

1 Introduced by

2 Referred to Committee on

3 Date:

4 Subject: Corrections; secondary education; higher education; job training;

5 economic development

6 Statement of purpose of bill as introduced: This bill proposes to establish an  
7 online education program in correctional facilities for incarcerated persons to  
8 obtain secondary and higher education degrees and certificates to: 1) reduce  
9 recidivism; 2) fill employment gaps; and 3) decrease the costs of current prison  
10 education programs.

11 An act relating to online secondary and higher education in correctional  
12 facilities

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. FINDINGS

15 The General Assembly finds:

16 (1) Fifty-two percent of persons released from correctional facilities in  
17 Vermont are reconvicted within three years.

18 (2) Vermont spends between \$50,000 to \$80,000 per inmate on  
19 services related to incarceration.

20 (3) Inmates who participate in correctional education programs have

1 forty-three percent lower odds of recidivism than those who do not.

2 (4) Inmates exposed to computer-assisted instruction learned slightly more  
3 in reading and substantially more in math in the same amount of instructional  
4 time.

5 (5) Operating the Community High School of Vermont using on-site  
6 instructors is cost prohibitive at more than \$40,000 per degree.

7 (6) Operating an online instruction program for higher education at  
8 established correction education programs is approximately \$100 per course  
9 per participant, for a total of \$2,000 for a two-year degree.

10 (7) Online correctional education programs reduce costs and provide  
11 educational opportunities for non-incarcerated college students with an interest  
12 in teaching, law, or criminal justice to serve as teaching assistants.

13 (8) Online programs exist at Vermont universities and colleges.

14  
15 Sec. 2. 28 V.S.A. § 120 is amended to read:

16 §120. DEPARTMENT OF CORRECTIONS EDUCATION PROGRAM;  
17 INDEPENDENT SCHOOL; COMMUNITY HIGH SCHOOL OF VERMONT

18 (a) Authority. An education program is established within the  
19 Department of Corrections for the education of persons who have not  
20 completed secondary education and who are committed to the custody of the  
21 Commissioner.

1 (b) Applicability of education provisions. The education program shall  
2 be approved by the State Board of Education as an independent school  
3 under 16 V.S.A. § 166, shall comply with the education quality standards  
4 provided by 16 V.S.A. § 165, and shall be coordinated with adult education,  
5 special education, and career technical education.

6 (c) Program supervision. The Commissioner of Corrections shall  
7 appoint a Director of Corrections Education, who shall be licensed as an  
8 administrator under 16 V.S.A. chapter 51, to serve as the Superintendent of the  
9 Community High School of Vermont and coordinate use of other education  
10 programs by persons under the supervision of the Commissioner.

11 (d) Curriculum. The education program shall offer a minimum course  
12 of study, as defined in 16 V.S.A. § 906, and special education programs as  
13 required in 16 V.S.A. chapter 101 at each correctional facility and Department  
14 service center, but is not required to offer a driver training course or a physical  
15 educational course. All courses shall be provided online with off-site  
16 instruction. Instructors shall be determined by the Board.

17 (e) [Repealed by 2011, Adj. Sess., No. 88, § 1, eff. April 25, 2012.]

18 (f) Reimbursement payments. The provision of 16 V.S.A. § 4012,  
19 relating to payment for state-placed students, shall not apply to the Corrections  
20 education program.

21 (g) [Repealed by 2011, No. 63, § E.337, eff. July 1, 2011.]

1           (h) ~~Required p~~Participation. All persons under the custody of the  
2 Commissioner who are under ~~the age of~~ 23 and have not received a high  
3 school diploma shall participate in an education program unless exempted by  
4 the Commissioner. ~~The Commissioner may approve the participation of other~~  
5 ~~students, including individuals who are enrolled in an alternative justice or~~  
6 ~~diversion program.~~ All persons under the custody of the Commissioner who  
7 are 23 or over age 23 may participate in an education program unless exempted  
8 by the Commissioner.

