SUMMARY of REVISION/REVIEW

Procedure I.C.1. – Changed "two NDCS principals" to "high school principal" and added inmates under the age of 22 will not be excluded/dropped from Education without direction of the Principal. Procedure I.C.2.b.2. – Added Verification of High School Diploma or Equivalency to the criteria for to participate in an education release program. Procedure I.C.2.b.3. – Added "approved through education." Procedure IV. – Added that the NCYF community High School will be audited/evaluated through the NDE on a five-year schedule as required by NDE. Procedure V. – Added "level of programming compliance, and staffing availability" and "individualized materials." Replaced GED with High School Equivalency and changed Programs Coordinator to Programs Administrator throughout. Other minor word changes and rephrasing throughout.
PURPOSE

To provide comprehensive quality educational services concerned with meeting individual inmate needs throughout the Nebraska Department of Correctional Services (NDCS).

GENERAL

By state statute, NDCS is required to establish appropriate programs for each facility which are designed, as far as practical, to prepare and assist each person committed to NDCS to assume his/her responsibilities toward successful reintegration into the community. The NDCS shall seek to make educational services available to each person who may benefit from such services.

To assure compliance with state statute, NDCS will develop and maintain, where practical, comprehensive educational services concerned with meeting individual needs and certified by the Nebraska Department of Education (NDE) or other recognized agencies. The Education program shall include educational philosophy and goals, communication skills, English as a Second Language (ESL), high school, Adult Basic Education (ABE), Adult Secondary Education (ASE), High School Equivalency and the Nebraska High School diploma through the General Education Development (GED) preparation, special education, employment preparation, referral for post-secondary education and/or other education programs as dictated by the needs of the institutional population.

NDCS shall develop a comprehensive educational program which is in conformity with the above stated guideline, while considering the particular needs of each facility’s population.

PROCEDURE

I. STRUCTURE

A. NDCS shall provide certified, comprehensive, continuous educational programs available to all inmates who can benefit and who have an interest in such programs. Programs shall be made available to all eligible inmates at a time when the majority can take advantage of the programs.

B. All existing high school and High School Equivalency diplomas will be verified and the data entered into WEBSITE. A complete transcript and Individual Education Plan (IEP), when applicable, shall be requested from the last school attended for all inmates under the age of 22, if no diploma exists.

C. Whenever possible, the educational programs offered shall be designed to allow inmates to enter at any time and to proceed at a self-paced rate. Such a competency-based curriculum shall be supported by appropriate classroom materials, classroom resources, and equipment.

1. Educational Programs

   A youth convicted as an adult and under the age of 22 shall participate in a high school program until such time that a high school diploma is earned or it is determined the inmate would receive greater benefit from the ABE/ASE program. Inmates under the age of 22 without a high school diploma or equivalent are mandated to attend school. Inmates over 22 may be eligible for continued high school participation upon application to the high school program if it is deemed
appropriate by a committee of educators including the high school principal. The center of the high school program shall be located at NCYF. All other facility schools are a satellite of NCYF and can offer the high school program under the guidance of the Principal.

The educational programs shall be adult oriented and shall provide individualized and group instruction. Inmates who are excluded from enrollment shall require written documentation of the restriction. This status shall be reviewed and documented in writing every 90 days. Readmissions to the program will be recommended to the classification team. Inmates under the age of 22 will not be excluded/dropped from Education without direction of the Principal. Programs through high school/ASE or High School Equivalency shall be available at no cost to the inmates. Whenever possible, post-secondary educational and Pre-Release programming will be available to qualified inmates.

Each inmate who has no verified diploma and is under the age of 18 must be enrolled in high school education. An inmate under the age of 18 may not participate in High School Equivalency preparation classes without approved waiver from their public school administrator.

2. Educational Release

Provisions for Education Release are included in Policy 201.07, Inmate Classification and Assignment – Temporary Release.

3. Correspondence Courses

Correspondence courses offer an inmate the opportunity to continue his/her education beyond that provided by NDCS.

a. Each inmate shall initiate a request to take correspondence courses by submitting the correspondence course request form (attachment A) to the Education Department at their facility. The request shall include information as to who will be responsible for making the payment, specifically the inmate or an immediate family member. The inmate should attach an institutional check and self-addressed stamped envelope to the form if he/she will be making the payment. The Education Department staff will review the request to ensure it is appropriate and that the educational institution is appropriately accredited. The inmate may be asked to provide pamphlets, fliers or other information to help facilitate this process. The Education Department staff will then forward the request along with his/her recommendation to the Warden/designee for a final decision. If the request is denied, the inmate will be informed of the reason(s) in writing. If the request is approved, it will be the inmate’s responsibility to ensure he/she properly enrolls in the course. Any needed assistance from staff (i.e., acting as a proctor for examinations) must be agreed upon prior to enrollment in any correspondence course.

b. NDCS will not be responsible for any costs associated with the course. If the inmate is paying for these expenses, he/she must have the
appropriate funds in his/her account. An inmate will not be allowed to make installment payments. The inmate must submit an approved institutional check payable to the educational institution, application, self-addressed stamped envelope, and a copy of the Warden/designee’s approval to Central Office Inmate Accounting. If an immediate family member is paying the expenses, a receipt from the educational institution indicating that the course and materials have been paid for and by whom must accompany the first set of materials sent in for each course. No referral/finder fees or gifts are permitted. Any checks identified in such a manner will be returned to the educational institution by Central Office Inmate Accounting.

c. All materials related to the correspondence course will be received through the institutional mailroom. Mailroom staff will review the materials to ensure they comply with NDCS and Institutional policies (i.e., no metal binders, etc.). An inmate may receive self-addressed stamped envelopes from an educational institution if they are included as part of an approved correspondence course. If mailroom staff determine the materials do not conform to policy, the Warden/designee will review the materials and determine disposition (i.e., return them to sender, or allow them into the institution with or without modifications). Once the materials are approved to enter the institution, mailroom staff will forward them to the Education Department for review and issuance. The Education Department staff will be responsible for providing the mailroom with the list of inmates who have been approved to take correspondence courses.

