



Operating Procedure

Effective Date November 1, 2017	Number 601.2
Amended 3/1/19	Operating Level Department
Supersedes Operating Procedure 601.2 (2/1/16)	
Authority COV §53.1-10, §53.1-25	
ACA/PREA Standards None	
Office of Primary Responsibility Superintendent for Education	

Subject
CLASS ORGANIZATION AND MANAGEMENT

Incarcerated Offender Access Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Attachments Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
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I. PURPOSE

This operating procedure provides for the organization and management of classes provided by Correctional Education of the Department of Corrections.

II. COMPLIANCE

This operating procedure applies to all units operated by the Department of Corrections (DOC). Practices and procedures shall comply with applicable State and Federal laws and regulations, all applicable Virginia Department of Education requirements, Board of Corrections policies and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

III. DEFINITIONS

Academic Programs - Courses offered to the adult offender population designed to improve the student's functional literacy in language and mathematics and developmental and life skills

Academic/Career and Technical Education Linkage - A course designed to, assess, and develop entry level academic skills for placement in a Career and Technical Education (CTE) program or reinforce specific academic skills needed to complete a CTE program once enrolled

Administrative Absence - An absence which is a direct result of institutional/court decisions regarding the offender's status such as protective custody, general detention/segregation, medical appointments, and court appearances

Adult Basic Education Program (ABE) - A program that provides the educational skills necessary to function independently in society including, but not limited to: reading comprehension, writing, and arithmetic computation, and culminates with the completion of the High School Equivalency (HSE). Eligible offenders are those who do not have a verifiable high school diploma or HSE.

Apprenticeship Training Program - A program of work and study that trains individuals for journeyman-level skills

Available Offender Population - Offenders assigned to correctional facilities that have access to educational programs and services through class attendance or through instruction provided by staff in restricted environments

Career and Technical Education (CTE) Programs - Courses with an emphasis on cultivation of career information, technical skills, employability skills, and related academic and workplace readiness skills

Class Capacity - The maximum number of instructional slots per class period assigned to an individual instructor based on an established teacher-student ratio

Excused Absence - An absence for which the student cannot be held responsible such as a sick call, meeting an attorney, etc.; the student provides the teacher with a written excuse from the staff member or other official who caused the absence. If the student's special education disability impacts attendance (i.e., health reasons, sleep issues related to emotional health) teachers should provide documentation that rules out the disability as the primary reason for the absences.

Facility-Level Plan - The plan developed by each adult school principal to articulate how students'

individual educational needs are met

High School Equivalency (HSE) - Instruction for students with 9.0 and above grade level TABE test scores; successful completion of this level of instruction requires that the offender pass a Virginia Department of Education approved HSE test and results in the awarding of a HSE certificate.

Instructor/Teacher - Full-time classified academic and career and technical education positions established to provide educational instruction to offenders enrolled in school programs

Plaza Comunitarias Program - A Spanish literacy program for Latino offenders with active detainee status sponsored by the Mexican Government's [Instituto Nacional para la Educación de los Adultos \(INEA\)](#) in cooperation with the Mexican Consulate through an accord with the Department of Corrections

Program Assignment Reviewer (PAR) - The institution staff person designated to conduct informal offender case review hearings such as outside work classification, job assignments/removals, academic/vocational assignments/removals, and assignments/removals from treatment programs

School Day -

- **5 day work week:** 8 hour day (6 hours/designated time for instruction, 2 hours/ teacher planning & other activities)
 - A.M. Classes: Academic Classes= two 1.5 hour classes, CTE Classes=one 3 hour class
 - P.M. Classes: Academic Classes= two 1.5 hour classes, CTE Classes=one 3 hour class
- **4 day work week:** 10 hour day (8 hours/ designated time for instruction, 2 hours/ teacher planning & other activities)
 - A.M. Classes: Academic Classes= two 2 hour classes, CTE Classes=one 4 hour class
 - P.M. Classes: Academic Classes= two 2 hour classes, CTE Classes=one 4 hour class
- Exceptions to the school day schedule must be approved in advance and in writing by the Superintendent of Education.
- Community Corrections Facilities may use optional schedules.

