



DISTRICT OF COLUMBIA
DEPARTMENT OF CORRECTIONS

**POLICY AND
PROCEDURE**

**EFFECTIVE
DATE:**

January 26, 2024

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29**

SUPERSEDES:

4110.7F
December 19, 2016

OPI:

EPCM

REVIEW DATE:

January 26, 2025

**Approving
Authority**

Thomas Faust
Director

SUBJECT:

EDUCATIONAL SERVICES

NUMBER:

4110.7G

Attachments:

Attachment A - Notice of Special Education Services
Attachment B - Student Enrollment Form
Attachment C - Quarterly Student Progress Report
Attachment D - Course Notification Form
Attachment E - Attendance Roster
Attachment F - Behavioral Counseling Form
Attachment G - Unit Behavioral Matrix

SUMMARY OF CHANGES:

Section	Change
	<i>Changes made throughout the policy.</i>

APPROVED:

Signature on File

Thomas Faust, Director

1/26/2024

Date Signed

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1. PURPOSE AND SCOPE

- a. To implement operational procedures so that adults up to the end of the school year in which they reach twenty-two (22) years of age receive general and special education pursuant with District of Columbia Municipal Regulations (DCMR) Title 5 and pursuant to the Memorandum of Agreement (MOA) between the contracted special education provider the Office of the State Superintendent of Education (OSSE), and the District of Columbia Department of Corrections (DOC) (hereinafter incorporated by reference as “MOA”); and
- b. To implement operational procedures for delivery of Adult Basic Education (ABE), secondary, Career Technical Education, post-secondary, and career readiness programs.

2. POLICY. It is the policy of the DC Department of Corrections (DOC) to provide inmates with access to educational programs that are designed to meet their needs as follows:

- a. DOC shall provide inmates with access to educational programs through open and closed enrollment, synchronous, asynchronous, and competency-based instruction that is designed for adult learners.
- b. Consistent with 20 U.S.C. §1400, et. seq. and Title 5 of the DCMR, the DOC will contract with a special education provider to provide education including special education and related services to eligible inmates until the end of the school year in which they reach their twenty-second birthday. DOC shall work in conjunction with the special education provider so that eligible incarcerated individuals who are committed to DOC and its contract facilities receive mandated educational opportunities pursuant to Individuals with Disabilities and Education Act (IDEA).

3. PROGRAM OBJECTIVES. The expected results of this program are:

- a. To provide student-centered educational and related services to meet the needs of general education students and students with disabilities in accordance with applicable federal and district statutory and regulatory laws;

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- b. To implement universal screening for all students in order to provide appropriate instruction and timely identification of students who are at risk for academic or program failure, with the goal of preventing failure by subsequently providing high-quality instruction, supports, and interventions;
- c. To improve educational outcomes by minimizing disruption in the provision of general and special education services during the detainment and/or incarceration of young adults beyond compulsory school age who are eligible to receive such services pursuant to IDEA and who are housed at the Central Detention Facility (CDF) and the Correctional Treatment Facility (CTF). Pursuant to 5A DCMR § 3001.4, a child with a disability shall remain eligible for special education and related services through the end of the school year the child turns twenty-two (22); and
- d. To encourage eligible students to remain in special education and related programs when appropriate through educational counseling and classification program reviews.

4. NOTICE OF NON-DISCRIMINATION

- a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.01 et seq., (hereinafter, “the Act”), the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment is a form of sex discrimination that is also prohibited by the Act. Discrimination in violation of the Act will not be tolerated. Violators will be subject to disciplinary action.

5. AUTHORITY

- a. D.C. Code § 24-211.02, Powers; Promulgation of Rules.
- b. IDEA (20 U.S.C. § 1400 et seq., as amended by the Individuals with Disabilities Education Improvement Act of 2004, P.L. 108-446, and implemented in local regulations at 5 DCMR § 3000 et seq.

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- c. 20 U.S.C. § 1232g; 34 C.F.R. Part 99, Family Educational Rights and Privacy Act of 1974 (FERPA)
- d. D.C. Code § 38-101, et seq., Public Education – Primary and Secondary
- e. D.C. Code § 38-202, Establishment of School Attendance Requirements
- f. D.C. Code § 38-2501, et seq., Special Education
- g. District of Columbia Municipal Regulations (DCMR) Title 5, Education
- h. District of Columbia Municipal Regulations (DCMR) Ch. 30 §3002.1
- i. D.C. Code § 24-221.01c, Credits for good behavior, rehabilitation programs, work details, and special projects Educational Good Time Credits
- j. District of Columbia Municipal Regulations (DCMR) Title 28, Chapter 6, Good Time Credits
- k. Memorandum of Agreement Between the DOC, the See Forever Foundation, and OSSE – Related to the Educational Services for Pretrial Residents
- l. Incarcerated at DOC Facilities

6. DIRECTIVES AFFECTED

a. Directives Rescinded

- 1) PP 4110.7F Educational Services (12/16/2019)
- 2) TRM 4110.7 Educational Services – Special Education

b. Directives Referenced

- 1) PP 1300.1 Freedom of Information Act (FOIA)
- 2) PS 2000.2 Retention and Disposal of Department Records
- 3) PP 3700.2 Employee Training and Professional Development

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- 4) PP 4060.2 Inmate Records
- 5) PP 4341.1 Good Time Credits

7. STANDARDS REFERENCED

- a. American Correctional Association (ACA), 5th Edition, Performance-Based Standards for Adult Local Detention Facilities: 5-ALDF-5A-01, 5-ALDF-5A-02 and 5-ALDF-5A-09.

8. DEFINITIONS

- a. **Special Education** – instruction specifically designed to:
 - 1) address the unique needs of an eligible student under the Individuals with Disabilities Education Act (IDEA) that result from the student’s disability;
 - 2) adapt, where appropriate, the content, methodology, and/or delivery of instruction to eligible students; and
 - 3) ensure access of an eligible student to the general curriculum, so that the student can meet the educational standards within the jurisdiction of the LEA that apply to all students.

