

SUBJECT: Inmate Assessments and Placement in Educational Programs	PAGE <u> 1 </u> OF <u> 13 </u>
	NUMBER: 57-EDU-01
RULE/CODE REFERENCE: IDEA Act PL 105-17:34CRF Parts 300 and 303: ORC 5145.06.	SUPERSEDES: 57-EDU-01 dated 09/11/15
RELATED ACA STANDARDS: 4-4474, 4-4475, 4-4476	EFFECTIVE DATE: October 4, 2016
	APPROVED: 

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 assessment and placement of eligible inmates in educational programs operated within the Ohio Department of Rehabilitation and Correction (DRC).

III. APPLICABILITY

This 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. This policy is not applicable to the Division of Parole and Community Services nor the Corrections Training Academy.

IV. DEFINITIONS

Education Intensive Program Prison (EIPP) - A ninety (90) day program, for which certain inmates are eligible that are characterized by concentrated and rigorous specialized education services. An inmate who successfully completes EIPP will have his/her sentence reduced to the amount of time already served and will be release on post-release control for an appropriate time period.

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

Education Review Committee - A committee designated by the managing officer that will meet as needed or at least once every six (6) months to review temporary exclusions from education. The committee shall be comprised of the health care administrator, mental health administrator or mental health manager, and the principal or assistant principal of the facility. A staff member may also be assigned to assist the committee.

Evaluation Team Report (ETR) - A comprehensive evaluation conducted by a multidisciplinary team that provides a group of qualified individuals with sufficient information to determine whether a student has a particular disability and is in need of special education and/or related services; formerly known as the multifactor evaluation. (DRC4311 – Evaluation Team Report)

Fast Track GED Program - An educational program designed to prepare inmates with high reading and math scores for the GED. Inmates in this program must have a minimum standardized assessment total reading score of 243 (10.0 T.A.B.E.) and a math score of 228 (8.0 T.A.B.E.) or above on the appropriate test level to be enrolled in this class, and will work a full-time institutional job and attend at least one (1) weekly session of GED instruction.

GED - General Educational Development program or its diploma of completion.

GED Instruction - Inmates in this program must have a total reading score of 240 on the Comprehensive Adult Student Assessment System (CASAS) on the C or higher test level or a total reading score of 9.1 or above on the Test of Adult Basic Education (TABE), and will attend day-time GED classes.

GED Work Program - Inmates in this program must have a total reading score of 9.1 or above on the Test of Adult Basic Education (TABE) or a total reading score of 240 on the Comprehensive Adult Student Assessment System (CASAS) on the C or higher test level, will work in a full-time institutional job other than student, and attend at least one (1) weekly session of evening GED instruction.

High School Diploma - A certificate issued by a local school district sanctioned by a state or territorial department of education. The diploma indicates that the student has successfully fulfilled the minimum requirements of a curriculum prescribed by a state and local education agency.

High School Options Program - A program designed to allow those inmates who have enough time to complete the necessary credits to earn their diploma at their parent institution.

Individual Education Program (IEP) - A written plan describing the student's levels of performance which contains measurable individualized student goals/objectives and the special education related services, program modifications and supplementary aids and services to be provided. (DRC4310-Individual Education Program)

Intervention Assistance Team (IAT) - A general education component in which a multidisciplinary team focuses on specific concerns that may affect a student's educational progress regardless of age.

Mandatory Student - An inmate placed in school who does not have an Ohio Central School System (OCSS) verified high school diploma or GED.

Nationally Recognized Standardized Assessment - A test/evaluation that is universally known and accepted throughout the United States and is accepted by the Ohio Central School System (OCSS) as an official evaluation tool. The evaluation may have a long and short version.

Practice GED Test (GED Ready) - A test that a person must take and score specific requirements in order to take the official GED test.

Proficiency Test/Ohio Graduation Test (OGT) - Standardized tests provided by the State of Ohio that must be passed to achieve high school graduation.

Red Flagged - A term used for educational records requiring direct attention by educational staff. These inmates are under the age of twenty two (22) and may require intervention.

