

MEMORANDUM OF UNDERSTANDING

BACKGROUND:

The SBOE 70% Committee appointed an ad hoc committee to identify educational issues within the scope of their responsibility related to correctional education programs and services about 18 months ago. The full Board approved the formation of a subcommittee representing key agencies and interest groups (Department of Education, Department of Corrections, Department of Juvenile Corrections, Division of Vocational Rehabilitation, Division of Professional-Technical Education, and Minority Education) to continue the discussion. Coincidentally, as that subcommittee was just getting underway, several legislators proposed legislation that would impact the delivery of correctional education services and programs. So, the subcommittee was put on hold until the legislative issues were settled.

DISCUSSION:

A meeting was held July 13, 2000 for administrative level stakeholders to discuss issues involved in the delivery of educational services and programs to inmates in Idaho. They included James Spalding, Director of the Department of Corrections; Brent Reinke, Director of the Department of Juvenile Corrections; Marilyn Howard, State Superintendent of Public Instruction; Kathryn Ruffalo and Tom Morley representing the Governor's Office; and Greg Fitch, Executive Director of the State Board of Education. They agreed that a committee be appointed by the State Board of Education, the State Board of Correction, and the Department of Juvenile Corrections and be charged with collaborating in the development of policy and funding recommendations that will improve correctional education and program services with the long term goal of reducing the growing incarceration and recidivism rates. Upon further direction from the decision makers in July, they agreed to establish a memorandum of understanding to set forth the general framework for participation, interaction and collaboration. The Governor's office, the Division of Professional-Technical Education, the Division of Vocational Rehabilitation and the Legislature were invited as ex-officio members.

STAFF RECOMMENDATION:

Approval.

FISCAL IMPACT:

Each agency shall be responsible for the expenses associated with each agency's participation.

BOARD ACTION:

Move to approve/disapprove/table the Memorandum of Understanding as presented.

Advisory Committee on Correctional Education and Programs - MOU

MEMORANDUM OF UNDERSTANDING

Among the

State Board of Correction, Department of Juvenile Corrections, Superintendent of Public Instruction and the State Board of Education

Title:

Advisory Committee on Correctional Education and Programs

This Memorandum of Understanding is made and entered into by and between the aforementioned.

WHEREAS, Idaho Code 33-123. Education for inmates under jurisdiction of department of correction states: The state board (of education) in cooperation with the state board of correction, shall have prepared suitable courses of study, including professional-technical training, for prisoners held under the jurisdiction of the department of correction, and the state board of correction shall make arrangements carrying into effect all provisions for the education of prisoners who are under the jurisdiction of the department of correction to the extent possible within the limits of moneys appropriated by the state legislature. Such educational opportunities shall be limited to those inmates who have a need, such need to be determined by the staff of the department of correction, and can benefit from training, and those inmates whose degree of custody classification allows participation in the classroom environment provided.

WHEREAS, Idaho Code 20-209, Control and management of correctional facilities and inmates states: (1) The state board of correction shall have the control, direction and management of such correctional facilities as may be acquired for use by the state board of correction and all property owned or used in connection therewith, and shall provide for the care, maintenance and employment of all inmates now or hereinafter committed to its custody.

WHEREAS, Idaho Code, Title 20 State prison and county jails chapter 5 juvenile corrections act 20-501, Legislative Intent states: It is the policy of the state of Idaho that the juvenile corrections system will be based on the following principles: accountability; community protection; and competency development. . . . It is intended that community programs would exist throughout the state to provide twenty-four (24) hour residential supervision and treatment options to juveniles in close proximity to their families and their community. It is intended that these programs would strengthen the juvenile's relationship with family, engender a commitment to school and employment, promote the development of competency and lifeskills and help juveniles generalize appropriate behavior into their environment. . . . Idaho Code 20-504a, State juvenile corrections centers -- Purposes -- Powers and duties of the department and the director. . . . (3) The department shall assure that the educational programs of state juvenile corrections centers are in compliance with educational standards for secure juvenile facilities which are approved by the Idaho state board of education or an accrediting association recognized by the Idaho state board of education, and;

WHEREAS, an effective working relationship is needed among Idaho Department of Correction, the Department of Juvenile Corrections, and the State Board of Education; and

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WHEREAS, the State of Idaho s prison population is growing at an alarming rate; and

WHEREAS, there is interest from the aforementioned parties to address prison growth and reduce recidivism through better education and programs; and

WHEREAS, James Spalding, Director of the Department of Correction; Brent Reinke, Director of the Department of Juvenile Corrections; Marilyn Howard, Superintendent of Public Instruction; Kathryn Ruffalo and Tom Morley representing the Governor s Office; and Greg Fitch, Executive Director of the State Board of Education determined at a meeting on July 13, 2000 that a committee be appointed by the State Board of Education, the State Board of Correction, and the Department of Juvenile Corrections, and be charged with collaborating in the development of policy, and funding recommendations that will improve correctional education and program services with a long term effect of reducing growing incarceration and recidivism rates.

Therefore this MOU establishes a general framework for participation, interaction and collaboration.

REPRESENTATION

Official representation on the committee shall be from the Board of Correction, Department of Juvenile Corrections, the Board of Education, and the Superintendent of Public Instruction. The respective boards or governing bodies shall identify and replace representatives as needed. There shall be no term on participation.

Ex-Officio representation on the committee shall be from the Governor s Office, Division of Professional-Technical Education (SBE), the Division of Vocational Rehabilitation (SBE), and the Division of Institutional Services (IDOC). One representative from each body of the legislature will also be invited to participate on the committee.

Outside contributors may be invited to participate and contribute upon agreement of the official representatives.

MEETING DATES

The first meeting shall be held as soon as practical. The committee will determine frequency and times of meetings and will meet no less than two times per year.

The intention is for the committee to organize and then to meet periodically to assess progress on the individual projects, and develop reports and policy options for the individual boards or governing bodies.

MEETING MINUTES AND COMMITTEE STAFFING

The State Board of Education shall provide staff to keep minutes and coordinate meetings.

Committee members may volunteer technical and support staff for other projects as needed.

All meetings will be conducted pursuant to the Open Meetings Law.

COMMITTEE RECOMMENDATIONS

Decisions of the committee shall be by consensus of the official representatives. Opposing opinions

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shall be noted in reports.

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REPORTING

The committee shall identify a reporting mechanism that individual boards shall approve.

Minutes shall be made available to the individual boards, governing bodies and agencies involved with this agreement. They will also be made available to others in compliance with the Idaho Public Records Act, Idaho Code 9-337-350.

ALL PARTIES MUTUALLY AGREE:

All appropriate information requested by the committee shall be made available as requested by the committee.

Each participant agency shall be responsible for the expenses associated with each agency's participation.

The committee may develop individual projects with the need for funding. The funding for these projects would be at the discretion of the individual participants. It is understood that participants may not be able to commit funding due to appropriation constraints. The committee may also choose to make recommendations to the legislature for additional funding.

This Memorandum of Understanding is agreed to by the following people, and is subject to annual renewal.

Mr. Ralph Townsend, Chairman, Board of Correction	Date
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Mr. Brent D. Reinke, Director, Department of Juvenile Corrections	Date
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Mr. Thomas G. Boyd, President, State Board of Education	Date
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Dr. Marilyn Howard, Superintendent of Public Instruction	Date
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