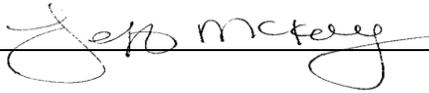


 Corrections and Community Supervision DIRECTIVE	TITLE Vocational Education		NO. 4806
			DATE 10/19/2015
SUPERSEDES DIR #4806 Dtd. 11/25/2013	DISTRIBUTION A B	PAGES PAGE 1 OF 9	DATE LAST REVISED
REFERENCES (Include but are not limited to) Directives #2121, #2123, #2810, #3053, #4064, #4066, #4067, #4802, #4930 Vocational Instructor's Handbook; Program Services Manual	APPROVING AUTHORITY 		

- I. **PURPOSE:** Since there are clear correlations between being prepared to obtain gainful employment and reduced recidivism, it is the goal of the Department of Corrections and Community Supervision (DOCCS) that every inmate, prior to release, should possess the skills needed to gain and retain employment.

For this reason, any inmate who does not have verifiable training in a trade or employment history, is required to participate in a vocational education program until that individual has mastered at least entry level skills and ideally, until that individual has become proficient in a trade area.

This directive presents the Department's policy and procedures that are designed to implement vocational skills training, encourage completion of training, and the pursuit of an apprenticeship, or industry recognized certification where available, with the eventual goal of providing the inmate with marketable job skills.

II. DEFINITIONS

- A. **Vocational Satisfaction:** An inmate's vocational need is considered satisfied when he or she has achieved a level of competency in a trade area so as to make the inmate qualified to obtain and retain employment in the field of study. This will mean mastery of a cluster of job titles, depending on the course, and as defined by each trade curriculum. These job titles are listed on the Employment Readiness Title Chart. Central Office Education staff reviews and updates the Employment Readiness Title Chart annually.
- B. **Employability Profile:** An employability profile is the document produced by the Department that is the official curriculum for each vocational education program. It contains a listing of all tasks, modules, and job titles related to that vocational program.
- C. **Job Title:** A job title is a benchmark of achievement that signifies mastery of a set of tasks which means that a person can perform that job. All job titles used in the vocational education program are taken from the Dictionary of Occupational Titles as published by the U.S. Department of Labor.
- D. **Marketable Skills:** A person is said to have marketable skills when he or she substantially knows the trade, is willing to work, and has the ability to do the job.
- E. **OCED:** OCED is the Occupational Education computerized system developed by the Department to track the progress of inmates in a vocational education program.

- F. Training Achievement & Potential Employability Report (TAPER): This report can be acquired from the OCED system and reflects an inmate's vocational accomplishments. It lists the tasks and job titles for which the inmate has been credited, apprenticeship participation, if an inmate has earned a high school equivalency diploma or higher degree while incarcerated and if industry job titles are earned.
- G. Vocational Education Program (Occupational Training): A vocational education program is one of the many different trade curricula taught by DOCCS' Vocational Instructors. A vocational education program is competency based and encompasses a set of particular skills and knowledge. Once an inmate is proficient, he or she will possess marketable skills needed to seek employment.
- H. Waiver: A waiver from the requirement that an inmate shall participate in a vocational education program may be granted for well-defined reasons and for a limited time. A waiver must be reviewed quarterly and a decision made whether to continue the waiver or re-instate the inmate in the program.
- I. Employment Readiness Title Chart: This chart contains a listing of the job titles from the U.S. Department of Labor that must be earned to satisfy an inmate's vocational need.

