



NEW MEXICO CORRECTIONS DEPARTMENT

Secretary
Alisha Tafoya Lucero

CD-102000 Inmate Literacy

Issued: 5/19/88

Reviewed: 5/31/20

Effective: 5/19/88

Revised: 3/16/15

Alisha Tafoya Lucero, Cabinet Secretary

Original Signed and Kept on File

AUTHORITY:

NMSA 1978, Sections 33-11-1 through 33-11-3, as amended.

REFERENCES:

ACA Expected Practices 5-ACI-7B-09 *Performance Based Standards and Expected Practices for Adult Correctional Institutions*, 5th Edition.

PURPOSE:

Establish a program of academic instruction for all eligible inmates of the New Mexico Corrections Department (NMCD). There is a system of academic and vocational counseling as well as initial screening, assessment, and evaluation to determine each inmate's educational needs. **[5-ACI-7B-09]**

APPLICABILITY:

All staff, including contract personnel, inmates who are serving a sentence for a crime committed on or after May 18, 1988, volunteers of the NMCD Education Department and adult institutions, and all personnel involved in the diagnosis or treatment of inmates.

FORMS:

A. **OMP Education: Academic Progress Review (APR) form** (*CD-102001.1*) (2 pages)

ATTACHMENTS:

None

DEFINITIONS:

- A. Eligible Inmate: An inmate who meets the following criteria, are covered by this policy:
1. Commits a crime after the effective date of the Inmate Literacy Act; and
 2. Has eighteen (18) months or more remaining to be served on his or her sentence of incarceration and either;
 3. Not exempted due to medical, developmental or learning disability; or
 4. Does not possess a general education diploma or a high school diploma.

POLICY:

- A. The NMCD Education Department shall foster and support the habilitation or rehabilitation and transition back into the community of inmates. A vital component for implementation of this policy is the Inmate Literacy Program (ILP).
- B. Inmates who meet the criteria of an Eligible Inmate, shall be required to participate in education programs for ninety days. After ninety days, inmates may choose to withdraw from education programs but will be subject to the provisions of paragraph (2) of subsection B of this section; and
- C. Notwithstanding any other provision of law, inmates who are subject to these regulations but who refuse or choose not to participate shall not be eligible for monetary compensation for work performed or for meritorious deductions.



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AUTHORITY:

Policy *CD-102000*

PROCEDURES:

A. General Requirements for Enrollment:

When an inmate is transferred to the receiving facility from the Reception and Diagnostic Center (RDC) or from another facility, the assigned Classification Officer shall review the central file and determine if the inmate meets initial requirements of the ILP (i.e., the date crime(s) committed, time left on sentence, etc.) and report this information to the institutional Education Department. After educational assessments are completed, or reviewed for transfer inmates, education personnel will make one of the following determinations: **[5-ACI-7B-09]**

1. The inmate is required to participate in ILP and needs to be referred for enrollment in school; or,
2. If an inmate disputes any part of his or her educational record, it will be the inmate's responsibility to provide written verification, certificate, or diploma as requested by the Department. These verifications are to be mailed directly to the Data Manager for the Education Department. The inmate will be considered exempt from the Inmate Literacy Program once proof is received by the Education Department. Exemption from the ILP requirement shall not be retroactive.

B. All school enrollments for the ILP shall be processed through each facility's registrar. The registrar shall review the following to process an inmate for school:

1. Completion of ILP notification?
2. Verification of an inmate's High School Diploma or GED?

If all educational/institutional criteria are met, the Registrar shall notify the Classification Supervisor/Unit Manager and the Programs Manager that the inmate meets criteria and needs to be seen during a Classification Supervisory Review for assignment to Education for the appropriate classes. Once the inmate is assigned to Education, he or she is enrolled in education classes.

Sanctions:

1. Inmates who are removed from the ILP by the classification committee for refusal to actively participate after review by the classification committee shall not be eligible for monetary compensation for work performed or for meritorious deductions.
2. Inmates who have been terminated from good time eligibility or from meritorious deductions as a result of their refusal to actively participate shall not be eligible for reinstatement until the inmate has been approved by the classification committee for return to the ILP.

C. Enrollment Following a Refusal to Participate:

A request to enroll in the ILP, which follows a refusal by the same inmate, will be considered by the classification committee at the inmate's next regularly scheduled review.

D. Enrollment of Transfers:

Inmates who transfer from other facility education programs shall have their school enrollment requests processed according to Section A.