Special Population Status - Inmates assigned to restrictive housing, death row, medical infirmary, crisis stabilization unit, Residential Treatment Unit (RTU), Classification Level 5, or inmate-patients at the Oakwood Correctional Facility, Frazier Health Center, or Franklin Medical Center.

Transitional Education Program (TEP) - A voluntary educational program that provides instruction on necessary skills for successful community transition.

Waiting Lists - Education program lists that are used to keep track of potential student enrollment.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to provide for a system of academic and career-technical counseling as well as initial screening, assessment, and evaluation to determine each inmate's educational needs. The DRC shall make provisions to meet the educational and career-technical needs of inmates who require special placement because of physical, mental, emotional, and/or learning disabilities.

VI. PROCEDURES

A. Assessment of Incoming Inmates

1. The initial assessment of inmates to determine educational skill levels and testing shall be accomplished within the seven calendar day institution orientation program per DRC policy 52-RCP-01, Receptions Admissions Procedure, while the inmate is in the reception center. If an inmate is unable to be tested at reception, the inmate shall be assessed upon arrival at his/her parent institution. The shared service area principal/designee of each institution shall be responsible for ensuring that each inmate received in the facility has been properly assessed according to this policy.
2. With the exception of inmates on death row, all inmates shall be assessed utilizing a full battery form of a Nationally Recognized Standardized Assessment and other assessments judged to be relevant and necessary.

3. The education management files shall be established at the reception center that initially processes the inmate into the DRC. The reception center shall ensure that the inmates' education management files contain all appropriate documents detailed in DRC policy 07-ORD-09, Inmate Education Records. Inmates under the age of twenty-two (22) who are identified through the assessment process as requiring special education services under the Individuals with Disabilities Education Act shall be provided with such services as detailed in DRC policy 57 EDU-11, Special Education.

B. Waivers to Initial Testing

1. Inmates who have a severe mental health and/or medical condition, that in its severity prohibits the inmate from participating, may be exempted from initial educational testing based on the written request of the medical or mental health authority.
 - a. Such waivers shall expire upon a change in the inmate's condition or at the end of six months, whichever is shorter.
 - b. At the end of each six (6) month period, the inmate shall be reassessed to determine if the condition still exists or whether he or she can complete education testing at that time. If the inmate is reassessed and found able to participate in the educational testing, the shared service area principal shall ensure that the inmate is tested within one (1) month and the scores appropriately documented on the School Record-Transcript (DRC4138).
2. The original waiver shall be forwarded to the shared service area principal, who shall take it to the education review committee for review and tracking. A copy of the waiver shall be forwarded to the assistant principal and/or school administrator, who shall ensure the document is placed in the inmate's education management file.
3. Under no circumstance shall a waiver or exemption from educational testing constitute a waiver from participation in mandatory education, as required under Ohio Revised Code 5145.06. Alternative assessment tools shall be used for placement purposes for the above-mentioned waivers.

C. Assessment Tracking

1. Regardless of age or education level, all academic students assigned to an educational program shall be assessed no less than every six (6) months utilizing the full battery variation of a Nationally Recognized Standardized Assessment.
 - a. An exception to this rule shall be those students in special population status, those enrolled in an advanced job training program, or a high school student who has passed all sections of the proficiency test/Ohio Graduation Test.
 - b. Special population status students shall be tested as institution operations permit.

- c. A GED student who has passed all the sections of the practice test or GED Ready will only be re-tested as necessary to comply with GED guidelines.
2. Upon completion of assessments, the school principal/designee shall be responsible for ensuring that the results are entered into the Education Information System and recorded on each inmate's School Record – Transcript Form (DRC4138).

