



Department Directive

<p>Title: Correctional Education Organizational Structure and Lines of Communication</p>	<p>Directive: OPS.010.0026</p>
<p>Related MD Statute/Regulations: Labor and Employment Article, §§11-901-903, Annotated Code of Maryland COMAR 13A.05.01</p>	<p>Rescinds and replaces: DOC.135.0001 – Organization of Educational Services dated September 7, 2014 PATX.135.0002 – Institution Education Programs dated June 15, 2007</p>
<p>Related ACA and MCCS Standards: ACA: 5-ACI-7B-01(Ref. 4-4464), 5-ACI-7B-07(Ref. 4-4472), MCCS: .05C</p>	<p>Approved By: <i>Danielle Cox</i></p>
<p>Related Directives: DPSCS.010.0001 - Department Organization, Delegation of Authority, and Lines of Communication OPS.135.0002 - Library Services OPS.135.0003- Special Education OPS.135.0004 – Correspondence Courses within Correctional Facilities OPS.135.0005 - Advanced Education Programs</p>	<p>Danielle Cox Director of Education</p> <p>Issued Date: April 8, 2024 Effective Date: April 10, 2024</p>
<p>Variance: With the approval of the Commissioner, a facility may issue a facility directive necessary to implement and comply with this directive.</p>	<p>Number of Pages: 9</p>

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.01 Purpose.

The purpose of this directive is to describe the organization and mission of Educational Services and Library Services provided to incarcerated individuals housed under the authority of the Department of Public Safety and Correctional Services (Department).

.02 Scope.

This directive applies to all units of the Department responsible for the custody and security of an incarcerated individual under the authority of the Department and all correctional education staff.

.03 Policy.

The Department shall:

- (1) Define and identify the organizational structure and responsibilities of the Correctional Education department;
- (2) Ensure educational programming and services are managed in accordance with established statutory and fiduciary requirements;
- (3) Establish operational procedures for services and educational programming provided to incarcerated individuals through Maryland Department of Labor (MDL) and other educational organizations; and
- (4) Ensure incarcerated individuals have access to education programs for which they qualify without regard to race, disability, sex, age, color, national origin, religious or sexual orientation, ancestry or other legally protected classification.

.04 Definitions.

A. In this directive, the following terms have the meanings indicated.

B. Terms Defined.

- (1) “Correction Education Council” means a fourteen-member advisory board under the jurisdiction of the Department and MDL, who develops and recommends educational and workforce training programs for correctional facilities in the Division of Correction (Labor and Employment Article, §11-901, Annotated Code of Maryland).
- (2) “Correctional facility” has the meaning stated in Correctional Services Article, §1-101, Annotated Code of Maryland: ‘Correctional facility’ means a facility that is operated for the purpose of detaining or confining adults who are charged with or found guilty of a crime.
- (3) “Educational organization” means an academic institution providing educational training and instruction services to incarcerated individuals, to include, but not limited:
 - (a) Colleges;
 - (b) Universities;
 - (c) Educational trade organization; or
 - (d) Similar educational institution.
- (4) Incarcerated Individual.
 - (a) “Incarcerated individual” has the meaning stated in Correctional Service Article, §1-101, Annotated Code of Maryland which states, “‘Incarcerated individual’ means an individual who is actually or constructively detained or confined in a correctional facility.”
 - (b) “Incarcerated individual” includes the term “inmate” as stated prior to October 1, 2023 Correctional Service Article, §1-101, Annotated Code of Maryland.
 - (c) “Incarcerated individual” includes the term incarcerated person.

- (5) “Managing official” has the meaning stated in the Correctional Services Article, §1-101, Annotated Code of Maryland: ‘Managing official’ means the administrator, director, warden, superintendent, sheriff, or other individual responsible for the management of a correctional facility.
- (6) “Student” means an incarcerated individual who is enrolled in a correctional education course.

.05 Responsibilities/Procedures

A. The Secretary in coordination with the Correction Education Council (CEC) shall:

- (1) Develop and recommend an educational program for each correctional facility that meets the special needs and circumstances of incarcerated individuals;
- (2) Advocate and promote the interest of educational programs and opportunities in correctional facilities;
- (3) Ensure that quality educational opportunities are available to all incarcerated individuals;
- (4) Ensure that equitable educational opportunities are available to incarcerated individuals at all Departmental facilities;
- (5) Review program and instructional materials used in correctional education programs to ensure that the unique needs of the population are being met;
- (6) Report to the Governor and General Assembly before October 30th of each year on program activities and results; and
- (7) Vote on proposed changes to the mandatory education program.

