District of Columbia
Corrections Information Council

RECOMMENDATION ASSESSMENT REPORT:
BOP EDUCATION

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District of Columbia Corrections Information Council

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About the District of Columbia Corrections Information Council

The District of Columbia Corrections Information Council (CIC) is an independent oversight body mandated by the United States Congress and the Council of the District of Columbia to inspect, monitor, and report on the conditions of confinement in correctional facilities where residents from the District of Columbia are incarcerated. This includes facilities operated by the Federal Bureau of Prisons (BOP), the District of Columbia Department of Corrections (DOC), and private contractors.

The CIC reports its observations and recommendations to the District of Columbia Representative in the United States Congress, the Mayor of the District of Columbia, the Council of the District of Columbia, the District of Columbia Deputy Mayor for Public Safety and Justice, the Director of the BOP, the Director of the DOC, and the community.

About the Recommendation Assessment Series

The Corrections Information Council inspects and reports on conditions of confinement in correctional facilities where DC Code offenders are located. The Recommendation Assessment series reviews and reports on common recommendations from previous inspection reports. The series also assesses the implementation of recommendations. In some instances, additional recommendations are provided to better address residents' needs. The CIC will monitor and report on the recommendations and publish updates following significant changes to the implementation or creation of new recommendations.

Introduction

Residents in BOP custody who do not have a high school diploma or General Educational Development (GED) credential must participate in the BOP's adult literacy program.[1] In 2016, the Department of Justice contracted the Bronner consulting group to assess and provide recommendations for educational and literacy programming in the BOP.[2] These recommendations, along with the provisions of the First Step Act, have led to increased standardization of the BOP's educational programming, yet CIC inspections and resident testimony has shown there is still room for improvement in increasing the access to and quality of education in the BOP. Many DC Code offenders in BOP custody are unable to participate in the literacy program due to long waitlists at their facility. Six of the last ten BOP inspection reports by the CIC contain recommendations about education. Most of the previous recommendations by the CIC concerning the BOP's educational programming call for increased staffing to facilitate additional enrollment in the literacy program. These updated recommendations provide suggestions for the BOP to improve the prioritization of residents with educational needs and alternatives to in-person education, so that the BOP can better address the educational needs of residents with the Bureau's current staffing levels.

Previous Recommendation Summary

The recommendations below were previously provided to the BOP within inspection reports throughout the last five years. The recommendations stem from reports at various facilities and have been edited for clarity and brevity.

Recommendation	Status
Increase partnerships with colleges to offer post-secondary education	Partially resolved
Ensure individuals are enrolled in education classes promptly and receive appropriate support from staff.	Partially resolved
Increase staffing in the education department to allow more resident enrollment in GED program.	Partially resolved

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1 Bureau of Prisons (BOP), "Literacy Program (GED Standard)", 5350.28, https://www.bop.gov/policy/progstat/5350_028.pdf

2 Bronner Group. *Federal Bureau of Prisons Education Program Assessment Final Report*. Chicago, IL: U.S. Department of Justice, 2016. https://www.justice.gov/archives/dag/page/file/914026/download

Previous Recommendation: Increase partnerships with colleges to offer post-secondary education.

Status: Partially resolved

As of July of 2023, all qualified incarcerated residents can utilize federal Pell Grants to achieve post-secondary education. The BOP currently has 14 Second Chance Pell Grant programs and is open to creating more; however, the establishment and maintenance of these programs must be executed by the individual educational institution, meaning that interested colleges must reach out to and partner with individual BOP facilitates.[3] There are many factors outside of the BOP's control that could influence whether or not a college is willing or able to partner with the institution such as location of the facility and the college, educational staff availability, or the school's interest in hosting this type of program. The CIC will continue monitoring the impact of the expanded Pell Grant eligibility and expects additional partnerships with the BOP to develop soon.

Previous Recommendation: Ensure individuals are enrolled in education classes promptly and receive appropriate support from staff.

Status: Partially resolved

Updated Recommendation # 1: Make the Request for Educational Records form available on TRULINCs and allow residents to submit it digitally to educational staff.

During the initial intake screening or meeting with a case manager, staff identify a resident's educational needs.[4] Residents who previously earned a GED or high school diploma must complete a Request for Educational Records form to verify their education and receive an exemption from the educational requirement.[5] However, previous interviews with residents have shown that residents sometimes do not understand the education verification process or experience challenges accessing to the required form. Currently, residents must either request the form from case managers or educational staff - or have a person outside the BOP mail them a copy of the form, which requires both the resident and the sender to know the form and where to access it. Once the resident completes

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3 BOP, "Pell Grant Restores Possibilities for Incarcerated People." BOP, July 12, 2023, https://www.bop.gov/resources/news/20230712_pell_grant.jsp

4 BOP, "First Step Act Needs Assessment", 5400.01, https://www.bop.gov/policy/progstat/5400.01.pdf

5 BOP, *Literacy Program.*

the form, they can submit it to educational staff who send it to the appropriate school or agency. Residents have no method to hold educational staff accountable to ensure their form is sent in a timely and accurate manor, and residents are only afforded 60 days from their arrival at the institution to provide this educational verification. Without this verification, residents must earn their GED or complete a minimum of 240 instructional hours through the literacy program.[6] The CIC recommends the BOP place the Request for Educational Records form on TRULINCs and create a method for residents to submit this form electronically to educational staff so there is documentation of the submission date. Residents whose verification is delayed due to staff actions should be granted time extensions to verify their education.

