	<b>DEPARTMENT OF PUBLIC SAFETY</b>	<b>EFFECTIVE DATE:</b> MAR 20 2009	<b>POLICY NO.:</b> COR.14.20
	<b>CORRECTIONS ADMINISTRATION</b> <b>POLICY AND PROCEDURES</b>	<b>SUPERSEDES (Policy No. &amp; Date):</b> COR.14.20 & 04/21/95	
	<b>SUBJECT:</b> <b>ACADEMIC/VOCATIONAL PROGRAM MANDATES</b>		Page 1 of 7

## 1.0 PURPOSE

To define and establish operational procedures for compliance with Hawaii Revised Statutes 353-64.

## 2.0 REFERENCES AND DEFINITIONS

### .1 References

- a. HRS 353-64 Committed Persons Paroled, Session Laws of Hawaii, 1988.
- b. Hawaii Revised Statutes 353-1.1 (4), Establishment of Community Correctional Centers.
- c. Hawaii Revised Statutes 354D-3, Correctional Industries Program.
- d. HRS 354D-4, Powers and Duties of the Director.
- e. Hawaii Revised Statutes 353-64, Prisoners Paroled.
- f. Department of Public Safety Offender Programs, Education Program Model.

### .2 Definitions

- a. HRS 353-64 (Prisoners Paroled): This statute requires any committed person confined in any state correctional facility, to be eligible for parole must participate in or complete an academic, vocational, and/or training industry education program. The Department shall determine successful participation and completion.
- b. Authorized Program: Academic/vocational education programs approved by the Department of Public Safety through the Corrections Program Services Division. These include programs that have been sanctioned by the Corrections Education Services Branch Manager, training programs established through the Corrections Program Services Division with Correctional Industries, and On-The-Job Training programs developed by the Corrections Education Services Branch Manager for correctional facilities.
- c. Participation: Active enrollment in a full program or program phase leading to a certificate of completion or participation, a high school diploma, college degree, state certification or license.
- d. Suitable. Authorized Program Openings: Opportunities for inmates to be placed in an academic or vocational program that meet the individual's personal and career goals, treatment needs, and academic needs.

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### 3.0 POLICY

In compliance with the provisions of HRS 353-64, all offenders committed to a State correctional institution in execution of any sentence, which is subject to parole, shall participate in educational and/or vocational programs as a condition of eligibility for parole, unless deemed unsuitable in accordance with 4.0.2(a)(b)(c)(d) of this policy and procedure.

### 4.0 CRITERIA FOR PROGRAM PARTICIPATION

The Education Services Branch Manager of the Corrections Program Services Division shall review all authorized academic and vocational education training programs and establish program capacities by determining the maximum number of inmate students who can be served at any given time. These capacities shall be reviewed on a regular basis.

Authorized programs may vary in availability depending on facility size and inmate custody levels. Inmates housed at facilities where appropriate authorized program openings are not available will be placed on a waiting list for program placement. Education program placement will be on a first come, first serve basis.

- .1 All adults sentenced to a term of confinement subject to parole, who have less than six months to serve prior to an estimated furlough or parole release date, and are reading below the secondary level as determined by standardized tests, shall be considered suitable for the participation requirements of HRS 353-64. Inmates who are unable to complete a designated program prior to parole date will be recommended to continue educational programs and such recommendation will be part of the parole plan.
- .2 All adults sentenced to a term of confinement subject to parole, who have six months or more to serve prior to an estimated furlough or parole release date, will be presumed suitable for participation in authorized programs. Such programs may extend beyond the parole release dates. In such cases, these programs will be recommended for inclusion in the inmates parole plan. The Hawaii Paroling Authority will be notified (within 30 days) whenever an inmate formally refuses to participate in an authorized program.

Special circumstances may warrant an inmate unsuitable for participation. These circumstances are:

- a. The inmate has been deemed unsuitable by the Health Care Division Administrator
- b. The inmate has demonstrated academic proficiency by scoring at/or above the High School grade level on a nationally recognized standardized test and possesses a high school diploma or GED certificate from a nationally accredited institution.

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- c. Possesses an advanced degree with a successful work experience or a documented successful work history (consecutive years of employment) which indicates possession of a marketable vocational skill.
- d. The inmate is deemed unsuitable for security reasons in which there is a clear and present danger to self and others.

