



KANSAS DEPARTMENT OF CORRECTIONS

	INTERNAL MANAGEMENT POLICY AND PROCEDURE	SECTION NUMBER 10-102D	PAGE NUMBER 1 of 6
		SUBJECT: PROGRAMS AND SERVICES: Facility Academic and Vocational Education Programs	
Approved By:  Secretary of Corrections		Original Date Issued: 08-19-15	
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APPLICABILITY:	<input type="checkbox"/> ADULT Operations Only	<input type="checkbox"/> JUVENILE Operations Only	<input checked="" type="checkbox"/> DEPARTMENT-WIDE
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POLICY STATEMENT

Academic education programs shall be made available to offenders to meet their identified educational needs. For adult offenders, programs shall be available as funding permits. Programs shall be competency-based and directed minimally toward(s) high school equivalency diploma. (ACI 3-4411; 4-JCF-5D-02) Programs shall be made available at no costs to offenders determined eligible for programming. Offender self-pay programs, including college level courses, may also be provided. (ACI 3-4410, 3-4414; 4-JCF-5D-01, 4-JCF-5D-02)

Special education and Title I programs shall be provided to offenders meeting the age criteria and who are identified as having special needs to assist them in meeting the completion requirements of the academic and vocational programs. When applicable, facilities shall ensure adherence to Title IX laws in regards to academic and vocational educational programs and activities.

Vocational education programs may be available at selected facilities to meet the identified vocational needs of offenders. Program content shall emphasize the acquisition of marketable skills that enhance the offender's ability to obtain meaningful employment.

DEFINITIONS

Education Support Programs: Programming developed at the facility to increase successful completion rates in GED courses, whether provided through KDOC staff, a KDOC contractor, community provider or volunteer, if it has been approved to be delivered in the facility.

General Educational Development Program (GED Program): An educational program designed for those offenders without a high school or equivalency diploma and directed toward completion of the requirements for a general education diploma. The GED program consists of four (4) content areas: Reasoning through Language Arts, Mathematical Reasoning, Science and Social Studies.

High School Equivalency Diploma: A diploma awarded to a student who has passed the GED exam as required by the U.S. Department of Education and State Board of Education.

RDU: The reception and diagnostic unit located at the EDCF for men, TCF for women, or KJCC for male and female offenders.

Special Education: An educational program, as prescribed by federal and state statutes, designed to assist offenders under the age of 22 who are identified as having special learning needs through an Individual Education Program (IEP).

Title I: An educational program as prescribed by federal and state statutes designed to assist neglected, delinquent or at risk youth under the age of 22 to work towards their high school equivalency diploma.

Title IX: A federal law that prohibits discrimination on the basis of sex for any education program or activity receiving federal financial assistance.

Vocational Education: An educational program designed to provide comprehensive and occupationally viable training to assist offenders to acquire marketable job skills and develop work attitudes conducive to successful employment.

PROCEDURES

I. Provider Credentials and Program Oversight

- A. Personnel employed or contracted with for the provision of academic, vocational or special education programs or Title I programming shall:
 - 1. Maintain current certification by the Kansas Department of Education appropriate to their area and level of responsibility;
 - 2. Demonstrate other appropriate qualifications in lieu of such certification or credential.
 - a. Other appropriate qualifications may include substantial prior experience in adult education, corrections education, or completion of graduate level education at the Masters or Doctoral level. (This paragraph does not apply to special education staff).
- B, The Deputy Secretary of Facilities Management for adult facilities and the Deputy Secretary of Juvenile Services for juvenile facilities or their designees may approve, on a case-by-case basis, any personnel not certified by the State Board of Education or without the credential noted above.
 - 1. Such approval will be determined based upon documentation of other appropriate qualifications and of the individual's plan for obtaining the appropriate certification or credential within six (6) months of employment. (ACI 3-4416; 4-JCF-5D-08)
- C. All contract providers of education and vocational programs shall meet the level of accreditation, certification, or recognition by the Kansas State Board of Education or other recognized agency having jurisdiction. (ACI 3-4414; 4-JCF-5D-08)
 - 1. The education and vocational programs shall be assessed against stated objectives established by the State Board of Education or other recognized agency having jurisdiction. (ACI 3-4415; 4-JCF-5D-12)
 - a. The education and vocational program assessments shall be conducted by qualified individuals, professional groups, and trade associations in accordance with the provisions of the department or agency, which has recognized, certified, or licensed the program. (ACI 3-4415)
 - b. The assessment of the educational and vocational programs shall be conducted at least every three (3) years. (ACI 3-4415)
- D. The Deputy Secretary of Facilities Management for adult facilities and the Deputy Secretary of Juvenile Services for juvenile facilities or their designee shall approve all education and vocational programs and be responsible for monitoring the quality and quantity of education and vocational programs, in accordance with IMPP 01-102 and 01-105D. (ACI 3-4415)

II. Academic Educational Program Requirements

- A. All facility academic education programs shall include instruction and educational assistance to accommodate all academic functional levels. (ACI 3-4410; 4-JCF-5D-01)
- B. Legally mandated special education services to include initial screening, comprehensive evaluation, and appropriate program services shall be available to offenders under 22 years of age who have not completed high school or an equivalency program. (ACI 3-4410, ACI 3-4418)
 - 1. The educational provider at each facility shall not be prohibited from continuing special education services for offenders over the age of 22.
- C. Other specialized or advanced educational programs or services such as compensatory education (i.e., federal Chapter I) services, post-secondary courses, or correspondence courses may be provided where sufficient needs and resources exist. (ACI 3-4410)
 - 1. Said content areas of the curriculum shall be competency-based and appropriate to the functional level and needs of the offenders enrolled. (ACI 3-4411; 4-JCF-5D-02)
 - 2. All professional, federal, state, and facility security requirements shall be met in the design of educational programs.
- E. Facilities adequate to maintain a proper learning environment and satisfy accreditation requirements shall be provided.