Previous Recommendation: Increase staffing in the education department to allow more resident enrollment in GED program.

Status: Partially resolved

The CIC acknowledges the BOP's attempts to attract and retain educational staff; however, residential concerns about educational programming consistently reference extensive waitlists and dissatisfaction with the quality of education. The updated recommendations would allow the BOP to better understand what educational supports are required to support the resident population at each facility and to leverage the alternatives to traditional GED programming to enroll more residents in classes without having to hire additional staff.

Updated Recommendation # 2: Establish standards for assessing and auditing the Needs List Reports to maximize resident participation in GED programming.

The BOP Literacy Program establishes a monthly requirement for literacy coordinators to prepare a Needs List Report.[7] The Needs List Report contains a waiting list of residents waiting to enroll in the GED program and a Projected Release Date List, which is a list of residents within 23 to 24 months of their projected release date who still need to earn their GED. The BOP should standardize among all facilities how the waiting list and Projected Release Date List are maintained

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6 BOP, "First Step Act Needs Assessment".

7 BOP, *Literacy Program*.

and set quantifiable goals to reduce the number of residents on the waiting list. Additionally, Literacy Coordinators' waiting lists should be automated and generated monthly to re-prioritize residents' position on the waitlist based on their most updated projected release date. BOP facilities could better inform staffing needs, resident enrollment priorities, and alternative educational methods by examining the quantity and length of time residents are spending on the waiting list for the Literacy Program.

Updated Recommendation # 3: Establish program goals and a quality improvement plan to evaluate program effectiveness.

The BOP should collect data on resident characteristics and program participation to assess individual progress and program effectiveness. The BOP can use this data to assess and improve the educational programming offered to residents, which should include the implementation of targeted and researched based interventions for students struggling to make progress towards educational goals.[8]

Current FSA Needs Based Assessments are completed during initial intake and every 180 days to evaluate a resident's GED need and waitlist status. In addition to those assessments, which are completed by case managers, the Education department within each facility should evaluate additional factors to inform their educational curriculum and goals. By collecting and analyzing data such as the length of instruction per day and week, student to teacher ratios, and student progress and pass rate, the BOP could identify which practices are most effective and implement those nationwide to improve educational outcomes.

Updated Recommendation # 4: Collect and utilize data on individual resident educational needs to determine what institutional supports are required.

The BOP should track and analyze data such as number of residents without GEDs or high school diplomas at each institution to determine staffing needs and what educational programming must be offered to service those residents. While the BOP collects certain data at an institutional level, this data is seemingly not used to drive educational initiatives or inform BOP priorities. For example,

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[8] Bronner, *Education Assessment,* 14-19.

the BOP previously reported a goal of 5,000 residents earning their GED each fiscal year, yet a combined 35, 364 residents were enrolled in GED programming or on the waitlist, indicating that this goal should be much higher.[9] Data on resident need and progress must be used to ensure that adequate support is provided for learners, particularly those with special education needs.

Updated Recommendation # 5: Explore blended education options and establish a high school diploma program.

The CIC recommends the BOP explore alternatives to in-person education to supplement the existing education program and facilitate increased enrollment for residents. Alternatives to in-person classes could include correspondence programs or the use of personal tablets with educational programming, either of which would allow residents to complete their education by mail and would not require additional staffing by the BOP. The CIC recommends the BOP provide accredited, internet-based high school programming to residents using individual tablets.[10] Individual, virtual programming would increase the number of residents who could participate in programming at one time and would allow more residents to pursue attaining a high school diploma rather than a GED.

Updated Recommendation # 6: Implement a peer instruction program.

The BOP could implement a certification process and authorize qualified residents to instruct peers or assist educators. The BOP could dictate the educational or training requirements needed to qualify for this role, similarly to how they recruit external volunteer partners. This certification process would ensure the peer instructors are qualified to assist or instruct. and increase the number of residents who could enroll in educational programming without requiring additional staff.[11]

Updated Recommendation #7: Implement the provisions of the Bronner report's "Proposed Policies and Procedures for Education of Inmates with Disabilities" into the BOP policies "Management of Inmates with Disabilities" and "Literacy Program".

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9 Bronner, *Education Assessment,* 33.

10 Bronner, *Education Assessment,* 20-23; 46-53

11 *See, e.g.,* Bronner, *Education Assessment,* Appendix 3: Inmate Instructor Program.

The Bronner report describes detailed policy revisions that would standardize the identification and educational programming for residents with special education needs.[12] The CIC recommends the BOP adopt these policy revisions, particularly those identified in section 4.c. "Amount and Intensity of Education" to increase performance outcomes for residents enrolled in educational programming at the BOP. These provisions include increasing the length of time for daily education to five hours and establishing a student-to-educator class ratio for classes with students who need special education.[13]

Conclusion

The CIC supports the BOP's requirement for residents to participate in the adult literacy program and acknowledges the BOP's continued efforts to attract and retain educational staff. Increased flexibility in educational programming and more regular audits of the educational needs of each institution will better inform how the BOP can facilitate education amongst residents even with the current staffing levels.

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[12] Bronner, *Education Assessment,* 36-38.

[13] Bronner, *Education Assessment,* 18.