- b. **Individualized Education Program (IEP)** – a written plan for each eligible student with a disability that is developed, reviewed, and revised at least annually in accordance with applicable federal and District of Columbia statutory and regulatory laws and must include:
 - 1) A statement of the student’s present levels of academic achievement and functional performance;
 - 2) Measurable annual goals including academic and functional goals;
 - 3) A description of how the student’s progress toward meeting the annual goals will be measured and when periodic reports on the progress will be provided;
 - 4) A statement of the special education, related services, and supplementary aids and services to be provided to the student, or on behalf of the student;

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- 5) A statement of the program modifications or supports for school personnel that will be provided to enable the student to advance appropriately toward attaining their annual goals; to make meaningful progress in the general education; and to be educated and participate with other students with disabilities and nondisabled students; and
 - 6) An explanation of the extent, if any, to which the student will not participate with nondisabled students in the regular class.
- c. ***Individualized Education Program Team*** – members as outlined in IDEA (§300.321) who combine their knowledge, experience, and commitment to design an education program that will enable an eligible student to make meaningful progress in the general education curriculum through the provision of integrated and coordinated services.
 - d. ***Related Services*** – developmental, corrective, and other supportive services as may be required to assist a student with a disability to benefit from special education and may include counseling, orientation and mobility, physical and occupational therapy, psychological, and hearing, speech, and language services.
 - e. ***Adult Basic Education (ABE)*** – as defined by the National Reporting Service for Adult Education (NRS), a planned program of basic school subjects for adults functioning below a ninth-grade level.
 - f. ***Adult Secondary Education (ASE)*** – as defined by the NRS, a planned program of basic school subjects for adults functioning at or above a ninth-grade level.
 - g. ***High School Equivalency (HSE) Preparation*** – a course of instruction designed to assist students in improving their literacy and numeracy skills and acquiring core subject content knowledge to prepare them for HSE examination. This instruction includes students who score an 8.0 or higher on the standardized educational achievement assessment and ASE students.
 - h. ***Postsecondary Education (PSE)*** – references any educational offering beyond secondary level (e.g., university, college, or vocational training).
 - i. ***Cognitive Intervention Instruction (CI)*** - defined by the National Institute for Corrections as a curriculum that uses as its core, a problem-solving program embellished by both cognitive restructuring and social skills interventions.

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- j. ***Career and Technical Education (CTE)*** - a term applied to schools, institutions, and educational programs that specialize in the skilled trades, applied sciences, modern technologies, and career preparation.
- k. ***High School Diploma Program*** – general and special education instruction and related services provided by the contracted special education provider to eligible inmates.

9. EDUCATION DEPARTMENT SERVICE PROVIDERS

- a. DOC shall provide instructors and/or program coordinators for ABE, ASE, HSE preparation, PSE, CI, and CTE programs.
- b. The special education provider will coordinate, manage and provide certified special education teachers, general education teachers, education aides for classroom instruction, and service providers for related services at the DOC for eligible students.
- c. DOC educational staff shall be certified consistent with DC Personnel qualifications and DOC conditions of employment.
- d. Post-secondary education partners shall provide appropriately qualified/certified staff and instructors for all credit-bearing or certification-bearing postsecondary programs.
- e. DOC shall require employee background checks as follows:
 - 1) DOC shall conduct background investigations and screening on all university instructors and students, volunteers, and education staff they employ to provide adult education and special education, either in person or synchronous, prior to incumbents providing services at the respective facilities, or in the event that time does not permit, volunteer instructors will complete screening requirements within 30 days of the first day of class.
 - 2) Pursuant to the MOA, DOC shall conduct background investigations and screening, including special education providers who provide services, either in person or synchronous, at the DOC prior to their providing services. DOC, to the extent possible, will prioritize processing these background screenings and investigations mentioned in this paragraph and paragraph 9(e)(1).

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- 3) DOC shall provide orientation, pre-service and in-service training for volunteers, university instructors and students, respective employees, and special education contractor staff who are assigned to their facility as required in *PP 3700.2 "Employee Training and Professional Development"*.

10. NOTICE OF EDUCATION SERVICES. Inmates shall be notified of education services as follows:

- a. During the intake/orientation process, DOC Case Managers shall interview all inmates regarding their educational background and during one-on-one intake interviews:
 - 1) Advise inmates of the availability of ABE, ASE, HSE Preparation, PSE, CI, CTE and any other program services;
 - 2) Advise inmates who have not reached their 22nd birthday of the possibility of participation in a high school education program including special education if they are eligible;
 - 3) Notify the Education Administrator of possible special education eligibility and placement pursuant to Section 11 of this directive.
- b. Inmates may also be notified of education opportunities at the general intake orientation presentation, when intake videos are used at orientation, via their educational tablet, and by Education Department staff during recruitment periods.
- c. Inmates shall receive a copy of the inmate handbook that includes information regarding access to educational services.
- d. Notice of special education services (Attachment A) shall be posted throughout the facility and electronically via education tablets to inform eligible inmates of access to the High School Diploma program.
- e. Notice of educational programs at Initial Classification and Reclassification Hearings shall be made by case management.

11. PROVISION OF SPECIAL EDUCATION SERVICES TO ELIGIBLE INMATES.

Inmates up to their twenty-second birthday who have previously been identified as eligible to receive special education services under the IDEA shall have the opportunity to receive general and special education services during their period of

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confinement through enrollment in the High School Diploma program. The provision of general and special education services for eligible students in DOC facilities will be accomplished by:

- (1) facilitating the prompt transfer of records,
- (2) requiring continued coordination and involvement by representatives of DOC and the special education provider
- (3) monitoring the delivery of general education and special education services,
- (4) meeting special education needs, and
- (5) providing notices of education services and other required documentation to eligible pretrial detainees and sentenced inmates.
 - a. For purposes of special education, DOC is the public agency responsible for providing FAPE.
 - b. Responsibilities of DOC and the special education provider to ensure that each party meets its obligations under the IDEA to provide services to incarcerated adults who have previously been identified for special education services shall be as follows, pursuant to the MOA:
 - 1) The special education provider shall be responsible for the development and provision of special education services to eligible pretrial detainees and/or sentenced inmates at DOC facilities. This includes, but is not limited to:
 - a) Providing special education services to eligible pretrial detainees and/or sentenced inmates in accordance with their Individualized Education Plans (IEPs), to the maximum extent possible, in a manner that affords all eligible pretrial detainees and/or sentenced inmates the opportunity to obtain a standard diploma or IEP certificate of completion.
 - b) Designating a school staff member or members to conduct initial school enrollment and withdrawal activities.