III. ENROLLMENT POLICY

- A. General Confinement Population: Any inmate whose program plan indicates a vocational need, including every inmate who is school age (until the end of the school year in which he or she turns 21), must attend a vocational program if he or she is located in a facility that offers vocational education programs and program space is available. Inmates who are 65 years of age or older are not required to participate in vocational education, however, they are encouraged to participate if they wish to do so. Generally, an inmate should be trained in only one trade area. Exceptions may be made under the following circumstances:
 - 1. Failure to progress as described in E-2 of this Section.
 - 2. If an inmate successfully completes one program and can benefit from a related program (e.g., someone who has succeeded in commercial art may benefit from a course in printing, or someone who has shown a propensity toward entrepreneurship in a trade may benefit from general business). This type of move may be made, space permitting.
 - 3. An inmate who has performed well in a program and shows an interest in a particular part of the trade may be moved, space permitting, to a course of study that specializes in that part. For example, an inmate in building maintenance may recognize early in the training that the electrical portion is an area of high interest and aptitude; the inmate could be moved into an electrical trades program at any time, space permitting.
 - 4. An inmate should not be enrolled in more than one vocational education program at a time.
 - 5. If an inmate does not have a vocational need and wishes to participate in a vocational program, he or she may do so, space permitting.

- B. Returned Parole Violators: Returned parole violators who have an identified vocational need are required to participate in a vocational program.
- C. Half-day/Full-day: Enrollment in a vocational education program is generally for a half-day session (one module). However, depending upon the availability of assignments, inmate needs, and facility needs, some assignments may be for two modules. For example, an inmate involved in a vocational Apprenticeship Training Program (ATP) should be assigned full time. Apprenticeships require from two to five years full time to complete. An inmate assigned half time would require ten years to complete a five year apprenticeship.
- D. Inmates with Disabilities: An inmate with a disability may request any reasonable accommodations which would allow him or her to participate successfully in the vocational program. A reasonable accommodation is any change in the program environment or the way things are customarily done that enables a qualified individual with a disability to participate in the program or service offered by the Department. A qualified individual is one who meets essential eligibility requirements for participation in the vocational program. Reasonable accommodations may include, but are not limited to, the following:
1. Making program areas accessible;
 2. Providing readers or interpreters; or
 3. Acquiring or modifying equipment or devices.

The Deputy Superintendent for Programs (DSP), after consultation with Central Office Education staff and/or staff from the Office of Diversity Management, shall determine whether the requested reasonable accommodations can be provided. If the provision of reasonable accommodations does not allow the inmate to participate successfully in the educational program, these attempts must be documented prior to removal from the program.

- E. Waiver from the Required Vocational Education Program: All waiver requests are initiated by the Vocational Instructor and reviewed by the Education Supervisor (Vocational). The DSP must approve all waiver requests and forward to the Program Committee for action. Waiver requests will be placed in the inmate's Guidance Unit folder and are valid for a period of one year. During this period, the waiver will be reviewed with the inmate by the Offender Rehabilitation Coordinator (ORC) at each quarterly review. At each quarterly review, the ORC will assess the inmate's re-admission with the Education Supervisor (Vocational). At the completion of the one year period, a determination will be made by the Education Supervisor (Vocational) and the DSP to either place the inmate back in a vocational program or issue a new waiver. Once an inmate is enrolled in a vocational program, waiver requests from required participation in vocational education programs may be granted for the following reasons:
1. Disciplinary removals: An inmate may be removed from a vocational program if the inmate's behavior is disruptive to the operation of the shop or if the inmate refuses to participate.

2. Failure to progress removals: It is possible that some inmates, in spite of a great deal of effort, may not progress significantly in their ability to become proficient in a trade. If the Education Supervisor (Vocational), in consultation with the instructor and inmate, determines that the inmate might be able to better succeed in another vocational education program, that inmate may be reprogrammed. If the inmate still fails to progress in the second program, the DSP may grant a waiver from the inmate's vocational education program plan as described above.
3. Medical, psychological, or emotional removals: If it is determined that an inmate's medical, emotional, or psychological status is such that continued enrollment jeopardizes the safety or security of the program area or is not in keeping with the individual's treatment plan, vocational education may be waived. The waiver process shall be followed by completing [Form #4806A](#), "Request for Waiver from the Required Vocational Education Program."
4. Safety: If, in the judgment of the instructor and the Educational Supervisor (vocational), an inmate's continued presence in a vocational education program presents a safety hazard for reasons other than those already cited, that inmate may be waived from the requirement to participate in accordance with the waiver process.
5. Other: If, in the judgment of the instructor and the Education Supervisor (Vocational), an inmate's continued presence in a vocational education program is deemed as not in his or her best interest for reasons not specified above, the requirement to participate may be waived.