9           Sec. 3. 28 V.S.A. § 121 is amended to read:

10           § 121. COMMUNITY HIGH SCHOOL OF VERMONT AND BUILDING  
11 BRIDGES: HIGHER EDUCATION VERMONT BOARD

12           (a) A board is established for the purpose of advising the Director of  
13 Corrections Education when serving as the Superintendent of the Community  
14 High School of Vermont and Building Bridges: Higher Education Vermont,  
15 the independent schools established in sections 120 and 123 of this title. The  
16 Board shall have supervision over policy formation for the Community High  
17 School of Vermont and Building Bridges: Higher Education Vermont, except  
18 as otherwise provided, shall recommend school policy to the Director of  
19 Corrections Education, may create a structure for local advisory boards as it  
20 deems appropriate, and shall perform such other duties as requested from time  
21 to time by the Secretary of Education or Commissioner of Corrections.

1 (b) The Board shall consist of nine members, each appointed by the  
2 Governor for a three-year term subject to the advice and consent of the Senate,  
3 in such a manner that no more than three terms shall expire annually, as  
4 follows:

5 (1) Six representatives selected to ensure geographic representation  
6 throughout the State.

7 (2) Three members-at-large.

8 (c) The Board shall appoint a Chair and Vice Chair, each of whom shall  
9 serve for one year or until a successor is appointed by the Board.

10 (d) The Board shall report on its activities annually to the State Board  
11 of Education, the Secretary of Human Services, and the Commissioner of  
12 Corrections.

13 (e) The Commissioner shall consult with the Board prior to appointing  
14 the Director of Corrections Education.

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16 Sec. 4. 28 V.S.A. §123 is added:

17 § 123. DEPARTMENT OF CORRECTIONS EDUCATION PROGRAM;

18 BUILDING BRIDGES: VERMONT HIGHER EDUCATION

19 (a) Authority. An education program is established within the  
20 Department of Corrections for the education of persons who desire to complete  
21 higher education and who are committed to the custody of the Commissioner.

1           (b) Providers. Educational programs shall be provided by accredited  
2 institutes of higher learning.

3           (c) Program supervision. The Commissioner of Corrections shall  
4 appoint a Director of Corrections Education to serve as the President of the  
5 Building Bridges: Vermont Higher Education.

6           (d) Curriculum. The education program shall offer a course of study,  
7 based on current and emerging labor needs in Vermont as determined by the  
8 Department of Labor, at each correctional facility and Department service  
9 center. All courses shall be provided online with off-site instruction.  
10 Instructors shall be determined by the Board.

11           (e) Participation. All persons under the custody of the Commissioner  
12 who have successfully completed their secondary education and received a  
13 diploma or certificate may participate unless exempted by the Commissioner.  
14 The Commissioner may approve the participation of other students, including  
15 individuals who are enrolled in an alternative justice or diversion program.

16           (f) Pilot Program. The program shall be implemented as a pilot at  
17 Chittenden Regional Correctional Facility beginning July 1, 2017 and ending  
18 July 1, 2019.

19           (1) The pilot program shall be funded as part of the appropriations for  
20 Workforce Educations and Training 10 V.S.A § 543(b)(4).

1                   (2) A report shall be submitted to the Legislature by the Director of  
2                   Corrections Education on December 1, 2019. The report shall include:

3                   (A) Number of inmate participants;

4                   (B) Number and type of courses completed;

5                   (C) Measurements of learning based on differentiated instruction;

6                   (D) Costs per inmate participant;

7                   (E) Evaluation of learning of student teacher assistants;

8                   (F) Qualitative feedback from student teacher assistants; and

9                   (G) Qualitative feedback from inmate participants;

10                  Sec. 5. EFFECTIVE DATE

11                  (a) Section 3 shall take effect on passage.

12                  (b) Section 2 and 4 take effect on July 1, 2017.