D. Placement of Inmates in Educational Programming

1. Upon completion of the standardized assessment and assignment to a parent institution, all inmates who have not attained a high school diploma, GED, or attended six (6) months of educational programming under their current term of incarceration must enroll in a program or be added to an appropriate waiting list of the OCSS. In cases where an inmate receives a new number during the current term of incarceration and has previously met mandatory education criteria under the current term of incarceration, a waiver to mandatory education enrollment under the new number may be considered. Detailed letters requesting a waiver of the mandatory placement will be considered on a case-by-case basis. All such requests shall be forwarded to the superintendent/designee, along with detailed documentation, for approval. Approval or denial of such request shall be forwarded to the assistant principal or school administrator for placement in the inmate's education management file.
 - a. If an inmate claims to have earned a high school diploma or GED, but the OCSS does not have official verification, the inmate must be placed on the waiting list and subsequently into school.
 - b. If verification is obtained, it shall be documented on the School Record-Transcript (DRC4138), and the inmate shall be removed from the academic waiting list or academic class.
2. School waiting lists must be established to track these potential students. A specific waiting list shall be maintained for each program offered. Each waiting list must include the following components:
 - a. The inmate's name;
 - b. The inmate's identification number;
 - c. The inmate's date of birth;
 - d. The date the inmate was added to the appropriate list;
 - e. The inmate's date of eligibility for release or parole consideration;
 - f. Ohio Penal Industry job status, if applicable;
 - g. The inmate's reading score from the assessment tool;
 - h. The inmate's math score from the assessment tool, if applicable; and
 - i. The date the inmate was enrolled in the program.
3. Assessment scores older than two (2) years shall not be used for placement. A new assessment must be given before adding the inmate to the appropriate waiting list.
 - a. Inmates in Reception Status

When enrolling inmates into academic programming, priority shall be given to the following groups of inmates in the following order:

- i. Inmates within ninety (90) days of release will not be considered for mandatory enrollment in mandatory educational programming but may remain eligible for voluntary education if space is available;
 - ii. Inmates who are under twenty-two (22) years of age who are identified as a student with a disability or a student who is suspected of having a disability as defined per DRC policy 57-EDU-11, Special Education;
 - iii. Inmates under twenty-two (22) years of age (mandatory then voluntary);
 - iv. Inmates over the age of twenty-two (22) will be served at the parent institution upon transfer, unless space allows at the reception center;
 - v. Inmates with the earliest release or parole consideration dates (mandatory then voluntary);
 - vi. Specialized academic programs such as Education Intensive Prison Program (EIPP) may deviate from the above criteria.
4. When enrolling inmates off the waiting lists into academic programming at parent institutions, priority shall be given to the following groups of inmates in the following order:
- a. Inmates within ninety (90) days of release will not be considered for mandatory enrollment in mandatory educational programming, but may remain eligible for voluntary education if space is available;
 - b. Inmates under twenty-two (22) years of age who are identified as a student with a disability or a student who is suspected of having a disability, as defined per DRC policy 57-EDU-11, Special Education;
 - c. Inmates under twenty-two (22) years of age (mandatory, then voluntary);
 - d. Inmates requested for OPI farm jobs;
 - e. Inmates with the earliest release or parole consideration dates (mandatory then voluntary);
 - f. Specialized academic programs such as Education Intensive Prison Program (EIPP) may deviate from the above criteria for enrollment.
5. When enrolling inmates off the waiting lists into Career Technical Education programming, priority shall be given to the following groups of inmates:

- a. Adult Programs:
 - i. Inmates under twenty-two (22) years of age who are identified as a student with a disability or a student who is suspected of having a disability as defined per DRC policy 57-EDU-11, Special Education;
 - ii. Inmates with the earliest release or parole consideration date, ensuring that the inmate has sufficient time to complete the program.
 - b. Secondary Programs (should consist of a majority of inmates under 22 years of age):
 - i. Inmates under twenty-two (22) years of age who are identified as a student with a disability or a student who is suspected of having a disability as defined per DRC policy 57-EDU-11, Special Education;
 - ii. Inmates under the age of twenty-two (22) who do not possess a high school diploma or GED, by the earliest release or parole date consideration, ensuring that the inmate has sufficient time to complete the program;
 - iii. Inmates with the earliest release or parole consideration date, ensuring that the inmate has sufficient time to complete the program.
6. When enrolling inmates off the waiting lists into the Voluntary Education Intensive Program Prison program, priority shall be given to inmates with the earliest release date of their original sentence.
 7. When enrolling inmates off the waiting lists into the voluntary TEP programming, priority shall be given to the following groups of inmates:
 - a. Inmates within 180 days to release or parole consideration date, ensuring that the inmate has sufficient time to complete the program.
 - b. Inmates with the earliest release or parole consideration date, ensuring that the inmate has sufficient time to complete the program.
 8. Principals, assistant principals, school administrators, and guidance counselors shall ensure the enrollment of inmates off the waiting lists is consistent with the following eligibility requirements:
 - a. Inmates within ninety (90) days of release shall not be considered for mandatory enrollment in educational programming, with the exception of students who are age twenty-one (21) and under who are suspected of or have been diagnosed with a special learning need.
 - b. Inmates who have not attained a high school diploma or GED and who read at a level of 226 or below on a Comprehensive Adult Student Assessment System (CASAS) or 6.0 or below on the Test of Adult Basic Education (TABE), will complete at least two

