GA-01.01, "Policies/Procedures and Forms,"

NUMBER: GA-01.01

TITLE: POLICIES, PUBLICATIONS, AND FORMS

ISSUE DATE: February 1, 2022

RESPONSIBLE AUTHORITY: OFFICE OF GENERAL COUNSEL

POLICYMANUAL: GENERAL ADMINISTRATION

SUPERSEDES: GA-01.01 (August 29, 2019); (October 1, 2007); (November 1, 2003)

RELEVANT SCDC FORMS/SUPPLIES: 9-1, 9-18, 9-18A, 9-19,14-45

ACA/CAC STANDARDS: 4-ACRS-7B-09, 4-ACRS-7B-07, 4-ACRS-7B-08, 4-4004, 4-4012, 4-4013, 4-4014

STATE/FEDERAL STATUTES: NONE

PURPOSE: To outline the South Carolina Department of Corrections policy and forms development process and provide rules for other publications and newsletters.

POLICY STATEMENT: To ensure the consistent and uniform management and operation of the SCDC, all policies and forms will be managed by the Office of Policy Development. All employees of the Agency will be responsible for reviewing and adhering to published policies that relate, either specifically or generally, to their job function. All Agency policies will comply with applicable state, federal, and local statutes and with case law.

1. OFFICE OF POLICY DEVELOPMENT RESPONSIBILITIES:

•Establish and maintain an efficient system whereby all policies governing the operation of the SCDC are developed and reviewed on at least an annual basis (allowing ample time for staff input and comment by appropriate SCDC officials).

•Maintain documentation of annual review of all policies; (4-ACRS-7B-09, 4-ACRS-7B-08, 4-4012, 4-4014)

•Establish a historical file of Agency policies and forms previously governing the operations of the SCDC;

•Ensure that all policies are correctly formatted and are grammatically sound;

•Ensure that the draft policies and changes submitted by responsible authorities do not contradict existing policies and make revisions where necessary;

•Cross reference other Agency policies where necessary;

•Coordinate with the Office of General Counsel on each new policy to determine whether or not it should be restricted from access by inmates.

•Ensure that the signature process for all new/revised policies and/or policy change memorandums are done in a timely manner.

•Ensure that all current policies, change memorandums to policies, tables of contents, and an alphabetical index are maintained in a series of manuals referred to as Agency Manuals at institutions andensure the policies are placed on the SCDC policy intranet website;

•Ensure that all current, non-restricted policies are placed on the Agency's public internet website.

2. EXCEPTIONS TO POLICY: The Agency Director is the only individual authorized to make any exceptions to written policy. Any exceptions to published policiesmust be submitted to the Office of Policy Development for review.After this review, the Office of Policy Development will send the exception to the Agency Director for review and signature, or make a recommendation to the Directorthat the exception should not be approved, and the reason(s) for this recommendation. The signed exception will be returned to the Office of Policy Development to be permanently filed with the policy and copies will be appropriately distributed.

3. EMPLOYEE ACCESS TO POLICIES: Policies are available on the Agency's policy intranet website. The Agency Director's office and any other offices located in the central headquarters building or annex, may elect to maintain a complete copy of the Agency Manuals. If the office elects to maintain a complete set of the Agency Manuals, the manuals must be located in areas which are generally accessible to staff. Wardens and Division Directors located outside the central headquarters building or annex, whoelect to maintain a complete copy of the Agency Manuals will be responsible for ensuring that manuals are located in areas which are generally accessible to staff. At a minimum, Wardens will be responsible for ensuring that at least one (1) set of the manuals, or a computer which is located in an area accessible to staff and volunteers on a 24-hour, seven (7) day per week basis.(NOTE: Staff will never be required to sign for any policies they wish to review. In addition, staff will never be required to request to view policies through a supervisor.) The policy manual holders will be responsible for ensuring the manuals are kept current.(4-ACRS-7B-07, 4-ACRS-7B-08, 4-4014, 4-4014)

4. INMATE ACCESS TO POLICIES: With the exception of the Office of Investigations and Intelligence (OII) policy manual, acopy of each Agency Manual will be maintained at each institution and will be placed in an area of the institution generally accessible to inmates, i.e., institutional library, etc. All policies (with the exception of "Restricted" policies will be included in these manuals. An updated Alphabetical Policy Index will also be available for inmates to review. See GA-01.03, "Inmate Access to the Courts," for procedures regarding requests to see policies from inmates in Restrictive Housing Units, or Death Row. NOTE:Copies of policies will NOTbe given to inmates to keep permanently. Inmates may review and take notes of information in any non-restricted policies. No inmate is permitted to review any restricted policy or portion of a restricted policy. (4-4014)