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- c) Conducting transcript analysis upon receipt of a student's previous academic records and/or entrance into the school's student information system to ensure proper course enrollment.
- d) Determining a beneficial method of assigning grades/credits to the student based on performance in course work in the program, issuing report cards, and conducting student conferences, including education decision makers
- e) Scheduling and participating in all multi-disciplinary team ("MDT")/IEP team meetings for eligible pretrial detainees and/or sentenced inmates. The special education provider will provide timely notice to appropriate parties for upcoming IEP meetings.
- f) Conducting annual IEP reviews, triennial reevaluations, and assessments in accordance with the timeframes set forth in applicable federal and local laws and regulations.
- g) Administering the applicable District of Columbia state-wide assessment(s) to each student.
- h) Regularly reviewing student performance data to determine whether the student is receiving all educational services to which the student is entitled.
- i) Providing appropriate personnel for each applicable fiscal year for the delivery of special education services to eligible pretrial detainees and/or sentenced inmates.
- j) Providing training/professional development opportunities to special education teachers, general education teachers, education aides, and related service providers to meet the needs of students with disabilities at DOC facilities.
- k) Ensuring employee compliance with the background check and policies outlined in DOC's Standard Operating Procedure, and Policy and Procedure for Personnel, Security, and Suitability Investigations.
- l) Assisting DOC in planning for the provision of education services, either in person, asynchronous, or synchronous, to students unable to attend High School Diploma program classes due to security concerns or hospitalization.

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- m) Responding to and defending against due process complaints brought against the DOC pursuant to IDEA regarding the provision of special education services at DOC facilities to eligible pretrial detainees and/or sentenced inmates, and providing reasonable efforts where necessary to resolve legal complaints or other initiated legal actions regarding the provision of education services to eligible pre-trial detainees and/or sentenced inmates.
- 2) In collaboration with DOC, the special education provider shall take the following steps for all eligible pretrial detainees and/or sentenced inmates, including those in restrictive housing, upon their arrival at DOC facilities. This includes but is not limited to:
- a) On a daily basis, obtain from DOC electronically transmitted pdf copies of all available *Education Program Student Enrollment Referral Forms* generated on that day for each pretrial detainee and sentenced inmate. DOC will provide access to these forms.
 - b) Use the enrollment information provided by DOC to conduct a search in the DC special education database, known as Power School Special Programs (PSSP), to identify pretrial detainees and/or sentenced inmates who are eligible for special education services.
 - c) For pretrial detainees and/or sentenced inmates who do not have an education record file in PSSP, use reasonable efforts to contact the pretrial detainees and/or sentenced inmates' last known school or parent/guardian to inquire about prior special education eligibility.
 - d) For pretrial detainees and/or sentenced inmates for whom information regarding previous eligibility cannot be obtained through PSSP or efforts to contact last known school or parent/guardian, request any additional known information from the DOC case manager regarding previous eligibility.
 - e) Interview pretrial detainees and/or sentenced inmates identified as eligible for special education services in order to obtain further relevant information regarding prior special education services received and to discuss whether they desire to continue their special education services. For pretrial detainees and/or sentenced inmates who want to discontinue special education services, obtain written waiver of services from the detainee/inmate directly, or from his/her parent, guardian or authorized representative where the detainee/inmate is

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legally unable to execute a waiver. The Consent to Special Education Services form will be provided by the special education provider.

- f) On a weekly basis, provide the DOC Education Administrator a roster of eligible pretrial detainees and/or sentenced inmates who have requested the provision of special education services, including notification of any previously eligible students who have declined special education services.
 - g) Collaborate with DOC on any particular issues that arise obstructing any of the above requirements to ascertain eligible pretrial detainees and/or sentenced inmates. If the matter cannot be resolved, the special education provider shall contact OSSE for additional assistance and action, as appropriate.
 - h) Provide general and special education services per the student's IEP.
 - i) Submit the daily attendance report to the Education Administrator describing student absences due to security, mental health, physical health, or student refusal.
 - j) Implement and adhere to a multi-tiered approach to promote positive social, emotional, and behavioral support for students to include:
 - (1) Clearly defined and communicated classroom/program rules and expectations;
 - (2) Appropriate examples of desired behaviors taught, modeled, and affirmed; and
 - (3) Consistent and early use of research and evidence-based interventions.
- 3) In collaboration with DOC, the special education provider ensures compliance with the following guidelines:
- a) Participate in forty (40) hours of Pre-Service Training for all new staff and forty (40) hours of In-Service Training for all personnel working with pretrial detainees and/or sentenced residents in accordance with DOC policy and American Correctional Association (ACA) standards. This training will be required prior to any personnel contact, either in person or virtual, with residents/scholars.

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- b) Ensure that staff submit the requisite documentation and protocols of the DOC mandated clearance process.
- c) To the extent feasible, ensure that students who have been escorted to instructional areas attend educational programming in accordance with their prescribed schedule, reporting any issues with attendance to the Education Administrator same-day.
- d) To the extent feasible provide appropriate educational services to all enrolled pretrial detainees and/or sentenced residents in restrictive housing or administrative segregation that are unable to attend the designated classroom areas due to health or security concerns. To the extent providing appropriate educational services is not feasible, make up instruction and appropriate educational services will be made available.
- e) Utilize DOC's data system in order to retrieve reports (e.g. listing or residents less than 22 years of age, residents transferred to another institution and residents released) and participate in any required training pertaining to the software.
- f) Follow all applicable local and federal timelines for assessments, for the delivery of special education services, and accountability measures.
- g) Coordinate, manage, and provide certified special education teachers, general education teachers, education aides for classroom instruction, and service providers for related services at the DOC for eligible students.
- h) Ensure that student education records are stored in locked and secured file cabinets located in an area that is designated by the special education provider principal or Education Administrator or stored in a secure electronic format.
- i) The special education provider designated Principal will collaborate with the Education Administrator to ensure all educational records are secured and available only for review upon authorization.
- j) Respond to all written requests submitted by DOC students enrolled the High School Diploma program and former students to have access to academic records in accordance with the Freedom of

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Information Act (FOIA), the Family Educational Rights and Privacy Act (FERPA), and DOC policy.

