

DISCLAIMER

Electronic versions of the exhibits in these minutes may not be complete.

This information is supplied as an informational service only and should not be relied upon as an official record.

Original exhibits are on file at the Legislative Counsel Bureau Research Library in Carson City.

Contact the Library at (775) 684-6827 or library@lcb.state.nv.us.

March 26, 2003

To: Bradley A. Wilkinson
Principal Deputy Legislative Counsel, Legal Division
Senator Amodei
Senator Wiener
Assemblywoman Leslie

RE: Senate Bill No. 317 proposed Amendments
On behalf of Prison Education Programming Directors and Principals.

Testimony provided by Ernie McKenzie, Director, Carson Adult Education, to the Judiciary Committee on March 26, 2003, on behalf of Prison Education Program directors and principals, requested the following amendments be made to SB 317:

Section 3, part 2G, line 21:

Post secondary education. ~~[including, without limitation courses of study offered by any Branch or facility of the University and the Community College systems of Nevada.]~~

(Rationale cited how inmates may view this to mean they have the ability to take coursework without restrictions. Secondly, citing the community system in statute denotes their ability to provide sole source programming when in reality, other Nevada University systems can provide similar coursework.)

Section 3, part 4B, line 35:

...operated by a school district at a facility or institution ~~[may]~~ shall,...

Section 3, part 5, line 43:

...have an educational level which ~~[is an acceptable substitute for completing a high school education.]~~ denotes competency in core curriculum.

Section 10, part 2A, lines 18-21:

Section 12, part 2A, lines 33-36:

Section 13, part 2A, lines 29-32:

We recommend that these three (3) Sections read as follows:

- (a) For earning a general ~~[equivalency diploma]~~ *educational development certificate*, 30 days;
- (b) For earning a high school diploma, 60 days;
- (c) For earning an associate degree, 90 days

Or

- (a) For earning a *general educational development certificate*, 60 days;
- (b) For earning a high school diploma, 90 days;
- (c) For earning an associate degree, 120 days.

(Rationale on the following page.)

1. The former 30-60-90 day progression was appropriate and 'proportional' to time of completion and the merit of the accomplishment. 60-90 day meritorious credentials were earned. Since the GED is a competency examination, many students can sign up, take, pass, and then receive 30 days off sentence without substantial effort, accountability or personal sacrifice. On the other hand, any student who completes and receives a high school diploma has to complete a State approved course of study, pass the State proficiency, come to class regularly and on time, submit required assignments, interact productively with teachers and students, participate in class discussions and behave appropriately. In other words, they have to conform, work, comply and be accountable and responsible to be successful. Passing the GED simply means you are competent in reading, writing, math and science. It is just a test, not a comprehensive educational and sociological program.
2. By allowing students to earn 30 days of meritorious credit, and later, an additional 60 days for a high school diploma, the State and the student benefit. The additional 30 days comes off the end of the sentence thereby releasing the inmate sooner and saving the State revenue. Additionally, the student would actually be in school less time because passage of the GED allows for credit waiver in the high school programs. Furthermore, it doesn't cost the State more to keep an inmate in school longer, It actually saves them money. Students who are working on a GED and a high school diploma concurrently are taking the most expeditious route to completion.
3. The implications that students reside in school because it is a good place to 'hang-out' and earn workdays are grossly false. *All* inmates receive 10 days a month 'stat-time'. Additionally, any inmate who has a job, or is programming (school) receives an additional 10 days a month for 'work days'. Students must be assigned, attending and productive in 6 hours of school per day to receive their full 10 days a month. If they take a reduced schedule, their workdays are proportionally reduced. It is harder to receive your workdays by going to school than many other prison work day options. Examples: Culinary typically employs 100+ workers, most of which work less than 6 hours a day, yet they receive 10 days a month. Prison Industry (PI) workers receive maximum work time **and** pay. By comparison, a student in education has to work harder and longer than other inmate workers.
4. All research indicates a direct correlation between education and reduced recidivism. The more education inmates receive, the less likely they are to return to prison. Therefore, I do not see the logic in shortening the educational process. Furthermore, the transition from GED to HSD is currently a fluid progression of education. The proposed re-designing would result in a competitive, fragmented option. Currently, students go from GED to HSD to College. The option of going from GED to college is not viable. Inmates cannot afford to pay for college and the college cannot afford to educate inmates for free. Why not keep it like it is and let them finish their high school diplomas? Why force the student to choose between GED or Diploma with respect to meritorious certification? Who benefits from this restriction?
5. There is a no benefit to NDOC to have more students move from HSD to GED. There is a perpetual shortage of jobs within institutions. Having more students complete the GED is not going to produce more inmate jobs.
6. Our last meeting emphasized the primary reason more inmates do not complete their educational programming - prison transfers. In order to maximize their resources, NDOC has had to make mass and continual staff and inmate movement. Inmates aren't 'nesting' anyplace; they aren't anywhere long enough! This instability has resulted in inmates withdrawing and not re-enrolling in school. It has made the GED a viable option, however, movement is damaging to all completion rates.