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Senate Bill 317: Corrections Education
Senator Valerie Wiener
March 26, 2003

Mr. Chairman and members of the Committee, for the record, I am State Senator Valerie Wiener, representing Clark County, District 3. Today I appear before you to urge your support for Senate Bill 317.

This bill is the end-product of work done in the interim by the Governor's Study Committee on Corrections. Four state legislators—Assemblyman Greg Brower, Assemblywoman Sheila Leslie, Senator Mark Amodei, and I—were appointed to that committee to study ways to improve the state corrections system. We, along with other appointees who brought their own special expertise to the meetings, worked together for a year. At the end of that time, we were asked to make recommendations to the Governor about how to create both appropriate and cost-effective improvements in the department's operations, policies, and practices. Senate Bill 317 represents the study committee's interests in, and commitment to, improving the education of inmates.

SB317 creates an enhanced relationship between the Department of Education and the Department of Corrections. In Section 3, you will see that the Department of Education will consult with the Department of Corrections to adopt regulations to establish a statewide program of education for incarcerated persons. The Department of Education, in consultation with the Department of Corrections, will also coordinate, and assist school districts in operating, programs of education for incarcerated persons.

The statewide program MAY include courses of study for a high school diploma, basic literacy, English as a second language, General Educational Development, life skills, occupational skills, and post-secondary education.

The statewide program will NOT include general education programs and vocational education programs and training established by the Board of State Prison Commissioners.

The statewide program MUST establish standards for each course of study in terms of curriculum, qualifications for entry, and evaluation of incarcerated persons for placement. Also, the statewide program must establish procedures to ensure that credits earned in an education program operated by one school district can be transferred to another institution operated by another school district.

Section 4 of the bill creates the Fund for Programs of Education for Incarcerated Persons, which is allowed to accept donations, gifts, and grants from any source.

Money in the fund must not be considered in 1) negotiations between recognized employee organizations and the school districts OR 2) in any efforts to reduce the amount of money that would otherwise be made available to programs for incarcerated persons.

The Department of Education is required to establish a FORMULA for equitably allocating money from the fund to each school district that operates a prison education program. Also, the State Board shall establish annually, as it has money to do so, a BASIC ALLOCATION to each school district that operates a prison education program.

Section 5 allows a school district board of trustees, with the cooperation of the Department of Corrections, to operate a program of education for incarcerated persons in a facility or institution operated by the Department of Corrections in the county of the school district. A school district that operates such a program shall comply with the Department of Education standards established for the statewide program. To receive an allocation from the fund, the school district must submit to the Department of Education an application to operate a program and a detailed budget.

Section 6 allows the Board of Regents of UCCSN, in cooperation with the Department of Corrections, to offer courses that lead to a post-secondary degree, to incarcerated persons in a state Corrections facility.

Section 7 addresses situations where the warden or facility manager might exclude an employee of the operating school district from the facility or institution. It provides for an inter-agency panel to address the expulsion. This panel includes the director of the Department of Corrections, the Superintendent of Public Instruction, and the immediate supervisor of the excluded employee.

Section 8 allows the Board of Regents to provide tuition-free classes to incarcerated persons who take courses that lead to a post-secondary degree if they meet eligibility criteria for federal need-based financial aid.

You will also note changed language in Sections 9, 10, 11, 12, 13, 15, and 16. SB 317 “updates” antiquated language—language that has already been updated in Education sections of NRS. In this Corrections section of law what is referred to as “general equivalency diploma” will be changed to reflect the accuracy of the document. . . the “general educational development” certificate.

Senate Bill 317 reflects a needed change that is long overdue. It is the hope of the study committee that, with this legislation, we will create an effective, fluid educational system that will produce opportunities for inmates to re-enter their communities with education and, most often, a vocational skill. This will provide them with opportunities for legitimate success, not the likelihood of illegal behavior and failure.

Mr. Chairman and members of the Committee, we know that 95 percent of our inmates will one day see the other side of the institutional walls. We want to substantially reduce the high rate of recidivism in our state. We want to “rehabilitate” inmates so that they can be “contributors” to our communities, not just “takers” and “victimizers.” SB 317 will help us accomplish these goals.

It is for these reasons that I, along with the other members of the Governor’s Study Committee on Corrections, urge your support for Senate Bill 317. Thank you.