- 4) Upon receiving notification from DOC that an eligible pretrial detainee or sentenced inmate will be returning to the community, assist DOC and the detainee/inmate as needed by recommending an appropriate school placement and addressing any known barriers or other issues (including, but not limited to homelessness) preventing enrollment in school.
- c. DOC shall work collaboratively with the special education provider to ensure the provision of education services to eligible pretrial detainees and/or sentenced inmates housed at DOC facilities and attending the High School Diploma program pursuant to their IEPs. This includes, but is not limited to:
- 1) Ensuring, absent a legitimate safety or security concern, all eligible students will be made available for instruction and related services sessions regardless of the student's housing location.
 - 2) Ensuring that students attending the High School Diploma program, including students in restrictive housing, provided there are no safety and security concerns, are escorted to their educational program in accordance with their prescribed schedule in a timely manner.
 - 3) Providing designated classroom(s) for the High School Diploma program, including providing designated classrooms for special education instruction, related services, and compensatory education of pretrial detainees and/or sentenced inmates in restrictive housing. DOC shall also provide an area for instruction of any pretrial detainees and/or sentenced inmates housed in special medical or disability units located in DOC Facilities. These classrooms in the special medical or disability units are to be utilized for instruction based on considerations of safety for students and staff.
 - 4) Education Administrator/Education Manager will be responsible for ensuring that classroom instruction and sessions are made available to all enrolled students despite their housing unit assignments.
 - 5) Education Administrator/Education Manager will be responsible for addressing any complaints from students, student representatives, or education staff if a student wasn't made available or if their educational time was limited.

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- 6) Ensuring, to the extent feasible, that appropriate educational services are delivered to all enrolled pretrial detainees and/or sentenced inmates in restrictive housing that are unable to attend the designated classroom areas due to legitimate security concerns. To the extent providing appropriate educational services is not feasible, make up instruction and appropriate educational services will be made available.
- 7) Ensuring that at least one DOC security officer is stationed close enough to any designated educational area to immediately respond to any security threats to special education staff or other individuals present during instruction.
- 8) Providing sufficient space for special education provider staff to conduct re-evaluations, assessments, and deliver related services in person and, when not available virtually, with all necessary privacy and confidentiality safeguards.
- 9) Providing sufficient office and planning space at DOC facilities for special education teachers and administrators to perform their administrative and educational responsibilities.
- 10) Ensuring there are enough working Education Tablets for every student enrolled, plus sufficient additional Education Tablets as back up, to which the student will have access for the entirety of the School Day and after the School Day as needed, regardless of the student's housing placement at the DOC Facilities. Should a student have any functional issues with an issued tablet, the student will be provided with a replacement tablet as soon as reasonably possible.
- 11) Ensuring each student who is not attending in-person classes or who will otherwise need an Education Tablet is offered a working Education Tablet prior to the beginning of the School Day, to which the student will have access for the entirety of the School Day and after the School Day as needed to complete assigned tasks;
- 12) Ensuring each student will be permitted to receive an Education Tablet on any given day unless the student's possession of the Education Tablet jeopardizes any person's health or safety, or if the student has used the Education Tablet inappropriately. If the Education Tablet has been removed for inappropriate use, the student may be restricted from receiving an Education Tablet for up to thirty (30) days. The removal of a

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student's tablet does not alter Defendants' obligations to provide education consistent with the student's IEP;

- 13) Providing forty (40) hours of Pre-Service Training for all new special education provider staff and forty (40) hours of In-Service Training for all LEA personnel working with pretrial detainees and/or sentenced inmates in accordance with DOC policy and American Correctional Association ("ACA") standards. This training shall be required prior to any LEA personnel contact, either in person or synchronous, with pretrial detainees and/or sentenced inmates.
 - 14) Providing the special education provider Principal, Assistant Principal, and Registrar access to DOC's computer system, Jail Management System in order to retrieve reports (e.g. listing of inmates less than 22 years of age, inmates transferred to another institution and inmates released). DOC shall also provide the designated special education personnel with JMS training.
 - 15) Providing special education provider with a copy of each day's report containing demographic information regarding all students committed and housed at DOC facilities under the age of 22. The Report will be sent each morning by 8:00 a.m. to the Principal or designee.
 - 16) Providing the special education provider with the ability and authorization to implement its secure school network into designated learning spaces.
 - 17) DOC IT will conduct regular connectivity checks of the intranet connection to ensure reliable connectivity throughout CDF and CTF.
- d. In collaboration with the special education provider the DOC will ensure compliance under IDEA to ascertain all eligible pretrial detainees and/or sentenced inmates upon their arrival at DOC facilities. This includes, but is not limited to:
- 1) Notifying all pretrial detainees and/or sentenced inmates who qualify for special education under the IDEA during the intake process about the services that are available.
 - 2) Identifying students eligible for special education and related services by carrying out the following:

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- a) Notifying all residents/scholars who qualify for special education under the IDEA during the intake process about the services that are available.
- b) Identifying students eligible for special education and related services by carrying out the following:
 - (1) DOC will notify special education provider before and any time they change the length of stay on the intake unit, and make reasonable efforts to ensure students are placed on units specifically designed for high school educational programs.
 - (2) On a daily basis, DOC will provide the special education provider with a census of new students up to the age of 23 years of age. At minimum, this census will include full name, DOB, and last school attended. The special education provider will take this information and triangulate it with other data sources to determine eligibility and if it is appropriate to make an offer of FAPE.
 - (3) The special education provider will visit the intake unit to meet with potential students at least 3 times a week.
 - (4) Once the special education provider has made an offer of FAPE and the student has elected to enroll, the special education provider will notify DOC for unit placement decisions.
 - (5) DOC will create a special education screening process to be conducted by the special education provider staff to appropriately identify all eligible residents/scholars who are below to the age of 22 in DOC intake unit(s), including students with extended eligibility per paragraph 106 in the Charles H Settlement Agreement.
 - (6) DOC will confirm receipt of a daily roster providing notification from the special education provider of students eligible for special education and related services, whether those students have accepted or refused services and follow up with the special education provider's Person of Contact if the roster is not received, to ensure timely the special education provider follow up.