5. REQUESTS FROM PUBLIC/MEDIA FOR POLICIES: Requests from the public or any member of the media for copies of any Agency policies will be processed pursuant to the guidelines authorized under the Freedom of Information Act (FOIA). (See SCDC policy GA-02.04, "Freedom of Information Act

Requests.") Such requests may be referred to the Office of Policy Development. The Office of Policy Development will coordinate FOIA requests with the General Counsel's Office. (4-4012)

6. PHOTOCOPIES OF POLICIES: SCDC employees are allowed to print/photocopy/download a policy for their own reference. Copies should be limited to those policies that the employee uses in his/her daily job duties. Restricted policies may be copied,however, the employee must ensure that each page is marked RESTRICTED and that restricted policies are not available to inmates. There is no requirement to stamp or write "For Training Use Only" on the photocopy. Employees may not, however, print copies of policies for the purpose of creating (in whole or in part) their own set of Agency Manuals.

7. COMPLIANCE WITH POLICIES: The Division Director of Compliance, Standards and Inspections or designee will be responsible for scheduling and conducting reviews of staff compliance with Agency policies.

8. SCHEDULED AND UNSCHEDULED POLICY REVIEWS: All policies will be reviewed annually. NOTE:Any policy can be updated at any time based on Agency need. The annual schedule and review of existing policies will be as follows: (4-ACRS-7B-08, 4-4012)

8.1 Annual Review: Each month, the Office of Policy Development will send out a list of policies to be reviewed.SCDC Form 9-19, "Annual Review of Policies Monitoring Log," was created for this purpose in conjunction with SCDC Form 9-18, "Responsible Authority/Designee Annual Review of Policies," and 9-18A, "Responsible Authority/designee Review of Policy Checklist." SCDC Form 9-18, "Responsible Authority/Designee Annual Review of Policies," will be sent monthly to each Responsible Authority/designee (for Administration, General Administration, Medical Services/Behavioral Health, Operations, OII, and Programs, Reentry,and Rehabilitative Services). This form will include a list of policies under review for which he/she is responsible for in that month. The Responsible Authority/designee must sign the form acknowledging that he/she has read, understood, and reviewed the contents of each listed policy to ensure titles are correct, ensure accuracy of contents, that forms are still current, and the policy is either approved, requires updating, or is no longer valid. Then SCDC Form 9-18A, "Responsible Authority/Designee Review of Policy Checklist," must then be completed for each policy listed in SCDC Form 9-18. For each policy the Responsible Authority/designee must complete this form and check one of the following dispositions for each policy: "no action required," "minor changes to be submitted," "major changes to be submitted," or "policy to be discontinued." The Office of Policy Development will manage and update SCDC Form 9-19, "Annual Review of Policies Monitoring Log," to track each policy sent out for each month, the responsible authority the policy was sent to, and ensure Forms 9-18 and 9-18A are completed/returned within fifteen (15) days of receipt, and that any changes to any of those policies are completed within sixty (60) days, or an explanation for an extension of time is submitted. Failure to follow the above policy review requirements could result in corrective action.

8.2 Staffing and Publication: If there are substantive changes, the Office of Policy Development will r eceive a draft of changes to be made from the responsible authority over said policy. These changes will be formatted and forwarded back to the responsible authority for review. If after review, the responsible authority is satisfied with the changes, the Office of Policy Development will send out the policy for statewide review, providing other areas an opportunity to make any recommendations. NOTE: If it is determined that a policy must be processed immediately, the responsible authority can submit a request to

the Director, asking that the policy go straight to the signature process, with no statewide review. If recommendations are received from any area, the Office of Policy Development will forward the recommendations to the responsible authority over said policy to determine whether or not the change(s) needs to be incorporated. The Office of Policy Development will make any additional changes requested by the responsible authority. Once the policy is finalized and approved by the responsible authority, the Office of Policy Development will send the policy out for signature. After signature by the Agency Director, the policy or changememorandum will be posted on the Agency's intranet policywebsite.A statewide message will be sent out by the Office of Policy Development to inform SCDC staff of the updated/changed/deletion of said policy and so that policy manual holders can update their manuals.

8.3 Changes at Times Other Than Annual Review: Employees may submit recommendedchangesto the Responsible Authority over said policy. If theResponsible Authority approves therecommend change(s), it will be submitted to the Office of Policy Development for processing. Once completed and final approved given by the Responsible Authority, the signature process begins. After signature by the Agency Director, the policy/change memorandumwill be will be posted on theAgency's intranet policywebsite.A statewide message will be sent out by the Office of Policy Development to inform SCDC staff of the updated/changed/deletion of said policy and so that policy manual holders can update their manuals.

