

(PRE-FILED)

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By: **Chairman, Economic and Environmental Affairs Committee**  
**(Departmental - Education)**

Requested: July 27, 1998  
Introduced and read first time: January 13, 1999  
Assigned to: Economic and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: February 2, 1999

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Education - Correctional Institutions**

3 FOR the purpose of ~~revising~~ altering the membership of the Education Coordinating  
4 Council for Correctional Institutions; changing the date by which a certain  
5 report is due to the Governor and the General Assembly; and generally relating  
6 to the education at correctional institutions.

7 BY repealing and reenacting, with amendments,  
8 Article - Education  
9 Section 22-101 and 22-102  
10 Annotated Code of Maryland  
11 (1997 Replacement Volume and 1998 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Education**

15 22-101.

16 (a) There is an Education Coordinating Council for Correctional Institutions  
17 under the jurisdiction of the Department of Public Safety and Correctional Services  
18 which is within the State Department of Education for administrative and budgetary  
19 purposes.

20 (b) (1) The Council consists of ~~6~~ 5 members.

1           (2)     One of the members shall be a resident of this State appointed by the  
2 Governor for a term of 4 years and until a successor is appointed and qualifies.

3           (3)     The following officials shall serve ex officio:

4                   (i)     The State Superintendent of Schools;

5                   (ii)    The [Commissioner of Correction] SECRETARY OF PUBLIC  
6 SAFETY AND CORRECTIONAL SERVICES;

7                   (iii)   The Secretary of Higher Education; AND

8                   (iv)    The county superintendent of schools from a county where a  
9 correctional institution of the Division of Correction is located, who shall be selected  
10 by the State Superintendent[; and

11                   (v)     For issues concerning the funding of educational programs only,  
12 the Director of Patuxent Institution].

13   (c)     Each member of the Council:

14                   (1)     Serves without compensation; and

15                   (2)     Is entitled to reimbursement for expenses in accordance with the  
16 Standard State Travel Regulations.

17   (d)     (1)     The State Superintendent shall serve as chairman of the Council.

18                   (2)     The Council shall designate the time and place of its meetings and  
19 may adopt rules for the conduct of its meetings.

20                   (3)     The State Department of Education shall provide technical and  
21 clerical assistance and support to the Council.

22 22-102.

23   (a)     The Education Coordinating Council for Correctional Institutions shall  
24 develop and recommend an educational program for each correctional institution in  
25 the Division of Correction. The programs shall meet the special needs and  
26 circumstances of the inmates in the institution.

27   (b)     (1)     The Council shall adopt regulations for all correctional institutions in  
28 the Division of Correction for the implementation of a mandatory education program  
29 for all inmates who fail to attain a minimum educational standard as set forth in this  
30 subsection.

31                   (2)     The regulations adopted by the Council shall require that:

32                           (i)     The educational standard shall be the attainment of a General  
33 Education Diploma (G.E.D.) or a verified high school diploma;

- 1 (ii) The regulations shall only apply to any inmate who:
- 2 1. Is received by the Division of Correction after July 1, 1987;
- 3 2. Has 18 months or more remaining to be served before a  
4 mandatory supervision release date;
- 5 3. Is not exempted due to a medical, developmental, or  
6 learning disability; and
- 7 4. Does not possess a General Education Diploma (G.E.D.) or  
8 a verified high school diploma;

9 (iii) Any inmate who is not exempted under subparagraph (ii)3 of  
10 this subsection shall participate in:

- 11 1. The mandatory education program for at least 120  
12 calendar days; or
- 13 2. A vocational training program; and

14 (iv) The Division of Correction shall report to the Parole  
15 Commission the academic progress of an inmate in the mandatory education  
16 program.

17 (c) On or before [June] OCTOBER 30 of each year, the Council shall report its  
18 activities to the Governor and, subject to § 2-1246 of the State Government Article, to  
19 the General Assembly.

20 (d) (1) The Council shall actively advocate and promote the interests of  
21 educational programs and opportunities in correctional institutions. The Council  
22 shall seek to ensure that a quality education and equal educational opportunity are  
23 available to all inmates at correctional institutions.

24 (2) The Council shall on a regular basis review the program of  
25 instruction used in educational programs at correctional institutions to ensure that  
26 the unique educational needs of the populations of correctional institutions are being  
27 satisfactorily met.

28 (3) The Council shall include in its review:

- 29 (i) Curriculum guides;
- 30 (ii) Courses of study;
- 31 (iii) Resource materials;
- 32 (iv) Textbooks;
- 33 (v) Supplementary readers;

- 1                   (vi)     Materials of instruction;
- 2                   (vii)    Visual and auditory aids;
- 3                   (viii)   Supplies;
- 4                   (ix)     Teacher performance; and
- 5                   (x)     Other teaching aids.

6                   (4)     Based on their review, the Council shall recommend and advocate  
7 improvements to the educational programs at correctional institutions.

8                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take  
9 effect October 1, 1999.