



# FLORIDA DEPARTMENT OF JUVENILE JUSTICE PROCEDURE

**Title:** POLICY DEVELOPMENT AND REVIEW PROCEDURES

**Related Policy:** FDJJ-1000

## I. DEFINITIONS

**Department Policy (Type A)** – Policy with no fiscal or operational impact on contracted service providers.

**Department Policy (Type B)** – Policy with a fiscal or operational impact on contracted service providers. Excluded are any policies which:

- A. Create Monitoring and Quality Improvement standards and key indicators that only measure compliance with existing policies. (**Note:** Any change to the MQI process with a fiscal or operational impact on providers must be adopted as a Type B);
- B. Are issued as a result of a legal mandate or emergency and require implementation in a shorter period than is described in this policy; or
- C. Apply only to grants administered by or through the Department.

**Fiscal Impact Statement** – Identifies the fiscal and operational impact of policies upon the Department and contracted service providers. A Fiscal Impact Statement will be prepared for each policy (Attachment 2).

**Matrix of Review Comments** – Identifies comments received from specific individuals regarding draft policies and Department responses as to whether or not they were incorporated into a subsequent draft of the policy, including the reason for the decision (Attachment 3).

**Policy Coordinator** – Staff member in the Office of Program Accountability responsible for coordinating the development and revision of policies.

**Program Policy Workgroup** – Staff members responsible for working with the Policy Coordinator to develop policies for their respective areas, and ensuring policies are available to all employees in their respective office, program or facility.

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**II. STANDARDS/PROCEDURES**

A. Development of Policies:

1. Prior to initiating a new policy or revising a current policy, the appropriate Program Policy Workgroup member(s) should contact the General Counsel's office to discuss the intended development or revisions. It is important that any planned policy be discussed with General Counsel to determine if a policy is needed or if a rule should be developed in lieu of a policy. General Counsel will ensure that the agency remains in compliance with Chapter 120 of Florida Statutes governing rulemaking.
2. If General Counsel approves the development or revision of a policy, the Program Policy Workgroup member(s) should initiate meetings with appropriate Department staff to commence the writing of the policy. Executive Leadership Team members for any affected program office should be consulted as needed when writing the policy. Proposed policies are to be developed utilizing a standard format (Attachment 1) and a Fiscal Impact Statement (Attachment 2). Policies should be developed gathering input from affected office(s) to eliminate unnecessary edits after posting.
3. Once the Program Policy Workgroup member(s) finalize a draft policy, it should then be submitted to General Counsel for their final review. Proposed policies or revisions are reviewed to ensure statutory authority for the policy and that it is not in violation of statutes or contrary to other policy. Modifications or updates recommended by General Counsel should be provided to the Program Policy Workgroup member(s) for incorporation into the draft. Draft policies approved by the General Counsel, with incorporated updates if applicable, may then be forwarded to the Policy Coordinator along with any attachments and the Fiscal Impact Statement. Verification of review and approval by General Counsel must also accompany the submission.
4. The approved draft policy, attachments, Fiscal Impact Statement, and contact person are posted on the Department's Internet site for ten (10) business days for review and comment submission. For Type B policies, this information and the date of publication of notice, is posted in the Miscellaneous Section of the Florida Administrative Register (FAR). Email notification of the posting is sent by the Communications Office to all Department staff and contracted service providers potentially affected by the proposed policy. Notification in the FAR and the internet will include the following:
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  - The policy title and number;
  - The policy type (A or B);
  - FAR publication and comment deadline dates (if applicable);
  - Originating office and offices impacted by the policy;
  - Links to the policy and Fiscal Impact Statement;
  - A brief policy summary; and,
  - The Department's Internet site address where comments and responses utilizing the Matrix of Review Comments (Attachment 3) will be posted.