School Program - Established Academic and Career and Technical education (CTE) programs provided for the available offender population by Correctional Education

Screening, Assessment and Evaluation Process - The intake procedures used to identify each offender's individual educational needs

Special Education – Instruction designed to meet the needs of individuals who qualify for services under the Individuals with Disabilities Act (IDEA) including those with cognitive impairment, learning disabilities, physical disabilities, or qualifying emotional disabilities.

Special Housing - A general term for special purpose bed assignments including segregation, disciplinary segregation, general detention, pre-hearing detention, and any other population that must be separated from the facility general population

Student - An eligible offender assigned to a DOC facility who is enrolled in an educational program

Tardy - Late arrival to class for which the student cannot provide a written excuse from the staff member or other official whose request caused the student to be tardy

Teacher-Student Ratios

- **Standard Teacher-Student Ratios** - The maximum number of students assigned to academic and career and technical education programs based on an analysis of program requirements, enrollment patterns, available classroom space, and related security issues
- **Modified Teacher-Student Ratios** - A modification of the standard teacher-student ratio based on considerations of student needs e.g., special education (SPED), special programs, e.g., Plaza Comunitarias, limited classroom space, safety issues, or security procedures as applicable to specific classrooms

Unexcused Absence - Any absence for which the student can be held responsible; these include, but are

not limited to, oversleeping, being in special housing based on conviction of a disciplinary infraction, going to the commissary, getting a haircut, attending an athletic activity, and similar events for which the student cannot produce a valid excused pass. Special education student's absences will be considered on a case by case basis.

Waiting List, Academic - The list composed of the names of eligible offenders assigned based on their release date and TABE scores to participate in the program; the offender will be placed on the appropriate list in VACORIS. The VACORIS waiting list shall be the official waiting list used to determine student placement. Students who are eligible for services under IDEA may not be wait listed for Academic classes.

Waiting List, Career/Technical - The approved list composed of names of offenders who have sent in a formal written request to participate in the program which has been received by the school office. The offender will be placed on the appropriate list in VACORIS.

IV. PROCEDURE

A. Teacher - Student Ratios

1. Standard and modified teacher-student ratios are established based on studies of enrollment patterns, the number of available classroom spaces at each correctional facility, the size of the available classroom spaces, and safety or security related issues.
2. Principals shall be advised of the established teacher-student ratios.
3. The established teacher-student ratios for all academic program areas are as follows:
 - a. Adult Basic Education (ABE), High School Equivalency (HSE) classes which have a standard enrollment of 15 students per class period, providing classroom size permits and not to exceed 17 students in a class.
 - b. Special Education class enrollment is in compliance with appropriate federal and state laws and regulations. The standard is 10 students; class size may not exceed 12.
 - c. Joint ABE and English for Speakers of Other Languages (ESOL) classes have an enrollment of 12 students per class period.
 - d. Plaza Comunitarias classes have an enrollment of 12 students per class period.
4. Career and Technical Education (CTE) teacher-student ratios shall be determined on a case by case basis based on the nature of the program and available space. Established CTE teacher-student ratios shall be approved by the Superintendent, based upon recommendations from the Director of Career and Technical Education Programs, Regional School Administrator, and Principal.
5. The established modified teacher-student ratios for specific academic and career and technical education programs are based on a review of classroom space, safety issues, and security regulations.
6. The established standard or modified teacher-student ratios are monitored by the Assistant Superintendent for Education Operations and designee to determine necessary changes.
7. Changes in teacher-student ratios must be approved by the Superintendent based on recommendations from the Principal, Regional School Administrator, Assistant Superintendent for Education Operations, and appropriate program Director.

B. Enrollment and Program Capacities

1. The school principal initiates and maintains maximum school enrollment.
 - a. Each school is advised of the enrollment program capacities established for the school.
 - b. School principals review the current school enrollment to determine which program area, if any, can accommodate additional students.
 - c. Program enrollment should exceed the maximum capacity in those instances where attendance makes it difficult to maintain maximum enrollment.
 - d. Students currently on a waiting list to enroll in classes are notified that they can enroll.