8.4 Maintenance of Agency Manuals:

8.4.1 Each staff person responsible for a set of Agency Manuals will ensure that new/revised policies and change memorandums are added to the manuals as they become effective. NOTE: Only non-restricted policies and/or change memorandums will be placed in institutional law libraries.

8.4.2 When a change memorandum is issued to an existing policy, the staff person responsible for the Agency Manuals will ensure that the change is added to the appropriate manual, in front of the applicable policy. This will help to ensure that all users of the Agency Manuals are aware of all changes. The Office of Policy Development will add links to the changes at the top of and in red lettering in the appropriate policy and in the appropriate index for those employees with access to the policies on the Agency's intranet policyweb site.

8.4.3 The Office of Policy Development will update the policy indexes as changes occur.The staff member responsible for the Agency Manuals will be responsible for printing out copies of the updated indexes at least quarterly and place at the front of each manual.

8.5 Under special circumstances, the Agency Director or the Branch Chief of Policy Development may modify Sections 8., through 8.3 to expedite the processing of policies determined to be critical to the operation of the Agency. (4-ACRS-7B-09, 4-4004)

9. NEW POLICIES: When there is a need for a new policy, the Responsible Authority will develop a draft. The draft will be submitted to the Office of Policy Development. Oncethe Office of Policy Development has formattedthe new policy, the draft will be forwarded back to the Responsible Authority for a final review. The draftwill besentout for statewide reviewby the Office of Policy Development.NOTE: The Agency Director can make an exception to the statewide review process. Any recommendations received

from the statewide review must beapproved by the Responsible Authority before those recommendations will be made to the policy. Once final review and approval is receivedfrom the Responsible Authority, the Office of PolicyDevelopment will begin the signature process.

10. SCDC FORMS:

10.1 The Office of Policy Development will be responsible for the maintenance of the Agency's Forms. Requests to have forms placed on, or removed from the Agency's form website must be submitted to the Office of Policy development, not to RIM. NOTE: Unofficial forms are prohibited. Corrective action may be taken if an unofficial form is created/used by SCDC staff.The Office of Policy Development will:
•Coordinate with the Responsible Authority, the development, revision, or deletion of any Agency forms;

•Inform the responsible authority that he/she will need to coordinate with the Agency Records Retention Manager in order to establish a retention schedule for said form;

•Maintain a list of all SCDC official forms; and

•If a form is requested to be deleted, the Office of Policy Development will research policy(s) to determine if it is still required for documentation purposes. If not, the form will be deleted, and any mention of the form in policy(ies) will be deleted as well. If some form of documentation is still required in policy, the Office of Policy Development will send the form back through the Responsible Authority to make a decision as to how to proceed.

10.2 An employee may make a request at any time to automate, revise, develop, or delete a form through the Responsible Authority over said form. If the Responsible Authority approves the recommendation, a SCDC Form 9-1, "Request to Develop, Revise, or Deletea Form," must be submitted to the Office of Policy Developmentfor approval.

10.3 Processing Form Requests:

10.3.1 Revisions: In those cases where an existing form whichis maintained in the SCDC Commissary is revised, the Office of Policy Development will contact the Commissary Branch via emailto determine thecurrent stock level of the form. The Office of Policy Development will email an electronic copy of the form to the appropriate areas (i.e., RIM, Print Shop, Commissary),with the form processing information.The Office of Policy Development will relay this information to the Responsible Authority whowill indicate whether s/he believesthat the extent of the changes to the form would require the current stock of existing forms to bedisposed of or can be depleted.NOTE: In most cases, it is to the Agency's advantage to deplete the current stock in order to avoid destroying forms. NOTE:If a form is revised as a result of errors made on the part of the Responsible Authority, any cost incurred by the Commissary and/or Print Shop will fall on

the Responsible Authority. However, if a recently revised form is changed due to necessity (i.e., change in law/policy), the Responsible Authority will incur no costs.

