01-127-002), attach it to the General Order, and return the General Order to the initiating warden.
 - a. Upon receipt, the warden 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 thirty (30) calendar days, the Secretary's designee shall, prior to the expiration of the thirty (30) calendar days, advise the warden in writing that an extension shall be required.
 1. Extension requests shall be limited to one (1) request, not to exceed thirty (30) calendar days.
 2. Extension requests shall not be made with regard to new General Orders issued on a temporary basis prior to their being submitted for review.

III. Distribution and Implementation of General Orders

- A. The warden shall determine the effective date once the Order receives approval.
- B. The warden 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 inmates 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. Orders issued on a temporary basis and/or facility policy memorandums shall be produced on pink paper.
 4. General Orders placed on "reserve" status because their contents were deleted or merged into another General Order shall have such status 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 General Orders designated as "Staff Read Only" shall be public documents and subject to review by anyone prior to and during implementation. (ACI 3-4013)

IV. Annual Review

- A. Each warden shall establish a General Order review committee.
- B. General Order Review committees shall meet at least annually (ACI 3-4013) for the purpose of:
1. Evaluating current General Orders and their compliance with the policy requirements of this IMPP. (ACI 3-4013)
 2. Considering proposals for revisions, deletions and/or additions to current General Orders.
 3. Making recommendations regarding the organization or content of General Orders.
- C. Each warden 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.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and 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 either 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

Attachment A - General Order Development Instruction Sheet, 3 pages

Attachment B - General Order Review Sheet, 1 page


Attachment C - General Order Comments Form, 1 page

GENERAL ORDER DEVELOPMENT INSTRUCTION SHEET

SUBJECT

1. Use the following header:

KANSAS DEPARTMENT OF CORRECTIONS

	(Facility Name)	SECTION NUMBER	PAGE NUMBER
	GENERAL ORDERS	1 of 1	
SUBJECT:			
Approved By: Warden	Original Date Issued:		
	Current Amendment Effective:		
	Replaces Amendment Issued:		

2. Ensure that all subsequent pages are labeled in the upper right hand corner with the page number, facility's title acronym (e.g., "WCF"), General Order number, and current amendment effective date, i.e.,

Page 1 of 3, WCF 01-127
Effective 01-07-96

3. Include the manual chapter name in all capital letters followed by a colon, i.e. **ADMINISTRATION:**
4. State briefly the title of the policy and procedure with important words capitalized.

POLICY

1. Use complete sentences. One or two short sentences are preferable to long, complex sentences.
2. State what action is to be taken in this policy, not how.
3. Include the rationale (why) for the policy.
4. Be direct and simple.
5. Use simple present tense or future tense, but not both. Do not use past tense.

DEFINITIONS

1. Identify only key words or phrases used within the document that are not commonly understood, need further explanation, or have a specific meaning for the policy.
2. State and underline the words or phrases followed by a colon.
3. Define the words immediately after the colon using complete sentences, if applicable. If no definitions are necessary, state "None".

PROCEDURES

1. State specific actions to be taken (how).
2. Use complete sentences unless writing a subheading.
3. Make statements direct and simple.
4. Ensure that steps involved are listed in the order in which they occur.
5. Indicate the individual (who) (by descriptive title, i.e. use "Chief of Security", not "Corrections Supervisor II", etc.) or unit responsible for the actions.
6. Indicate time(s) (when) and location(s) (where) relevant to the procedures.
7. List form(s) to be completed, if applicable, and include forms required as a result of the General Order as attachments to the General Order.
8. Indicate form of communication involved (telephone, written notice) in completing the procedure (how).
9. State to what extent discretion is allowed.
10. Use the following outlining rules for construction of 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. Do not use periods after parentheses. 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.

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

11. Include provisions for exceptional circumstances in order to not create a right.
12. Emphasize major topic areas (Roman numeral headings) in bold print.
13. The following provision shall be included in the text of each General Order, immediately following the procedure section:

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, offenders, or an independent duty owed by the Department of Corrections to either employees, offenders, or third parties. 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

1. Specify the name or type of report required on a regular basis as a result of the procedures.

2. State who is responsible for preparation.
3. State to whom the report is submitted.
4. Specify when the report is due.

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

REFERENCES

1. Indicate the official documents, laws, regulations, policies, orders, and standards that serve as foundations of the policy or which are referenced in the policy.
2. List references in descending order of rank (i.e. KSA, KAR, IMPP, or GO). List numbers within each group in ascending order.

ATTACHMENTS

1. List attachments by capital letters, the names of the attachments, and the number of pages of each attachment.

(Ensure that all attachments are labeled in the upper right hand corner with capital letters of the alphabet, i.e. "Attachment A". Include DOC form number, if applicable, at the bottom of the attachment(s). Include effective/revision date, associated General Order number, and subsequent page numbers in upper right corner.)

OTHER GENERAL GUIDELINES

1. Ensure that General Orders for "staff view only" are produced on light yellow paper and include a header on each page indicating that the General Order is for "staff read only".
2. Use the term "warden", not principal administrator or facility administrator.
3. Use the term "shall", not "will" or "should" when referring to mandated actions.
4. Use the term "facility", not institution.
5. Do not allow policies to become too long and unwieldy.

GENERAL ORDER REVIEW SHEET

Order #:	Subject:
Facility:	Date:

New:_____ **Revision:**_____ **Deletion:**_____

As policy compliance officer of this facility, I attest that I have reviewed this General Order and that it is neither duplicative of, nor in conflict with, any other General Order of this facility or existing Internal Management Policy and Procedure of the Kansas Department of Corrections.

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 of Corrections, or any other Kansas Administrative Regulations.

As warden 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 meets the objectives of the Kansas Department of Corrections.