- (2) quarters (excluding all segregation time or outside court/medical restrictions exceeding 10 class days) of Adult Basic Literacy Education.
- c. Inmates who have not attained a high school diploma or GED and who read at a level of 227 up to and including 239 on a C or higher level test of a Comprehensive Adult Student Assessment System (CASAS) or 6.1 to 9.0 on the Test of Adult Basic Education (TABE), will complete at least two (2) quarters (excluding all segregation time or outside court/medical restrictions exceeding 10 class days) of Adult Basic Literacy Education or Pre-GED instruction.
 - d. Inmates who have not attained a high school diploma or GED, but who read at a level of 240 or above on a C level or higher test of the Comprehensive Adult Student Assessment System (CASAS) or above 9.0 on the Test of Adult Basic Education (TABE) will be enrolled in a GED Instruction or a GED Work Program for no less than two (2) quarters (excluding all segregation time or outside court/medical restrictions exceeding 10 class days).
 - e. Inmates who have not attained a high school diploma or GED, but read at or above a 243 on a C level or higher test of the Comprehensive Adult Student Assessment System (CASAS) (10.0 TABE.) and a have a math level at or above a 228 on a C level or higher test of the Comprehensive Adult Student Assessment System (CASAS) (8.0 TABE.) may be enrolled in a Fast Track GED program (if available) for no less than two (2) quarters (excluding all segregation time or outside court/medical restrictions exceeding ten days). If a Fast Track Program is unavailable, then the inmate will be enrolled in GED instruction or the GED work program as described above.
 - f. Inmates who read at or above a 231 on a C level test of the Comprehensive Adult Student Assessment System (CASAS) or an 8.0 or above on the Test of Adult Basic Education (TABE) may be enrolled in a Career Technical Education program, if they meet the appropriate eligibility and enrollment requirements detailed in DRC policy, 57-EDU-12, Career Technical Education Programs.
 - g. Inmates, who have not attained a high school diploma or GED, may be enrolled in a high school or high school options program, if they meet the appropriate eligibility and enrollment requirements detailed in DRC policy, 57-EDU-13, High School Education.
 - h. If a student scores within a particular academic level, however the Intervention Assistance Team (IAT) determines alternate class placement, the student shall be placed according to IAT recommendations.
9. Inmates who have completed the OCSS mandatory requirements at any OCSS branch campus shall be considered to have satisfied the requirements throughout the inmate's current term of incarceration. Inmates in good standing may continue their educational enrollment after their mandatory requirement is fulfilled.

10. Inmates who do not meet the requirements for mandatory educational programming or those who withdraw prior to completing a high school diploma or GED, but after serving their mandatory school time, remain eligible to enroll in educational programming on a voluntary basis.
11. Inmates who do not progress in a satisfactory manner or exhibit inappropriate behavior may be removed using the Inmate Evaluation Form (DRC2012) after their mandatory education requirement is fulfilled, unless they are on an Individual Education Program (DRC4310).
12. The names of inmates who apply for voluntary academic education programming shall be placed on a waiting list and enrolled in school on a first-come, first-served basis, after enrolling all mandatory inmates using the priority criteria. The education program at each institution will allow for flexible scheduling that permits inmates to enroll at any time and to proceed at their own learning pace.