The decision to waive the requirement of an inmate to participate for reasons listed in this Section shall be documented and approved by the DSP using [Form #4806A](#). This form is to be placed in the inmate's Guidance Unit folder and the appropriate removal code is to be entered into KIPY.

IV. RECORDING INMATE PROGRESS

- A. Instructor's Inmate Folders: A folder shall be maintained, by the instructor, for every inmate enrolled in his or her vocational program. The folder shall contain at a minimum:
 1. A copy of the inmate's Employability Profile showing inmate's progress in the vocational program;
 2. Signed and witnessed copies of General Shop Safety Rules;
 3. Signed and witnessed copies of Rules Specific to the Vocational Program;
 4. Signed and witnessed copies of the tool and equipment safety instruction signoff, Form #1574, "Record of Training," (see Directive #4064, "Facility Safety"). The original of this form must be forwarded to the inmate's Guidance Unit folder;
 5. Signed copies of Form #3250, "Inmate Progress Report;" and
 6. Inmate's shop assignments, projects, tests, etc., that the instructor determines are important.

This folder is the official record of an inmate's activities while enrolled in the shop/class. It must be kept secured, up to date, and available for review.

- B. Inmate Work Folders: May contain other written assignments, shop rules, handouts, etc.
- C. Employability Profile: A copy of the Employability Profile shall be maintained for each inmate in the program. This document is a hard copy record of each inmate's progress in a program and will be updated, at least, once a month. More frequent updates are recommended in the interest of accuracy. This Employability Profile shall indicate by date, when an inmate was instructed in a task and when the task was mastered. Additionally, it shall reflect by date, when an inmate was issued a job title. Staff should refer to the Vocational Instructor's Handbook for specific instructions concerning maintaining an Employability Profile.
- Inmates should be made aware of the contents of their Employability Profile and informed of their progress in the program through periodic discussions and/or evaluations. Having access to another inmate's Employability Profile is prohibited.
- D. OCED: At least once a month, inmate progress information shall be transferred from the Employability Profiles into the Department's computerized OCED system. Refer to the Vocational Instructor's Handbook for specific instructions.
- E. Training Achievement and Potential Employment Report (TAPER): This report is an informational document that should be provided to inmates who have participated in a vocational program. It shows the inmate's measurable achievement in a vocational program, including tasks and job titles earned.

V. TRAINING & CAREER ENHANCEMENTS

- A. TAPER Print Outs Are Provided When Requested: This report can be used once the inmate reenters the community to help prepare resumes for employment.
1. Inmates will be provided with a print out of the TAPER and a copy of the Explanation of Terms prior to the inmate leaving the shop. Inmates will be instructed on how to read and interpret the TAPER, as well as how to use the information when preparing a resume.
 2. Inmates who are not participating in a vocational program will be provided a TAPER by the Education Supervisor (Vocational) upon the inmate's written request.
 3. Supervisors responsible for the vocational area will print out a copy of the TAPER for those inmates who will be discharged each month and give it to the Inmate Records Coordinator (IRC) to be placed in the inmate's personal property prior to his or her release with a copy of the Explanation of Terms.
 4. Community Supervision Field Parole Officers can provide a copy to parolees.
 5. Releasees and other formerly incarcerated individuals may request copies of their TAPER by writing to Central Office Education.

