

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 04/05/2021	NUMBER 05.02.112
	SUBJECT EDUCATION PROGRAMS FOR PRISONERS	
SUPERSEDES 05.02.112 (03/01/2016)		AUTHORITY MCL 791.203, MCL 791.233, MCL 791.234(d)
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POLICY STATEMENT:

Education programs shall be provided to prisoners in Correctional Facilities Administration (CFA) institutions as set forth in this policy.

POLICY:

GENERAL INFORMATION

- A. The education system facilitates the transition from prison to the community by assisting prisoners in the development of their academic, workplace, and social competencies.
- B. A prisoner with a documented disability requiring an accommodation in order to participate in an existing education program may be provided an accommodated education as approved by the Education Manager.

EDUCATION MANAGER

- C. The Education Manager is responsible for the overall management of education programs for prisoners. The Education Manager shall:
 1. Provide oversight for all education and ensure the development and delivery of all education programs, curricula, methods and materials.
 2. Administer the education budget, grants, contracts, and all reporting requirements.
 3. Function as the High School Equivalency (HSE) Chief Administrator for the MDOC; direct all MDOC HSE Test Centers; contracts, training, emergency plans and personnel; determine actions for disability accommodations, test material security, and confidentiality.
 4. Provide oversight for all education testing and collaborate with appropriate State and Federal agencies to ensure compliance with all State and Federal testing and reporting requirements.
 5. Assure Education Staff representation on statewide advisory committees and other agency committees.
 6. Provide information related to education programs and issues as requested by the MDOC Administration and other agencies, as approved by the MDOC.
 7. Develop long-term plans and allocated education resources.

STRATEGIC EDUCATION PLAN

- D. The Education Manager shall maintain a Strategic Education Plan, subject to the approval of the Director or designee. The plan shall be reviewed at least annually and updated as needed. The plan shall set forth the Department's goals in education programming and how those goals are to be met. Copies of the plan shall be distributed to the Director, Deputy Directors, Assistant Deputy Directors (ADD), Wardens, the Public Information Officer (PIO), and Principals for use by education staff.

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EDUCATION MANUALS

- E. The Education Manager is responsible for maintaining education manuals that shall be reviewed and updated as needed. The manuals shall provide information relevant to education services, including school administration, education programs and education staffing. Updates shall contain the most current language. The manuals shall be provided to Principals for use by their education staff.

EDUCATION PROGRAMS

- F. The Education Manager shall determine all the education programs to be provided at designated MDOC locations, consistent with the needs of the prisoner population, as prioritized in the Strategic Education Plan and funded by State education appropriations or specific grants. The following programs shall be provided:

1. Academic Education, including Title I, Fast Track and English as a Second Language (ESL);
2. Special Education;
3. Career and Technical Education (CTE), including State Correctional Opportunities for Rehabilitation and Education (SCORE);
4. Transitional Services, Employment Readiness, and Workforce Development;

The following programs may be provided:

5. Post-Secondary Education;
6. New or revised programs as determined by education research, current trends, or State and Federal requirements.

EDUCATIONAL QUALITY IMPROVEMENT AUDIT

- G. The Education Manager shall ensure a quality improvement assessment of each institution's education programs and curriculum is conducted at least every three years by an assigned audit team. A written summary of the findings and recommendations shall be submitted to the Education Manager, who shall send the findings to the School Principal. The School Principal in conjunction with the Education Manager shall determine if the findings are appropriate. The School Principal, the Education Manager, and the Offender Success Administrator shall coordinate to determine implementation of corrective action.

SCHOOL PRINCIPALS

- H. Each institution's education program shall be supervised by a School Principal. The School Principal shall:
1. Manage, supervise and organize all facility education staff and programs.
 2. Comply with State and Federal laws and regulations that govern education including:
 - a. Attending all individualized Education Plan meetings;
 - b. Ensuring all prisoners are enrolled or waiting for an education program or have verification of completing the program;
 - c. Completing GED exemptions as dictated by law;
 - d. Monitoring all Academic Delay in Programming prisoners every six months.
 3. Ensure that instructional methods and materials are in accordance with MDOC, State and

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Federal educational standards.

