



ARIZONA
DEPARTMENT
OF
CORRECTIONS

DEPARTMENT ORDER MANUAL

CHAPTER: 900
INMATE PROGRAMS AND SERVICES

OPR:
PS

DEPARTMENT ORDER: 910
*INMATE EDUCATION AND
RESOURCE CENTER SERVICES*

SUPERSEDES:
SEE ATTACHMENT A
EFFECTIVE DATE:
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TABLE OF CONTENTS

PURPOSE

RESPONSIBILITY

APPLICABILITY

PROCEDURES

PAGE

910.01	INITIAL EDUCATIONAL EVALUATION AND CONTINUING ASSESSMENT	3
910.02	EDUCATION PROGRAM ASSIGNMENT	4
910.03	EDUCATION PROGRAM RETENTION/PROGRAM COMPLETION ACTIVITIES	6
910.04	EXEMPTIONS FROM PARTICIPATION IN EDUCATIONAL PROGRAMS	7
910.05	EDUCATIONAL SCHEDULING AND INSTRUCTION	9
910.06	RECORD KEEPING AND PROGRAM MANAGEMENT	11
910.07	MONITORING OF CONTRACTED EDUCATIONAL PROGRAMS	11
910.08	DISTANCE LEARNING/CORRESPONDENCE COURSES	12
910.09	BUDGET AND STAFFING	17
910.10	RESOURCE CENTER OPERATIONS	17
910.11	REVIEW OF EDUCATION AND RESOURCE CENTER PROGRAMS	19
	IMPLEMENTATION	20
	DEFINITIONS	21
	AUTHORITY	22
	ATTACHMENT	

PURPOSE

This Department Order establishes programs offering eligible inmates access to resources for educational advancement emphasizing academic outcomes and program completion. To this end, the Department provides certified and approved interpreters for inmates challenged in areas of sight, hearing, speech, or language.

RESPONSIBILITY

Work Force Development Administrator or Designee shall:

- Provide progressive and outcome oriented leadership.
- Establish a written formal plan of operation for inmate education.
- Ensure that education resource centers are developed, maintained, regularly enhanced and managed by qualified/trained staff.

Work Force Development and Education Resource Center Administration Office staff shall:

- Under the authority of the Division Director for Program Services, administer the inmate education and Resource Center programs as prescribed by the Director, State and Federal laws, court mandates and applicable written instruction.
- Ensure that the Department meets the Federal Individuals with Disabilities Education Act (IDEA) and other applicable State and Federal requirements.
- Develop and establish criteria for classroom and Education Resource Center facilities, technology, and educational and Resource Center materials to be used at the various prisons.
- Develop and prepare an annual Education Program Budget to meet the educational and Resource Center needs of the prison population.
- Conduct site inspections at least once annually, to observe and evaluate the education and Resource Center programs being offered for purposes of improvement.
- In consultation with Contracts Administration, act as Program and Contract Manager for contracts with Community Colleges to provide educational services to the Department.
- Develop recommendations regarding the number and type of Work Based Education Programs offered at each institution including a review, at each contract renewal period, with the on-site College Coordinator or liaison and appropriate Department and Community College staff.
- Periodically review all educational placement decisions in cooperation with other institution classification and program staff and make classification recommendations based on inmate educational needs as appropriate.
- Provide inmates with educational advisory services as needed and appropriate.
- Establish Educational Advisory Committee by January 1, 2007.

APPLICABILITY

This Department Order applies to all inmates and educational and Resource Center staff in Department operated institutions and educational resource centers/libraries. Contract Beds education operations, education resource center operations and personnel shall be specified by contract and are covered under appropriate State and Federal laws as they apply.

Except for sections 910.04 and those inmates who fall under Federal and State regulations, this Order does not apply to inmates temporarily assigned to medical isolation or to Detention status, as described in Department Order #804, Inmate Behavior Control.

PROCEDURES

910.01 INITIAL EDUCATIONAL EVALUATION AND CONTINUING ASSESSMENT

1.1 Initial Evaluation

- 1.1.1 Standardized tests, as approved by the Work Force Development Administrator, will be used for any official formal assessment or educational progress and achievement.
- 1.1.2 To establish an inmate's baseline educational level, qualified staff shall administer an approved IQ test, Clinical Analysis Questionnaire and the Test of Adult Basic Education (TABE) Survey to ALL new inmates received at the Reception Center.
- 1.1.3 The results of the TABE Survey, the IQ test and Clinical Analysis Questionnaire, shall be entered on the DI77 Adult Information Management System (AIMS) and other appropriate screens by Reception Center Staff within five workdays of test completion. The inmate's education scores shall be one factor used to decide the placement of the inmate during initial classification.
- 1.1.4 If an inmate did not achieve the 8th grade Functional Literacy Standard during a previous commitment or a newly committed inmate scores below the 8.0 Functional Literacy Grade Level, then the inmate shall be enrolled in the Functional Literacy Program within 10 days of receipt at the first institutional assignment and given the TABE Complete Battery subtests only in the areas of deficiency within 45 days of receipt at the institution.
 - 1.1.4.1 The results of the TABE Complete Battery shall be entered on the DI77 AIMS screen by the Correctional Education Program Supervisor (CEPS), the Correctional Education Program Manager (CEPM), or designee(s) within five workdays of test completion.
 - 1.1.4.2 The results of the TABE Complete Battery shall be used in determining the inmate's educational placement.

1.2 Continuing Assessment

- 1.2.1 Standardized tests shall be used for any official, formal assessment or tracking of educational progress and achievement.
- 1.2.2 Retesting of inmates to determine academic progress shall be scheduled on an individual basis, at no less than 30 and no more than at 45 calendar days.
 - 1.2.2.1 The CEPS, CEPM or designee(s) shall enter test results onto the DI77 and other appropriate AIMS screens within five workdays of test completion.
- 1.2.3 To ensure a high probability of success on the General Education Development (GED) test, the CEPT shall pretest inmates using the approved GED Practice Test before the inmates are allowed to sign up for the official GED examination.

1.3 Tests and Test Integrity

- 1.3.1 Standardized tests shall be approved and used as outlined in 1.2.1 of this section
- 1.3.2 All tests shall be administered by qualified Department or contract education staff only.
- 1.3.3 All tests shall be securely stored and confidentiality maintained, and only be scored by educational staff.
- 1.3.4 Except for inmates actually taking the test, testing materials SHALL NEVER be handled by inmates.