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- (7) Notify inmates that special education services are available to eligible residents/scholars by outlining the process for acquiring special education services in the Inmate Handbook received upon entry in DOC.
 - (8) For every student who turns twenty-two (22) years of age during the Summer Term, the student shall remain eligible for special education and related services through the end of the Summer Term;
 - (9) For every student who turns age twenty-two (22) and will complete the requirements for graduation within the current school term, or within six (6) months whichever occurs first, but the student's IDEA eligibility has ended, at the discretion of the DOC and the special education provider, the student may be permitted to continue their education at the High School Diploma Program until graduation;
 - (10) Confirm receipt of a weekly roster providing notification from the special education provider of students eligible for special education and related services, and whether those students have accepted or refused services. Follow up with the special education provider if the roster is not received, to ensure timely the special education provider follow up.
 - (11) Cooperate with special education provider in implementing the Special Education Handbook where applicable.
- e. Incarcerated students who have reached the age of eighteen have the right to refuse or withdraw from special education and related services. Further, they have the right to reverse their refusal or withdrawal, without penalty, and request special education services at any time during their incarceration up to the age of 22. Refusal and consent shall be documented on the Consent to Provide Special Education Services form provided by the special education provider.
 - f. The DOC and the contracted special education provider will follow all applicable local and federal timelines for assessments, for the delivery of special education services, and accountability measures.

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12. UNIVERSAL SCREENING FOR EDUCATIONAL ACHIEVEMENT LEVELS

- a. Prior to academic program placement, a student's current knowledge, skills, and competency level will be measured via an agency-approved educational assessment electronically or administered by a trained DOC Education Department staff member.
- b. Based on educational assessment results, eligible students will be placed in a course of instruction appropriately aligned with their current competency levels and specifically designed to improve their literary and numeracy skills, to prepare the student for successful attainment of an HSE certification, and/or to prepare them for a career pathway.

13. DOC Education Services/ PROGRAMS

- a. DOC educational courses and educational content may be provided in-person in designated instructional areas, or via synchronous and/or asynchronous learning via student education tablets.
- b. DOC course offerings will be listed in a **Course Catalog** to be available upon request from the Deputy Director of Education, Programs, and Case Management. Information for each course will include:
 - 1) Course name
 - 2) Course description
 - 3) Length of course (where applicable)
 - 4) Student eligibility requirements (where applicable)
 - 5) Course completion results (e.g., certification, degree, credit)
- c. **Adult Basic Education (ABE)**
 - 1) The ABE program is designed to provide instructional and advisement services for inmates whose reading, writing and mathematical skills test below an academic level of ninth grade (8.9 or below).
 - a) Literacy I (Reading Scores 0.0-1.9) Non-reading to emerging reading skills;
 - b) Literacy II (Total Battery Scores 2.0-5.9) Reading, writing, and numeracy skills; and

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c) Literacy III (Total Battery Scores 6.0-8.9) Intermediate skills in reading, writing, mathematics, social studies, and science in preparation for high school equivalency certification.

- 3) Inmates enrolled in Literacy III may test for the high school equivalency exam if eligibility requirements are met.
- 4) Inmates enrolled in ABE will attend classes for a minimum of one (1) hour and maximum of six (6) hours of instruction per day, 5 days per week; instruction may be a combination of classroom and/or electronic learning management system.
- 4) Teachers will document student progress on the Student Progress Report at least quarterly (Attachment C).

d. ***Adult Secondary Education (ASE)***

- 1) ASE instruction is designed for students functioning at or above 9.0 and includes core subject content.
- 2) The DOC approved exam for the high school equivalency is the General Education Development (GED™).
- 3) GED™ Preparation (Total Battery Scores 9.0-12.9). High-performing skills in reading, writing, mathematics, social studies, and science in preparation for high school equivalency certification.
- 4) ASE students may test for the high school equivalency exam when eligibility requirements are met.
- 5) Students who are enrolled in the High School Diploma program may also enroll in the DOC GED™ Preparation course.
- 6) Inmates enrolled in ASE will attend classes for a minimum of one (1) hour and maximum of six (6) hours of instruction per day, 5 days per week; instruction may be a combination of classroom and/or electronic learning management system.
- 7) Teachers will document student progress on the Student Progress Report at least quarterly (Attachment C).

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- e. **Career and Technical Education (CTE).** CTE courses will prepare students for post-release employment; instruction may be a combination of classroom and/or electronic learning management system.
- 1) CTE courses will be included in the Education Course Catalog, available upon request to the Education Administrator or Deputy Director of Education, Programs, and Case Management, including information regarding:
 - a) Current course offerings with descriptions
 - b) Course length
 - c) Course completion results (e.g., industry certification)
 - d) Student eligibility
 - 2) Teachers will document student progress on the Student Progress Report at least quarterly (Attachment C).
- f. **Cognitive Intervention (CI).** Cognitive Intervention instruction will provide students with life and social skills designed to assist in behavior and cognitive modification.
- 1) Education instructors will be trained to utilize a research and evidence-based curriculum.
 - 2) Teachers will document student progress on the Student Progress Report at least quarterly (Attachment C).
- g. **PSE.** Postsecondary education courses will be offered in partnership with higher education institutions and may include for-credit and not-for-credit course work; instruction may be a combination of classroom and/or electronic learning management system. Postsecondary programs will be overseen by the DOC College Administrator, and current course offerings will be available upon request to the DOC College Administrator or Deputy Director of Education, Programs, and Case Management.
- 1) Postsecondary partnerships will be guided by a MOA.
 - 2) University students participating in courses such as the Inside Out Prison Exchange Program must be at least 18 years of age and enrolled in the university course.

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14. STATUS INMATES. Special status generally includes inmates in protective custody, administrative segregation, inmates housed on the Restrictive Housing Unit, and those with disabilities, including temporary disabilities.