10.3.2 New: In those cases where a new form is being developed, the Responsible Authoritywill be required to notify the Office of Policy Development as to how they want their form available (i.e., hard-copy to be ordered from the Commissary, from Commissary, the Agency's Intranet Form Website, or only on a shared drive for their individual area, etc.)NOTE: If the form is to be ordered from the Commissary, the Responsible Authority will be required to estimate the annual usage.All of the information listed in this section must be notated on SCDC Form 9-1, "Request to Develop, Revise, or Delete a Form,"The Office of Policy Development will retain a copy of the form for his/her records. The Responsible Authority will submit an electronic file of the form to be processed, along with the completed SCDC Form 9-1. When finalized, the Office of Policy Development will email an electronic copy of the form to the appropriate areas (i.e., RIM, Print Shop, Commissary), with the form processing information.If requested by the Responsible Authority, the Print Shop will ensure that a "proof" of the form is provided for approval to the Responsible Authorityprior to finalizing the form. Once a proof has been approved, or if corrections have been made by the Responsible Authority, the Print Shop will forward this information to the Office of Policy Development. Once a proof has been approved by the Office of Policy Development, s/he will forward this information to the Commissary Forms Liaison who will then forward it on to the Print Shop. NOTE:If a form is resubmitted as a result of errors (i.e., forgot to add certain information, wanting to add additional information, etc.), made on the part of the Responsible Authority, any cost incurred by the Commissary and/or Print Shop will fall on the Responsible Authority. However, if a recently submitted form is changed due to necessity (i.e., change in law/policy), the Responsible Authority will incur no costs.

10.3.3 DeletedForms: All requests to delete a form must be submitted by the Responsible Authority utilizing SCDC Form 9-1.NOTE: Is it the responsibility of the Responsible Authority to ensure that any form(s) that are being reviewed for deletion, are not mentioned in any SCDC Policy. If this is the case, the Responsible Authority will have to take the necessary steps to revise said policy. Whenever a form is recommended and approved fordeletionby the Office of Policy Development, the Commissary Branch, if applicable,will be notified to remove this form from their current inventory. The Office of Policy Development will then update the form file and log.

11. OTHER DIRECTIVES AND/OR DESK PROCEDURES: Additional directives and/or desk procedures may be developed by divisions/areas for use within their specific area only (e.g., Post Orders,Medical Services/Behavioral Health Procedures). The information included therein should be either a clarification to, or more specific than, Agency policies (not a duplication of Agency policy), i.e., day-to-day operations. These directives and/or desk procedures must be in compliance with all current Agency policies, state and federal statutes, and all other applicable rules, regulations, and standards. They must be reviewed on an annual basis at the same time as the corresponding policy. The development and use of institutional policies manuals to supplement SCDC policies is prohibited.

12. OTHER PUBLICATIONS/NEWSLETTERS:

12.1 Requests for the production and/or dissemination of SCDC publications (with the exception of a newsletter described in Section12.4, below) must be submitted in memorandum form through the appropriate Warden,Division Director,or Deputy Directorand theCommunications Director for approval. The memo should outline the following:

•A description of the publication (e.g., brochure, booklet, pamphlet, etc.);
•The title of the publication, if known, or the subject;
•Justification for the publication;
•Anticipated length (e.g., number of pages, etc.); and
•Potential distribution (e.g., to whom it will be disseminated, etc.).
12.2TheCommunications Director will obtain approval from the Director for all publications.

12.3 Employee Newsletters: SCDC facilities, divisions, and offices are permitted to publish a monthly newsletter with approval from the CommunicationsDirector as outlined in Section 12.1 above.
12.4 Inmate Publications: Inmate publications will be subject to content review and approval by the Warden and Division Director of Inmate Services. If there is any reason to believe that any STG information is contained in the publication, the contents will be sent to OII for review.

12.4.1 There will be no cost to the South Carolina Department of Corrections, to include excessive wear and tear on the copy machines or excessive copies made for any inmate publications.

13. DEFINITIONS:
Agency, where used herein, refers to the South Carolina Department of Corrections.

Agency Manualsrefers to a series of six (6) manuals (Operations, Programs, Reentry and Rehabilitative Services, Administration, Medical Services/Behavioral Health, General Administration, and OII) that contain the Agency policies, that may be used in addition to/ or in place of the Agency's Intranet Policy Website. All institutional law libraries are required to maintain the policy manuals, excludingOII containing all current non-restricted policies.(4-4014)

Change Memorandumrefers to a memorandum, that is done when there are only minor changes needed to be added to a policy versus major revisions that require the whole policy to be revised.

Official Form refers to a form that has been submitted through, and approved by the Office of Policy Development and has an official SCDC Form number on it.

Restricted refers to policy to which the inmates will not have access. Restricted policies will be marked "RESTRICTED" when information in the policy could be used by an inmate, or one acting on his/her behalf, in a manner that would compromise the security or safety of institutions, other inmates, or staff.

Unofficial Formrefers to a form that has not been submitted through, nor approved by the Office of Policy Development, and does not have an SCDC Form number provided by the Office of Policy Development on

it.

SIGNATURE ON FILE

s/Bryan P. Stirling, Director

Date of Signature

ORIGINAL SIGNED COPY MAINTAINED IN THE OFFICE OF POLICY DEVELOPMENT.