910.02 EDUCATION PROGRAM ASSIGNMENT - Inmates shall be assigned to one or more of the education programs identified in this section based on their education test results and identified education needs:

- 1.1 Functional Literacy Program - For inmates who test below the Functional Literacy Standard in any category of the TABE Complete Battery.
 - 1.1.1 Inmates, who are exempt in accordance with section 910.04, shall be enrolled in the institution's Functional Literacy Program.
 - 1.1.2 The WIPP Coordinator shall place the inmate at the lowest wage of the relevant pay grade in accordance with the WIPP Program until the inmate meets the Functional Literacy Standard or has been exempted from the standard.
 - 1.1.2.1 Program completion shall be entered on the DI83 screen of AIMS by education staff within five work days of completion.
 - 1.1.3 Inmates, who are in Protective Segregation, housed in Complex Detention Units or classified in another detention status, shall be enrolled in the Functional Literacy Program as outlined in the applicable Department Order.
 - 1.1.4 Inmates shall participate in the Functional Literacy Program in accordance with earned release credit eligibility as outlined in Department Order #1002, Inmate Release Eligibility System.

- 1.2 Expedited GED Program - For inmates who have met the Functional Literacy Standard in every category of the TABE, but who do not have a verified GED certificate or high school diploma. Educational staff shall encourage the inmate population to get a GED.
 - 1.2.1 At the discretion of the education department staff, GED enrollment and instruction are prioritized by pre-GED test cores which determine if an inmate may prepare to take the GED test by:
 - 1.2.1.1 Taking the Official GED Test immediately.
 - 1.2.1.2 Allowing for an inmate to participate in GED self study.
 - 1.2.1.3 Assigning a GED peer tutor.
 - 1.2.1.4 Enrolling in the GED preparatory class.
 - 1.2.2 Any eligible inmate who has been reported to the Department as a person responsible for the support of a dependent child(ren) who is receiving public assistance, yet has not received a GED or high school diploma, shall participate in the GED Preparation Program.
 - 1.2.2.1 Pursuant to ARS 31-229.01 A, an inmate responsible for the support of a dependent child(ren) that is receiving public assistance according to Title 46, Chapter 2, article 5, shall be assigned to the lowest possible pay grade identified in the WIPP Program, and shall not be eligible for any raises until a GED diploma is earned or the inmate is exempted from meeting the program requirement.
 - 1.2.3 An inmate who is now enrolled concurrently in a GED Program and in a Work Based Education Program, after January 1, 2007, may not be eligible to participate in the Work Based Education Program until he/she has completed the GED Program and obtained a GED Certificate, except those inmate with a legal exemption in accordance with 910.04 of this Department Order.
- 1.3 Special Education Program - All inmates under age 22, who do not have a high school diploma, and who, based on the observation of the CEPT or contract teacher, may have a disability as outlined in the Individuals with Disabilities Education Act.
 - 1.3.1 An inmate shall meet the criteria outlined in IDEA to be found eligible for Special Education services. Criteria and procedures for determining Special Education eligibility shall be outlined in the Special Education Department Order and Technical Manual.
 - 1.3.1.1 Special Education services shall be provided to inmates housed in Complex Detention Units, the Special Management Units or in other detention statuses; foreign nationals and inmates in Protective Segregation, if they qualify under IDEA guidelines.
- 1.4 Work Based Educational Program - For inmates with a GED Certificate or high school diploma. Work Based Educational Programs combine classroom education with hands on work experience. Inmates may enroll in Work Based Educational Programs offered by the Community College under contract at the institution in which the inmate is currently housed.

1.5 Other Education Programs and Accommodations:

- 1.5.1 Title 1 - Minors and adult inmates up to the age of 21 who do not have a high school diploma shall be included in all educational programs as appropriate.
- 1.5.2 Limited English Proficient (LEP) - Inmates whose native language is not English and who are not proficient in English shall be included in all educational programs as appropriate.
- 1.5.3 Section 504-Accommodation of the Rehabilitation Act of 1973 - Inmate who have enrolled in an educational program, and who have a disability that requires accommodation in order to participate in the educational program, shall be included in all education programs as appropriate.

910.03 EDUCATION PROGRAM RETENTION/PROGRAM COMPLETION ACTIVITIES

- 1.1 Inmates assigned to the Functional Literacy Program shall remain in the program until they reach the 8.0 Functional Literacy Standard or are exempt from the program standard as outlined in 910.04 of this Department Order.
 - 1.1.1 Pursuant to ARS 31-251 (A) and ARS 31-254 (A), the inmate shall remain at the rate of pay in accordance with the WIPP Program, until such time that the inmate has met the Functional Literacy Standard in every category on the TABE Complete Battery or is exempt from the standard. With the implementation of the automated correctional plan, all pay incentives shall be tied to educational and program completion.
 - 1.1.2 After July 1, 2006, GED completion shall be administratively mandated for all inmates who do not have a verified GED Certificate or high school diploma to participate in any Arizona Correctional Industry (ACI) jobs, except those inmates with legal exemption in accordance with 910.04 of this Department Order.
 - 1.1.3 As of January 1, 2007, GED completion shall be administratively mandated for all inmates who do not have a verified GED certificate or high school diploma to participate in all Work Based Education Programs, except those inmates with legal exemption in accordance with 910.04 of this Department Order.
- 1.2 Earned Release Credits - Any non-exempt inmate with a release eligibility date after July 18, 2001 shall meet the Functional Literacy Standard prior to release as outlined in Department Order #1002, Inmate Release Eligibility System.
 - 1.2.1 Inmates, with a release eligibility date after July 18, 2001 who do not meet the Functional Literacy Standard shall continue to participate in the Functional Literacy Program in accordance with educational program enrollment requirements and Department Order #1002, Inmate Release Eligibility System.
- 1.3 When the inmate meets the Functional Literacy Standard, the CEPS, CEPM or designee(s) shall notify the WIPP Coordinator within five workdays.
 - 1.3.1 The WIPP Coordinator shall increase the inmate's hourly wage or pay grade, at the next opportunity, if the inmate is recommended for such a raise and remains otherwise eligible in accordance with the WIPP Program.