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5. Comments received during the review and comment period should be reviewed by the Program Policy Workgroup member(s) and written responses to those comments should be provided using the Matrix of Review and Comments. If applicable, updates should be made to the draft policy indicating changes with underlines or ~~striketroughs~~.
6. The Program Policy Workgroup member(s) will electronically transmit the second draft of the proposed policy (with underlines or ~~striketroughs~~), any attachments, a copy of the Matrix of Review and Comments and Fiscal Impact Statement to their Executive Leadership Team member and the General Counsel Office for a final review.
7. Once the Executive Leadership Team member policy owner has completed their final review, and any revisions made based on their input, the Program Policy Workgroup member(s) will electronically transmit the final draft of the proposed policy (with underlines or ~~striketroughs~~), any attachments, a copy of the Matrix of Review and Comments and Fiscal Impact Statement to the Policy Coordinator within ten (10) business days of the end of the review and comment period.
8. If the draft policy requires substantial revision after the first review and comment period, the Policy Coordinator will post the second draft of the policy and related information on the Department's Internet site under [Policies Previously Posted for Review and Comment](#), pending final approval by the Secretary for the Department.
9. The Policy Coordinator will prepare a final copy of the policy and any attachments, including the Fiscal Impact Statement and Matrix of Review Comments, if applicable. The final copy will be routed to the Secretary for signature. Once signed, the new policy will be posted to the internet and email notification of such posting will be sent to all Department staff and contracted service providers, if applicable. The original signed copy of the approved policy will be maintained on file by the Policy Coordinator.
10. Any policy not approved by the Secretary will be routed back to the Program Policy Workgroup member(s) to continue with the revision process if applicable.
11. Any revisions to existing policies should follow the same development and approval process as outlined in this section.

**B. Procedures:**

1. If it is necessary for a policy to include procedures outlining the series of actions to accomplish the agency's directive of the policy, the Program Policy Workgroup member will be responsible for developing the procedures.
2. Procedures are to be developed in conjunction with the policy and will accompany the policy during its review, posting, and approval process.
3. If a policy is at some time revised, the accompanying procedures must also be reviewed and updated if applicable.

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4. If only procedures need to be modified but the policy itself does not change, the Program Policy Workgroup member of the program area/office who owns the policy will revise the procedures as necessary. The Executive Leadership Team member policy owner for the particular policy must approve the modifications. For Type B policies, the updated procedures and associated policy must be posted for comment and review as outlined in Section II. A, Development of Policies.
5. The updated procedure will be forwarded by the Program Policy Workgroup member(s) to the Policy Coordinator who will route it to the Secretary for review, approval, and signature, then post the updated procedure on the Department's Internet. An email notification of the update will be sent by the Communications Office to all Department employees and contracted service providers, if applicable.

**C. Repeal of Policy:**

1. The Executive Leadership Team member policy owner shall review and determine when and if a policy needs to be repealed.
2. Prior to initiating the repeal of a policy, the Executive Leadership Team member policy owner and appropriate Program Policy Workgroup member(s), if applicable, should contact the General Counsel's Office to discuss the intended repeal.
3. Executive Leadership Team members for any affected office shall be consulted, as needed, when repealing a policy.
4. The Executive Leadership Team member policy owner shall determine the financial impact of the repeal, and if applicable, complete a Fiscal Impact Statement (Attachment 2).
5. The policy owner shall complete Policy Repeal Form (Attachment 5) to the Policy Coordinator and route for review and approval by the General Counsel. If approved by the General Counsel, the policy owner will inform the Executive Leadership Team members of the repeal request and its anticipated effective date. The policy owner shall complete the ELT approval section of the Policy Repeal Form and route it to the Policy Coordinator.
6. The Policy Coordinator shall send a memo to the Secretary for review, approval, and signature.
7. The Policy Coordinator shall then remove the repealed policy, procedures, and related forms from the Department's Internet. An email notification of the repeal will be sent by the Communications Office to all Department employees and contracted service providers, if applicable.

**D. Staff Review of Policies:**

1. All employees should review and be familiar with Department policies.
2. For policies impacting their office, supervisors are to review the policy with staff and ensure their staff are aware of the changes.

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E. Annual Review of Policies:

The Policy Coordinator and the Executive Leadership Team Member policy owner or designee shall coordinate an annual review of all policies to determine if revisions are required based on statutory changes in law, administrative code, or to enhance programmatic efficiencies. General Counsel should be consulted to ensure revision to a policy is appropriate. The procedures for revising policies are the same as those for developing a new policy outlined above. The annual review shall occur in January of each calendar year.

