

# STATE OF IOWA DEPARTMENT OF CORRECTIONS

## POLICY AND PROCEDURES

Policy Number: OP-ED-01

Applicability: Institutions

Policy Code: Public Access

Iowa Code Reference: 904.516

Chapter 5: OFFENDER PROGRAMS

Sub Chapter: ACADEMIC & VOCATIONAL EDUCATION

Related DOC Policies: PREA-02

Administrative Code Reference: 281-2.8(259A), 281-32.7, 281-32.8

Subject: SECONDARY EDUCATION

CEA Standards: 1-61

PREA Standards: N/A

Responsibility: Nick Lamb

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Authority:

### 1. PURPOSE

The purpose of this policy is to provide guidelines and procedures for the operations of the Education Programs for residents of correctional facilities throughout the state in manner that is consistent with the policy goals set forth in Article I. The provisions of this policy also aim to connect educational opportunities with other goals that will be valuable for re-entry into society, such as access to housing and post-secondary education admissions.

### 2. POLICY

To describe the educational programs that shall be available in Iowa Department of Corrections (IDOC) institutions as provided for by **Iowa Code 904.516. (CEA standard #1, required, core; #10, core; and #11, required, core)**

### 3. DEFINITIONS

A. Academic Education Plan - Collectively the following

1. A formal, organized program of instruction to provide basic skills and learning opportunities related to obtaining knowledge from literacy through post-secondary (doesn't exclude vocational or technical courses/CTE); and
2. Documents created for each student indicating current levels of achievement, as determined by the student's performance or approved standardized tests (CASA) and HiSET examinations, and other instructional plans developed by appropriate education staff.

B. Academic Program - A pre-college program or post-secondary program.

C. ADA - The Americans with Disabilities Act. The ADA's purpose is to provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities and to provide enforceable standards addressing discrimination against individuals with disabilities. The ADA prohibits discrimination against people with disabilities in several areas, including employment, transportation, public accommodations, communications, and access to state and local governments' programs and services.

D. Admission Committee - A committee of individuals at a correctional facility that has been appointed by the correctional facility's governing body for the purposes of assessing resident applications, and selecting students for admission into Education Programs.

E. AEP - Academic Education Plan.

F. Career and Technical Education - A formal, organized program of instruction designed to provide practical, mechanical, vocational/technical skills and learning concepts.

G. Correspondence Course – A distance education course completed through U.S. mail, and most often, at the student's own expense.

H. CTE - Career and Technical Education.

I. Department of Education - The state level agency authorized to adopt policies regarding students and educational institutions.

J. Director of Education - means the Director of Education of the state's Department of Corrections.

K. Education Program - either an Academic Program or CTE Program.

L. Evidence-Based Practices - The objective, balanced, and responsible use of current research and the best available data to guide policy and practice decisions, such that outcomes are improved. This includes:

1. Focusing on approaches demonstrated to be effective through empirical research rather than through anecdote or professional experience alone;
2. Ongoing, critical review of research literature to determine what information is credible, and what policies and practices would be most effective given the best available evidence; and
3. Rigorous quality assurance and evaluation to ensure that evidence-based practices are replicated with fidelity, and that new practices are evaluated to determine their effectiveness.

M. FAFSA - The form for Free Application for Federal Student Aid that is submitted to the FSA.

N. FAFSA Simplification Act - The FAFSA Simplification Act, passed into law by U.S. Congress on December 27, 2020.

O. Federal Pell Grant - A type of federal financial aid for students with significant financial need at post-secondary institutions which, unlike a loan, does not have to be repaid except under certain circumstances. Students demonstrate their need for a Federal Pell Grant through a FAFSA. Students who are incarcerated are typically ineligible for Federal Pell Grants despite their financial need.