- 1.4 Inmates remain in the GED Preparation Program until they are tested by a designated GED Examiner in accordance with Federal and Arizona Department of Education rules and regulations, and they successfully complete or pass the GED test.
 - 1.4.1 Upon successfully passing the GED test, the CEPS, CEPD or designee(s) at each institution shall enter the inmate's test results onto the appropriate AIMS screen within five workdays after the return of the GED test scores from the Arizona Department of Education.
- 1.5 Inmates remain in a Work Based Education Program until they pass the Work Based Education class in which he/she is enrolled in accordance with the Community College Board rules and regulations.
 - 1.5.1 Upon completion of the Work Based Education Program, the CEPS, CEPD or designee(s) at each institution shall note the completion onto the DI83 AIMS screen within five workdays after notification of the completion from the Community College.
- 1.6 Inmates who have not met the requirements of the Functional Literacy or GED educational program in which they are enrolled, and who are transferred between prison sites, shall be assigned to the new institution's corresponding education program upon receipt at the new institution.
- 1.7 Inmates who have not met the requirements of the Work Based Education Program in which he/she is enrolled and who are transferred between prison sites shall be assigned to the new institution's corresponding education program upon receipt at the new institution, if applicable.
 - 1.7.1 Inmates who choose to drop from a Work Based Education Program prior to being transferred to a new institution shall not be given any preferential treatment at the new facility for any Work Based Education Programs.
- 1.8 Recognition of Achievement - The Warden or designee(s) shall schedule graduation ceremonies to recognize individual inmates for their educational achievement as often as appropriate. Awards may include:
 - 1.8.1 Certificates for inmates who, after participating in a Functional Literacy Program, meet or exceed the Functional Literacy Standard in all areas on the TABE Complete Battery.
 - 1.8.2 GED certificates received from the Arizona Department of Education for inmates who successfully pass the GED test.
 - 1.8.2.1 The Warden shall write a congratulatory letter to all inmates who earn a GED Certificate and send the original copy to the person on the emergency contact list and place a copy in the inmate's personal file.
 - 1.8.3 Work Based Education Certificates received from the Community College for inmates who successfully complete a Work Based Education Program.

- 1.8.4 A copy of all (Functional Literacy, GED, and Work Based Education) Certificates earned throughout the calendar year shall be placed on the walls of the visitation rooms of the inmate's assigned unit.

910.04 EXEMPTIONS FROM PARTICIPATION IN EDUCATIONAL PROGRAMS

- 1.1 An inmate may be exempted from any of the Education Programs for one or more of the following reasons:
 - 1.1.1 Time exemption - An inmate who, on the date of commitment to the Department, has less than six months of incarceration time to serve. In calculating the six-month time frame, staff shall use the inmate's Earned Release Credit Date noted on AIMS.
 - 1.1.2 Medical exemption - Health Services' staff, after appropriate examination and diagnosis, shall provide the CEPS, CEPM or designee with documentation indicating that an inmate has a documented and/or diagnosed illness, disease or a birth defect that would prohibit or severely limit regular classroom attendance and participation. Final decision shall be made by the facility CEPM or CEPS when a CEPM is not available.
 - 1.1.3 Developmental exemption - An inmate may qualify for an developmental exemption if the inmate:
 - 1.1.3.1 Is eligible under Individuals with Disabilities Education Act (IDEA). The inmate shall be referred to Special Education Services in accordance with IDEA, the Department's Special Education Policy and Special Education Technical Manual.
 - 1.1.3.2 Is determined developmentally disabled through a comprehensive IQ Exam and Normed Life Skills Deficiency Test given by a certified school psychologist or clinical psychologist and a developmental exception is recommended to the CEPM, CEPS, or designee for final determination.
 - 1.1.4 Learning Disability or Emotional Disability exemption - An inmate may qualify for a learning or emotional disability exemption if the inmate has:
 - 1.1.4.1 A history of Special Education placement.
 - 1.1.4.2 Demonstrated in the past, or is presently demonstrating a lack of reasonable achievement progress supported by inferential testing data.
 - 1.1.4.3 Psychometric testing results indicating a disability or potential disability. An inmate, under the age of 22, who shows such history or conditions, shall be referred for Special Education services in accordance with IDEA, Department Order #920, Inmate Special Education Services, and the Special Education Technical Manual.
 - 1.1.5 Special Education Disability exemption - An inmate may qualify for a special education exemption, excluding gifted, if the inmate's disability can be defined by the Arizona Revised Statute (A.R.S.) 15-761.

- 1.1.5.1 The special education exemption does not include students who have difficulty in writing, speaking, or understanding the English language due to environmental background in which a language other than English is primarily or exclusively used.
- 1.1.5.2 A student who is educationally disadvantaged, a condition which has limited a student's opportunity for educational experience resulting in a student achieving less than a normal level of learning development, is excluded from the special education exemption.
- 1.2 Maximum Level inmates and those under a sentence of death are not eligible for enrollment in any education program, except inmates who are identified as requiring Special Education services under IDEA, in accordance with A.R.S. 31-240.
 - 1.2.1 An inmate, who is no longer under a death sentence, reduces their score, or is transferred out of a Maximum Level Unit, shall be enrolled in the Functional Literacy program if they do not meet the Functional Literacy Standard. They may enroll in other appropriate education programs if they meet the eligibility criteria.
- 1.3 Foreign Nationals for whom the Department receives an Order of Deportation from the United States Immigration and Naturalization service are not required to meet the eighth grade Functional literacy standard to become eligible for release pursuant to section 41-1604.07.
 - 1.3.1 Foreign Nationals, with the approval of the Work Force Development Administrator or designee, may enroll and participate in the Functional Literacy Program, the GED Program, and any of the Work Based Education programs when appropriate.
 - 1.3.2 Foreign Nationals for whom the Department receives an Order of Deportation from the United States Immigration and Naturalization Service and who have a Special Education history must enroll in an education program as long as the Department provides special education services.
- 1.4 Upon determination that an inmate qualifies for an exemption, the CEPS, CEPD or designee(s) at each institution shall enter the appropriate exemption codes onto the DI77 and DI83 AIMS screens.
- 1.5 Upon exemption, the CEPS, CEPD or designee(s) shall notify the WIPP Coordinator of such determination. The WIPP Coordinator may assign the inmate to an appropriate job classification at the regular pay scale in accordance with the WIPP Program.