- a. Education services may be made available to inmates classified as special status.
- b. The High School Diploma program and special education services will be made available to eligible inmates per the student's IEP. Inmates in Restrictive Housing may receive a modified IEP due to security and custody reasons. IEPs for eligible students shall be reviewed and revised as necessary in accordance with applicable law.
- c. When no longer classified and detained in Restrictive Housing, an inmate who receives special education services shall be reassigned to a housing unit where services may be rendered or from where the inmate may be escorted to receive services.
- d. DOC shall notify the special education provider daily of any changes in the housing location and/or status of students in the High School Diploma program so the individual may continue general and special education consistent with federal and local statutory requirements.

15. DOC OPERATIONAL ASSISTANCE

- a. Housing unit officers shall ensure that all inmates participating in education programs are awake, prepared, and released from the unit in a timely manner in order to arrive promptly by the class start time.
- b. Correctional Treatment Facility (CTF) escort officers shall receive daily movement lists from the shift captain and the escort officers shall escort inmates so that they are in the instructional area per the class start time. Escort officers shall only escort inmates on their daily movement list. In the event the inmate does not arrive per the class start time, the officer will notify the housing unit and the Shift Captain.
- c. Central Detention Facility (CDF) inmates will receive their instruction in a space designated by the Deputy Warden and Education Administrator by housing units. In the event the inmate does not arrive per the class start time, the officer will notify the housing unit and the Shift Captain. Students in CDF requiring an escort to the designated instructional space will be provided with one.

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- d. In the event that a student who is on the escort list is not taken to class, the correctional officer will document that the student was not taken to class.
- e. In the event that inmates do not arrive on time, the correctional officer assigned to the Education Department area shall contact the housing unit officer to determine the inmate's whereabouts and if needed, inform the Administrator on duty (e.g., Education Administrator, Program Administrator, College Administrator).
- f. The Administrator on duty shall contact the Captain's Desk to determine the cause for any delay and to report any inmates escorted to the instructional area who are not on an official movement list. These inmates will be escorted back to their housing unit and may be subject to disciplinary action.
- g. The Administrator on duty shall email movement issues to the DW of Operations or designee at the end of each day on which programming occurs.
- h. Operational staff shall be assigned to distribute, retrieve, store, and inventory education mobile learning device and/or tablets per current post-orders.
 - 1) DOC's Tablet Coordinator shall prepare and maintain mobile device inventory and distribution lists;
 - 2) Operational staff assigned for distribution, retrieval, and charging of devices shall complete inventory, damage, and distribution documentation at the end of each duty assignment; and
 - 3) DOC's Tablet Coordinator shall monitor the inventory, damage, and distribution documentation at least weekly to ensure that students are receiving their assigned devices and that devices are being repaired and replaced in a timely manner.
- i. The Education Administrators will consult with DOC Operations leadership to appropriately correct operational issues that may be identified.
- j. Housing units designated for educational programs shall have a specified program schedule by which operational staff on the unit will operate, including but not limited to:
 - 1) Designated instructional space;
 - 2) Designated days and times for instruction;

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- 3) Collaboration with Education staff, volunteers, contractors, and visitors in implementing designated classes and/or programs.
- k. Correctional officers assigned to Education based specialized housing units and/or are assigned duties involving the distribution of mobile learning management devices will participate in training provided by the Education Department to include the distribution, care, and logistics of mobile learning management devices, the impact of education on recidivism, federal and DC education requirements, and unit rules/expectations.

16. ATTENDANCE AND ENROLLMENT

- a. Inmates may request education programming via form submission on their APDS tablet, through Education staff, Case Management staff, or Correctional staff; inmate referrals shall be emailed to DOC.CCR.doc.gov.
 - 1) All inmate referrals shall have as the subject line the name of the program in which the inmate wishes to enroll (e.g., ABE, ASE, CTE, CI, PSE, LIT, High School Diploma program, special education) and the inmate's last name.
 - 2) In the body of the referral email, the sender should include, at a minimum, the inmate's full name, DCDC#, housing unit, program(s) in which the inmate is interested, and any additional information the sender feels is pertinent.
- b. Education, Program, and College Administrators shall schedule inmates for diagnostic assessment and course enrollment;
- c. Inmates will be notified of pending course enrollment via the Course Enrollment Notification form (Attachment D) or via their education tablet;
- d. Education, Program, and College Administrators shall notify Case Management of inmate enrollment and withdrawal;
- e. Inmates shall attend all classes to which they are assigned and shall promptly report to their respective classroom(s) or instructional area(s).
- f. Students enrolled in ABE, CTE, ASE, and CI programs with four unexcused absences shall be removed from education programming; students enrolled in postsecondary programs with two unexcused absences shall be removed from education programming.

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- g. Student Attendance and Enrollment Procedures shall be kept up-to-date and available upon request from the Education Administrator, Program Administrator, College Administrator, or Deputy Director Education, Programs, and Case Management and, at a minimum, include:
 - 1) Education staff duties for documenting and monitoring attendance and enrollment; and
 - 2) Current processes for documenting and monitoring student attendance and enrollment.
- h. DOC instructors, postsecondary instructors, and contractor/volunteer instructors will be responsible for taking attendance on the Education Attendance Roster (Attachment E), to be submitted to the appropriate Education Administrator at the end of class/week. An electronic version of Attachment E will be available upon request from the Administrators or Deputy Director of Education, Programs, and Case Management.
- i. Student enrollment and attendance information will be entered in the appropriate DOC database in a timely manner.

17. COUNT

- a. Inmates attending class during an official institutional count shall remain in the classroom or instructional area without interruption of educational services.
- b. In the event of an institutional emergency, or an official restriction of movement, the inmates shall comply as mandated by the correctional staff.

18. POSITIVE BEHAVIORAL INCENTIVES AND SUPPORTS (PBIS)

- a. All instructors and staff shall implement and adhere to a multi-tiered approach to promote positive social, emotional, and behavioral support for students to include:
 - 1) Clearly defined and communicated classroom/program rules and expectations;
 - 2) Appropriate examples of desired behaviors taught, modeled, and affirmed; and
 - 3) Consistent and early use of research and evidence-based interventions.

