SENATE BILL 800

F2, E4

1lr2091
CF HB 1337

By: **Senator Patterson**

Introduced and read first time: February 9, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted with floor amendments

Read second time: February 27, 2021

CHAPTER _____

1 AN ACT concerning

2 **Inmate Training and Job Act of 2021**

3 FOR the purpose of establishing the Inmate Training and Job Pilot Program at certain
4   institutions of postsecondary education; providing for the purpose of the Pilot
5   Program; providing for the administration of the Pilot Program; requiring the
6   Commissioner of Correction to adopt certain regulations to implement the Pilot
7   Program; requiring the Pilot Program to have certain individualized plans that
8   specify a certain staff member to serve as a primary contact; requiring the primary
9   contact to select at least a certain number of students who meet certain qualifications
10   to serve as Pilot Program mentors; requiring certain student mentors to receive
11   course credit and a stipend; requiring the primary contact to meet with an inmate
12   regularly to ensure that the inmate receives certain support; requiring the primary
13   contact to work with the Division of Correction for a certain purpose; requiring
14   certain governing entities to ensure that Pilot Program courses meet certain
15   standards; requiring Pilot Program courses to be provided through a ~~virtual~~ certain
16   format and subject to certain regulations; requiring the Division to ensure that ~~each~~
17   ~~inmate enrolled in the Pilot Program has access to the Internet and to certain online~~
18   ~~materials~~ courses and instruction are provided in a certain manner; requiring the
19   Division to create a certain process by which to confer a degree to an inmate enrolled
20   in the Pilot Program under certain circumstances; requiring the Division to create a
21   certain process and system for a certain purpose on or before a certain date; requiring
22   each inmate who participates in the Pilot Program to provide ~~the Maryland Higher~~
23   ~~Education Commission~~ a certain institution and nonprofit organization with certain
24   updates for a certain period of time; requiring the Maryland Higher Education
25   Commission to establish a certain hotline; requiring the Commission to connect a

1   Pilot Program participant with certain nonprofit organizations under certain
2   circumstances in a certain manner; requiring the Commission to encourage former
3   Pilot Program participants to serve as contacts for future participants; requiring the
4   Governor, in certain fiscal years, to include in the annual budget bill certain
5   appropriations for the Pilot Program and specifying the uses of the appropriated
6   funds; requiring certain governing entities to report on or before a certain date in
7   certain years to the Commission on the number of inmates enrolled in the Pilot
8   Program; requiring that, subject to a certain minimum participant limit, funds be
9   allocated to certain institutions of postsecondary education on a pro rata basis;
10   requiring the Commission on or before certain dates to submit certain reports to the
11   Governor and General Assembly; defining certain terms; providing for the
12   termination of this Act; and generally relating to the Inmate Training and Job Pilot
13   Program.

14 BY adding to
15   Article – Correctional Services
16   Section 3–611
17   Annotated Code of Maryland
18   (2017 Replacement Volume and 2020 Supplement)

19 BY adding to
20   Article – Education
21   Section 24–1301 through 24–1306 to be under the new subtitle "Subtitle 13. Inmate
22   Training and Job Pilot Program"
23   Annotated Code of Maryland
24   (2018 Replacement Volume and 2020 Supplement)

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

27   **Article – Correctional Services**

28 **3–611.**

29   **(A)   THE COMMISSIONER SHALL ADOPT REGULATIONS TO IMPLEMENT THE**
30 **INMATE TRAINING AND JOB PILOT PROGRAM ESTABLISHED UNDER TITLE 24,**
31 **SUBTITLE 13 OF THE EDUCATION ARTICLE.**

32   **(B)   THE REGULATIONS ADOPTED UNDER THIS SECTION SHALL INCLUDE**
33 **TERMS OF DEDUCTION FOR PILOT PROGRAM PARTICIPATION AND, IF**
34 **APPROPRIATE, PROVISIONS GOVERNING THE WORK RELEASE OF PILOT PROGRAM**
35 **PARTICIPANTS.**

36   **Article – Education**

37   **SUBTITLE 13. INMATE TRAINING AND JOB PILOT PROGRAM.**

1 **24–1301.**

2 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
3 INDICATED.

4 (B) "COMMISSION" MEANS THE MARYLAND HIGHER EDUCATION
5 COMMISSION.

6 (C) "DIVISION" MEANS THE DIVISION OF CORRECTION WITHIN THE
7 DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES.

8 (D) "GOVERNING ENTITY" MEANS:

9 (1) THE PRESIDENT OF BOWIE STATE UNIVERSITY;

10 (2) THE PRESIDENT OF COPPIN STATE UNIVERSITY;

11 (3) THE BOARD OF REGENTS OF MORGAN STATE UNIVERSITY;

12 (4) THE PRESIDENT OF THE UNIVERSITY OF MARYLAND EASTERN
13 SHORE; AND

14 (5) THE PRESIDENT, BOARD OF TRUSTEES, BOARD OF REGENTS, OR
15 ANY OTHER HEAD OF AN INSTITUTION OF POSTSECONDARY EDUCATION AT WHICH
16 THE COMMISSION ESTABLISHES A PILOT PROGRAM UNDER § 24–1302 OF THIS
17 SUBTITLE.

18 (E) "INSTITUTION OF POSTSECONDARY EDUCATION" HAS THE MEANING
19 STATED IN § 10–101 OF THIS ARTICLE.