F. Policy Format (See Attachment 1):

1. Secretary's electronic signature.
2. Subject – Title of the policy.
3. Section – Policy number.
4. Authority – Statutes, administrative code, or other legal authority for issuing this policy.
5. Related References – Any materials that may be associated with the policy or used in conjunction with the policy.
6. Purpose – Statement outlining why the Department is issuing the policy, and the desired effect.
7. Offices Affected by the Policy – All agency offices affected by the policy should be listed.
8. Policy Statement – A high level overall plan that guides and determines decisions for employees in an effort to standardize the way business is done and to assist in making important organizational decisions.
9. Procedures/Manuals – This section contains links to associated procedures or manuals, if applicable.

The numbering scheme for Department policies is as follows:

- a. Department-Wide Policies – 1000 to 1999
- b. Prevention and Victim Services – 2000 to 3999
- c. Detention Services – 4000 to 5999
- d. Probation and Community Intervention – 6000 to 7999
- e. Residential Services – 8000 to 9999
- f. Health Services – 10,000 to 12,999
- g. Education – 13,000 to 15,999

G. Procedures Format (See Attachment 4)

1. Title.
2. Related Policy.

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3. Definitions – Only list definition if the word(s) is/are unique to the process and reader, requiring a definition to understand the procedure.
4. Standards/Procedures – This section outlines the step-by-step process or series of actions that assist employees in complying with an associated Department policy.
5. Roles and Responsibilities – Each role that plays a part in accomplishing this procedure should be listed with specific responsibilities for that role. This section is not intended to outline the process itself but to provide an employee a quick reference or snapshot of their specific obligations as they relate to the procedure.

**III. RESPONSIBILITY AND DUTIES**

**A. Secretary for Department**

1. The Secretary has final sign-off on any new policies, revisions, or repeals to existing policies.
2. It is recognized, the Secretary may need to establish emergency policies on occasion outside of the normal policy review process contained in this policy.

**B. Executive Leadership Team Member**

The Executive Leadership Team member policy owner will have final review of all new and revised policies for the agency, with the Secretary having ultimate signature approval.

**C. Program Policy Workgroups**

1. Coordinate the development and revision of policies for their respective program area. Perform information gathering functions regarding new and revised Department policies as a part of regularly scheduled meetings or on an as needed basis.
2. Workgroups shall be established for the following program areas: Health Services, Detention Services, Residential Services, Probation and Community Intervention, Prevention and Victim Services, and Administration (to include Executive Direction offices).
3. Members of the Workgroups will be comprised of staff from the specific program area as well as at least one representative from each of the other Workgroups, as appropriate, to ensure other program areas have input into the development of agency policy and procedures.

**D. General Counsel**

1. Consult with Program Policy Workgroup staff prior to initiation of a new policy or revision to an existing policy to determine if policy or rule is proper course of action and to validate need for policy.
2. Provide a review of all draft policies prior to posting on the DJJ website to: 1) ensure statutory authority for the policy; 2) ensure that it is not in violation of statutes or contrary to other policy; 3) ensure that it is legally sufficient; 4) note any potential liability for the agency; and 5) note any spelling or grammar errors that distort the intention of the policy.

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3. Review all requests for policy repeals to ensure the repeal is not in violation of statutes or contrary to other policy without any potential liability for the agency.

**E. Supervisors**

1. Supervisors shall ensure all employees under their direct supervision be familiar with Department policies.
2. For policies impacting their office, supervisors shall review the policy with staff. Supervisors shall ensure staff have knowledge of and access to policies on the Department’s website.
3. Staff are responsible to request any need for clarification from their supervisor or policy owner point of contact.

**F. Contracted Service Providers**

In order to ensure receipt of email notifications regarding the posting of policies for review and comment, contracted service providers should provide the Policy Coordinator with an accurate, up-to-date list of email addresses for all individuals within their organization who they want to receive these notices. This information should be sent via email.

**IV. ATTACHMENTS**

Attachment 1 – Policy Format Template

Attachment 2 – Fiscal Impact Statement

Attachment 3 – Matrix of Review Comments

Attachment 4 – Procedures Format Template

Attachment 5 – Request to Repeal a Policy Form