- e. Students currently enrolled in school programs who wish to attend additional class periods may be given that option if it does not prevent the enrollment of offenders not currently enrolled.
 - f. To assist in record keeping and security count-out sheets, optional placement and enrollment of students occur on a weekly basis.
2. The Assistant Superintendent for Education Operations and designee monitor the school enrollments of each adult school to determine:
 - a. The need, if any, to establish additional programs
 - b. The need, if any, to transfer staff or programs to other schools
 - c. The budget needs of each individual school and Correctional Education
 3. Enrollment and program capacities are adjusted by the Superintendent or designee based on changes in the school program. The following are considered in adjusting the school's enrollment and program capacities:
 - a. A change in the number of academic or career and technical education staff assigned to the school
 - b. A change in the number of academic or career and technical education programs
 - c. A change in the number of available academic or career and technical education classroom spaces
 - d. Renovations to existing classroom facilities
 - e. Recommendations by the school Principal, Regional School Administrator, and appropriate Assistant Superintendent for Academic Programs or Assistant Superintendent for CTE Programs.

C. School Day

1. The Principal and Facility Unit Head at each facility determine the specifics of the class periods designated for instructional time and a method to implement the appropriate school day for the facility. Class periods may vary for Community Corrections facilities.
2. The Principal works jointly with the Facility Unit Head to maintain an appropriate school day for offenders enrolled in educational programs.
3. Each Principal monitors the school day and provides feedback to the Facility Unit Head, Regional School Administrator, and the Assistant Superintendent for Education Operations on maintaining the school day and open classes.

D. Use of Offender Educational Aides

1. It is the policy of Correctional Education to employ and utilize offender aides to assist educational staff with the provision of individualized instruction in Academic classrooms, Career and Technical Education classrooms, housing units, and with library services.
2. Offender aides shall only be allowed to perform clerical, instructional and specific Career and Technical Education duties. Interaction with and use of offender aides in any way contradictory to DOC operating procedures may result in disciplinary action.
 - a. Instructional Duties - These offender educational aide duties will be performed under the supervision of a licensed instructor and include: individual instruction to designated students, following the teacher's lesson plan, reviewing and evaluating designated students' progress and notes, non-standardized test administration, creation of instructional units of study, and orientation of new students.
 - b. Specific Career and Technical Education Duties - These are duties that are appropriate in certain CTE classrooms/labs because they are part of the curriculum, but are not appropriate in other classrooms. The use of printers, copiers and scanners are specific tasks for programs including but not limited to, Business, Digital Imaging, Printing, and Communication Arts and Design programs.
 - c. Clerical Duties - These offender educational aide duties include but are not all inclusive of, competency records, coordination of college class records, working on graduation programs,

working on school newsletters, working on student handbooks, forms and flyers. Offender aides should not take attendance.

- d. Non-Approved Duties - Aides shall not be asked, or allowed the use of a telephone, fax machine, scanner, DVD burner, Internet, printer, copy machine, checkout tools, waiting list information, maintain tool control records, teacher's computer, or work in an administrator or teacher's office. Aides shall not have access to any standardized testing materials.
 - e. Educational aides shall not be permitted access to sensitive and personal information, including but not limited to: information that can be used to defraud or discredit a person such as a social security number, home phone number, home address, IQ scores, psychological reports, or DOC treatment plans.
3. In Adult Basic Education (ABE) classes, the student-aide ratio approximates one-on-one for students with below 4th grade skills.
 4. Employment as an offender aide is considered an institutional job assignment.
 - a. Program Assignment Reviewer (PAR) approval is required for the hiring of an offender aide. If an offender aide is removed from employment, the Work Supervisor shall notify the PAR.
 - b. Minimum job requirement and job description shall be established for each offender aide position.
 - c. Offender aides are compensated for their work according to Operating Procedure 841.2, *Offender Work Programs*.
 5. All offender aides are required to have a high school diploma or HSE certificate as a minimum requirement for employment. The Assistant Superintendent for Education Operations or appropriate Assistant Superintendent for Academics or Assistant Superintendent for CTE in consultation with the Regional School Administrator may grant written exceptions to this requirement.
 6. Standard practices covering the recruitment, screening, hiring, training, supervision, evaluation, and removal of offender aides shall be established and maintained by each school.
 7. Offender aides shall not have access to any sensitive and personal information, such as the school's student files. Aides will have access to student files pertaining to a student's abilities and progress necessary to assist with instruction within an Academic or CTE program. Files that aides have access to shall not contain sensitive or personal information.
 8. Offender aides shall not have access to any employee's assigned computer.
 9. Offender aides shall not have access to a printer, scanner, DVD burner, or copy machine, unless to perform specific Career and Technical Education duties within their assigned class and must be under direct supervision of the CTE instructor when performing said duties.
 10. Offender aides are strictly prohibited from having access to an administrative telephone, fax machine, or Internet.