910.05 EDUCATIONAL SCHEDULING AND INSTRUCTION

- 1.1 Arizona Revised Statutes (A.R.S.) 15-1372 mandates that:
 - 1.1.1 Inmates shall be enrolled in the Functional Literacy Program for a minimum of 180 minutes per day, not including meal and recess periods or breaks.
 - 1.1.2 Inmates shall be enrolled in GED Program for a minimum of 180 minutes per day, not including meals and recess periods or breaks.

- 1.1.3 Inmates shall be enrolled in any of the Work Based Education Programs for a minimum of 180 minutes per day, not including meals and recess periods or breaks.
- 1.1.4 The school year shall consist of a period of no less than 208 days.
- 1.2 Educational program scheduling shall permit open-entry/open-exit enrollment.
- 1.3 Educational programming and classroom curricula in the local units shall be developed to meet the identified needs of the involved inmate(s) and to comply with the Arizona State Education Standards.
 - 1.3.1 The CEPT, CEPS, and CEPM shall use the test results from the TABE Complete Battery to develop and prepare prescriptions/competencies for each inmate.
- 1.4 A published list of education programs and class schedules shall be posted on inmate bulletin boards, library bulletin boards, the closed circuit television system and/or other wise made available to inmates.
- 1.5 The teacher-to-student ratios shall be, at a minimum, one teacher to 18 students or one teacher to seven students in the Minors Unit during any block of time unless the Wardens, physical space, or custody level prohibits this ratio.
- 1.6 Curriculum Development: A curriculum is to be developed based on the individual educational needs of each individual student.
 - 1.6.1 Each CEPT or contract academic education staff shall develop a curriculum and/or course plan to meet existing state law or regulations and Arizona State Education Standards for each class/course provided.
 - 1.6.2 Each contract Community College instructor shall use the curriculum and/or course plan approved by the Community College for the Work Based Education Program being offered. The curriculum and/or course plan shall be reviewed and updated as required by the Community College Board, or at least annually, by the on-site College Coordinator or liaison.
- 1.7 Inmates shall be instructed using standardized educational textbook, software and materials.
 - 1.7.1 The CEPS or CEPM may authorize the use of other instructional materials and software which may be used as a supplement to the standardized materials and software if they comply with the Arizona State Education Standards and this Department Order.
 - 1.7.2 Education Resource Center/Library materials that support and supplement the education programs shall be provided as outlined in Section 910.11 and in the Education and Resource Center Services Technical Manual.
- 1.8 Inmates who are enrolled in the Functional Literacy, GED, and/or Work Based Education classes will only be excused from class for medical, dental and/or psychological appointments which should be scheduled at other times when possible.

1.8.1 Inmates shall not be excused from their assigned class times for store, mail and property, religious activities and services, special visits, legal visits, group programming, choir practice, recreation, and jobs.

1.8.2 Inmates know when they are scheduled to attend school and must plan their extra curricular activities accordingly.

910.06 RECORD KEEPING AND PROGRAM MANAGEMENT

1.1 The CEPS or CEPM shall provide the Work Force Development Administrator with the following educational statistical reports:

1.1.1 The Work Force Development Database (WFDD). Appropriate educational and resource center activity data from Department and contract education and resource center staff shall be provided through the (WFDD) on a regular basis.

1.1.2 Other reports and statistical information as required by the Work Force Development Administrator, Education Resource Center Coordinator, or other agency management staff.

1.2 All CEPTs, contract academic education staff and Community College instructors shall:

1.2.1 Maintain daily enrollment and attendance records.

1.2.2 Provide appropriate data from these records for the WFDD to the CEPS or CEPM as directed on a daily basis.

1.3 Education Resource Center staff shall maintain daily education resource center/library attendance and circulation.

1.4 The Work Force Development Administrator, or designee(s), shall prepare monthly, quarterly, annual and other reports summarizing educational and library activity, as reported by the institutions through the WFDD and other required reports, for the Director, the Arizona Department of Education, the State Legislature, and other State and Federal entities as required.

910.07 MONITORING OF CONTRACTED EDUCATIONAL PROGRAMS - The CEPM or CEPS, Contract Monitor, or designated Department staff shall:

1.1 Monitor the contracted programs at the institution, submit quarterly monitoring reports as outlined in contracts, and receive from the Community College Coordinator or liaison. Reports shall include daily reports on student enrollment, attendance, withdrawals, transfers, completions and other movement for the WFDD.

1.2 Meet monthly with the on-site Community College Coordinator or liaison to review the monthly activity reports, investigate significant decreases in participation per program and discuss areas of concern regarding the College programs.

1.3 Report to the Work Force Development Administrator:

1.3.1 The reasons, in writing, for any enrollment decreases of more than 10 percent in any calendar month.

- 1.3.2 The areas of concern discussed in the meeting with the Community College Coordinator or liaison and how they were resolved. Any areas of concern that cannot be resolved by the CEPM, CEPS, or Contract Monitor and the Community College Coordinator during their monthly meeting shall be referred to the Work Force Development Administrator for resolution.
- 1.4 Determine that the services contracted for are provided, using a standard evaluation document that allows for the differences in individual contracts.
- 1.5 Ensure that inmate selection and participation in the Work Based Education Programs is in compliance with institutional functions such as classification and monthly evaluations.
- 1.6 Monitor inmate program participation and assess the degree to which inmates are making appropriate progress toward completion of the program.
- 1.7 Ensure that the Work Based Education Programs deliver the number of Daily Attendance hours specified by contract and A.R.S. 15-1372.
- 1.8 Ensure that contract education staff receive appropriate background checks and clearances in accordance with Department Order #205, Contractor Security, prior to being allowed access to the institution.
- 1.9 In consultation with the appropriate training staff, and in accordance with Department Order #509, Employee Training and Education, provide orientation for contract staff in the correctional environment and correctional programming as soon as possible after employment at the regional Teacher's Academy, according to the following criteria:
 - 1.9.1 Forty hours of new employee orientation for full-time staff.
 - 1.9.2 Forty hours of new employee orientation for part-time staff.
 - 1.9.3 Forty hours annual update for part-time and full-time staff.
- 1.10 Monitor contract instructor attendance and report any omissions or discontinuation of educational services due to an instructor's extended absence or termination to the Work Force Development Administrator.