B. The Correction Education Council (CEC) consists of the following:

(1) Ex Officio Membership:

- (a) Secretary, Public Safety and Correctional Services (Co-Chair);
- (b) Secretary, Department of Labor (Co-Chair);
- (c) Secretary, Maryland Commission on Higher Education;
- (d) Secretary, Department of Commerce;
- (e) The State Superintendent of Schools;
- (f) The president of a community college in the State;
- (g) The Chair of the Governor's Workforce Development Board;
- (h) The Director of Correctional Education and Workforce Skills Training for Correctional Institutions;
- (i) An official from a local correctional facility; and

- (j) A superintendent of schools from a county within which a DOC correctional facility is located, to be selected by the State Superintendent; and
- (2) Four (4) members appointed by the Governor to a four-year term, including two (2) business representatives, one (1) former offender, and a member of the general public.

C. Department Director of Education.

- (1) The Department's Director of Education serves as an educational liaison with the Department, MDL, and other educational organizations to ensure the appropriate integration of academic services into correctional facilities.
- (2) The Department's Director of Education shall:
 - (a) Serve as the education advisor to the Commissioner of Correction, Director of Patuxent Institution, and, if applicable, Commissioner of Pretrial and Detention Services, and other Department staff in matters of incarcerated individual education and training;
 - (b) Coordinate all MDL and non-MDL educational services with a managing official or designee;
 - (c) Participate with MDL and other educational organizations in the planning, development, implementation, and operation of educational programs provided for incarcerated individuals;
 - (d) Conduct periodic evaluations on the effectiveness of correctional education programs and services and submit the results to the CEC bi-annually;
 - (e) Consult with the managing official or designee in the operation of educational programs within a correctional facility;
 - (f) Consult with the general manager of Maryland Correctional Enterprise (MCE) in the development and operation of incarcerated individual training programs;
 - (g) Manage advanced education programs provided by educational organizations and correspondence courses in accordance with *OPS.135.0004 – Correspondence Courses in Correctional Facilities* and *OPS.135.0005 – Advanced Education in Correctional Facilities*; and
 - (h) In coordination with MDL, advise and handle all disciplinary issues that arise pertaining to MDL and non-MDL education staff who violate the Department's Standards of Conduct.

D. MDL Director of Correctional Education.

- (1) The MDL's Director of Education duties include, but are not limited to, the following:
 - (a) Plan, implement, operate, and evaluate educational programs under the direction of MDL and approved by the CEC for incarcerated individuals;

- (b) Meet and advise the CEC periodically regarding educational programs;
- (c) Consult with the Department's Director of Education on any concerns related to MDL education programs;
- (d) In coordination with the Department's Director of Education, develop and manage a budget for the provision of educational programs for incarcerated individuals;
- (e) Participate in planning educational and training programs when new correctional facilities are constructed; and
- (f) Supervise and evaluate the MDL Deputy Director, program coordinators, principals, and other MDL education staff.

E. MDL's Deputy Director of Correctional Education provides training and guidance to MDL education staff.

F. MDL Program Coordinator.

- (1) The Program Coordinator's duties include, but are not limited to, the following:
 - (a) Assist the MDL Director of Education in the management of educational programs;
 - (b) Provide technical assistance and program supervision to principals and managing officials for the operation of programs and planning;
 - (c) Monitor and evaluate programs to ensure comprehensive programs are compatible with the incarcerated populations' needs and current research;
 - (d) In coordination with the Department's Director of Education, make changes to programs based on the bi-annual program analysis;
 - (e) Evaluate and select curriculum and education technology in their subject areas;
 - (f) Identify grant sources and develop grant applications to obtain additional resources;
 - (g) Monitor grant funds to ensure compliance with grant and agency programs and fiscal requirements; and
 - (h) Develop and deliver training to educational staff in coordination with institutions of higher education, local, state and federal agencies, and professional organizations.

G. Correctional Principals.

- (1) MDL's educational programs for incarcerated individuals are administered by MDL correctional education principals at Department correctional facilities.
- (2) Correctional education principals and/or supervisors of education report to the MDL Director.
- (3) A correctional education principal's duties include, but are not limited to the following:

- (a) Coordinate with the Department's Director of Education, Departmental educational liaison, MDL program staff, managing official, and correctional staff in the development, implementation, and operation of educational and library programs for incarcerated individuals;
- (b) Supervise MDL education and library programs, staff, and volunteers;
- (c) Develop, recommend, and implement programs that meet the needs of incarcerated individuals at each correctional facility in consultation with the program coordinators; and
- (d) Provide assistance and ensure the provision of legally mandated special education services.

H. Other MDL Correctional Education Employees.

- (1) MDL hires staff to provide education and library services to incarcerated individuals. In support of these efforts the staff are assigned to work Department correctional facilities;
- (2) As State employees assigned to correctional facilities, MDL employees are subject to and responsible for the enforcement of relative Department regulations and *DPSCS.050.0002 - Department of Public Safety and Correctional Services Standards of Conduct and Internal Administrative Disciplinary Process*;
- (3) MDL employees are to receive a background check and upon successful completion, be issued a identification badge and receive employee orientation training; and
- (4) MDL staff assigned to a correctional facility shall also participate in required pre-service training (40 hours) and mandated annual training.