E. Course Enrollment and Waiting Lists

1. It is the policy of Correctional Education to provide offenders committed to the Virginia Department of Corrections with the opportunity to participate in academic and career and technical education programs.
2. A uniform system for enrolling students into programs shall be established and followed to minimize waiting time for entry into programs and facilitate learning.
3. Course Enrollment
 - a. Class capacity shall be established for each course at each school to maximize the number of students who can participate safely and effectively in the available program space.
 - b. Program capacities shall be established by the Assistant Superintendent for Education Operations in consultation with the Regional School Administrators, Assistant Superintendent for Academic Programs, or Assistant Superintendent for Career and Technical Education Program, and

Principals.

- c. Program capacities shall be evaluated at least annually to determine whether adjustments are warranted.
- d. A system shall be implemented locally which provides those offenders who have shorter sentences priority placement into programs compared to those offenders with longer sentences.

4. Academic Programs

- a. Adult Basic Education (ABE)
 - i. The Test of Adult Basic Education (TABE) is used to determine applicable ABE Level.
 - ii. For detailed procedures concerning admission and testing for ABE, see Operating Procedure 601.5, *Academic Programs*.
- b. High School Equivalency (HSE)
 - i. All HSE related Testing shall be administered in accordance with Operating Procedure 601.4, *Educational Testing*. Offender testing score requirements shall be established by the Director for Academic Programs or designee and included in Operating Procedure 601.5, *Academic Programs*.
 - ii. Detailed procedures contained in the *Admission to Academic Classes in Adult Institutions* are mandatory for adult schools. The document shall be updated as needed with the approval of the Superintendent.
- c. Plaza Comunitarias Program - is for Latino offenders who do not have a confirmed secundaria certificate or Spanish GED and have an active detainee status. During enrollment, priority shall be given to those Latino offenders with an active detainee status that will be deported to their native Hispanic Country upon release. Plaza Comunitarias is open to all Hispanic offenders but priority is given to those born in Mexico.

5. Career and Technical Education Programs

- a. A list of courses and their prerequisites shall be established and maintained by the Assistant Superintendent for Career and Technical Education or designee and the school administrator. No school shall establish a prerequisite for entry into a particular program that is not in use at all adult institutions without the written approval of the Assistant Superintendent for Career and Technical Education or designee.
- b. A sequential academic/career and technical education linkage course may be required prior to entry into a career and technical education course provided it is designed to develop specific academic skills needed to succeed in the career and technical education course and provided the course is no more than 12 weeks long.
- c. Where course prerequisites are established, offenders shall maintain their place on the waiting list until it can be verified that they meet the entry requirements. This determination shall be completed in a timely manner.
- d. Career and Technical Education students with prior work experience may be given credit for certain competencies after successfully completing appropriate written and performance tests.
- e. Detailed procedures contained in the *Admission to Career and Technical Education Classes in Adult Institutions* are mandatory for adult schools. The document shall be updated as needed with the approval of the Superintendent.