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b. High School Diploma Program Students

- 1) Progressive behavioral counseling shall be provided to any High School Diploma program student who manifests a pattern of social maladjustment or disruptive behavior in the classroom setting. Behavioral counseling conducted by the relevant education staff shall be documented on the Behavioral Counseling Form (Attachment F). Continued occurrences of such behavior can result in disciplinary action.
- 2) A High School Diploma program student who exhibits behavior during class that warrants a disciplinary infraction shall be referred to the student's IEP team. The IEP team will determine if the student's behavior is a manifestation of their disability. If such a determination is made, the team will make appropriate interventions and/or accommodations that will enable the student to continue receiving special education and related services, consistent with the IDEA provisions on discipline.

c. Student Enrollment

- 1) A social contract may be a requirement of Education programs/courses.
- 2) Inmates assigned to any housing units designated for educational programs will be introduced to and follow the Unit Behavioral Matrix (Attachment G).
- 3) An inmate shall be counseled regarding behavioral issues that do not warrant disciplinary action but are having an adverse effect on the inmate's academic performance, the ability of other students to perform due to the student's behavior, or the ability of an instructor or staff to instruct or carry out their duties due to the student's behavior. Behavioral counseling shall be documented on the Behavioral Counseling Form (Attachment F).
 - a) *Examples of such behavior include but are not limited to:* disruption to the learning process, disrespect (staff, rules, others), sleeping, lack of cooperation, demonstrated lack of interest, failure to perform assignments, tardiness, poor attendance, being out of assigned area, vandalism/destruction of property, or academic dishonesty.
 - b) *Actions taken in response to the behaviors discussed in (a) above may include but are not limited to:* retaining student with a warning,

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individual behavior contract agreements, academic probation or suspension. Any actions taken will be consistent with the requirements of the IDEA and local law.

- d. Disciplinary or Administrative Action. In the event that an inmate is removed from class and returned to his/her housing unit due to disciplinary reasons, the instructor or staff shall, before the end of his/her tour of duty, submit either a disciplinary report, or, when discipline is not warranted, an incident report.

19. STAFF RESPONSIBILITIES

- a. Teachers/Instructors shall:

- 1) Collect and review all available student assessment data regularly in order to design appropriate interventions for students and to determine their course progress.
- 2) Document daily lesson planning as approved by the Education Administrator or submit syllabi and course information as requested by any Administrator or the Deputy Director of Education, Programs, and Case Management.
- 3) Integrate instructional strategies and information regarding workplace competencies, labor market information, and postsecondary opportunities in all courses/programs.
- 4) Create and implement educational content for the classroom, as well as via the education student tablets via synchronous and/or asynchronous learning.

- b. Education, Program, and College Administrators shall:

- 1) Evaluate teaching techniques and staff performance informally and according to the agency-approved performance evaluation system procedures.
- 2) Verify documentation of individual student progress by reviewing and disaggregating academic and behavioral data at least quarterly.
- 3) Use academic and behavioral data along with teacher/staff observations to design and implement appropriate student interventions and/or teacher/staff support.

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- 4) Work independently and with the Center for Professional Development and Learning to provide appropriate professional development and training opportunities for teachers/staff.
 - 5) Ensure agency and divisional-approved curricula and initiatives are implemented with fidelity.
 - 6) Ensure employment of appropriate student placement and documentation.
 - 7) Ensure that instructional strategies in all courses and programs integrate strategies and information regarding workplace competencies, labor market information, and postsecondary opportunities.
- c. All Education Department Staff shall:
- 1) Collaborate with colleagues, inter-agency divisions, and stakeholders to improve the social, emotional, and academic outcomes for all students, including students with disabilities and students from underrepresented groups.
 - 2) Participate in agency-wide and divisional planning as directed.
 - 3) Collaborate to ensure education tablets are inventoried, maintained, and monitored appropriately.

20. GOOD TIME CREDIT. Pursuant to DC Code § 24-221.01, et seq. and as amended in §§ 24-221.03 c(c)) (March 26, 2016), and PP 4341.1, inmates sentenced in a court of the District of Columbia to a misdemeanor sentence and whose conduct complies with institutional rules shall be eligible to earn good time credit. Inmates sentenced to a misdemeanor who demonstrates successful participation in one or more rehabilitation programs, work details or special projects shall be eligible to receive good time credits.

21. EDUCATIONAL RECORDS

- a. Student education records are confidential. DOC and special education contractor staff shall ensure that student education records are stored in locked and secured file cabinets located in an area designated by the respective Principal or Administrator.

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- b. The special education provider Principal and DOC Education Administrator shall ensure the records are secured and available only for review upon authorization.
- c. No inmate shall have access to another inmate's record.
- d. Requests to access education records, release a record to a third-party or challenge information in special education records shall be submitted to the special education provider Principal and processed in accordance with its policy.
- e. An inmate enrolled in adult education programs may access files via a written request as outlined in PP 1300.1, *Freedom of Information Act (FOIA)*, Chapter 8. Inmates enrolled in adult education programs may consent to the release of information contained in their files in accordance with PP 4060.2, *Inmate Records*.
- f. A former inmate who was enrolled in adult education programs may access files in accordance with Freedom of Information Act (FOIA) policy and procedures.

22. RECORDS RETENTION. DOC student records and records of each teacher's certification shall be maintained on file in the Education Department area consistent with the DOC, or when applicable the special education contract provider records retention policy.



SPECIAL EDUCATION PROGRAM

- If you are under 22 years of age and are confined in a District of Columbia Department of Corrections facility, and
- Have not received a high school diploma or its equivalent (G.E.D.),

You may be eligible to participate in the Adult Basic Education/ Special Education Programs available within this institution.

If you would like to receive Adult Basic Education/ Special Education Services, contact your Case Manager, Education or Correctional Staff.