I. Non-MDL Education Personnel.

- (1) Non-MDL educational personnel, in cooperation with the Department's Director of Education, managing officials, and personnel from other educational organizations, also provide educational services to incarcerated individuals.
- (2) Non-MDL educational personnel coordinate their activities through the Department's Director of Education and designated correctional personnel.
- (3) Non-MDL educational personnel are subject to Department policy and regulations.

J. Educational Programs and Services Description.

- (1) The MDL provides the following educational and informational services to incarcerated individuals:
 - (a) Adult Basic Education – instruction in reading, writing, and mathematics leading to a Certificate of Achievement in Adult Education and Literacy issued by MDL in four (4) skill levels: Literacy, Beginning Basic, Intermediate Low, and Intermediate High;

- (b) Adult Secondary Education - instruction preparing students in test areas of the General Education Development (GED) examination and leading to a Maryland high school diploma issued by Maryland State Department of Education (MSDE);
 - (c) Occupational Education – competency based entry-level skill training in a variety of trades provided or coordinated by MDL staff;
 - (d) Special Education – individualized instruction for incarcerated individuals with identified disabilities as required by Public Law 105-17, 20 U.S.C. §§ 1400-1482, Individuals with Disabilities Education Act Amendments of 1997 (IDEA, 1997);
 - (e) Library Services – access to materials and information in support of the educational program and to meet individual interests and needs;
 - (f) Extension Services – outreach services provided to incarcerated individuals who are unable to attend classroom-based programs because of their restrictive status or program unavailability; and
 - (g) Transitional Services – services designed to facilitate the transition from incarceration to community living with an emphasis on employment readiness, training, parenting, life skills, community referrals, and job fairs. Reentry navigators who work at the local American Job Centers (AJC), support this work both in the classrooms and at the AJC’s.
- (2) The Department’s Director of Education in coordination with the Commissioner of Correction and Director of Patuxent Institution shall manage advanced educational programs and services as established in *OPS.135.0004 – Correspondence Courses within Correctional Facilities* and *OPS.135.0005 – Advanced Education Opportunities within Correctional Facilities*.

K. General Provisions for Educational Programs and Services.

- (1) Educational programs and services are approved by CEC and are delivered by K through 12 State certified staff or staff from educational organizations who meet the personnel standards and requirements of those institutions.
- (2) Educational programs and services shall be:
 - (a) Consistent with the needs of the incarcerated individual population as determined by educational testing, incarcerated individual surveys, research findings, and similar objective criteria;
 - (b) Available to incarcerated individuals on restrictive housing status;
 - (c) Provided on an open entry, open exit basis, where feasible, to allow flexible scheduling and to maximize an incarcerated individual’s ability to access educational programs;
 - (d) Coordinated with other programs such as social work, substance use disorder treatment, religious services, and recreation at the correctional facility;

- (e) Offered at times when incarcerated individuals can take advantage of the classes, to include day and evening courses. Instruction outside of normal education department hours will take place on a case-by-case basis with the approval of the managing official or designee; and
 - (f) Funded within the budget constraints of MDL with the exception of advanced education and correspondence course programs.
- (3) The Department, other state agencies, federal, and non-profit organizations may contribute to the funding of correctional education programs.
- (4) Incarcerated individuals shall:
- (a) Be assigned to education programs by case management in accordance with the *DOC.100.0002 - Case Management Manual*; and
 - (b) Receive a daily stipend and diminution of confinement credits as an enrolled student with the exception of volunteer students.
- (5) Incarcerated individuals may volunteer for educational programs if they already have a correctional facility job assignment, assigned to work release, or have completed an *Unpaid Job Status* form in accordance with *OPS.245.0005 - Inmate Assignments and Payroll*.
- (6) No incarcerated individual may have access to any internet-based school program system maintained by the Department, MDL, or other educational organization.
- (7) Student achievement is to be formally recognized in graduation exercises, which may include the attendance of education and correctional representatives.
- (8) Incarcerated individuals' family members may attend the graduation ceremony upon the approval of the managing official or designee and successful completion of a vetting process in accordance with *OPS.195.0003 - Inmate Visits*.
- (9) All diplomas are approved by MSDE and certificates are approved by MDL or a national accreditor.

.06 Appendix.

A. Correctional Education Organizational Chart

.07 History.

- A. This directive rescinds and replaces DOC.135.0001 – Organization of Educational Services dated September 7, 2014 and PATX.135.0002 – Institutional Education Programs dated June 15, 2007, and supersedes any other prior existing Department communication with which it may be in conflict.

.08 Distribution.

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S - MDL Correctional Education Staff

CORRECTIONAL EDUCATION

Appendix 1 - Organizational Chart