E. Enrollment Requirements for Eligible Inmates who's ILP Status Changes:

An eligible inmate shall be enrolled in ILP classes according to the following requirements when the amount of time left to be served in his or her sentence changes the ILP status:

1. An ILP participant shall be required to continue in the program if the inmate has fewer than 18 months remaining on his or her sentence.
2. The Classification Supervisor/ Unit Manager or Programs Manager shall notify the Education Department of changes in the inmate's.

F. Waiting Lists:

Eligible inmates shall be placed on a waiting list when ILP classes are at their enrollment capacity. The list will be maintained by the Education Department.

Every effort shall be made so that inmates with the earliest parole eligibility dates will be enrolled as classroom space becomes available.

An eligible inmate, whose status changes while he or she is on the waiting list, shall have his or her enrollment governed according to the instructions in Section G.

G. Literacy Instruction - Individualized Instructional Approach for Students:

Instruction will be individualized for each ILP participant according to the learning abilities that are identified through educational assessments.

The **Academic Progress Report (APR)** Form (*CD-102001.1*) is developed to project the reading, writing and/or math levels that are expected to be achieved by the inmate. The achievement projections may or may not represent the level that is needed for an inmate to be released from the requirements of the ILP. In either case, this will be communicated to the inmate and documented in the **APR**. When the inmate successfully passes all the GED tests, the inmate will be notified, in writing, by the Bureau that he or she has met the requirements for graduation. The Bureau shall also indicate other educational programs for which the inmate is eligible.

H. Evaluation Procedure:

In order to determine if an inmate is successfully meeting his or her APR objectives, the teacher will periodically evaluate progress through teacher-designed or standardized commercial instruments.

The teacher will regularly discuss progress toward meeting the APR objectives with inmates. Documentation of progress will be collected throughout the semester.

I. Requirements for Completion of the ILP:

Inmates will be released from the requirements of the ILP when they have received a high school diploma or passed all the GED tests.

J. Multidisciplinary Treatment Team Involvement:

The facility Warden is responsible for establishing a Team in those facilities with an ILP. Team members should be composed of representatives from security, disciplinary, medical, mental health, education, and classification, and should be chaired by the Programs Manager or the Unit Manager. The Team will review the progress of ILP inmates on an "as needed" basis. The Special Education Teacher is required to attend all Team meetings.

1. The Team has the authority to recommend exemption of inmates with certain mental, physical, and/or emotional conditions from the requirements of the ILP.
2. If an inmate is exempt from participation in the ILP upon recommendation of the Team because of mental, physical, and/or emotional impairment, the inmate shall be eligible for good time and monetary compensation for work performed.
3. At annual facility audits, the auditors will review files/cases of students who have been exempted from educational requirements by the Team.

K. Tracking Students in the Program:

Education Departments are required to track all ILP participants. The status of eligible inmates should be known at all times. The registrar shall provide the Education Department with a list of all inmates who transfer into the facility who meet initial requirements of the ILP identification of eligible inmates.

NOTE: Form that is populated with all necessary student info can be printed from OMP/Reportal

New Mexico Corrections Department
OMP Education: Academic Progress Review: FY _____

NAME: _____ **NMCD #:** _____ **DATE:** _____

Offender #: _____ **DOB:** _____ **PRD:** _____ **CURRENT FACILITY:** _____

ABE CLASSES	Section Title	Instructor	Enrolled	Ended	Status

ABE TESTS	Test Date	Score	Level

GED Practice Tests	Test Date	Score

GED TESTS	Test Date	Result

FY GOALS/ACTIVITIES	Start Date	Target Date	Close Date	Status

New Mexico Corrections Department
OMP Education: Academic Progress Review: FY _____

PROGRESS ON ACTIVE GOALS

NEW GOALS / ACTIVITIES TO BE ADDED

TARGET DATE

_____ Attain GED / Pass GED Math Test	_____
_____ Attain GED / Pass GED Science Test	_____
_____ Attain GED / Pass GED Social Studies Test	_____
_____ Attain GED / Pass GED Reading & Writing Test	_____
_____ Attain GED / Pass GED ESL Test	_____
_____ Improve Academic Skills / Advance Reading Skills Level	_____
_____ Improve Academic Skills / Advance Math Skills Level	_____
_____ Improve Academic Skills / Advance ESL Skills Level	_____
_____ Complete College Education / Registration	_____
_____ Attain Vocational Certificate / Apply to Education Dept.	_____
_____ Other: _____	_____

APR PLANNING NOTES

I have reviewed my educational progress and set the above goals and activities. I authorize the New Mexico Higher Education Department and the local ABE program to release my Social Security Number, assessment results and/or scores of the General Education Development Exam (GED) for purposes of education or employment research/reporting.

Student Signature

Date

Instructor Signature

Date Entered into OMP