- B. Apprenticeships: The Department, in partnership with the New York State Department of Labor (DOL) and the New York State Education Department offers an Apprenticeship Training Program (ATP) in several trades. ATPs range in length from two years to five years. Completion of an ATP leads to a certificate of completion and a wallet ID card from the DOL (commonly called "journeyman's papers"). The original certificate and the wallet ID card shall be forwarded to the Education Supervisor (Vocational) who shall make a copy for the files and then forward the original to the IRC, for placement in the inmate's personal property file. A copy may be given to the inmate.
- C. Industry-Recognized Certifications: Whenever possible the Department seeks out third party, nationally recognized organizations to certify that students in the Department's vocational education programs meet recognized standards of performance for employment in a trade. Some of these organizations may issue their own certificates which shall be placed in the inmate's personal property.
- D. Personal Projects: The products of work done in a vocational education program are the property of DOCCS. With the exception of instructor-defined portfolios that are developed by inmates in drafting and commercial arts, no inmate may claim ownership of any product resulting from participation in a program.
- E. Portfolios: A portfolio may be developed for:
1. An advanced drafting or commercial art inmate to demonstrate the quality of work that inmate is capable of, for future job interviews. The portfolio shall contain a hard copy of the chosen work samples. The inmate is responsible for obtaining or purchasing the portfolio which cannot exceed "B" size paper (12" X 18").
 2. Inmates in other vocational shops should be encouraged to build a photo portfolio on projects that they have completed during the program. Associated cost will be the responsibility of the inmate (e.g., portfolios, photos).
The portfolio will be secured in the vocational program in a storage cabinet or room. The inmate and instructor will mutually agree as to what work samples will be contained in the portfolio. The Vocational Instructor will include a letter with the portfolio that verifies this is the inmate's work.
 3. When the inmate is released, the instructor shall transfer it to the Vocational Supervisor (or person supervising vocational education programs). The Education Supervisor (Vocational) will secure the portfolio and send it to the Education Supervisor (Vocational) of the receiving facility, or to an address of the inmate's choosing (at the inmate's expense), in the event the inmate is transferred or released.

VI. INMATE PAYROLL

- A. Payroll: Inmates are paid for participation in vocational education programs. Payroll titles may include: inmate, tool clerk, or Inmate Program Associate (IPA). Refer to Directive #4802, "Inmate Payroll Standards."
- B. Inmate Removal from Assignment
1. An inmate removed from a vocational education program for disciplinary reasons, who returns to a vocational education program, shall begin again at the lowest pay rate for the title.

2. An inmate who is removed from a vocational education program for no fault of his or her own (e.g., out to court, medical leave) and returns to a vocational education program, shall continue at the same rate of pay at which he or she left the program.
3. An inmate transferred from one facility to another, for any reason, will be placed in a job and pay rate determined appropriate by the Program Committee at the receiving facility.

VII. PROCEDURES FOR ENSURING COMPLIANCE: It is the responsibility of the DSP to ensure facility compliance with the Department's required vocational education program. Individual inmate compliance is to be encouraged through implementation of, and adherence to, the following:

- A. Withholding Inmate Wages: An inmate present in class, who does not actively and positively participate, may have wages withheld. He or she must be given notice if his or her pay is to be withheld using the "Payroll Adjustment Form" from the *Policy Procedures and Standards for Programming Inmates Manual*, and the incident must be documented.
- B. Qualifying for Earned Eligibility Program (EEP) Certificate: An inmate whose program plan indicates a need for vocational education, should have reasonably pursued vocational education while incarcerated, in order for him or her to qualify for an EEP certificate.
- C. Refusals: An inmate whose program plan indicates a need for vocational education, who refuses to participate in a vocational education program (by refusing to accept assignment to the program at the initial interview or quarterly review), may be denied good behavior allowances in accordance with Correction Law, Section 803. The inmate's refusal to participate must be documented on the required forms.
- D. Area of Preference Eligibility: It is the policy of the Department that any inmate in a medium security facility desiring to be transferred to a facility closer to home (or remain in a facility close to home) must not only meet the eligibility requirements related to time in the HUB and disciplinary adjustment, but also successfully perform and pursue his or her assigned program plan.

Accordingly, any inmate in a medium security facility will **not** be transferred closer to home if he or she has vocational need listed as a program need on their program plan but refuses to participate in that program plan after being properly advised by his or her ORC during their first and subsequent quarterly review. Likewise, if such inmate was given an area of preference transfer, he or she may be transferred to a facility **farther** from home.