910.08 DISTANCE LEARNING/CORRESPONDENCE COURSES

- 1.1 Inmate enrollment in distance learning/correspondence courses is subject to the following conditions:
 - 1.1.1 Inmates who are sentenced to death row, inmates with a maximum custody level and inmates housed in SMUs, SMAs, Central Unit and CDUs are not eligible to apply for distance learning/correspondence courses per A.R.S. 31-2290.2 B.
 - 1.1.2 Inmates who have had a major disciplinary infraction or more than three minor disciplinary infractions within six months of the application are not eligible to apply for distance learning/correspondence courses.

- 1.1.3 Inmates who enroll and withdraw from three or more classes within a year's time frame shall not be considered for proctoring services by Department or contract education staff.
- 1.1.4 Inmates must have completed the Functional Literacy Program and earned a GED certificate or show proof of a high school diploma or GED certificate prior to applying for distance learning/correspondence courses.
- 1.1.5 Inmates must be able to meet the college, university or school's admission requirements or prerequisites.
- 1.1.6 Inmates are responsible for all tuition, course material and textbook costs, or are responsible for making financial arrangements with family members or other persons/financial sources for such costs.
- 1.1.7 All courses must be offered by a college, university or school accredited by the New England, Middle States, Southern, North Central, Northwest or Western Regional Association and accredited/approved by the United States Department of Education.
- 1.1.8 No course which requires Internet access shall be permitted. The CEPS, CEP, or CEC may approve courses that require use of CD-ROM or other computer software on a case-by-case basis, depending on security considerations, the availability of computer hardware and adequate staff supervision at the particular facility. Only one such class may be taken at a time.
- 1.1.9 Inmates may take more than one correspondence course at a time, as long as they do not exceed 12 credit hours, or exceed the seven-book limit in their possession as outlined in Department Order #909, Inmate Mail/Property and Stores.
- 1.2 Procedures for applying for participation in distance learning/correspondence courses. Inmates shall:
 - 1.2.1 Obtain registration forms, course catalogs, textbook and course material lists and order forms from the college, university or school in which they want to enroll.
 - 1.2.2 Complete the registration form, indicating the course title(s) and number(s) that they wish to take.
 - 1.2.3 Check the textbook and course material list for the title, number and cost of textbooks and other materials required for the course in which they want to enroll and fill out the textbook/materials order form.
 - 1.2.3.1 If the college or university does not have a printed textbook and course materials list, the inmate is responsible for obtaining this information.
 - 1.2.3.2 Inmates shall request paperback versions of course textbooks if available.

- 1.2.3.3 If the course requires access to audio and videocassettes, calculators, CD-ROM or other computer software, lab kits or other materials that require prior approval, the inmate shall obtain such approval through use of the Approval for Distance Learning Materials Arrangements form.
- 1.2.3.4 Approval of visits from individuals for in-person orientation or observation of lab work is subject to applicable security clearances. Any materials or equipment that the person intends to bring with them shall be approved in advance. If such materials and persons are approved, arrangements to view or use such materials under the direct supervision of a Department or contract educational staff in a classroom or Resource Center shall be at staff's convenience, not the inmates.
- 1.2.3.5 Inmates shall not order textbooks or other required course materials prior to being notified that their application has been approved. If they do, the textbooks/materials shall be returned to the college, university or school at the inmate's expense.
- 1.2.4 Indicate on the college, university or school's textbook order form that textbooks and course materials are to be sent to the Department or contract education staff person identified on the Approval for Distance Learning Materials Arrangements form.
 - 1.2.4.1 The designated Department or contract education staff person shall forward the materials to the inmate or see that they are made available in a classroom or Education Resource Center.
 - 1.2.4.2 Inmates shall listen to or view course related audio or video tapes, use calculators, CD-ROM or other computer software and/or complete lab assignments in a classroom or Education Resource Center under the supervision of Department or contract education staff. Arrangements shall be at staff's convenience, not the inmates.
- 1.2.5 Submit the following to the CEPS, CEPM, PPEC or CC:
 - 1.2.5.1 The course registration and textbook and course material order forms.
 - 1.2.5.2 A letter indicating how applicable costs will be covered.
 - 1.2.5.3 The Approval for Distance Learning Materials/Arrangements form.
- 1.3 Review of applications for participation in distance learning/correspondence courses. The CEPS, CEPM or PPEC shall review the inmate's application packet to verify:
 - 1.3.1 That the inmate is eligible to apply for correspondence courses.
 - 1.3.2 That the registration and textbook/material order forms are properly filled out. Incomplete forms shall be returned to the inmate.

- 1.3.3 That the course being requested does not pose a threat to staff, inmates or institutional security. This includes courses that include:
 - 1.3.3.1 Use of materials that can be considered obscene as defined in A.R.S. 13-3501 et. seq.
 - 1.3.3.2 Materials which could be used as an aid to escape.
 - 1.3.3.3 Materials which contain information which could be used to help an inmate disguise or alter their appearance.
 - 1.3.3.4 Any written, graphic, audio, visual or pictorial information pertaining to the construction, formulation, utilization or application of weapons, explosives, poisons, alcohol, or other substances or materials that could cause physical harm, aid in an escape, or cause or contribute to institutional disturbances.
 - 1.3.3.5 Any materials which may be considered contraband under Department orders and procedure.
 - 1.3.4 Questions on whether a course could be considered a threat to staff, inmates or institutional security the application shall be forwarded to the Work Force Development Administrator for verification.
 - 1.3.5 That the Approval for Distance Learning Materials/Arrangements form has been signed by appropriate Department staff and is attached to the registration form, if the course requires access to materials, equipment, persons, CD-ROM or other computer software that requires prior approval.
 - 1.3.6 All applications for correspondence courses shall be reviewed and approved or disapproved by the CEPS, CEPM, or PPEC within ten days of receipt of the application.
 - 1.3.7 The CEPS, CEPM, PPEC or CC shall return the application packet to the inmates indicating whether or not they have been approved. If they have not been approved, the reason why shall be indicated.
- 1.4 Procedures after approval of participation in distance learning/correspondence courses.
 - 1.4.1 The CEPS or CEPM shall forward a copy of the completed and signed Approval for Distance Learning Materials/Arrangements form to the Mail and Property Office and shall keep a copy for their files.
 - 1.4.2 Inmates shall deposit, into their accounts, appropriate funds to pay all tuition, textbook and materials costs in accordance with Department Order #905, Inmate Banking/Money System.
 - 1.4.3 Inmates shall complete inmate fund disbursement form(s) for the total amount due for tuition, textbooks and materials and send it with the registration and textbook order form(s) to Inmate Banking as outlined in Department Order #905, Inmate Banking/Money System.