4. Make recommendations to the advisory committees for curriculum revision, textbooks and other educational resources as necessary to meet current needs.
 5. Provide educational guidance and counsel to all education staff and prisoners.
 6. Provide documentation of education data and information as directed by the Education Manager.
 7. Function as a high school equivalency proctor in each school, including responsibility for test security and administration in accordance with national standards, and ensure testing is done at least monthly at each school.
 8. Oversee other test administrations as determined by the Education Manager.
 9. Recommend professional development and other related educational activities to the Education Manager.
 10. Manage the allocated school budget, including the report of inaccuracies to the Education Financial Analyst in a timely manner.
 11. Ensure expenditures and credits are assigned to the correct accounting templates.
 12. Implement school schedules with a minimum of 32 hours per week of student-teacher contact time or in accordance with an exception approved by the Education Manager.
 13. Verify prisoner education records.
 14. Ensure classes meet or exceed set minimum enrollment numbers.
 15. Monitor and track program goals to ensure compliance.
 16. Collaborate and review with the Education Manager all revocation of special education services as set forth in PD 05.02.115 "Special Education – procedural safeguards."
- I. Each reception facility School Principal shall ensure that each prisoner receives a comprehensive education assessment to determine their individual needs, aptitudes and/or interests, and makes Education Preparedness and Job Readiness recommendations. Reception facility School Principals shall also ensure that each offender is provided the opportunity to apply for the appropriate identification to assist in their transition from prison to the community.
 - J. Both an education file and Workforce Development file shall be created and maintained for each prisoner prior to release. The education data shall be entered into the appropriate databases.
 - K. Prisoners shall be placed on academic, special education, employment readiness, and/or CTE school pools in the order of priority as designated in Paragraphs T and JJ.
 - L. Each prisoner will be evaluated by education staff upon initial education enrollment, using the Educational Program Plan (CSJ-363A or CSJ-363V). This plan shall identify the goals and objectives for the prisoner and shall be prepared at least quarterly by education staff for active prisoners and updated as necessary. Upon initial academic enrollment, an Adult Learning Plan (ALP) shall be prepared for each prisoner.
 - M. A prisoner who obtains a high school equivalency certificate or completes a career and technical education program shall be provided formal recognition of that accomplishment through a quarterly graduation ceremony.

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PRISONER BEHAVIOR

- N. Prisoners are expected to maintain satisfactory performance and behavior while attending school and shall be given reasonable time to improve behavior and/or performance. They may be prohibited from participating in school pending the finding on a Class I misconduct for a rule violation, while on assignment, and may be removed from education programming as a result of:
1. Progressive discipline, documented by school staff in writing for improper classroom behavior or attendance issues,
 2. Failure to maintain satisfactory student ratings,
 3. Refusal to actively participate in educational programming, including testing,
 4. An infraction in the school resulting in a guilty finding on a Class I misconduct, or
 5. Absences in excess of seven (7) consecutive calendar days (segregation, writ, etc.).

ACADEMIC EDUCATION COMPLETION

- O. A prisoner who does not possess a verified high school diploma or high school equivalency certificate shall be placed in an academic class or on a waiting list.
- P. The prisoner is responsible for providing accurate education information and a signed release so that MDOC staff can obtain education records or verifiable documentation of the prisoner's educational history.
- Q. A high school diploma issued by a correspondence school or a school not accredited or approved by a state's Department of Education, shall not be considered a verified high school diploma. In compliance with the Michigan Department of Education, Office of Special Education, certificates of completion awarded to Special Education prisoners are not considered verified high school diplomas.
- R. All education records received by the Department shall be verified by an MDOC School Principal. The School Principal shall only accept documentation received directly from the following sources:
1. The institution that awarded the completion;
 2. The Michigan Office of Adult Education;
 3. Official State approved high school equivalency test centers;
 4. Other State approved high school equivalency credentialing contractors (Diploma Sender or Parchment);
 5. The appropriate military records that specifically indicate HSE/HSD completion;
 6. In lieu of a high school diploma or high school equivalency certificate, an advanced post-secondary degree (associates, bachelor, masters, or doctorate) including foreign advanced degrees, is acceptable. Completion of an advanced degree must be verified by an MDOC school principal.
- S. Prisoners are assessed using the Test of Adult Basic Education (TABE) or Comprehensive Adult Student Assessment System (CASAS) and other testing tools. Failure to perform to the prisoner's ability on the assessment test is considered refusal of academic programming and shall result in disciplinary action.
- T. Prisoners shall be placed in academic classes in accordance with the following priorities:
1. Special Education eligible prisoners;

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2. Title I eligible prisoners;
3. Prisoners identified as Fast Track;
4. Other prisoners in chronological order by Earliest Release Date (ERD)/Parole Board Jurisdiction (PBJ) date;
5. Prisoners sentenced for a crime committed on or before December 15, 1998 or prisoners with life or long indeterminate sentences.

SPECIAL EDUCATION

- U. Special education instruction and/or related (transition) services are provided to eligible prisoners under 22 years of age in accordance with Federal law and the MDOC Special Education Plan and PD 05.02.115 "Special Education - Procedural Safeguards." These services are provided at designated special education centers. The Education Manager or designee shall ensure identified eligible prisoners remain at the special education centers or are transferred to special education centers in accordance with federal requirements.

