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| <b>SUBJECT:</b><br><b>Inmate Education Records</b> | PAGE <u>  1  </u> OF <u>  7  </u> .   |
|  | NUMBER: 07-ORD-09   |
| <b>RULE/CODE REFERENCE:</b>                        | <b>SUPERSEDES:</b><br>07-ORD-09 dated 09/13/13  |
| <b>RELATED ACA STANDARDS:</b>                      | <b>EFFECTIVE DATE:</b><br>October 4, 2016   |
|  | <b>APPROVED:</b><br> |

## I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

## II. PURPOSE

The purpose of this policy is to establish a uniform procedure for the maintenance and handling of inmate education records within the Ohio Central School System (OCSS) and the Ohio Department of Rehabilitation and Correction (DRC).

## III. APPLICABILITY

The policy is applicable to all persons employed by the Ohio Department of Rehabilitation and Correction (DRC), independent contractors providing a service to the DRC, inmates, and volunteers.

## IV. DEFINITIONS

**CASAS** - Comprehensive Adult Student Assessment System; A nationally recognized standardized assessment used to determine student educational level.

**Cognitive Functioning Assessment** - An intake and diagnostic screening system that screens for learning differences and identifies how people can most effectively learn.

**Education Information System (EIS)** - A computerized inmate education database that includes, but is not limited to, assessment scores, academic, career-technical, and advanced job training information.

**Education Management File** - An accurate and complete record pertaining to the educational activity of each inmate. Copies of all documents related to an inmate's education program shall be maintained in the education management file, except documents related to special education programming.

**High School Equivalency** - Any of the nationally recognized high school equivalency assessments.

**Inactive Education Management File** - The accurate and complete record pertaining to the educational activity of an inmate released from the DRC.

**Inmate Special Education Record** - An accurate and complete record pertaining to the special education program provisions for an identified inmate eligible for such services under the Individuals with Disabilities Education Act. All records related to special education services shall be maintained separately from the education management file.

**OnBase Electronic File System** - The electronic file system used to scan and record all education files/documents for active and inactive students within the OCSS. This system will hold all inactive records for released students served by the OCSS.

**TABE** - Test of Adult Basic Education; A nationally recognized standardized assessment used to determine student educational level.

## **V. POLICY**

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to govern the maintenance and handling of inmate education records. A student's right to privacy and confidentiality, in accordance with state and federal law, shall be maintained.

## **VI. PROCEDURES**

### **A. Establishment and Maintenance of Education Records at Reception**

1. The education management file (EMF) shall be created at the reception center that initially processes the inmate into the DRC. The reception center staff shall be responsible for ensuring the following documents are contained in the EMF before the inmate is transferred to a parent institution:
  - a. Inmates twenty-two (22) years of age and older:
    - i. Completed Reception Inmate Intake Form (DRC4293);
    - ii. School Record - Transcript (DRC4138), which will include CASAS scores (full battery) or TABE scores;
    - iii. Signed Release of Educational Information (DRC4396).
  - b. Inmates twenty-one (21) years of age and younger:
    - i. Completed Reception Inmate Intake Form (DRC4293);
    - ii. School Record - Transcript (DRC4138), which will include CASAS scores (full battery) or TABE scores;
    - iii. Signed Release of Educational Information (DRC4396);
    - iv. Cognitive Functioning Assessment.
  - c. Once the EMF is created with the above-listed documentation, the original Reception Inmate Intake Form (DRC4293) for those inmates under the age of twenty-two (22) or inmates claiming to have a high school diploma or out-of-state GED shall be forwarded to the OCSS Data Entry Center.