- 1.4.4 Direct payment made to the college, university or school for tuition, textbooks or materials by an outside source may be approved by the Work Force Development Administrator. If tuition, textbooks or materials are being paid for with grant funds, payment shall be made in accordance with the grant funding source's policies and procedures.
- 1.5 Inmate Banking shall process the fund disbursement form(s) as outlined in Department Order #905, Inmate Banking/Money System, and forward the funds with the registration and textbook order form(s) to the appropriate college, university or school or textbook vendor.
- 1.6 Inmates shall complete and submit lessons and tests in the time frames specified by the college, university or school. If there are verifiable penal circumstances that interfere with the completion of lessons or tests, it is the inmate's responsibility to ask the college, university or school for an extension of course time frames.
- 1.7 Other than sending the textbooks and course materials to the designated Department or contract education staff person, and sending test materials to the proctor, all communications regarding the course(s) are to be between the inmate and the college, university or school.
- 1.8 If an inmate is transferred to another Department facility prior to completing the course(s), the inmate shall inform the CEPS, CEPM or PPEC at the new facility of the course(s) they are enrolled in. The inmate shall also inform the CEPS, CEPM or PPEC if arrangements have to be made for access to materials, equipment, persons or course related CD-ROM or other computer software that requires prior approval.
 - 1.8.1 The inmate is responsible for seeing that any textbooks and course materials are transferred to their new facility.
 - 1.8.2 The CEPS, CEPM or PPEC at the new facility shall assign a Department or contract staff person to act as proctor for the course and shall make necessary arrangements for the inmate to have access to materials, equipment, persons or CD-ROM or other computer software in a classroom or Resource Center.
 - 1.8.3 The inmate is responsible for contacting the college, university or school about their change of address and the name and address of the new proctor.
- 1.9 If an inmate is released from Department custody prior to completion of the course(s), they are responsible for informing the college, university or school of their change of status, their new address and the name and address of the person who shall act as proctor. The inmate is responsible for seeing that any textbooks and course materials are taken with them when they leave.
- 1.10 If an inmate decides to withdraw from the course(s), they shall notify the college, university or school, the respective CEPS, CEPM, PPEC, CC and their proctor. The reason for their withdrawal shall be provided in writing to the respective CEPS, CEPM, PPEC, CC and their proctor.
- 1.11 Upon withdrawal from or completion of a course, disposal or return of textbooks or materials used in the course is to be handled in accordance with the requirements of the college, university or school, if the textbooks or materials are the property of the college, university or school. Otherwise, disposal or return of textbooks or materials is to be handled in accordance with Department Order #909, Inmate Mail/Property and Stores.

- 1.12 Refunds for classes and textbooks/materials shall be processed in accordance with the college, university or school's refund policies, with any grant funding source's policies and procedures, and with Department Order #905, Inmate Banking/Money System.

910.09 BUDGET AND STAFFING

- 1.1 Each CEPS or CEPM shall prepare a proposal of their annual budgetary needs in accordance with the applicable written instructions in their area and submit a final copy of the budget request to the Work Force Development Administrator for final approval. The budget shall include, at a minimum, funds for the following areas for the education programs:
 - 1.1.1 Textbooks, software and other instructional and testing materials for all programs required by this Department Order.
 - 1.1.2 Supplies.
 - 1.1.3 Equipment.
 - 1.1.4 Staff training, including attendance at appropriate meetings, conferences, workshops, etc., scheduled by the Work Force Development and Education Resource Center Administration Office or the Department.
 - 1.1.5 Resource Center materials, supplies and equipment needs as identified in section 910.10 and the Education and Resource Center Services Technical Manual.
- 1.2 The CEPS or CEPM shall make purchases in accordance with Department Order #302, Contracts and Procurement, and maintain records showing the disbursement and expenditure of the education and Resource Center budget funds.
- 1.3 Institution education and Resource Center staff shall be selected, retained, supervised and evaluated in accordance with Department Order #504, Recruitment and Hiring, and Department Order #514, Performance Appraisal for Correctional Employees (PACE), and any other applicable statutory licensing or training requirements.
 - 1.3.1 Applicants for education and Resource Center staff positions shall meet the requirements of the positions as outlined in the State Personnel Office, Classification Specifications.
 - 1.3.2 The CEPS or CEPM shall maintain the institution personnel file and a PACE file for each staff member that they supervise and shall only place documents in these files in accordance with Department Order #507, Employee Records.
- 1.4 Contract staff shall be selected, retained, supervised and evaluated in accordance with appropriate Department orders and procedures.
- 1.5 Staff Training - Education staff, including librarians, part-time, and full-time Department and contract staff, shall:
 - 1.5.1 Attend New Employee Orientation in accordance with Department Order #509, Employee Training and Education.

- 1.5.2 Receive training on the contents of the Education and Resource Center Services Technical Manual, the Department Order, and appropriate Institution Orders and Post Orders.
- 1.5.3 Attend continuing education training as required by Department Order #509, Employee Training and Education, and Arizona Teachers Certificate Renewal requirements.
- 1.6 Staff Meetings
 - 1.6.1 The Work Force Development Administrator shall meet:
 - 1.6.1.1 With all CEPS, CEPM and Community College Coordinators or liaisons as a group on a quarterly basis. Minutes of the meetings shall be kept and be made available for review by interested parties.
 - 1.6.1.2 Individually with the CEPS, CEPM and Community College Coordinators or liaisons as needed.
 - 1.6.2 Each CEPS and CEPM shall meet with all assigned education staff, including Resource Center staff and Community College Coordinators or liaisons, at least monthly. Minutes of the meetings shall be kept and be made available for review by interested parties.