- P. FSA - Federal Student Aid, which is an office of the U.S. Department of Education.
- Q. HEP - Higher Education in Prison.
- R. IEP - Individualized Education Plan.
- S. Individualized Education Plan - A written statement for a student with a disability eligible for services under the Individuals with Disabilities Education Act. The written statement must outline special education services, accommodations, goals, and objectives to be implemented to assist the student with a disability to make progress in Academic Education or CTE programs.
- T. IDEA - The Individuals with Disabilities Education Act. IDEA is the federal law that supports special education and related service programming for children and youth with disabilities. IDEA ensures students with a disability are provided with free appropriate public education tailored to their individual needs. The Act was previously known as the Education for All Handicapped Children Act from 1975 to 1990.
- U. LWOP - Life without parole.
- V. Memorandum of Understanding - An agreement between two or more parties in a formal document that is not legally binding, but signals the willingness of parties to move forward with a contract and provides a way for parties to express they can agree to proceed with their mutual goals.
- W. MOU - Memorandum of Understanding.
- X. National Reporting Systems - An outcome-based reporting system for State-administered, federally funded adult education programs.
- Y. NRS - National Reporting Systems.

- Z. Pell ESI Institution - A post-secondary institution which participates in the Experimental Sites Initiative, which allows correctional facilities to partner with post-secondary institutions to provide Federal Pell Grant funding to otherwise eligible students who are incarcerated and who are eligible for release back into the community.
- AA. Post-Secondary Program - Formal, organized program of educational instruction for students whose educational achievement exceeds grade 12 as verified by a High School Diploma or HSEC.
- BB. Reasonable Accommodation - A modification or adjustment to a task, the environment, or the way things are usually done to allow individuals with disabilities to access services in an equitable manner, pursuant to the ADA.
- CC. Classification Committee - Committee of individuals at a correctional facility that has been appointed by the Department of Corrections or the correctional facility's governing body for the purposes of determining whether a student must be transferred from the correctional facility.

## **4. PROCEDURES**

### **A. Responsibilities to Administer Programs**

1. The Director of Education shall be responsible for administering the Education Programs in correctional facilities.
2. The Director of Education shall ensure that the curricula for Education Programs in correctional facilities are reviewed and revised, either by someone appointed by the Director of Education or by the relevant post-secondary institution, at least once every three years.
3. Education Program administrators within each facility will maintain an educational file on each student, including such student's attendance, progress, and achievements.

### **B. Education Programs**

1. An Education Program provides residents of correctional facilities educator-delivered instruction in mathematics, reading, language, and other workforce-readiness skills in furtherance of the pursuit of any of the following: (i) a high school equivalency program, (ii) a high school diploma, or (iii) another career or technical certification.
2. Adult education programming in the IDOC is defined according to Iowa Code.
3. All IDOC adult education providers shall provide high school equivalency preparation and testing in addition to the opportunity to complete high school under: 281-2.8(259A) High school equivalency diploma program based on attainment of high school credits.
4. The IDOC educational screening process utilizing the CASAS testing data shall be used to determine college eligibility. Incarcerated individuals shall be required to attain NRS Level 4 or above to be eligible for college consideration. Adult education programs (Life Skills and Bridging) shall be used to bridge skills development for individuals scoring below NRS Level 4.
5. Progress testing according to IDOC/IDOE assessment policy shall be offered to incarcerated individuals according to the annually updated policy guidelines of the Iowa Department of Education.
6. In administering Education Programs, the Director of Education shall adopt NRS levels, but shall not use grade-level equivalency to identify a student's ability or progress. Each Education Program offered at a correctional facility must correspond to a potential pathway to future employment, whether that employment is provided while incarcerated in the correctional facility, upon release, or at reentry.

### **C. Mandatory Adult Education**

1. Every incarcerated individual in IDOC with a release date of 12 months or more in the future who does not have a high school diploma, or equivalency, or needs English language skills, or tests as needing functional literacy skills (EFL Level 4 or below) shall be required to enroll in 100 hours of adult education programming.

2. Waiver of the requirement for Mandatory Adult Education programming must be reviewed and approved by the IDOC Director of Education. Waivers may be based on disability or accommodation needs and/or behavioral issues, as identified by facility educational and case management staff with documentation of accommodations which have been used to assist the student. Waivers which are granted shall be reviewed every six months.

#### **D. Special Education and Disability Services**

1. Education Programs must comply with the ADA and the IDEA and therefore must provide reasonable accommodations for individuals with disabilities.
2. Care shall be taken to provide residents of correctional facilities who have physical, mental, emotional, or learning disabilities with Education Program or CTE Program placements appropriate to their needs.
3. The IDOC shall work with State, local and community agencies to provide services to incarcerated individuals in areas such as disability services, vocational rehabilitation and reentry support. Whenever possible, these services should be delivered at the correctional facility and connected to transition of services upon release from incarceration.