- i. Data entry operators shall then enter the high school intake information (name, identification number, date of birth, last school attended, and last date attended) into the education information system (EIS).
    - ii. Data entry operators shall request verification of high school attendance and/or completion from the appropriate school system.
  - d. Reception Inmate Intake Forms (DRC4293) for those inmates over the age of twenty-two (22) claiming not to have a high school diploma or GED shall be kept in the inmate's EMF.
  - e. Out-of-State GED requests shall be sent to the data entry center. The data entry center staff shall verify out-of-state GED requests by contacting the appropriate out-of-state agency. Institutional staff shall verify in-state GED requests through an on-site Ohio Department of Education database.
  - f. Upon data entry center receipt of a response concerning high school attendance or completion, the transcript assessor for the OCSS shall evaluate the transcript and enter the verified information into the education information system and scan into the OnBase electronic file system.
  - g. The original transcript, completed Reception Inmate Intake Form (DRC4293), and any other education related documents received in the data entry center, including individualized education plans (IEP), shall then be forwarded to the parent institution where the inmate is housed to be maintained in the inmate's EMF or special education file, as appropriate.
2. A special education record shall be created at any time an inmate is formally recommended for special education assessment and shall continue until it is determined the inmate is not eligible for services or the inmate reaches the age of twenty-two (22). All information pertaining to an inmate's involvement in special education programming shall be maintained separately from the EMF following guidelines detailed in DRC policy 57-EDU-11, Special Education.
  3. Throughout an inmate's involvement in the institution education program, the guidance counselor, special education teacher, assistant principal, school administrator, and the principal shall be responsible for ensuring that the EMF and special education record are accurate and updated and that all necessary information has been entered into an education information system.
  4. The School Record – Transcript (DRC4138) shall contain, at a minimum for all inmates: inmate name, number, date of birth, social security number and all nationally recognized standardized assessment scores. All other information pertinent to the transcript and available shall also be documented.
  5. The Transcript Analysis Sheet (DRC4304) and High School Record – Transcript (DRC4250) shall be generated and updated for all inmates involved in high school and high school options.

6. Requested verification of previous high school credit, graduation, or GED completion shall be accepted as valid from the following official sources: institution education office, previously attended high school, GED office, GED website and OCSS Data Entry Center.
7. All above documents, except in-state GEDs verified through the Ohio Department of Education, must be maintained in paper form in the EMF.
8. Upon receipt of a signed, written request from an inmate or ex-offender, the principal shall be responsible for sending an official school transcript to the destination requested. Inmates shall not have an official school transcript, copies or originals of a GED certificate, or copies or originals of a high school diploma in their possession while incarcerated.

## **B. Security and Confidentiality**

1. Inmates are not permitted to handle any document or record related to the education program of another inmate. This includes, but is not limited to, all information maintained in the EMF, attendance records, and kites. Inmates assigned to work in the education department are not permitted to keep attendance records, grade class assignments, or produce other documents related to the administration of the education program.
2. No employee of the DRC shall copy any document inside the EMF except when it is in their official capacity to do so.
3. All active EMF and special education records are to be maintained in locked cabinets in a secured education office. Access to the education records shall be gained through the use of a combination lock, key watch system, or a hot box key maintained in the main control center. The combination, key watch card, or hot box keys to this area shall be provided to appropriate employees upon approval of the shared service area principal and the chief of security.
4. The education records area shall remain locked at all times when an education staff member is not present. Under no circumstances shall an inmate be permitted in this area without the presence of a staff member.
5. The shared service area principal, appropriate deputy warden, and managing officer shall establish an approved list specifically naming those employees and their positions that are granted access to the EMF and special education records.
6. In each institution, the following OCSS staff are to be granted unlimited access (when applicable) to the EMFs and special education records:
  - a. Superintendent;
  - b. Assistant Superintendent;
  - c. Operations Manager;
  - d. Office Manager;
  - e. Apprenticeship Director;

- f. Career-Technical Education Director;
- g. Any auditor contracted or assigned by the DRC or OCSS to perform an evaluation of the operations of the education program.

**C. Transfer of Education Records**

1. The updated EMF for any inmate transferred from one institution to another shall be transferred simultaneously with the inmate whenever possible.
  - a. Special education records for any inmates shall follow the same procedures; however, the records shall be enclosed in a sealed envelope marked “Confidential.”
2. All education files are to be forwarded to the receiving institution within seventy-two (72) hours of when the inmate transfers. A completed Receipt of Records (DRC2014) shall accompany the file(s). The receiving institution shall send the signed receipt back to the transferring institution’s education department via electronic mail. The return of the original copy of the records receipt shall follow the scanned copy in the institution mail as soon as possible.