CCR Student Enrollment Form

College and Career Readiness
PP 4110.7
Attachment B

Today's Date: _____

Student Name _____ DOC

Last, First, MI

Gender _____ Ethnic Group _____ Primary Language _____ DOB _____

Housing Unit _____ **Pretrial** Yes or No **Sentenced** Yes or No

Booking Date _____ Projected Release Date _____

High School Diploma Yes or No **GED** Yes or No **College Degree** Yes or No

Highest Grade Completed _____ Last school attended _____

Has resident ever received special education services? Yes or No

Referred by _____ Title _____ Unit _____

Action taken by CCR staff _____ Date _____

**DC Department of Corrections
Division of College and Career Readiness
Quarterly Student Progress Report**

Student				DCDC #				Housing Unit				Enrollment Date			
TABE Scores	Reading			Math				Total Battery				Withdrawal Date			
PROGRAMS Check applicable:		ESL		GED Prep	PSEC			Literacy I, II, or III			CTE				
		HSD		T4C	PSE			CTech			E-Learning				

For Period	Attendance			Progress			Behavior				Completions		Recommendations			Acknowledge Initial	
	Present	Absent	Tardy	Outstanding	Satisfactory	Unsatisfactory	Excellent	Good	Fair	Poor	Course	Date	Favorable	Unfavorable w/ Reservations	Unfavorable	Student	Instructor
Quarter																	
Jan-Mar																	
Apr-June																	
July-Sept																	
Oct-Dec																	

Comments: _____

Action Taken: Retain Counseling Refer to IEP Team (IYP students) Probation Suspend

Promote Drop (attach Behavioral Counseling forms) Received GED Transferred or Released Other

Education Administrator' Signature

Instructor's Signature

Student's Signature

**College and Career Readiness
Behavioral Counseling Form**

Student Name:	DCDC#:	Unit:	Date:
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Course/event:	Date of incident:
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Reason for Counseling:

- Class Disruption Disrespectful (staff, rules, others) Sleeping Lack of Cooperation
- Failure to do Assignments Poor Attendance Tardiness Out of Assigned Area
- Demonstrated Lack of Interest Vandalism/Destruction of Property Academic Dishonesty
- Other (explain):

Description of behavior/incident:

Recommended Action(s):

- Retain with warning Refer to IEP Team (IYP students) Behavior Contract
- Suspension for ____ day(s) Probation for ____ semester(s)
- Other (explain):

Staff Name and Title:	Signature:	Date:
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Student Name:	Signature:	Date:
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Administrator Name and Title:	Signature:	Date:
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College & Career Readiness Unit Behavioral Matrix

PP 4110.7 Attachment G

	Being in Right Place at Right Time	Following Directions	Participating in Activities	Respecting Others	Accepting Consequences
Common Areas (e.g., gym, phones, areas not in class use)	<ul style="list-style-type: none"> Follow unit schedule 	<ul style="list-style-type: none"> Respond positively when given a directive by staff Acknowledge and respect that phone use is for all residents (e.g., there are no assigned phones) Adhere to rules prohibiting the dropping or throwing of items between tiers 	<ul style="list-style-type: none"> Keep areas free from graffiti Pick up & properly dispose of trash Television and phone activity will only be available during non-class times according to schedule 	<ul style="list-style-type: none"> Noise level at 1 during class times Keep hands, feet, & objects to yourself Celebrate and respect diversity Be respectful of other's appointed time for rec, phone, TV use, meals, etc... Be kind, both in language and actions Be gracious hosts for visitors 	<ul style="list-style-type: none"> Politely ask questions if you don't understand a request Immediately comply with staff directives Be accountable for your choices Accept that staff have the authority to disengage phones, televisions, and other devices
Classroom & Instructional Areas	<ul style="list-style-type: none"> Remain in assigned area Only leave classroom area with permission During transitions, move to your assigned station without wandering Be in classroom area on time 	<ul style="list-style-type: none"> Sit down unless otherwise directed Make quick, smooth, quiet transitions Adhere to DOC rules regarding meds, meals, & contraband Use tablets, computers, textbooks, school supplies, during designated times Adhere to Acceptable Use policies for technology and course participation Follow all security protocols when working with tools 	<ul style="list-style-type: none"> Work hard & don't stop until all your work is completed Participate in classroom discussions and activities Turn in completed assignments on time Be in your seat when class begins Bring designated supplies, homework, etc...(be prepared!) Stay on task Study! 	<ul style="list-style-type: none"> Noise level at 1 during class time Work so as not to distract others Speak only when invited by your teacher/tutor Listen to others Accept each other's answers and opinions Be kind, both in language and actions Be gracious hosts for visiting instructors and guests 	<ul style="list-style-type: none"> Politely ask questions if you don't understand a request Immediately comply with staff directives Be accountable for your choices

College & Career Readiness Unit Behavioral Matrix

PP 4110.7 Attachment G

	Being in Right Place at Right Time	Following Directions	Participating in Activities	Respecting Others	Accepting Consequences
Movement between unit and classes/events	<ul style="list-style-type: none"> • Follow your schedule • Always have required pass • Move to your destination without wandering 	<ul style="list-style-type: none"> • Respond positively when given a directive by staff • Positively follow all unit and DOC rules, procedures, and policies 	<ul style="list-style-type: none"> • Keep all facility areas free from graffiti • Pick up & properly dispose of any trash you see 	<ul style="list-style-type: none"> • Noise level 2 or below • Keep hands and feet to yourself • Be kind, both in language and actions 	<ul style="list-style-type: none"> • Politely ask questions if you don't understand a request • Immediately comply with staff directives • Be accountable for your choices
Living spaces	<ul style="list-style-type: none"> • Only enter the cell to which you are assigned • Be in your cell at appointed times (e.g., lockdown, count, lights out) • Refrain from entering living space when cell occupation is off-limits 	<ul style="list-style-type: none"> • Respond positively when given a directive by staff • Positively follow all unit and DOC rules, procedures, and policies • Adhere to rules prohibiting the passing of items to or conversing with unit members who are locked down 	<ul style="list-style-type: none"> • Pick up & properly dispose of trash • Make your bed daily • Ensure cells & showers are cleaned daily • Keep living spaces free from graffiti • Ensure that railings, doors, etc. are free from prohibited items (e.g., clothes, sheets, etc...) • Positively participate in unit activities 	<ul style="list-style-type: none"> • Noise level at 0 during lights out • Use tablet ear buds or volume low enough not to disturb others • Ensure you respect other's belongings, space, and personal time • Keep your living space neat and clean • Celebrate diversity • Be kind, both in language and actions 	<ul style="list-style-type: none"> • Politely ask questions if you don't understand a request • Immediately comply with staff directives • Be accountable for your choices