#### **E. Academic Programs**

1. Adult Basic Education Secondary Programs
  - a. Test-Based High School Equivalency Programs:
    - 1) Instruction in a Test-Based High School Equivalency Program starts at a ninth-grade level or above in reading, writing, social studies, science, language, and math according to Iowa Department of Education code 281-32.7.
    - 2) A Test-Based High School Equivalency Program must emphasize instruction in workplace readiness skills to enhance a student's ability to secure and retain employment upon release and re-entry.
    - 3) By satisfactorily completing a Test-Based High School Equivalency Program, including taking and receiving a passing grade on the high

school equivalency examination, a student will receive a diploma issued by the Iowa Department of Education.

b. Credit-Based High School Equivalency Programs

1) High School Diploma Program measures high school equivalency in the areas of writing skills, social studies, science, reading skills, and mathematics as defined by Iowa Department of Education code 281-32.8.

2) Upon completion of such a course and receipt of credit, a student would receive a high school diploma.

c. For each student participating in an Education Program, an administrator of the program shall document such student's progress in the department's reporting system.

d. Progress tracking will be documented through CASAS testing.

e. In administering Adult Basic Education and Academic Programs, Education Program administrators shall use Evidence-Based Practices to prepare students for Post-Secondary Programs.

f. For students with testing scores below the ninth-grade level, Bridges Program (Life Skills) will provide services to remediate skills with the goal to enter a high school equivalency program and to prepare for reentry.

g. Students will be assessed for English language needs and accommodated to the greatest extent possible according to staffing needs and abilities.

h. Formal ESL programming will be explored annually by the IDOC and supported by formal assessment and technology.

i. Providers must submit an application for approval by the IDOC/IDOE to offer Integrated Education and Training programs.

2. IET/CTE/Apprenticeship Programs

a. An incarcerated individual of a correctional facility will be eligible for these programs upon approval by the IDOC Education team at the respective facility.



b. A Program may:

- 1) Include classes, internships, workforce training classes, pre-apprenticeships, apprenticeships, on-the-job training (OJT) or some combination thereof; and
  - 2) Offer its students the opportunity to earn academic credit that may be allocated toward to an associate's or bachelor's degree, or be linked directly to high-demand, high-wage employment in their area of reentry.
- c. Participation in Program does not prohibit a student from simultaneously participating in an Adult Basic Education/Secondary Program. Students in correctional facilities shall have the ability to remain in both Programs.
- d. Upon completion of these Programs and satisfaction of certification requirements, a student in a correctional facility will receive a certification as applicable.
- e. In administering, Adult Basic Education/Secondary Programs administrators shall use Evidence-Based Practices to prepare students.

## **F. Admission, Assessment and Attendance**

### **1) Eligibility**

- a. Each correctional facility shall make Adult Basic Education/Secondary Programs available to all incarcerated individuals of correctional facilities.
- b. Notwithstanding anything to the contrary herein, subject to any statutory requirements, incarcerated individuals of correctional facilities cannot be disqualified from participating in any Adult Basic Education/Secondary Program by nature of their sentence, unless the program leads to certification or employment where licensure cannot be obtained due to the nature of the sentence.

### **2) Delivery of Services**

- a. Mandatory Education I – the following student population shall be priority for services.
  - 1) Students under 21 years of age shall be required to attend a minimum of 15 hours of instruction weekly.

## 2) Special Education Services

- b. Mandatory Education II – Those students over the age of 21 who do not hold a high school diploma or equivalency.

## 3) Assessment Procedure

- a. Each facility shall provide a classification committee to identify and select incarcerated individuals for admission to Education Programs.
- b. The facility Education team shall review the classification committee procedure at least once per year to ensure that it is properly evaluating the eligibility and priority criteria.
- c. If necessary, the education coordinator shall arrange for a new resident of a correctional facility to undergo the academic assessment required to be placed into an Education Program, which must take place soon as possible upon a new resident of a correctional facility's arrival.
- d. The education coordinator in each correctional facility shall be responsible for making students aware of all educational opportunities available at the facility.

## 4) Attendance

- a. Average daily attendance for Adult Basic Education/Secondary Programs shall be taken for each class and records kept daily attendance and reported to the education coordinator.

