

ARKANSAS REGISTER

Transmittal Sheet

Use only for **FINAL** and **EMERGENCY RULES**



Secretary of State

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For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency _____

Department _____

Contact _____ E-mail _____ Phone _____

Statutory Authority for Promulgating Rules _____

Rule Title: _____

Intended Effective Date

(Check One)

Date

☐

Emergency (ACA 25-15-204)

Legal Notice Published _____

☐

10 Days After Filing (ACA 25-15-204)

Final Date for Public Comment _____

☐

Other _____

(Must be more than 10 days after filing date.)

Reviewed by Legislative Council _____

Adopted by State Agency _____

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted
In Compliance with the Arkansas Administrative Act. (ACA 25-15-201 et. seq.)


Signature

Phone Number


E-mail Address

Title

Date

	ADMINISTRATIVE REGULATION STATE OF ARKANSAS BOARD OF CORRECTIONS	Section Number: AR 1.9	Page Number: 1
		Board Approval Date: 5/18/06	
		Supersedes: AR 1.9	Dated: 6/20/03
		Reference: Secretary of State Rule Code 159.00	Effective Date: 6/19/06
		SUBJECT: RESEARCH AND PROGRAM EVALUATION	

- I. APPLICABILITY.** This policy applies to all Department of Community Correction (DCC) employees and people outside the agency who request and conduct research.
- II. POLICY.** The Department of Community Correction supports programs of research, evaluation, statistics, audit, and planning, including studies and evaluation of the performance of various functions and activities of the department and studies addressing treatment of offenders and programs. Researchers must protect the privacy of individual employees, offenders, and other involved parties and their records. Researchers must comply with agency policy guidance and all legally acceptable practices concerning research activities. (4-ACRS-7D-12; 3-3110, 3-3113, 3-3116)
- III. GUIDELINES.**
- A. The DCC Management** will encourage research and evaluation activities and cooperate with qualified outside groups such as colleges, universities, public groups and qualified individuals.
- B. All Employees** will cooperate with approved research efforts and bring to the attention of management any research activity that may adversely affect offenders.
- C. Research Plan Requirement.** A research plan is required unless one of the following exceptions applies:
1. Employees Conducting Research. Research proposals are not required when employees perform research activities within the normal scope of their job duties.
 2. Employees Conducting Program Evaluation. When employees collect data for DCC approved reports (such as the Residential Jurisdiction Population report) or approved business systems (such as eOMIS or AASIS), a research plan is not required.
- D. Research Plan Development / Implementation.**
1. Researchers must work with the DCC official designated by agency policy as responsible for research activities and other designated staff to decide what questions should be addressed, the data to be gathered, and how the data will be presented. Researchers must submit proposed research plans for review and approval/disapproval of the DCC using forms required by the agency. Research plans must meet or exceed the review criteria outlined in agency policy. Changes to an approved research plan must be pre-approved by the DCC. This includes any research design modifications or changes in scope, data collected, or the tools to be used in the collection of data. Researchers must follow

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approved plans. The DCC will request review and approval by the appropriate Deputy Director. The DCC will consider comments/approvals, negotiate appropriate revisions, and will be the final approval authority for the plan.

2. The Department of Community Correction is responsible for establishing requirements for evaluation.

E. Protection of Offenders Involved in Research Projects

1. Participation. Offender participation in research will be voluntary. Prior to participation in any research activity, researchers must obtain a completed Inform and Consent to Participate in Research form provided by DCC and signed by each offender involved in the project. This form is not required when research is limited to review of offender records or general observations are made of offender activities where no record is made of a specific offender's activity.
2. Restrictions. The department will not conduct nor allow others to conduct medical, pharmacological, or cosmetic experiments involving offenders, excluding individual treatment of an offender (based on need) by means of a specific medical procedure not generally available. If an offender's physician determines there is a need to treat the offender with a new medical procedure, it will be through an agreement between the offender and the physician with a full explanation of the positive and negative aspects of the treatment. Offenders may participate in other research activities only when the research does not place the participant at undue risk. (4-ACRS-4C-20)

F. Review, Approval, and Dissemination of Research Results

1. Researchers. Prior to publication or dissemination, researchers must submit a draft of internal/external research results to the DCC and obtain the Director's approval.
2. DCC will ensure that all research project results are reviewed by appropriate Deputy Director and others and will forward reviewed results to the director with a recommendation to approve, disapprove, or approve with specific revisions.
3. Researchers are responsible for the dissemination of their findings to the public and shall provide copies of their reports upon request to any person or entity requesting a copy.
4. Researchers shall provide at least four (4) copies of any publication derived from the research to the Department of Community Correction for retention and internal distribution.