D. Educational Counseling services shall be provided within the educational programs to assist the inmate in developing individual academic or vocational goals and to facilitate goal attainment.

E. Inmates housed in restrictive housing shall be provided educational services that meet security protocol. Documentation shall be made in the inmate student file if an inmate cannot participate in education. Availability for education will be monitored and documented weekly by education staff.

F. An inmate’s educational needs will be determined upon admission to NDCS. This will be accomplished through initial screening, assessment and evaluation using a standardized assessment test norm referenced for the specified population which may include the Test of Adult Basic Education or an approved English as Second Language Test as determined by the NDCS Education administration. A high school diploma or equivalent must be verified for each inmate who indicates a diploma has been earned.

G. The educational program in each institution will include proper equipment and materials, including but not limited to classrooms, audio-visual equipment and materials, computers, administrative space, locking file cabinets, and other specialized equipment to meet program, American Correctional Association (ACA) and NDE Standards and Rules.

H. Educational and vocational records will be maintained in compliance with NDE regulations on school records and be available to specified staff, consistent with education guidelines concerning confidentiality and inmate privacy of information.
I. The educational program staff at each facility shall utilize appropriate business, industry and community resources in developing educational programs for selected inmates.

J. The educational programs formally recognize inmate achievement with either certification, graduation ceremonies or other forms of incentives for participation in those programs.

K. Employment preparation programs shall be integrated with academic programs and shall be relevant to the individual’s vocational needs as well as employment opportunities in the community.

L. The educational program staff at each institution shall coordinate with other institutional services in providing instruction in functional social skills, including but not limited to parenting and job skills.

M. The educational programs of each institution shall meet the needs of inmates who require special placement because of physical, mental, emotional impairment or learning disabilities.

II. SPECIALIZED PROGRAMS

A. The educational programs within NDCS should provide courses which enable inmates to succeed in society such as, career development, consumer education, family and personal growth, communication skills, and other related course offerings.

B. The educational programs that serve inmates who need special education services shall develop appropriate programs or accommodations as required by the NDCS’ Policy and Procedure Manual - Individuals with Disabilities Education Act (IDEA) and the NDE. Inmates under the age of 22 who have not graduated and have identified disabilities shall have a current IEP in accordance with IDEA and Title 92 Rule 51 of the Nebraska Administrative Code.

C. Pre-release programs shall be provided at each facility and shall follow topics established within NDCS.

D. Vocational programs offered throughout NDCS may require a high school diploma. Courses may be offered in conjunction with existing community training programs and through partnerships with community groups.

E. Vocational and employment programming is available for probation offenders and NDCS inmates at the Work Ethic Camp (WEC). All potential participants shall be screened by WEC staff and meet all criteria set forth by agency partners participating in this project. NDCS will not be responsible for any costs incurred for offenders/inmates to participate in this program. All materials related to this program shall be provided by agency partners.

III. STAFFING

A. All NDCS teachers and principals shall be licensed or endorsed by the NDE or other comparable authority.
B. Contracted educational staff working within NDCS institutions, but who are not employed by NDCS, shall meet the certification standards established by their employer and the NDCS. All service contracts with community education agencies will specify the duties and responsibilities of personnel employed by those agencies.

C. All staff shall complete training to enable them to effectively work with the special needs of inmates and other staff within a correctional setting. Teachers and administrators must maintain current certification and are encouraged to continue their education. The staff-student ratio shall be such as to ensure access to staff and services while maintaining a safe and secure area.

IV. PROGRAM EVALUATION

Educational programs at each institution shall be evaluated against stated performance objectives utilizing institutional staff as well as other qualified individuals, professional groups and trade associations to ensure that programs continue to meet the approval of the Nebraska Department of Education (NDE), ACA and NDCS. Educational programs at each facility shall be evaluated at least every three years. The NCYF Community High School will be audited/evaluated through the NDE on a five-year schedule as required by NDE.

V. EDUCATION IN RESTRICTIVE HOUSING

Inmate students under the age of 22 in restrictive housing will be provided and expected to continue their education through self-study and teacher assistance as available. Depending on interest, level of programming compliance, and staffing availability, education staff will accommodate needs of other restrictive housing inmates by providing individualized materials. Each facility will establish a process for assignments, sending and receiving materials for restrictive housing inmates, and testing procedures.

REFERENCE

I. POLICIES

A. Policy 201.07, Inmate Classification and Assignment – Temporary Release

II. ATTACHMENTS

A. Correspondence Course Request Form

III. AMERICAN CORRECTIONAL ASSOCIATION (ACA) STANDARDS

A. Standards for Adult Correctional Institution (ACI) (4th edition): 4-4011, 4-4273, 4-4442, 4-4464, 4-4466, 4-4467, 4-4469, 4-4470, 4-4471, 4-4472, 4-4473, 4-4474, 4-4475, 4-4476, 4-4477, 4-4478, 4-4479, and 4-4480.