E. Additional Assessments

1. Progression in academic classes, other than advanced job training and the high school classes shall be based on the results of a nationally recognized standardized assessment.
 - a. ABLE students who achieve a reading score of, 227 or above on the Comprehensive Adult Student Assessment System (CASAS) or 6.1 or above on the Test of Adult Basic Education (TABE) will receive an Adult Basic Literacy Education certificate and progress to Pre-GED class.
 - b. ABLE or Pre-GED students who achieve a reading score of 240 or above on a C or higher level test of the Comprehensive Adult Student Assessment System (CASAS) or 9.1 or above on the Test of Adult Basic Education (TABE) or will receive a Pre-GED certificate and progress to GED class.
 - c. As detailed in DRC policy, 57-EDU-03, General Educational Development Testing, an inmate must attain passing Practice GED or GED Ready test scores to be eligible to take the GED.
 - d. Practice GED or GED Ready test scores older than one year may not be used for GED test eligibility. A new Practice GED or GED Ready must be given.
 - e. Student test scores that denote a decrease in reading level will not automatically be demoted. Placement will be determined by the Intervention Assistance Team (IAT), and documented in the academic enrollment section of the official School Record – Transcript (DRC4138).
2. Retests on a Nationally Recognized Standardized Assessment or the Practice GED test, outside of the established education testing dates shall be done on an individual basis for programmatic reasons and shall be approved by the shared service area principal/designee.

F. Exclusions from Mandatory Education

1. Medical/ Mental Health Exclusions:
 - a. Inmates who are in an inpatient status at one of the following facilities are excluded from mandatory education:
 - i. Franklin Medical Center;
 - ii. Frazier Health Center;
 - iii. Psychiatric hospitalization.
 - b. The above medical and mental health exclusions are automatic and are in effect as long as the inmate remains in that status. The exclusion from education request form is not required for this exclusion. When an inmate leaves the status, they will be considered for enrollment according to priority enrollment criteria.
 - c. Inmates who want educational materials will receive them by sending a written request to the school.
2. Exclusions from Mandatory Education for Security Reasons:
 - a. Inmates who are in the following types of special management or security designations are excluded from the mandatory education requirements:
 - i. Inmates in Security, Disciplinary and Local Control;
 - ii. Inmates on death row;
 - iii. Inmates assigned to Security Level 5.
 - b. The above security exclusions are automatic and are in effect as long as the inmate remains in that special management or security status. The exclusion from education request form is not required for this exclusion. When an inmate leaves the status, they will be considered for enrollment according to priority enrollment criteria.
 - c. Inmates who want educational materials or placement in class will receive them by sending a written request to the school.
3. Regardless of their reason of exclusion, if an inmate is labeled as being a special education student as described in DRC policy 57-EDU-11, Special Education, then the education department shall provide the required education services to him/her as outlined in the inmate's Individualized Education Plan (IEP).

G. Temporary Exclusions from Mandatory Education

1. Temporary exemptions from mandatory education may be necessary due to medical or mental health concerns. Temporary exemptions shall be requested on Exclusion from Education Request (DRC4379). These requests must be directed to the managing officer, who shall refer it to the education review committee.

2. The committee shall review each request for exclusion within thirty (30) days after its referral from the managing officer. The committee may require institutional staff to provide additional information if necessary.
3. If an Exclusion from Education Request (DRC4379) has been submitted, the inmate shall be considered as being in a pending status. He/she shall not be enrolled in school until the committee rules on the application.
 - a. To facilitate this process, copies of Exclusion from Education Request (DRC4379) will be sent from the managing officer to the assistant principal or school administrator.
 - b. The assistant principal or school administrator/designee shall mark the inmate as pending on the waiting list until the decision of the committee is received.
 - c. A copy of the exclusion form shall be placed in the education management file.
4. The criteria for temporary exclusion from mandatory education must include one of the following:
 - a. Medical – The request must include a written statement from the institutional physician stating that the inmate, based upon a diagnosed medical condition, is currently incapable of meaningful participation in educational classes.
 - b. Mental Health – The request must include a written statement from the institutional mental health administrator or mental health manager stating that the inmate, based upon a diagnosed mental health condition, is currently incapable of meaningful participation in educational classes.
5. The committee shall either approve or deny the request. This determination shall be given to the staff member who requested the exclusion, to the inmate, to the managing officer and to the education department. The education department shall keep a copy of this determination in the education management file (attached to the copy of the exclusion form previously mentioned).
6. The exclusions are in effect until the circumstances of the inmate changes or for a six (6) month period, whichever is shorter.
7. The educational review committee shall review each grant of exclusion and may require updated information every six (6) months. The committee may continue, modify, or remove the exclusion as warranted. This determination shall be given to the staff member who requested the exclusion, to the inmate, to the managing officer, and to the education department. The education department shall keep a copy of this determination in the emergency management file.