910.10 EDUCATION RESOURCE CENTER OPERATIONS -The Work Force Development Administrator or designee shall ensue that:

- 1.1 Education Resource Centers are established, maintained and managed by librarians or qualified, trained staff.
- 1.2 Authorized legal reference collections, legal supplies and legal forms are established, maintained and managed in accordance with Department Order #902, Inmate Legal Access to the Courts.
- 1.3 Education Resource Center materials support the educational, recreational and program needs of the inmates by providing materials at different reading levels, in appropriate languages, and in formats including print, CD-ROM or other computer software, audio and video materials as appropriate.
 - 1.3.1 Video monitors, audio equipment, CD-ROM as well as other computer equipment may be made available for use by inmates as appropriate and under the supervision of qualified staff.
 - 1.3.2 Use of such equipment and software by inmates shall be governed by the applicable Department Orders consistent with security considerations and shall be approved by the Work Force Development Administrator or designee.
- 1.4 Education Resource Center services include, at a minimum:
 - 1.4.1 Reader advisory and reference services, which assists an inmate in finding Resource Center material on particular subjects, and/or in particular genres, formats, languages or reading levels.

- 1.4.2 Cataloging and circulation of Resource Center materials with approved Resource Center cataloging and circulation software.
- 1.4.3 Promotion and use of the Education Resource Center and Resource Center materials including provision of orientation on how to conduct research and how to find and use materials in the Education Resource Center.
- 1.4.4 Convenient organization of Education Resource Center materials using an established cataloging system such as the Dewey Decimal System.
- 1.4.5 Support of educational, substance abuse prevention, transition, pre-release and other programs offered in the Department's institutions.
 - 1.4.5.1 Education Resource Center staff shall work with Department and contract education staff, Community College instructors, Department and contract substance abuse prevention counselors, mental health personnel and other program staff to develop materials and service which support the various programs offered in the Department.
- 1.4.6 All photocopy services shall comply with State and Federal copyright laws.
 - 1.4.6.1 Legal Photocopies. Photocopying of qualified, non-qualified or quasi-legal copies shall be done in accordance with Department Order #902, Inmate Legal Access to the Courts.
 - 1.4.6.2 Non-legal Photocopies. Inmates shall be charged the current rate per printed side for photocopies.
 - 1.4.6.2.1 Inmates shall have funds in their inmate accounts to pay for the total cost of non-legal photocopies.
 - 1.4.6.2.2 The inmate shall complete an Inmate Request for Withdrawal for the cost of the copies and have their assigned CO III verify that funds are available in their account to pay for the copies. The approved Request for Withdrawal shall be presented to Resource Center staff with the materials to be copied.
 - 1.4.6.3 Copies of educational, substance abuse, life skills and other program related materials may be made after any pending qualified, non-qualified and quasi-legal copying.
 - 1.4.6.4 Copies shall not be made of material that includes, but is not limited to: documents or materials which would be considered as contraband under Departmental policy; music material; calendars; graphs; drawings; gang insignia or gang-related items; photographs; newsletters or bulletins; or personal correspondence. Wardens and Deputy Wardens may limit or exclude copying of other items not mentioned here, depending on security considerations at the particular unit.

1.4.6.4.1 Copies of material listed in 1.4.6.4 that is to be used in pending litigation shall be reviewed by the paralegal on a case-by-case basis. The inmate shall provide documentation that this material is needed for litigation.

1.4.6.4.2 Approval of copies of items not specifically addressed in this section shall remain at the discretion of Resource Center staff. Resource Center staff reserves the right to limit the number of copies of such materials that may be provided.

1.4.6.5 Any attempt by an inmate to have contraband documents or materials photocopied shall result in denial of the request and shall subject the inmate to disciplinary action.

1.5 Activities and Recreation (A&R) and educational funds are allocated for the purchase of appropriate Resource Center materials, supplies and equipment which adequately support the education and other programs in the facility as outlined in the Education and Resource Center Services Technical Manual.

910.11 REVIEW OF EDUCATION AND EDUCATION RESOURCE CENTER PROGRAMS

1.1 Annually, the Work Force Development Administration Office staff shall review the education and Education Resource Center programs and recommend adjustments to the programs as needed, or as prescribed by the Director, the State Legislature and/or Federal law.

1.2 A copy of this Department Order shall be available in the Work Force Development Administration Office, and in each CEPS or CEPD's Office.

IMPLEMENTATION

Within 90 days of the effective date of this Department Order, the Education and Resource Center Services Administration Office shall develop and publish an Education and Resource Center Services Technical Manual, which shall include at a minimum:

- Special Education procedures detailing the guidelines that shall be followed by the Department's educational staff to provide Special Education services in accordance with the Individuals with Disabilities Education Act (P.L. 108-446).
- Procedures detailing the guidelines that shall be followed by Department staff to establish, provide, and maintain Education Resource Center materials and services.
- Procedures detailing the guidelines that shall be followed by Department staff to provide educational services in accordance with applicable State and Federal Laws.
- Procedures for administering, scoring and entering all unit educational test results into AIMS.
- Procedures for a tracking education file transfer system.
- Procedures and definitions for providing educational data through the Work Force Development Data (WFDD) and other required reports.
- Procedures for monitoring community college contracts.

Within 90 days of the effective date of this Department Order, Wardens shall develop Institution Orders that include:

- Instructions for administering the education program, program development and improvement, student management and daily program operations in their facility.
- Establishment of educational classroom hours.
- Establishment of Education Resource Center hours with inmate access for legal access, educational programs and activities which are consistent with security considerations.
- Inmate access to Education Resource Center services and materials which offers a means for inmates to submit requests for Resource Center materials and pay for lost or damaged Resource Center materials which are consistent with security considerations.

DEFINITIONS

504-ACCOMMODATION PLAN - A plan which outlines reasonable accommodations to allow an inmate who has a disability to participate in any of the education programs as required by the Rehabilitation Act of 1973, Section 504 (PL. 93-112).

CONTRACT EDUCATION COORDINATOR (CEC) - Employee responsible for managing educational and/or work based education programs within the contract beds prisons.

CORRECTIONAL EDUCATION PROGRAM MANAGER (CEPM) - Department employee responsible for managing educational and/or occupational training programs within an institution.

CORRECTIONAL EDUCATION PROGRAM SUPERVISOR (CEPS) - Department employee responsible for supervising educational and/or occupational training programs within a Complex or a combination of units.

