

Arizona Department of Corrections

Director's Office

MEMORANDUM

TO: Distribution

FROM: Charles L. Ryan, Director

DATE: September 1, 2010

SUBJECT: Director's Instruction 291; Education of Criminal Aliens

This Director's Instruction will be in effect September 1, 2010 and will remain in effect until incorporated into Department Order 910, Inmate Education and Resource Center Services.

EDUCATION ELIGIBILITY

- 1.1 Minors (inmates under the age of 18 years) committed to the Department shall participate in academic education programs pursuant to A.R.S. § 41-1607 (B) (1), A.R.S. § 31-229 regardless of their immigration status A.R.S. § 15-1372.
- 1.2 Adult criminal aliens not lawfully present in the United States shall not participate in education programs except those who are 18 years of age through 21 years of age with disabilities as defined by the Individuals with Disabilities Act (IDEA) 2004 and provided services as required by federal and state law.
- 1.3 Adult criminal aliens who are lawfully present in the U.S. with no detainer or order of deportation may participate in educational programming based on the ADC Priority Ranking List.
- 1.4 Criminal aliens who are lawfully present in the U.S. with a detainer or order of deportation shall not participate in educational programs.
- 1.5 Education programs covered in this Director's Instruction include functional literacy, GED preparation and work-based education.

{Original Signature on File}