

MICHIGAN DEPARTMENT OF CORRECTIONS <b>POLICY DIRECTIVE</b>	EFFECTIVE DATE 03/15/2021	NUMBER 05.02.119
	SUBJECT <b>POST-SECONDARY EDUCATION COURSES</b>	
SUPERSEDES 05.02.119 (09/19/2005)		AUTHORITY MCL 791.203; Administrative Rule 791.6639
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**POLICY STATEMENT:**

Correctional Facilities Administration (CFA) prisoners in general population or protective segregation may take post-secondary-education courses as set forth in this policy.

**RELATED POLICIES:**

PD 05.02.112 Education Programs for Prisoners

**POLICY:**

DEFINITIONS

- A. Correspondence Course - An instructional class offered by an accredited post-secondary school/distance learning institution that leads to a degree or certification through the mail.
- B. Post-secondary School - An accredited or nationally recognized school that provides education to students past high school/high school equivalency with the goal of earning credits, degrees, or certifications.
- C. Instructor-Led Course - Credit bearing post-secondary courses taught by an instructor face to face at the facility.
- D. Distance Learning Course - Credit bearing post-secondary courses taught by an instructor via recorded lectures and JPAY email messages.

GENERAL INFORMATION

- E. The Department does not endorse post-secondary schools, nor does it guarantee the validity of the program/course being offered by correspondence schools.
- F. Department resources may not be used to pay the cost of tuition for post-secondary students. In addition:
  - 1. Staff shall not assist a prisoner in completing assignments or examinations. However, non-custody staff may volunteer to proctor an examination while on duty, subject to the approval of their supervisor, provided the proctoring does not interfere with the employee's assigned duties and responsibilities.
  - 2. Prisoners may be allowed to use any Department equipment purchased with state-appropriated funds (e.g., computers, typewriters, video players, tapes) with the Education Manager's and/or Warden's approval for completion of class assignments.
  - 3. Education staff may assist prisoners in applying to and enrolling in approved post-secondary courses, including Free Application for Federal Student Aid (FAFSA) paperwork.
- G. This policy does not apply to free religious courses offered through the mail unless they are credit-bearing and lead to a degree. Religious courses should be handled by the facility chaplain.

APPROVAL PROCESS

- H. A prisoner may apply to and enroll in a post-secondary course with approval of the School Principal and/or the Education Manager/designee. Requests shall be submitted in writing to the School Principal and shall

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include all relevant documentation regarding the course that is available to the prisoner at the time of the request, including specific information on the post-secondary school offering the course and a list of required course materials if known. The School Principal shall review the request and approve or deny the course based on the following criteria:

1. Whether the course requirements can be completed without utilization of Department resources, except as necessary to comply with this policy.
  2. Whether the materials required for the course are authorized under PD 04.07.112 "Prisoner Property" and PD 05.03.118 "Prisoner Mail."
  3. Whether proctoring is required. If proctoring is required and the post-secondary school does not provide a proctor, the availability of a qualified proctor also shall be addressed.
- I. The School Principal and/or Education Manager/designee shall make the final determination whether to approve the request. The request shall be approved if the School Principal and Education Manager/designee determines if the prisoner meets earliest release date (ERD), transfer and conduct requirements for special post-secondary programs (Pell Grant, Calvin College, etc.), that the course requirements can be completed without utilization of Department resources that are not required to comply with this policy, and that required course materials are authorized by policy. If the post-secondary school requires specific qualifications for a required proctor, the request also may be denied if the availability of a qualified proctor cannot be confirmed. The potential educational value to the prisoner may be a factor in determining whether to approve the request.
- J. The School Principal or designee shall ensure that the prisoner and the Education Manager are notified in writing of the final decision if the request is denied, and the basis for the denial. The appropriate Business Office and Mailroom/Property Room staff also shall be notified if the request is approved for correspondence courses.
- K. Prisoners must repeat the approval process set forth above for each semester or term in which they want to enroll in a correspondence course.
- L. Prisoners may be removed from post-secondary classes due to incidents of misconduct while enrolled in classes, even if the misconduct does not occur in the classroom. This will be decided on a case by case basis by the Education Manager.
- M. Grant funded post-secondary programs may have specific screening criteria for eligibility, as well as defined enrollment and removal processes based on grant requirements, including student codes of conduct. This will be clearly communicated to prisoners before they apply through JPAY messages and/or postings in the housing units. Enrollment in these courses is not guaranteed and a failure to comply with enrollment criteria and a student code of conduct may result in removal.

