

	<b>ADMINISTRATIVE REGULATION</b>  Department of <b>Correctional Services</b> State of Nebraska	<b>NUMBER</b>  201.06	Page 1 of 5
		<b>PERSONALIZED PLAN</b>	

This Administrative Regulation is to be made available in law libraries or other inmate resource centers.

EFFECTIVE: July 1, 1996  
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 REVISED: May 29, 2015  
 REVISED: May 31, 2016

**SUMMARY of REVISION/REVIEW**

Incorporated Policy Directive 015-014.

APPROVED:

  
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 Scott R. Frakes, Director  
 Nebraska Department of Correctional Services

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		<p><b>PERSONALIZED PLAN</b></p>	

PURPOSE

To establish procedures for the development of a personalized plan for each inmate and parolee committed to the Nebraska Department of Correctional Services (NDCS). The Work Ethic Camp (WEC) completes the personalized plan using the Level of Service/Case Management Inventory and case plan which addresses the top three criminogenic needs of each offender/inmate.

GENERAL

Each institution and the Adult Parole Administration, consistent with its function and the nature of its inmate/parolee population, shall implement this Administrative Regulation within the limits and guidelines that follow.

PROCEDURE:

This Administrative Regulation is to establish development, implementation and review of personalized plans for each inmate/parolee.

I. DEVELOPMENT OF THE PERSONALIZED PLAN

- A. The personalized plan shall specifically describe recommended programming and the specific goals NDCS expects the inmate to achieve. The personalized plan shall also contain a realistic schedule for completion of the plan. Programming may include, but is not limited to: academic and vocational education; substance use treatment; mental health and psychiatric treatment, including criminal personality programming; and constructive, meaningful work programs. Modifications to the plan may be made to account for the increased or decreased abilities of the inmate or the availability of any program. The department may not impose disciplinary action upon any inmate solely because of his/her failure to comply with the recommended programming in the plan.

The personalized plan is focused solely on programming to be completed during incarceration and is distinctly separate from the reentry plan. The reentry plan may include programming during incarceration, but also will include steps to be completed for or upon release to aid in transitioning from incarceration to the community.

- B. Personalized Plan form for each inmate will be initiated at the men's and women's reception centers and will be completed within 60 days after his/her assignment and transfer to an institution other than a community corrections center. A Personalized Plan form will be completed on each inmate within 14 days after his/her assignment and transfer to a community corrections center. A personalized plan will be completed for parolees within 14 days of placement on parole using the Supervision Case Plan Form (Attachment A).
- C. A review of the Personalized Plan will be required when an inmate is transferred from one institution to another and the plan will be revised if necessary. In the event the receiving institution (non-community corrections) determines that a change in the Personalized Plan is appropriate, said change may be implemented at that time or when the Personalized Plan is reviewed/revised at the beginning of the next reporting period. Any revisions in the Personalized Plan for such an inmate should be reasonable and take into consideration the amount of time left in his/her reporting period to accomplish any revision to the Personalized Plan.

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- D. An inmate violated from parole may require more significant revisions to the Personalized Plan. Any revisions in the Personalized Plan for such a parole violator should be reasonable and take into consideration the amount of time left in his/her reporting period to accomplish any revision to the Personalized Plan.
- E. Staff will ensure that the programs required during incarceration in the personalized plan are scheduled in a realistic time frame for the inmates/parolee's participation in and/or completion of said programs. Staff will consider such factors as the inmate's/parolee's capabilities, availability of the programs, sentence structure and any other relevant factors.
- F. Programs required on the Personalized Plan will be determined by thoroughly reviewing all available information, including the Classification Study, Pre-Sentence Investigation, criminal history, behavioral health recommendations, medical needs and any other relevant documentation.

II. INSTRUCTIONS FOR COMPLETING AND IMPLEMENTING THE PERSONALIZED PLAN

A. Masthead Portion

The Masthead section (see Attachment B) will be generated on Siebel and attached to the Personalized Plan form (see Attachment C). Any uncompleted items on the masthead will be completed manually by staff.

B. Programming

1. Section A shall require the inmate to perform his/her work assignments and shall require that the inmate not miss more than 13 work days during the reporting period.
2. Institutional staff indicates in Section B what specific academic or vocational program(s) are required. Inmates under the age of 22 without a high school diploma or GED are mandated to attend school.  
  
Staff will communicate with academic or vocational program(s) staff regarding needed programming for reporting period to ensure appropriate and accurate assignment(s).
3. Mental health staff in consultation with other Health Services staff at the reception centers will indicate in Section C what specific mental health program(s) are required.
4. Chemical Dependency staff in consultation with other Health Services staff at the reception centers will indicate in Section D what specific chemical dependency treatment program(s) are required.
5. Institutional staff will indicate in Section E what additional programs are required.
6. Institutional staff will indicate in Section F any other obligations or recommended programs.