6. Apprenticeship Programs

- a. An offender must meet either of the following set of criteria to be eligible for participation in apprenticeship programs:
 - i. Is 16 years of age or older, has at least one year or more remaining on a mandatory sentence, has a work assignment of at least half a day, five days per week, is recommended by the work supervisor after 90 days on the job, and meets the HSE/High School Diploma requirements as outlined in *Virginia Interagency Manual Apprenticeship Training Programs*; or,
 - ii. Is 16 years of age or older, has at least one year or more remaining on a mandatory sentence,

is enrolled in a career and technical education program, was recommended by the career and technical education teacher after 90 days in the class, has a minimum of two years or more documented work experience in the trade, and meets the HSE/High School Diploma requirements as outlined in *Virginia Interagency Manual Apprenticeship Training Programs*.

- b. Offenders who register as apprentices must adhere to all requirements as outlined in *Virginia Interagency Manual Apprenticeship Training Programs*.

F. Student Attendance

1. It is the policy of Correctional Education that a uniform student attendance policy is upheld which maximizes offender student participation, ensures full classes to the greatest extent possible, and provides negative sanctions for excessive unexcused absences.
2. All schools enforce the following procedures with respect to student attendance in educational classes.
3. Students are required to maintain a satisfactory level of school attendance.
 - a. Satisfactory attendance is defined as no more than three unexcused absences per school quarter.
 - b. On the fourth unexcused absence in a school quarter, the offender is referred to the PAR for an administrative drop from the program.
4. An unexcused absence from class is treated as an unexcused absence from place of assignment and results in an institutional infraction in accordance with the applicable offender disciplinary procedure.
5. The fourth incident of a late arrival to class (tardy) within a 90-day period is treated in the same manner as an unexcused absence.
6. If an absence is classified as administrative, the student is not penalized.
7. Reenrollment on the waiting list after a student is dropped from ABE class is contingent upon the offender's request and PAR approval. Offenders who refuse to enroll in ABE class or who have been removed from class in level 2 or higher institutions, shall not be eligible for employment, earning good time, transfer requests, housing in an honor pod, or receiving special incentives until they are reenrolled in ABE class.
 - a. The reenrollment procedure for a Special Education student will be determined on a case-by-case basis.
 - b. At any time after withdrawal or removal from an ABE class or Career and Technical Education class, an offender may request to be placed on the waiting list to reenroll.
 - c. Regardless of their place on the waiting list, an offender will not be allowed to reenroll in class after withdrawal or removal until the following wait period has expired:
 - i. ABE Class
 - (a) 90 days for conviction of a Category II (200 series) disciplinary offense related to classroom behavior (other than offense code 200 for voluntary withdrawal from class)
 - (b) 90 days for first conviction of a Category I (100 series) disciplinary offense related to classroom behavior; 180 days for each subsequent Category I (100 series) conviction
 - ii. Career and Technical Education Class
 - (a) 90 days for voluntary withdrawal
 - (b) 180 days for any conviction of a disciplinary offense related to classroom behavior
 - d. If a student is removed from school as the result of a disciplinary offense, but is later found not guilty, the student can be reenrolled at the discretion of the School Administrator.
 - e. If an offender comes to the top of the waiting list before the wait period has expired, other offenders will be enrolled ahead of him as required to keep classes operating at capacity.

G. Education for offenders in Special Housing

1. Educational Services shall be provided when:

- a. The services are required by state or federal law.
 - b. The Principal has determined that educational services may be provided to satisfy accreditation standards or for other business related reasons.
2. The Principal must first confer with and receive approval from the Regional School Administrator and Assistant Superintendent for Education Operations before taking steps to implement the program or service.

H. Individualized Instruction

1. It is the policy of Correctional Education that instruction appropriate to each student's identified needs is planned and implemented. Student progress is monitored and recorded. Instructional plans are modified as appropriate.
2. Students' needs are initially identified through the Screening, Assessment, and Evaluation process that are conducted at the reception and diagnostic centers.
 - a. Each adult school principal shall develop a facility-level plan that explains the:
 - i. Procedures to identify each student's current educational needs
 - ii. Procedures that each teacher shall follow to develop and implement individual student education plans
 - iii. Procedures that each teacher shall follow to monitor student progress
 - iv. Procedures that each teacher shall follow to modify individual student educational plans
 - b. The Assistant Superintendent for Academic Programs shall develop a system of administrative review to insure that appropriate curriculum is implemented and individual needs are met.