## **5.0 PROCEDURES**

### **.1 Concerning Pre-Trial Detainees**

- a. The Corrections Education Specialist shall administer a standardized evaluation to each inmate prior to placement in an education program.
- b. Results of this evaluation shall be entered into the inmate's education record in CPS-E's computerized student database, the SMS. Upon sentencing, evaluation results shall be available on the SMS and may be downloaded for inclusion in the inmate's institutional file.

### **.2 Concerning Sentenced Inmates**

#### **a. RAD Responsibilities**

1. Every adult admitted to a correctional facility under a sentence of incarceration subject to parole shall be informed of the preconditions for parole eligibility established by HRS 353-64 through the Corrections Education Specialist. PSD Form 8401 (attachment B) shall serve as written notification to the inmate of suitability for participation. These committed persons will be provided with this information within 48 days of commitment. Every committed person will be evaluated through nationally recognized standardized tests to determine the suitability of the inmate. The educational assessments will consist of a battery of tests to determine both academic and vocational needs.
  - a) If a determination is made that an inmate is deemed unsuitable for participation in an authorized program, a brief report stating the grounds for this determination will be attached to PSD Form 8400 (attachment A) and forwarded to the Corrections Education Services Branch Manager for final approval. A copy of the report with the Manager's approval shall be placed in the inmate's active file and a copy sent to the Hawaii Parole Authority.
  - b) Inmates who refuse to participate in the educational evaluation will be informed of their inability to meet the preconditions for parole eligibility under HRS 353-64. Written notification of the inmate's refusal to participate (PSD Form 8400) will be forwarded to Hawaii Paroling Authority and a copy placed in the institutional education file.

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c) The Corrections Education Specialist is responsible for the administration and interpretation of all tests. Based on the interpreted results, recommendations for education programming will be made to the RAD counselors or case manager in charge of the inmate's program plan. This information will be included in the inmate's transcript and will be made available to the Hawaii Paroling Authority.

All reports required by the Hawaii Paroling Authority for administrative hearings on setting minimum terms will include recommendations on authorized program participation.

2. The Corrections Education Specialist assigned to RAD evaluation shall administer a standardized evaluation to all sentenced inmate within 45 days after sentencing. Inmates who have been evaluated within three months prior to sentencing and whose evaluation results are on file shall be exempt from the educational evaluation at RAD.
3. Based on the evaluation results the Corrections Education Specialist will advise the inmate of the requirements under HRS 353.6 and of the inmate's suitability or unsuitability under the law and complete Part 1 of PSD Form 8400.
4. Upon determination of suitability, the inmate will acknowledge by signature the preconditions for parole on PSD Form 8401.
5. PSD Forms 8400 and 8401 shall be placed in the inmate's education folder and copies forwarded to the RAD for inclusion in the inmate's institutional file.

b. Facility Education Program Responsibilities

1. Inmates deemed suitable for an education/vocational program shall be scheduled to meet with an Education Specialist III to review the inmate's records and test scores. The inmate and the Specialist shall determine the course of study. The inmate is then placed in a prescribed academic/vocational program.
2. Satisfactory participation will be determined by the following:
  - a) The inmate has accomplished one or more of the stated program goals and objectives as defined in the individual prescriptive plan.
  - b) The inmate has shown significant progress in the current program area of study through the demonstration of competencies learned and completion of projects or written assessments.

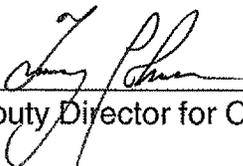
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3. Satisfactory completion will be determined by one of the following:
  - a) The inmate has successfully completed one or more full programs of study. This includes high school and college degree and/or certificate programs from accredited educational institutions.
  - b) The inmate has demonstrated satisfactory job performance as a trained Peer Tutor, Education Aide, or Education Workline Assistant.
  - c) The Unit Education Program Specialist will determine satisfactory participation and/or completion after reviewing the individual's prescriptive plan, standardized test scores, and official transcripts.
4. All inmate transcripts shall contain a record of participation in and/or completion of an authorized program or programs. Transcripts shall be available on the computerized Students Management System (SMS) to authorized case managers the parole officers.
5. PSD Form 8400 (Attachment A) will serve notification to the Hawaii Paroling Authority of an inmate's suitability for participation in education programs. The Education Program Specialist completes Part II, "Participation", of PSD Form 8400. Completion of this form will serve as notification of compliance or noncompliance with HRS 353 64 and will be posted on the SMS and available to authorized case managers and parole officers.
6. PSD Transcript of Records will serve as the official record of participation in education programs. A copy of the inmate's transcript will be attached to the PSD 8400 at the time of notification to the Hawaii Paroling Authority.