**D. Inactive Records**

1. Inactive EMFs shall be inventoried, purged and scanned into the OnBase educational records system from each institution. After this process is completed and verified within the OnBase system, the original paper file shall be shredded.
2. Special education records shall be stored in a locked cabinet separately from the EMFs to maintain confidentiality. Inactive special education records shall be inventoried, purged and sent to the OCSS Central Office for scanning into the OnBase educational system. OCSS staff shall then verify the electronic file within the OnBase system and shred the original paper file.
3. An inactive EMF shall contain only the following documentation:
  - a. Updated and accurate transcript;
  - b. All high school transcripts (in or out-of-state);
  - c. Advanced Job Training Enrollment sheets (DRC4288);
  - d. Terms of Enrollment Agreement sheets (DRC4286);
  - e. Any out-of-state GED certificates;
  - f. Career technical education documentation;
  - g. Apprenticeship documentation.
4. The original updated files for any inmate released from the physical custody of the DRC shall be stored in the electronic form within the OnBase system.
5. The guidance counselor, special education teacher, school administrator, shared service area principal and assistant principal shall be responsible for maintaining, updating, and accurately inventorying all inactive education files inventories prior to being added to the electronic file system within OnBase.

**E. Contents of Education Management File**

1. The front of the EMF shall be maintained with the following information:
  - a. Last name, first name;
  - b. Id number;
  - c. Institution site log dates and staff initials;
  - e. Contents within the file check-marked.
  
2. The following items shall be maintained in the EMF, if applicable:
  - a. Completed Reception Inmate Intake Form (DRC4293);
  - b. Up-to-date, School Record - Transcript (DRC4138), which will include all Nationally Recognized Standardized Assessment scores;
  - c. Signed Release of Educational Information (DRC4396);  
\*If an inmate refuses to sign, staff will document it in pencil on the form;
  - d. Up-to-date, high school transcript (DRC4250);
  - e. Previous high school transcript;
  - f. Advanced job training participation documents per DRC policy 57-EDU-04, Advanced Job Training Programs;
  - g. Copy of Service Learning certificate (DRC4291);
  - h. Individual Counseling Notes (DRC4333);
  - i. Copy of tutoring certificate;
  - j. Career technical education participation documents per DRC policy 57-EDU-12, Career Technical Education Programs;
  - k. Temporary Exclusion from Education (DRC4379);
  - l. Copy of transition education program certificate;
  - m. Education Intensive Program Prison Screening form (DRC4414);
  - n. Education Intensive Program Prison certificate;
  - o. Apprenticeship participation documents per DRC policy 57-EDU-07, Apprenticeship Programs;
  - p. Authorization to Disclose/Release Education Information to Offender Risk Assessment System (DRC5360).
  
3. The following items may be maintained in the EMF:
  - a. Conduct reports;
  - b. Work evaluations (on students or school workers);
  - c. Copy of ABLE certificate;
  - d. Copy of Pre-GED certificate;
  - e. Copy of Apprenticeship certificate;
  - f. GED transcript;
  - g. Individual Career Plan;
  - h. Kites;
  - i. Other documentation as deemed necessary for an inmate's education.
  
4. The following items shall not be maintained in the EMF:
  - a. GED/HSE certificate;
  - b. High school diploma, original;
  - c. Special education records.

**Related Department Forms:**

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| Receipt of Records   | DRC2014 |
| School Record-Transcript   | DRC4138 |
| High School Record – Transcript  | DRC4250 |
| Terms of Enrollment Agreement sheets   | DRC4286 |
| Advanced Job Training Enrollment sheets  | DRC4288 |
| Service Learning Certificate   | DRC4291 |
| Reception Inmate Intake Form   | DRC4293 |
| Transcript Analysis Sheet  | DRC4304 |
| Individual Counseling Notes  | DRC4333 |
| Temporary Exclusion from Education   | DRC4379 |
| Release of Educational Information   | DRC4396 |
| Education Intensive Program Prison Certificate   | DRC4414 |
| Authorization to Disclose/Release Education Information to Offender Risk Assessment System | DRC5360 |