8. Regardless of their reason of exclusion, if an inmate is labeled as being a special education student as described in DRC policy 57-EDU-11, Special Education, then the education department shall deliver the required education services to him/her as outlined in the inmate's Individualized Education Plan (IEP).

H. Provisions for Inmates In Need Of Intervention Assistance

1. Any inmate may be referred to an intervention assistance team (IAT) to determine specific intervention strategies for their individual learning or behavioral needs. In addition, any inmate may be referred to an IAT at any time by DRC staff, parents (if the student is under the age of eighteen), or the student themselves for academic or behavioral difficulties. DRC education staff must fill out a School-Age Request for Assistance form (DRC4308) and all other referrals must be submitted in writing to the shared service area principal, assistant principal, or school administrator.
2. Upon referral, an IAT consisting of the shared service area principal, assistant principal, or the school administrator, academic teachers(s), special education teacher, guidance counselors and other personnel as appropriate, shall be convened by the shared service area principal, assistant principal, or school administrator to assess inmates for placement into an education program or special education services. The student and or parent (only if the student is under the age of eighteen) may participate.
 - a. The IAT shall conduct a regularly scheduled monthly meeting to address all referrals. A calendar of scheduled monthly meetings shall be developed by the shared service area principal and sent to the OCSS student services supervisor, semi-annually.
 - b. An inmate referred at reception by the red flagged process shall be scheduled by the shared service area principal, assistant principal or school administrator for review after completing thirty (30) days of classroom instruction. The IAT shall be scheduled no later than three (3) days after the observation period.
 - c. All other inmate referrals shall be scheduled by the shared service area principal, assistant principal or school administrator for review by the IAT within forty-five (45) days after receiving a written request for services.
 - d. The IAT shall utilize the Intervention Assistance Team Notes (DRC4382) to document meeting.
 - e. The IAT shall analyze the student's problem and design an intervention strategy as detailed on the Documentation of Intervention (DRC4305) form.
 - f. The plan is implemented and evaluated periodically to determine its effectiveness.
3. The following information gathered in the IAT process may be used for inmates under the age of twenty-two (22):
 - a. To further help a student who is determined not to have a disability;

- b. To assist in determining if the student is suspected of having a disability and to determine if further assistance is needed;
- c. When the IAT determines that the inmate requires further evaluation/assessment and refers the student for an Evaluation Team Report (IEP Anywhere Software);
- d. As part of the ETR for a student who is suspected of having a disability.

I. Academic and Career-Technical Education Counseling

- 1. Inmates shall have access to academic and career-technical education counseling throughout their incarceration within the DRC.
- 2. The school guidance counselor shall be available to inmates through the inmate kite system and during posted office hours to ensure interested inmates may obtain information concerning educational programming.
- 3. All counseling sessions shall be documented on the Daily Counseling Log (DRC4334) and kept in a binder or file.
- 4. The Individual Counseling Notes (DRC4333) shall be kept in the inmate’s education management file. Individual Counseling Notes (DRC4333) are used to document special circumstances regarding a student’s education.

Related Department Forms:

Inmate Evaluation Form	DRC2012
School Record-Transcript	DRC4138
Documentation of Intervention	DRC4305
School-Age Request for Assistance	DRC4308
Individual Counseling Notes	DRC4333
Daily Counseling Log	DRC4334
Temporary Exclusion for Education Request	DRC4379
Intervention Assistance Team Notes	DRC4382