Incarcerated individuals under 21 years of age shall be required to attend a minimum of 15 hours of class instruction per week. Incarcerated individuals over 21 years of age shall be required to attend a minimum 6-8 hours of class instruction per week, based on institutional job assignments. Out of class assignments and student work may be assigned for incarcerated individuals over the age of 21 may be used to attain the IDOE requirement of 8 hours of instruction for ABE programs.

- b. Correctional facilities shall maintain an educator to student ratio that maintains the safety of all parties and provides for an effective teaching environment. This ratio shall be established and monitored by the IDOC Director of Education based on facility physical plant and instructional

needs. A facility Treatment Director/Program Director shall be responsible for working with the IDOC Director of Education for implementation at their respective facility.

- c. Education coordinators shall enter records of student enrollment and attendance for all Education Programs into the ICON system monthly. Navigators shall work with the education coordinator to ensure that dual enrollment data is entered in ICON, but the education coordinator shall retain authority for all entry.
- d. An incarcerated individual's educational assignment is based on required attendance standards. IDOC requires that a student may not exceed 20% instructional time during enrollment in a course.
- e. A student's absence will be excused, and the student is to be counted as present for such class session, if the reason for the absence is any of the following:
  - 1) For the purposes of attending IDOC-required intervention;
  - 2) Due to illness, as verified by the institutional medical staff/sick call record;
  - 3) Due to religious activities, as scheduled and verified by institutional Religious Services;
  - 4) In the determination of the educator, after consulting with the correctional facility's administration, for any other reason that qualifies as an excusable absence.

The following incidences are NOT considered excused absences from educational programs. The respective correctional facility shall work with the IDOC Director of Education to address operational adaptations which minimize impact on class time and must approve the remediation action for delivery of these services. Education coordinators shall be responsible for documenting the impact on actual ICON records.

- a) Medical services/sick call
- b) Commissary
- c) Visitation

d) Recreation

5) Removal from Education Programs

Administrators of Education Programs shall prioritize retaining the students enrolled. Except as otherwise provided in herein, or for immediate security reasons in the classroom, administrators may not remove a student from an Education Program for non-educational reasons. In cases where correctional facility disciplinary processes are involved, the following policy shall be followed.

- a. Students in disciplinary process will not be removed from educational programs.
- b. They shall be considered suspended for the disciplinary identified time period.
- c. Students shall retain enrollment status for a period of 2 weeks.
- d. If the suspension exceeds 2 weeks, the student will be removed from active education program and the student slot will be filled with other incarcerated individuals.
- e. Suspension exceeding 2 weeks will be placed on the educational wait list according to the date recorded. Students under age 21 will be suspended due to disciplinary action but will be placed at the top of the educational wait list when suspension is lifted.

**G. Lack of Progress and Attendance**

Behavioral – Incarcerated individuals may not be removed from the educational programs for behavioral issues that have not been documented and processed by the recognized IDOC security and rules infraction process. Educators, both full-time and contracted, must use the IDOC process and due process for removal requests.

**H. Access to Technology**

- 1. The IDOC recognizes the need for technology to support education. The following are goals to establish this resource for all students enrolled in

education programs. IDOC and ICHEP will jointly seek funding and IT resources to provide:

2. Students will be provided IDOC approved technology access to services comparable to students in public schools. This includes:
  - a. Access to on-line courses and academic support materials which have been reviewed and approved by the IDOC for correctional delivery.
  - b. Each student shall receive personal computer or tablet access to approved technology to support college instruction.
  - c. Each student shall receive computer or tablet access to basic software necessary for instruction, to include:
    - 1) Word Processing
    - 2) Database program
    - 3) Spreadsheet program
    - 4) Presentation program
3. Each student shall be able to securely save and access papers and projects on a computer, tablet or drive for the duration of the semester in which they are enrolled.
4. Students shall report IT issues to their respective education coordinator. The education coordinator will report the issue to IDOC IT on an IDOC IT Help Ticket. IDOC will respond to the IT Ticket within 48 hours of receipt. If necessary, unresolved issues will be escalated to the respective ICHEP college partner and the college, will work with the IDOC IT to resolve issue.

## **I. Communication of Educational Offerings**

1. The facility classification team will identify interventions related to education for each incarcerated individual within two weeks of intake at the facility. Incarcerated individuals identified as needing educational program will be referred to the education coordinator for admission counseling.