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7. In the Program Section of the Personalized Plan Form (above items 2 through 5), staff will state "yes" or "no" in the "Required During Incarceration" and "Required this Reporting Period" columns. The "Required During Incarceration" column will indicate what programs are required during the inmate's incarceration. The "Required this Reporting Period" column will indicate which program the inmate is to participate in during the current reporting period.

8. An inmate must apply for the programs and/or clinical treatment services for the current reporting period within 15 days from the receipt of his/her Personalized Plan.

If an inmate refuses to participate or is terminated from such a program/treatment service due to his/her behavior, he/she may reapply after 30 days from termination, provided he/she is not on a restrictive housing status. If he/she is on restrictive housing status, the inmate may immediately reapply for the program/treatment service upon release from restrictive housing, provided the 30 days from termination has been met.

After the inmate re-applies to the program/treatment service, staff responsible for the service will review the request and make an appropriate decision on the inmate's programming participation, keeping in mind public safety through effective inmate programming and reentry.

Youthful offenders (age 18 and under) housed at the Nebraska Correctional Youth Facility and Nebraska Correctional Center for Women may reapply for programming/treatment services at any time.

9. Inmates involved in outpatient mental health and/or nonresidential substance abuse treatment programs will be allowed one unexcused absence for each program component lasting less than twelve months.

For outpatient mental health and/or nonresidential substance abuse treatment programs lasting more than 12 months, one unexcused absence will be allowed for each reporting period. Attendance requirements for inpatient mental health or residential substance abuse treatment programs and for other programs will be governed by signed program agreements.

C. Parole Personalized Plan

Assigned parole officers, in consultation with their supervisor and others who may be relevant to the parolee's term of supervision, will identify the parolee's criminogenic needs and behavioral objectives to address the need. Parole Officers should review the most recent LSCMI to assist in the identification of the two highest criminogenic need factors.

III. REVIEW PROCESS

A. The assigned staff person (e.g., Case Manager, Caseworker, Parole Officer) will review the Personalized Plan with the inmate/parolee. The staff person and the inmate/parolee will sign and date the Personalized Plan form or the Supervision Case

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Plan form. If the inmate/parolee refuses to sign the form, the staff person will note such and continue the process.

- B. The institutional Personalized Plan will be reviewed pursuant to the classification process with the Warden/Program Administrator or his/her designee having final authority. Copies of the completed Personalized Plan form will be distributed to the main file, inmate treatment file, and the inmate. At the time of the release to parole, a copy of the most current Personalized Plan is to be sent to Parole Administration.
- C. The parole personalized plan (Supervision Case Plan) will be reviewed by the District Supervisor who has final authority. Copies of the Supervision Case Plan form will be distributed to the parolee and the parole field file.
- D. An inmate may appeal his/her personalized plan through the current classification appeal process. The appeal must be initiated within 15 calendar days of Warden/Program Administrator/designee review. A parolee may appeal his/her personalized plan (Supervision Case Plan) by writing the Parole Administrator within 15 calendar days of the District Supervisor's review. If conditions of parole are the issue of the appeal, the parolee must contact the Board of Parole.
- E. The Personalized Plan will be reviewed/revised at least annually, but may be reviewed/revised more frequently if deemed appropriate.
- F. A program determined to be completed by one facility/parole administration will be recognized as completed by all NDCS facilities/parole administration unless there is a substantial justification for further program participation.

Compliance with any component of a Personalized Plan may mean that the inmate needs to meet a certain participation level in the identified program as determined by program staff. Depending on the facility and the waiting list in said facility, an inmate may be able to do no more than get on a waiting list during a reporting period. At some facilities, the inmate may be able to begin participation in the program and not be in a position to complete the program prior to the end of the reporting period.

- G. Parolees who intentionally fail to comply with their Personalized Plan may be disciplined by the Adult Parole Administration.

REFERENCE

- I. ATTACHMENTS
  - A. Supervision Case Plan (DCS-G-adm-22)
  - B. Department of Correctional Services Personalized Plan Masthead Section (screen shot)
  - C. Department of Correctional Services Personalized Plan Form (DCS-A-cla-004) (rev 10/03)
- II. AMERICAN CORRECTIONAL ASSOCIATION STANDARDS
  - A. Standards for Adult Correctional Institutions (ACI) (4<sup>th</sup> Edition): 4-4298
  - B. Performance-Based Standards for Adult Community Residential Services (ACRS) (4<sup>th</sup> Edition): 4-ACRS-5A-01, 4-ACRS-5A-03 and 4-ACRS-5A-04.