TITLE I

- V. Title I is a federally funded education service offered to prisoners who are under 22 years of age, and who are enrolled in an education program. Programming for prisoners identified as Title I eligible shall include a minimum of 15 hours per week of education program instruction that shall include academic enrollment, career and technical education programming, and/or employment readiness programming.

FAST TRACK

- W. Fast Track prisoners are those identified as being able to complete the HSE test with minimal instruction. They are given priority placement in academic classes. Specific criteria developed by the Education Manager will identify Fast Track prisoners including passing scores on GED Ready or any HSE subtest completions, as well as those prisoners that score at the D or A level on the TABE Locator test. They shall be placed on the HSE examination as expeditiously as possible.

HSE COMPLETION EXEMPTIONS FOR PAROLE CONSIDERATION

- X. Prisoners sentenced pursuant to MCL 791.233 for a crime committed after December 15, 1998 who received a minimum sentence of two years or more shall not be released on parole unless they have either earned a high school diploma or HSE certificate. Under this law, the Director or designee may waive the educational restriction to allow a parole.
- Y. Exemptions are for parole purposes only and are not a guarantee of removal from school.
- Z. An HSE diploma is not required for prisoners who:
 1. Are 65 years of age or older.
 2. Were gainfully employed immediately before committing the crime for which the prisoner is incarcerated.
 3. Do not have the necessary proficiency in English to attain an HSE/GED certificate. If the prisoner does not have the necessary proficiency in English, the Department shall provide English language training for the prisoner so they can begin working toward the completion of the requirements for an HSE/GED.
 4. Have a learning disability. A learning disability is defined as a chronic condition hindering the ability to improve academic learning as evidenced by:

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- a. The inability to attain a measurable advancement (i.e., at least a .5 grade level) for reading or math as determined by the TABE or CASAS in a one-year period of continuing classroom time; and,
 - b. A minimum of three documented teaching interventions to improve academic skill development in reading or math.
5. Are unable to successfully complete the requirements for an HSE certificate at no fault of the prisoner's own.

DELAY IN PROGRAMMING

- AA. A prisoner who is actively enrolled in academic programming may be referred by educational staff to the School Principal for a delay in programming due to being unable to make significant academic progress. To be eligible for referral, the prisoner must meet all of the following:
1. Be enrolled in academic class cumulatively for no less than 450 hours per Michigan Adult Education Reporting System (MAERS) on their current prefix;
 2. Receive satisfactory work reports, and;
 3. Demonstrate satisfactory/excellent behavior, effort and attendance.
- BB. Prisoners who are under the age of 22 or potential candidates for HSE testing at or above the eighth-grade reading and/or math level pursuant to the TABE or CASAS test are not eligible for a delay in programming.
- CC. Prisoners serving long indeterminate or life sentences may be considered for a delay in programming without school enrollment if the school has an academic waiting list, with approval of the School Principal.
- DD. The prisoner may be given a routine work assignment during a delay. At the end of six months, a School Principal review shall be conducted, at which time the delay may be renewed or allowed to expire. Prisoners within one-year or past their ERD/PBJ shall be removed from a school delay and attend school in order to be considered for an exemption unless otherwise approved by the Education Manager.
- EE. A delay in programming is only valid at the granting facility and will be terminated upon transfer. The School Principal or Education Manager may terminate a delay in programming for any reason.

HSE EXAMINATIONS

- FF. The HSE (GED or Hi-Set) examination shall be administered to prisoners who have demonstrated competency at the HSE preparation level, as determined by academic assessment (TABE or CASAS post-tests, HSE practice tests) and education staff. Other prisoners may request to take the HSE examination at their own expense as space permits. HSE examinations shall be administered at least monthly, or as directed by the Education Manager.

REFUSAL TO PARTICIPATE

- GG. The Warden, Education Manager, and School Principal shall consider a prisoner's refusal to actively participate in required academic programming when deciding whether to grant an exemption, special good time, or special disciplinary credits.

ENGLISH AS A SECOND LANGUAGE (ESL)

- HH. ESL may be offered to prisoners for whom English is not their native language and who are functioning below the fifth-grade reading level. Prisoners functioning at the fifth-grade English reading level or

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above shall be enrolled in regular academic classes. School Principals shall work with facility transfer coordinators to arrange transfer to an ESL center if a prisoner is determined to need ESL instruction.