III. Vocational Education Program Requirements

- A. All professional, federal, state, and facility security requirements shall be met in the design of the programs. (ACI 3-4417)
- B. Facilities adequate to maintain a proper learning environment and satisfy accreditation requirements shall be provided.
- C. The Warden/Superintendent of each facility has the final decision in an offender's eligibility for participation in a vocational education program and has the authority to deny an offender's entrance/participation in the program if such entrance/participation presents a risk to the safety and security of the facility operations.

IV. Offender Participation

- A. All offenders shall be advised of the availability of academic and vocational education opportunities as part of the facility orientation effort and/or through interviews with instructional staff.
- B. Participation in all academic and vocational education programs shall be in accordance with the offender's plan and/or on a voluntary basis.
 - 1. **JUVENILE:** Participation in all academic and vocational education programs shall be in accordance with state laws, the policies of the facility, and the offender's case plan. Participation in academic programs is required if the offender has not already obtained his/her high school diploma or GED.
- C. Academic and vocational education programs shall be structured in such a way as to provide for individualized instructional placement and pacing. (ACI 3-4419; 4-JCF-5D-09)

V. Program Eligibility Criteria

- A. Academic Education Programs

1. **ADULT:** Entry into the academic education programs shall be based on the following criteria:
 - a. Education Support: Eligibility shall be determined by the facility.
 - b. GED: Any offender without a GED or high school diploma.
 - c. Special Education: An offender under age 22 without a high school diploma or GED who through screening and evaluation has been determined to have had an Individual Education Program (IEP).
 - d. Title 1: An offender under the age 22 without a high school diploma or GED who meets the federal Title 1, Part D criteria.
2. **JUVENILE:** Entry into the academic education programs at the juvenile correctional facilities shall be based on the following criteria:
 - a. Current educational status of the offender: if an offender has not yet completed their H.S. Diploma or GED, they shall be required to participate in educational programming.

B. Vocational Education Programs

1. **ADULT:** The following factors shall be considered in recommending that offenders participate in a vocational education program:
 - a. Inconsistent or frequently interrupted work history;
 - b. Less than three continuous years on the same job;
 - c. Unlikely to be able to return to previous job due to nature of the conviction;
 - d. Lacks a college education or vocational certification;
 - e. Employed at seasonal or minimum-wage jobs;
 - f. Lacks transferable skills to jobs available in releasing community;
 - g. LSI-R assessment information which indicates that vocational education would be beneficial; and
 - h. ONET vocational interest assessment results.
 1. RDU admissions with less than 60 days to serve are not required to be administered the ONET vocational assessment.
2. **JUVENILE:** The following factors shall be considered in recommending that offenders participate in a vocational education program:
 - a. Age;
 - b. Current status in educational programming;
 - c. Projected length of stay at the facility;
 - d. Vocational assessments; and/or
 - e. Safety and security needs of the facility.

VI. Collaboration with Unit Team

- A. Reasonable efforts shall be made to place graduates of vocational training programs in related facility job assignments or correctional industries while confined.
- B. Vocational education program staff shall participate in multi-disciplinary team meetings for offenders approaching their facility release date as determined necessary by the offender's counselor, with the purpose of informing the team about the skills the offender learned in the program, their level of participation and progress in the program, and potential for community employment in the field upon release. (ACI 3-4418)

VII. JUVENILE: Coordination of Educational Assessments and Orientation

- A. Every offender who has not already obtained their H.S. Diploma or GED at admission shall receive an assessment of their educational needs.
 - 1. This assessment shall be completed as soon as possible after the offender's date of admission, but no later than 21 business days from the date of admission.
 - 2. The educational provider shall have input in deciding what assessment to use, but at a minimum it must be a validated, standardized assessment that meets the requirements of the State Board of Education.
 - a. At a minimum, the assessment shall address academic background, social skills, vocational interests, and health factors (i.e. sensory, motor, vision, speech, hearing/language, etc.).
 - 3. Once the educational assessment is completed, a brief summary will be provided to the RDU CCII for inclusion into the RDU Diagnostic Report.
 - 4. Assessments shall be consistent between the juvenile correctional facilities.
 - 5. Prior to the juvenile offender beginning their educational program, a school administrator shall conduct an orientation with each juvenile offender in order to finalize an initial school schedule and overall academic/vocational plan.
 - 6. Reassessments will be administered to youth at intervals determined by the educational provider, to measure progress and placement.

IX. JUVENILE: Educational Schedules

- A. Each school shall prepare a school calendar and shall submit it to facility administration for review and planning purposes.
 - 1. The calendar shall also be submitted to the Kansas Board of Education for approval.
 - 2. Various criteria shall be considered when developing the school calendar, including:
 - a. Maximum access to programs;
 - b. Optimal juvenile offender learning times;
 - c. Federal and state regulations; and
 - d. KDOC policies, general orders of the respective facility, and procedures of each facility
 - 3. The approved calendar shall be distributed to facility administration by the beginning of the next fiscal year.

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and offenders and those entities that 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 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

K.S.A. 75-5210, 38-2388
IMPP 01-102, 01-105D
ACI 3-4410, 3-4411, 3-4414, 3-4415, 3-4416, 3-4417, 3-4418, 3-4419
4-JCF-5D-01; 4-JCF-5D-02; 4-JCF-5D-08; 4-JCF-5D-12

ATTACHMENTS

None.