VIII. PROGRAM OPERATION

- A. Orientation for New Inmates: All inmates entering a vocational education program must receive an orientation that includes, at a minimum:
 1. An introduction to the program and curriculum including the ATP and certifications program available for the shop;
 2. Time for the inmate to observe the activities in the program; and

3. An orientation and review of the vocational program and shop safety rules. When the inmate understands these rules, he or she must sign a copy of them and this signature must be dated and witnessed by the instructor.
- B. Folders: Establish a folder for each inmate. Refer to Section IV, Recording Inmate Progress.
 - C. Safety: All Departmental directives and policies regarding safety must be followed. The instructor must constantly be vigilant for breaches in safety and unsafe situations must be remedied immediately. The list of directives that apply include, but may not be limited to, Directives #2121, "Personal Protective Equipment," #4064, "Facility Safety," #4066, "Facility Safety and Environmental Services Inspections," #2123, "Lockout/Tagout – Control of Hazardous Energy," and #4067, "Hazardous Materials Program."
 - D. Computer Security: All Departmental directives and policies regarding computer security must be followed. Computer disks are to be treated as "Class A" tools. Refer to Directive #2810, "Information Security Policy," the Computer Security Coordinator (CSC), and/or the Tool Control Officer at the facility for clarification.
 - E. Tool Control: All Departmental directives and policies regarding tool control must be followed. Refer to Directive #4930, "Tool Control," and/or the Tool Control Officer at the facility for clarification.
 - F. Live Work: Requests for live work to be performed by the vocational education programs should be channeled through Facility Maintenance and then to the Education Supervisor (Vocational) or supervisor in charge of vocational education programs at the facility on Form #1611, "Maintenance Work Order Request." The Education Supervisor (Vocational) will determine if the requested work is appropriate for the vocational programs (e.g., length of project, location of project), and whether the programs have the capacity to complete the work. If so, the supervisor will assign the work to one or more shops for completion. Live work that is accepted must be compatible with the program(s) to which it is assigned. Live work must involve the entire class, through scheduled class rotation, or lend itself to being performed by inmates who can work independently so that classes are not closed. Materials for live work projects will be supplied or funded by the facility unit requesting the work.

The products of vocational education programs are the property of DOCCS, with the exception of portfolios developed by inmates of drafting and commercial arts (refer to Section V-E) or the products of work for any other agency or organization.
 - G. Inmate Capacity: Enrollment capacity in vocational education programs is 20 inmates (including one IPA and one tool clerk). If, however, the physical size of a shop area will not support 20 inmates, as determined by the guidelines provided by Central Office Education staff, enrollment should be decreased to safe capacity. If unique circumstances exist in a particular vocational education program or if technology would allow change in class size, safe capacity ratings may be adjusted after consultation and agreement by the Director of Education. Enrollments should not exceed 20. When determining enrollment, all inmates (e.g., students, tool clerks, and IPAs, etc.) should be included in the count.

IX. PROGRAM PROPOSALS

- A. Program Proposals: If, for any reason, a change to an existing vocational education program is needed, or if the facility seeks to establish a new program, the change should be made by the facility administration in consultation with, and with approval from, the Director of Education. Facility staff should follow the guidelines outlined in the Program Services Manual, "Program Approval Procedure and Forms" Section. Whenever closing or changing a program requires alterations to a program space(s), a Form #1612, "Alterations/Construction Request," (see Directive #3053, "Alterations/Construction Request") must be submitted for approval.
- B. Inventory
1. When a vocational program is to be closed for an extended period of time, a complete inventory of the tools and equipment shall be made and access to the shop shall be restricted.
 2. Once a program has been approved to be discontinued, then a complete inventory of the tools, equipment, and supplies shall be made. One copy of the inventory shall be forwarded to the Director of Education and one to the Tool Control Officer within ten working days. Access to the shop shall be restricted.
- C. Disposition of Equipment/Tools/Supplies: The Director of Education will notify the facility regarding the disposition of equipment. Directions will be provided if any of the vocational items are to be shipped for re-use or storage. At no time should the facility staff lend or give any of these vocational materials to any other vocational shop, division, agency, community organization, or anyone else without prior approval of the Director of Education.