The education coordinator and/or navigator shall be included in the formal orientation program for new arrivals at each correctional facility. This will be

an overview of all educational programs and opportunities available at the facility and a process for potential students to access these services.

2. If the resident of a correctional facility is not referred to any Education Program after the initial meeting, the Case Manager shall review educational goals and opportunities as part of the incarcerated individual's annual review of their treatment plan.

Education coordinators and career navigators shall develop and identify processes at each facility to enable incarcerated individuals to self-identify interest in educational programs.

3. Education coordinators and career navigators shall develop a marketing/communication plan for each respective correctional facility to inform incarcerated individuals of educational opportunities on an ongoing basis.

## **J. Staffing**

An individual licensed as a teacher in the state with multiple years of experience in the classroom as well as administrative experience shall direct the system-wide education program. The IDOC organizational chart depicts the position of the correctional education department in the agency structure. **(CEA standard #6, required)** The IDOC Education Director or designee shall visit sites annually. **(CEA standard #13 required, core)**

1. The Education Director or designee shall regularly evaluate the ability of educational staff to meet educational needs of incarcerated individuals.
2. All education staff must meet appropriate state licensure and certification requirements. **(CEA standard #17)**
3. Quarterly education meetings shall occur between IDOC education administration and community college correctional education liaisons. The purpose of these meetings shall be to assist in needs assessment evaluations, long-range planning, and regular review of the educational programs to assure conformity to all applicable requirements and standards. Institution education staff shall meet at least quarterly. Meetings are documented with attendance and minutes. **(CEA standard # 13 required, core; #26 required, core; #27, & #28 required, core)**

4. IDOC policies and procedures are available and applicable to each community college employee. **(CEA standard #17)**
5. New full time education staff shall participate in the IDOC pre-service training in addition to orientation training during their first year of employment and 40 hours of training each year thereafter. Teacher continuing education requirements and/or advanced graduate work may be used for this purpose, upon approval of the IDOC Director of Training. Part-time education staff shall participate in formal orientation training appropriate to their job assignments and additional training as needed. **(CEA standard #19 required, core; #20 & #22)**
6. A review of educational policies, responsibilities, and duties of correctional education teachers will be compared to those in similar education programs.

#### **K. Credentials**

1. The Education Director shall be responsible for review of staff licenses and maintenance of certification files for facility educational and vocational training employees.
2. Copies of new or renewed licenses (Standard License) or copy of four-year degree in a related field shall be required as a condition of employment.
3. The Education Director shall monitor the selection, retention and evaluation of educational personnel according to qualifications, performance and experience. **(CEA standard #15, required, core)**

#### **L. Correctional Education Budget**

Funding for the correctional education program is a direct line item within the IDOC overall budget. A system-wide budget and accounting system for correctional education allows for the allocation, disbursement, expenditures and reconciliation of funds to the correctional education program. The Education Director has responsibility for this budget. **(CEA standard #7 required, core; #8 core; & #9 core)**

#### **M. Education Curriculum**

1. Appropriate educational curriculum shall be utilized for each education course. **(CEA standard #48 required, core)**
2. All curricula are maintained in the education office and each teacher maintains subject specific curriculum. **(CEA standard # 48 required, core)**
3. Teachers are included in the development and/or selection of curriculum where applicable. Non-instructional time is provided daily or weekly to plan or prepare activities related to the curriculum. **(CEA standard # 49; & #50)**

#### **N. Program Evaluation**

1. Educational programs shall be monitored, reviewed and revised on an annual basis. In addition, programs are assessed against stated objectives by qualified individuals from professional groups, such as Iowa Department of Education, Iowa Department of Corrections and community colleges. Examples of strategies utilized are data collection and analysis, staff review and modification of curriculum, and implementation of best practices within correctional education. Results of program evaluations shall be used for program planning, corrections, improvements, and accountability purposes. **(CEA standard #59 required, core; #61)**
2. Independent or external program evaluations of the academic and vocational programs are conducted on a three year or less cycle. (CEA standard #59 required, core)
3. Annual target goals for program improvement shall be established based on the results of program performance. Program performance areas shall include educational achievement, student certificate and/or diploma acquisition, and program enrollment. **(CEA standard #60 required, core)**