CAREER AND TECHNICAL EDUCATION (CTE)

- II. CTE enables prisoners to prepare for future employment by developing competencies in a specific trade and by practicing job readiness skills. This is accomplished through a systematic program of regular classroom instruction and hands-on training. CTE programs shall be relevant to prisoner needs and employment opportunities in the community and shall provide state and/or national certification opportunities whenever possible. CTE programs may also provide opportunities for service-learning projects as approved by the Education Manager or designee and School Principal. All CTE programs are determined and approved by the Education Manager. Prisoners with a CTE completion after 2014 during their current prefix are not eligible for additional CTE programming.
- JJ. Priority for placement for prisoners who have a CTE recommendation shall be given to prisoners who meet the following criteria, in order of preference:
 1. Transitional special education prisoners whose placement is part of their Individualized Education Plan (IEP) with School Principal approval;
 2. Have an HSD/HSE and are at least 12 months from and less than 24 months to their ERD/PBJ;
 3. Have an HSD/HSE and have less than 12 months to their ERD/PBJ, but have enough time to complete their CTE recommendation with School Principal approval;
 4. Do not have an HSD/HSE and are at least 12 months from and less than 24 months to their ERD/PBJ with School Principal and Education Manager approval;
 5. Are past their ERD/PBJ and are less than 12 months to their next action date with School Principal approval;
 6. Are more than 24 months to their ERD/PBJ date or are serving a life sentence with School Principal approval.
- KK. Prisoners who obtained a CTE certification prior to 2014 may be eligible for enrollment as determined by the Education Manager based on the results of their vocational counseling.

TRANSITIONAL SERVICES, EMPLOYMENT READINESS, RESUME WORKSHOP, AND WORKFORCE DEVELOPMENT

- LL. Employment Counselors are designated to assist paroling prisoners in their transition to the community. They facilitate services based on the prisoner's needs and employment opportunities post-release. Employment Counselors maintain the workforce development referral packet and compile records and vital documents including Certificates of Employability (COE) for those who qualify as outlined in MCL 791.2349d).
- MM. Employment Readiness (ER) programming may be offered to all prisoners within five years of their ERD/PBJ except for those housed in Level V or segregation. ER includes money management, basic computer, and soft skills and is designed to enhance prisoners' ability for successful reentry and sustainable employment in the community. Participation in employment readiness programming does not mandate removal from a work assignment. Priority for placement shall be given to prisoners who have an ER recommendation and are within six months to their ERD/PBJ date.
- NN. Resume Workshop (RW) programming may be offered to all prisoners within six months of their ERD/PBJ date except for those housed in Level V or segregation. RW is designed to enhance a prisoner's employability skills through interviewing and resume building workshops. Participation in RW programming does not mandate removal from a work assignment. Priority for placement shall be given to prisoners who have a RW recommendation and are within six months to their ERD/PBJ date.

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VOCATIONAL COUNSELING

- OO. Career interest and aptitude assessment and counseling is provided to assist the prisoners in understanding their employment options and opportunities, in selecting CTE programming within the prisons, and in determining career paths relevant within their communities upon release. The assessment and counseling may be provided at appropriate points during incarceration and must be completed prior to placement in a CTE program. A second vocational counseling session may be conducted with approval of the Education Manager or designee.

VOCATIONAL VILLAGE

- PP. Prisoners may be allowed to participate in Vocational Village if they meet screening criteria for placement.

POST-SECONDARY EDUCATION

- QQ. Colleges shall be permitted to offer post-secondary programs to prisoners in Correctional Facilities Administration (CFA) institutions, subject to the approval of the Offender Success Administrator. When offered, State funds shall not be used for program tuition or supplies unless appropriated by the legislature. The post-secondary institution may donate supplies to the program when approved by the Education Manager. Prior to scheduling the program, the Warden and the School Principal shall ensure classroom space is available for classes to meet, and that custody and safety supervision is maintained.
- RR. At facilities where college programs are offered, prisoners in the general population shall be permitted to seek enrollment if they meet the approved selection and screening criteria. The CFA Classification Section will review applicants for eligibility based on custody, security, and transfer considerations. Facility administration may request a prisoner be removed from college programming due to unacceptable behavior. The final determination for a prisoner's acceptance into, and removal from, a college program is made collaboratively between the Education Manager/designee and the college.
- SS. Prisoners also may be permitted to participate in correspondence courses in accordance with PD 05.02.119 "Correspondence Courses."

EDUCATION CURRICULUM BOOKS

- TT. Prisoners who are actively enrolled in either an academic or vocational training program may be allowed to take their curriculum books back to their housing unit. The books shall remain in the prisoner's cell, or be in the prisoner's possession, when they are outside of the classroom.

OPERATING PROCEDURES

- UU. If necessary, to implement requirements set forth in this policy directive, Wardens shall ensure that procedures are developed or updated.

AUDIT ELEMENTS

- VV. A Primary Audit Elements List has been developed and is available on the Department's Document Access System to assist with self-audit of this policy pursuant to PD 01.05.100 "Self-Audits and Performance Audits."

APPROVED: HEW 03/25/2021