#### PAYMENT OF TUITION/FEE/COSTS FOR AN APPROVED POST-SECONDARY COURSE

- N. A prisoner must have sufficient funds in their institutional account to pay in full all fees and costs of the approved course, including tuition, at the time of application (unless the course is fully grant-funded). Partial payments or payment plans are not allowed from a prisoner account but are allowed if set up and maintained by an outside source. Payment for the course shall be processed through the facility's Business Office in accordance with PD 04.02.105 "Prisoner Funds" and facility operating procedures. However, if the prisoner can provide adequate documentation that all or a portion of the tuition, fees and/or costs of an approved course has been paid on their behalf (e.g., by family members, a grant, or an organization like the Veterans Administration), the prisoner need only have sufficient funds in the account to pay the balance owed. The payment may not be from a source that the prisoner is prohibited from receiving funds pursuant to PD 04.02.105 "Prisoner Funds."
- O. Funds received by a prisoner for placement in their account that are designated for educational expenses shall be credited to the account in accordance with PD 04.02.105 "Prisoner Funds." Such funds are subject to court-ordered payments from the account as set forth in PD 04.02.105. The funds may otherwise be used by the prisoner only to pay their educational expenses.

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- P. Tuition, fees and costs of a post-secondary school paid by or on behalf of a prisoner will not be reimbursed by the Department for any reason.
- Q. The prisoner shall be responsible for all postage and other costs incurred in mailing course work, such as completed lessons and examinations, to the post-secondary school. Prisoners are not allowed to possess pre-paid envelopes from the post-secondary school.

#### RECEIPT OF POST-SECONDARY COURSE MATERIAL

- R. All correspondence course material is to be mailed to the prisoner, except that the prisoner and School Principal may arrange for the post-secondary school to send examinations that need proctoring to the School Principal or designee. Instructor-led courses shall be given to prisoner students during class times or scheduled callouts.
- S. Correspondence course material received in the mail is subject to search consistent with PD 05.03.118 "Prisoner Mail." Course material, even if previously reviewed, may be rejected at the time of receipt if it is determined that the material violates Department policy. The cost of any course material rejected will not be reimbursed by the Department. Used textbooks are not allowed through the mail. Course material shall be promptly forwarded to the prisoner. Examinations that require proctoring shall be sent to the School Principal or designee and shall be retained until the examination is administered.
- T. Distance learning course materials shall be sent through the School Principal and shall be distributed via callout to enrolled prisoners. Instruction for these classes shall be provided via recorded lectures and questions shall be answered via JPAY email with the Instructor.
- U. A prisoner who has been approved to take a correspondence course who is subsequently placed in any form of segregation (other than protective segregation) shall have their correspondence course materials stored for them until release from segregation.

#### PROCTORING EXAMINATIONS

- V. The School Principal or designee shall be responsible for arranging for persons to proctor examinations when required. Outside volunteers serving in this capacity are subject to the requirements set forth in PD 03.02.105 "Volunteer Services and Programs."

#### CREDIT FOR PARTICIPATION/COMPLETION

- W. A prisoner who successfully completes a degree or certificate program through a post-secondary school shall have the completion documented in the Department's computerized database (e.g., OMNI) only if an official transcript verifying completion of the program is received by the School Principal directly from the post-secondary school. A verified copy of this transcript shall be placed in the prisoner's school file and the original in the prisoner's black workforce development file.

#### OPERATING PROCEDURES

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

#### AUDIT ELEMENTS

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

APPROVED: HEW 01/15/2021