CORRECTIONAL EDUCATION PROGRAM TEACHER (CEPT) - Department employee responsible for providing instruction in Functional Literacy and/or GED.

COMMUNITY COLLEGE COORDINATOR (CC) - Community College employee responsible for managing occupational training programs within a Complex.

EDUCATION RESOURCE CENTER (ERC) - Place where materials support educational, recreational, legal reference, and program needs of the inmate.

FUNCTIONALLY ILLITERATE - An individual committed to the Department who fails to meet the Functional Literacy Standard, as measured by standardized testing using the Test of Adult Basic Education (TABE), in any or all of the following basic skill areas: reading, English language usage, and mathematics.

FUNCTIONAL LITERACY PROGRAM - Instruction in basic education (i.e., reading English, writing English, math, English language, etc.) for inmates who test below the Functional Literacy Standard on standardized testing instruments as mandated by A.R.S. 31-229.

FUNCTIONAL LITERACY STANDARD - Educational literacy standards mandated by A.R.S. 31-229. For inmates incarcerated on or after January 1, 1994, but before July 1, 1997, the literacy standard is the sixth (6th) grade equivalent. For inmates incarcerated on or after July 1, 1997, the literacy standard is the eighth (8th) grade equivalent.

GENERAL EDUCATION DEVELOPMENT (GED) - A course of study preparing an inmate for the General Education Development (GED) examination. Successful completion of the examination leads to the award of a GED certificate by the Arizona Department of Education.

INDIVIDUAL EDUCATION PROGRAM (IEP) - A plan developed for Special Education inmates to address the individual's educational needs.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT 1997 (IDEA) - Public Law #108-446 or most current Public Law, passed by the U.S. House and Senate, which outlines requirements for providing services to students who need Special Education services.

LIBRARIAN - An individual trained or with experience in the Resource Center sciences who oversees the operation of a unit Resource Center.

LIMITED ENGLISH PROFICIENT (LEP) - Inmates for whom English is not their native tongue and who are limited in English proficiency.

MULTI-DISCIPLINARY EVALUATION TEAM (MET) - A group of individuals that includes the inmate (and the parent or guardian of a minor), at least one CEPT, at least one certified Special Education teacher, a representative of the Department who can commit Department resources (such as the CEPS or CEPD), an individual who can interpret the evaluative instruments and express their implications (who may be one of the above), and other individuals who have knowledge of the inmate (such as Correctional Officer IIIs and IVs, medical staff, or other concerned staff).

NON-LEGAL PHOTOCOPIES - Photocopies of any documents or materials not specified as qualified, non-qualified or quasi-legal materials in Department Order #902, Inmate Access to the Courts. This may include, but is not limited to, educational, substance abuse, life skills and other program related materials.

PROGRAM - A structured plan or system through which the Department works to meet its goal to modify or correct criminal behavior.(e.g., educational and vocational training, counseling, substance abuse, etc.).

RESOURCE CENTER STAFF - Any individual who oversees the operation of a unit Resource Center, whether they are a librarian or another designated staff person (i.e., CO III, CEPT, etc.).

SPECIAL EDUCATION SERVICES - Services provided to an inmate up to the age of 22 who does not have a high school diploma, and who has been identified as being eligible for Special Education services under IDEA.

STANDARDIZED TESTING - The administration of an educational test battery identified as the TABE, which assesses basic reading, mathematics and language skills appropriate for adults, and which reports scores as grade equivalents. The TABE is the standard Department educational assessment given to all inmates.

TEST OF ADULT BASIC EDUCATION (TABE) - An educational test battery which assesses basic reading, mathematics and language skills appropriate for adults. TABE tests to be administered are as follows:

Complete Battery - An educational test used for achievement and curriculum placement information, which provides all total and normative scores in Reading Vocabulary/Comprehension, Mathematical Computation/Concepts and Applications, Language Mechanics/Expression, and Spelling.

Survey Test Difficult (D) level - A test used at intake to derive normative educational information and which produces Total Reading, Total Math, Total Language and Total Battery scores.

TITLE I - Improving America's Schools Act (IASA), P.L.103-382, Title I, Part D, Title I-A, Title II, Title IV, and Tobacco, Alcohol and Other Drugs (TAOD), Title VI. Inmates, under the age of 21 who do not have a GED or high school diploma, and who are enrolled in academic and/or vocational programming, are eligible for Title I services.

WORK FORCE DEVELOPMENT ADMINISTRATOR - Department employee charged with responsibility for Arizona Correctional Industries, the academic, and work based education needs of inmate participants.

{Original Signature on File}

Dora Schriro
Director

ATTACHMENT

Attachment A – Supersedes

AUTHORITY

A.R.S. 13-4202, Crime/Victim Accounts - Void Contracts.

A.R.S. 15-1372 Equalization Assistance for State Educational Systems.

A.R.S. 31-204, Interest of Employee in Contracts, Gifts to or from Prisoner, Penalty.

A.R.S. 31-229, Functional Literacy Program.

A.R.S. 31.229.01, Functionally Literate Inmates.

A.R.S. 31-240, Prisoner Education Services Budget.

A.R.S. 41-1604.07, Earned Release Credits, Forfeiture; Restoration.

Improving America's Schools Act (IASA), PL. 103-382, Title I, Part D, Title I-A, Title II, Title IV.

Tobacco, Alcohol and Other Drugs (TAOD), Title VI.

Individuals with Disabilities Education Act 1997 (IDEA), PL. 105-17.

Americans with Disabilities Act (ADA), PL. 101-336.

Rehabilitation Act of 1973, Section 504, PL. 93-112.

ATTACHMENT A
DEPARTMENT ORDER 910

SUPERSEDES

Department Order 910, Inmate Education and Resource Center Services, supersedes:

Director's Instruction 8, Inmate Programs

Director's Instruction 21, Inmate Education

Director's Instruction 58, Inmate Educational Assessment

Director's Instruction 59, General Educational Development

Director's Instruction 60, Norton Project Criteria/Procedure

Director's Instruction 168, Functionally Literate Inmate - the portions of Release Eligibility, which are applicable to this Department Order.

Director's Instruction 202, Distance Learning/Correspondence Courses for Inmates

Department Order 919, Inmate Library Services