
Docket Item:

Approve Amending Permanent Rules 589-002-0120; 589-002-0700: Correctional education funding methodology update

- New Rule Temporary
 Amend Existing Rule Permanent
 Repeal Rule

Prompted by:

- State law changes
 Federal law changes
 Other

These changes go into effect on adoption.

Summary:

589-002-0120: Changes “inmate” to “adults in custody” to reflect current practice. Clarifies that funds are to support educational services for adults in custody. Allows Higher Education Coordinating Commission (HECC) to adjust funding levels for educational services provided to adults in custody in consultation with community colleges and Department of Corrections (DOC).

589-002-0700: Allows community colleges to enter into agreements with the Department of Corrections or with Higher Education Coordinating Commission (HECC) for the provision of educational services to adults in custody. Removes language about Local Contracts from rule because new agreements will be between HECC and community colleges. Allows greater flexibility in establishing reimbursement rates and reporting timelines by allowing those to be established in agreements rather than rule.

Material:

Rules Text

Staff Recommendation:

Staff recommends approving the permanent rules as drafted.

589-002-0120

Correctional Education Funding

(5) (a) Funds to support educational services provided to inmates adults in custody (AICs) of state penitentiary and correctional institutions by community college districts shall be subtracted from the amount allocated to the CCSF before the formula is calculated. The amount available for educational services provided to inmates AICs shall be equal to the funding amount in the preceding biennium, except as adjusted to reflect the same percentage increase or decrease realized in the overall CCSF appropriation or otherwise determined in consultation with community colleges and Department of Corrections. The distribution method of CCSF funding for individual state penitentiary and correction institution programs provided by community college districts will be determined in consultation between the agency, the community colleges, and the Department of Corrections

589-002-0700

Community College Services for Inmates Adults in Custody of State Penitentiary and Correctional Institutions

~~(1) Community colleges and the Office may contract with the Department of Corrections for instructional services to inmates of any Department operated correctional facilities may contract directly with the Department of Corrections (DOC) to provide Adult Basic Education (ABE) or Work Based Education (WBE) services at DOC operated facilities or community colleges may enter into agreements with HECC to provide ABE or WBE services at DOC operated facilities. The HECC may contract with DOC to facilitate and coordinate agreements with the community colleges for ABE or WBE services.~~

~~(2) Any contract between the Office HECC and the Department of Corrections-DOC or the community colleges or any contract between the community colleges and DOC may include agreements relating to all statewide staff training and development, program transferability between correctional institutions, curriculum planning, instructional support, evaluation and assessment, instruction of the persons with disabilities, employee relations, and the range of administrative allowances.~~

~~(3) The HECC shall review and approve services to correctional institutions at least once biennially.~~

~~(3) Contracts between a provider community college and an individual correctional institution (Local Contracts) shall include agreements relating to specific administrative allowances, financial aid administration, program mix, staffing and budget:~~

~~(a) Each Local Contract shall indicate as its primary objective a functional literacy program; and as its secondary objective professional and technical education that provides entry-level, marketable skills;~~

~~(b) State reimbursement of costs incurred in providing services subject to the Local Contracts will be made based on the formula described in OAR 589-002-0100. Contracts shall not imply any requirement on the part of the state for reimbursement beyond the amounts appropriated for such purposes or beyond the biennial period covered by any such appropriation;~~

~~(c) Local Contracts will be eligible for federal Adult Basic Education funds based on the distribution method described in the State Plan for Adult Education and adopted by the Commission.~~

~~(4) All local contracts are subject to prior approval by the Office and must be submitted prior to August 1 of each year, unless the contract is for a biennial period in which the contract must be submitted prior to August 1 of the biennial year.~~

~~(5) The Office will advise the Department of Corrections and colleges annually of adjustments in the allocation of funds appropriated for services in correctional institutions.~~

~~(6) The Commission shall review services to correctional institutions at least once biennially. To facilitate this review and approval, the Office shall evaluate the contracts with the Department of Corrections biennially and submit a report to the Commission by May 1 of even-numbered years. The evaluation shall include the number of individuals served, types of instructional services offered, extent to which the interest and needs of inmates have been met, financial effort, and projected service in the next biennium.~~