



*State of North Carolina  
Department of Public Safety  
Prisons*

Chapter: P  
Section: .0300  
Title: **Mandatory Education**  
Issue Date: 10/27/21  
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**POLICY & PROCEDURES**

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References 5<sup>th</sup> Edition Standards for Adult Correctional Institutions

Related ACA Standards 5-ACI-7B-01, 5-ACI-7B-09, 5-ACI-7B-10

**.0301 MANDATORY EDUCATION PROGRAM**

*The purpose of the Mandatory Education Program is to ensure that all capable **offenders** committed to the Department of Public Safety are provided with the opportunity to improve their basic literacy skills while incarcerated, in an effort to improve their prospects of becoming law-abiding and self-supporting upon their release from prison. This policy is applicable only to those **offenders** described in section .0302 of this policy and is not intended to inhibit any **Warden** or designee from making appropriate assignments to educational programs at the facility (5-ACI-7B-01).*

**.0302 CRITERIA FOR MANDATORY PARTICIPATION**

- (a) **Wardens** are authorized to require all **offenders** without a high school diploma or high school equivalency diploma (HSE) who function below the tenth-grade achievement level to participate in an adult basic education/high school equivalency (ABE/HSE) program. Achievement below the 10<sup>th</sup> grade level on reading or math, as measured by a standardized achievement test, will be used as the measure of an **offender's** need for mandatory education. **Offenders** age 17 and below will be required to participate in the mandatory education program regardless of their reading level. **Mandatory offender participation in educational programs is restricted to full-time and part-time ABE/HSE programs (5-ACI-7B-09).**
- (b) Participation in Mandatory Education will be of at least six months duration. **Offenders** earning their HSE diploma prior to the end of the six-month period may be removed from the Mandatory Education Program. **Offenders** not wishing to continue participation in the Mandatory Education Program at the end of the six-month period may request reassignment through their case manager. If an **offender** is transferred before completing a mandatory education program, such **offenders** may be required to complete any remainder of the session.

**.0303 IDENTIFICATION OF OFFENDERS WITH EDUCATIONAL DEFICIENCIES**

*The diagnostic centers shall be responsible for identifying offenders with educational deficiencies as specified in section .0302 of this policy (5-ACI-7B-10). The Wide-Range Achievement Test (WRAT) shall be the primary test instrument for determining achievement levels.*

**.0304 ASSIGNMENT OF OFFENDERS TO ABE/HSE PROGRAMS**

Case Managers and other appropriate facility staff shall be responsible for recommending the assignment of offenders to the Mandatory Education Program. The Warden or designee shall be the final approving authority for such assignments.

**.0305 OFFENDER PERFORMANCE**

- (a) All offenders assigned to the mandatory education program are expected to work to their fullest potential and are to follow the instructions of the teacher.
- (b) Any offender found to be unable to perform school assignments due to mental incapacity or other valid reasons, as based upon the professional judgment of the teacher or other qualified professionals, may be removed from the program.
- (c) Academic records shall be maintained on all offenders in the program.

**.0306 DISCIPLINARY ACTION**

- (a) Any offender assigned to the Mandatory Education Program who refuses to attend class shall be subject to disciplinary action for disobeying a lawful order.
- (b) In the classroom, any offender who becomes a disruptive force by failing to follow the instructions of the teacher shall be subject to disciplinary action for disobeying a lawful order.



Commissioner of Prisons

October 27, 2021

Date

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