I. Copyright and Fair Use Guidelines

1. Printed Material (short) - A single copy may be made of a chapter from a book, periodical or newspaper article, short story, short essay or poem; chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper for scholarly research or preparation to teach. Multiple copies (not to exceed more than one copy per student in a class) may be made of a complete poem if less than 250 words; complete article, story, or essay less than 2,500 words (or 10% of the work). Each copy must include a notice of copyright.
2. Printed Material (archives) - Librarians may make up to three copies "solely for the purpose of replacement of a copy that is damaged, deteriorating, lost, or stolen." Copies must contain copyright information. Archiving rights allow libraries to share with other libraries one-of-a-kind and out-of-print books.
3. Illustrations and Photographs - A copy of one chart, graph, diagram, drawing, cartoon, or picture per book or periodical. Note: copyrighted, syndicated cartoon characters are not permitted to be copied without permission. Single works may be used in their entirety but not more than 5 images by an artist or photographer. Reproduction of not more than 15 images or 10 % (whichever is less) may be used.
4. Video (for viewing) - Public showings of video recordings (videotapes, DVD, Laser Discs) at school that do not satisfy the standards for instructional use, distance learning, or fair use should occur only as permitted by a valid license agreement with the copyright owner or its agent. The work must be shown for instructional purposes, not for recreation, entertainment, or reward. The copy of the work shown must have been legally made or purchased.
5. Video (for integration into multimedia or video projects) - Teachers or students may use portions of lawfully acquired copyrighted works in their academic multimedia (10% or three minutes (whichever is less) of motion media. Proper attribution and credit must be noted for all copyrighted works, including those prepared under fair use.
6. Music (for integration into multimedia or video projects) - Reproduction of up to 10% of a copyrighted musical composition, performed and displayed as part of a multimedia program

produced by an educator or student for educational purposes.

7. Computer Software - Licensed software may be installed on multiple machines, and distributed via a network. Software may be copied for archival use or to replace lost, damaged, or stolen copies (if software is unavailable at a fair price or in a viable format). Librarians may make archival copies.
8. Internet - Images may be downloaded for student projects and teacher lessons. Sound files may be downloaded for use in multimedia projects. (Same portion restrictions as music)
9. Television - Broadcasts (ABC, NBC, CBS, PBS, etc., and local stations) or tapes made from television programs may be used for instruction. Cable channel (CNN, HBO, Showtime, and Cable in the Classroom) programs may be used with permission. Many programs may be retained for years - depending on the program.
10. Under no circumstance should local interpretation overrule current copyright laws and fair use standards. The individual requesting use of copyrighted material must be responsible for ensuring that all current copyright laws and fair use standards are followed and that use permission has been given by the appropriate entity.

J. Multimedia Usage

1. The Principal must approve all multimedia showings, each time they are shown, unless otherwise stated herein, and must follow appropriate copyright laws.
2. Multimedia presentations are to be approved solely for use as a component, supportive aid, or addendum to the core subject matter of the course. They are NOT to be used to replace core classroom instruction.
3. Multimedia that is an integral part of course instruction may only require an initial approval. Thereafter such presentations may be shown continuously as required by class participation.
4. Any variations concerning a single instance must be approved by the appropriate Educational Director or designee.

V. REFERENCES

Admission to Academic Classes in Adult Institutions
Admission to Career and Technical Education Classes in Adult Institutions
Operating Procedure 601.4, *Educational Testing*
Operating Procedure 601.5, *Academic Programs*
Operating Procedure 841.2, *Offender Work Programs*
Virginia Interagency Manual Apprenticeship Training Programs

VI. FORM CITATIONS

None

VII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than three years after the effective date.

The office of primary responsibility reviewed this operating procedure in November 2018 and necessary changes have been made.

Signature Copy on File

10/2/17

H. Scott Richeson, Deputy Director for Programs, Education, and Reentry Date