### 6.0 SCOPE

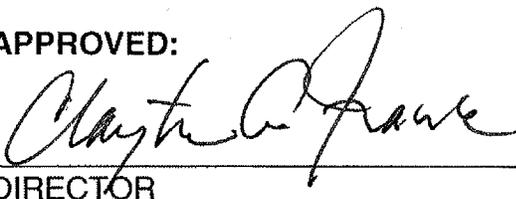
This policy applies to all education programs within State correctional institutions

#### APPROVAL RECOMMENDED:

  
\_\_\_\_\_  
Deputy Director for Corrections

3/20/09  
\_\_\_\_\_  
Date

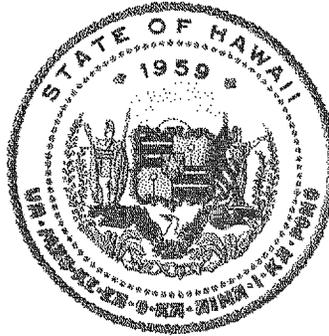
#### APPROVED:

  
\_\_\_\_\_  
DIRECTOR

3/20/09  
\_\_\_\_\_  
Date

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**Attachment A, PSD Form 8400**



STATE OF HAWAII  
DEPARTMENT OF PUBLIC SAFETY  
919 Ala Moana Boulevard, 4<sup>th</sup> Floor  
Honolulu, Hawaii 96814

TO: Hawaii Paroling Authority  
THROUGH: Corrections Program Services Division  
FROM: Education Services Branch  
SUBJECT: PAROLE ELIGIBILITY OF *Inmate Name*  
*Inmate Social Security Number*

**I. SUITABILITY**

The above named inmate is suitable for participation in:

- Academic Program.
- Vocational Training Program.
- Training Industries Education Program.

The above inmate is not suitable for participation in a corrections education program determined by:

- Possesses diploma/degree from an accredited institution.
- Possesses marketable skills and is deemed suitable for employment.
- Diagnosed by a licensed physician as unable to participate in education programs.
- Other:

**II. PARTICIPATION**

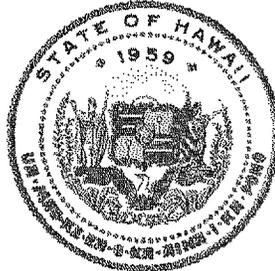
- Refused participation in any or all education programs.
- Has completed the education assessment and is on a waitlist for program placement.
- Has completed the education assessment and is not enrolled in an education program.
- Has completed the education assessment and is enrolled in an education program.
- Has satisfactorily completed an education program.\*

\*Transcript attached

**III. COMMENTS**

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**Attachment B, PSD Form 8401**



STATE OF HAWAII  
DEPARTMENT OF PUBLIC SAFETY  
919 Ala Moana Boulevard, 4<sup>th</sup> Floor  
Honolulu, Hawaii 96814

NOTIFICATION OF INMATE  
REQUIREMENTS UNDER  
HRS 353-64 COMMITTEDE PERSONS PAROLED

**NOTIFICATION**

Under Hawaii Revised Statutes Section 353-64 Committed Persons Paroled, committed persons in any State correctional institution are required to participate in an education program as a precondition for parole eligibility. The Department will review your educational assessments and history to determine you suitable for participation in any authorized education program. Should you be determined suitable for participation, you must participate in or successfully complete a program in order to be considered eligible for parole.

**DETERMINATION**

A review of your educational assessment and educational history indicates that you:

- \_\_\_\_\_ have met the preconditions for parole eligibility established by HRS 353-64.
- \_\_\_\_\_ have not met the preconditions for parole eligibility established by HRS 353-64 and are referred to the education program section for placement in an authorized education program.

**ACKNOWLEDGMENT**

I have read the above notification of preconditions for parole eligibility established by HRS 353-64. I fully understand these preconditions. Furthermore, I have been advised of the determination for participation and provided the opportunity to discuss this matter with a Social Worker and/or a Corrections Education Program Specialist.

INMATE: \_\_\_\_\_ DATE: \_\_\_\_\_  
PRINT NAME

SIGNATURE: \_\_\_\_\_

INFORMED AND COUNSELED BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
PRINT NAME

SIGNATURE: \_\_\_\_\_