20 (F) "PILOT PROGRAM" MEANS THE INMATE TRAINING AND JOB PILOT
21 PROGRAM.

22 **24–1302.**

23 (A) (1) THERE IS AN INMATE TRAINING AND JOB PILOT PROGRAM AT:

24 (I) BOWIE STATE UNIVERSITY;

25 (II) COPPIN STATE UNIVERSITY;

26 (III) MORGAN STATE UNIVERSITY; AND

27 (IV) THE UNIVERSITY OF MARYLAND EASTERN SHORE.

1   **(2)**   THE COMMISSION MAY ESTABLISH A PILOT PROGRAM AT AN
2   INSTITUTION OF POSTSECONDARY EDUCATION NOT LISTED UNDER PARAGRAPH (1)
3   OF THIS SUBSECTION THROUGH A MEMORANDUM OF UNDERSTANDING.

4   **(B)**   THE PURPOSE OF EACH PILOT PROGRAM IS TO PROVIDE EDUCATIONAL
5   AND VOCATIONAL TRAINING OPPORTUNITIES FOR AN INMATE IN THE ~~9~~ 12 MONTHS
6   PRECEDING THE INMATE'S DATE OF RELEASE.

7   **(C)**   THE PILOT PROGRAM SHALL BE ADMINISTERED JOINTLY BY THE
8   COMMISSION AND THE GOVERNING ENTITY OF EACH INSTITUTION OF
9   POSTSECONDARY EDUCATION, WITH THE COOPERATION OF THE DIVISION.

10   **24–1303.**

11   **(A)**   **(1)**   EACH PILOT PROGRAM SHALL HAVE AN INDIVIDUALIZED PLAN
12   DESIGNED TO PREPARE THE INMATE FOR SUCCESS ON RELEASE.

13   **(2)**   THE INDIVIDUALIZED PLAN SHALL SPECIFY A PROFESSOR OR
14   OTHER STAFF MEMBER AT THE INSTITUTION OF POSTSECONDARY EDUCATION WHO
15   SHALL SERVE AS THE PRIMARY CONTACT RESPONSIBLE FOR EACH INMATE'S
16   PARTICIPATION AND EDUCATION IN THE PILOT PROGRAM.

17   **(3)**   **(I)**   THE PRIMARY CONTACT SHALL SELECT AT LEAST THREE
18   STUDENTS TO SERVE AS PILOT PROGRAM MENTORS WHO ARE:

19   **1.**   AT LEAST 18 YEARS OLD;

20   **2.**   ENROLLED IN THE INSTITUTION OF POSTSECONDARY
21   EDUCATION; AND

22   **3.**   IF A PILOT PROGRAM IS LOCATED AT A 4–YEAR
23   INSTITUTION OF POSTSECONDARY EDUCATION, ENROLLED IN THEIR JUNIOR OR
24   SENIOR YEAR.

25   **(II)**   A STUDENT WHO PARTICIPATES IN THE PILOT PROGRAM
26   SHALL RECEIVE COURSE CREDIT AND A SMALL STIPEND FROM THE PILOT
27   PROGRAM.

28   **(4)**   TO ENSURE THAT THE INMATE RECEIVES THE SUPPORT
29   NECESSARY TO SUCCEED, THE PRIMARY CONTACT SHALL MEET WITH THE INMATE
30   REGULARLY DURING THE INMATE'S PARTICIPATION IN THE PILOT PROGRAM.

31   **(5)**   THE PRIMARY CONTACT SHALL WORK WITH THE DIVISION TO

1 ENSURE THAT THE TIMING OF COURSE PARTICIPATION AND PILOT PROGRAM
2 MEETINGS WORKS WITH AN INMATE'S SCHEDULE.

3   (B) EACH GOVERNING ENTITY SHALL ENSURE THAT AN INMATE
4 PARTICIPATING IN THE PILOT PROGRAM IS ENROLLED IN A COURSE OR COURSES
5 THAT:

6   (1) ARE CREDIT BEARING AND MAY CONTRIBUTE TO COURSE
7 GRADUATION REQUIREMENTS FOR AN INSTITUTION OF POSTSECONDARY
8 EDUCATION; OR

9   (2) EITHER IN ISOLATION OR AS PART OF A SERIES OF COURSES, LEAD
10 TO AN INDUSTRY–RECOGNIZED CERTIFICATE OR LICENSE.

11   (C) COURSES PROVIDED UNDER THIS SECTION SHALL BE:

12   (1) PROVIDED THROUGH A ~~VIRTUAL~~ SUITABLE FORMAT AS
13 INDICATED BY THE PILOT PROGRAM IN CONSULTATION WITH THE COMMISSION,
14 THE DIVISION, AND THE APPLICABLE INSTITUTION OF POSTSECONDARY
15 EDUCATION, WHETHER VIRTUAL OR NONVIRTUAL; AND

16   (2) SUBJECT TO REGULATIONS ADOPTED BY THE COMMISSIONER OF
17 CORRECTION UNDER § 3–611 OF THE CORRECTIONAL SERVICES ARTICLE.

18   (D) THE DIVISION SHALL:

19   (1) ENSURE THAT ~~EACH INMATE ENROLLED IN THE PILOT PROGRAM~~
20 ~~HAS ACCESS TO THE INTERNET AND TO PLATFORMS REQUIRED BY THE COMMISSION~~
21 ~~AND PARTICIPATING INSTITUTIONS OF POSTSECONDARY EDUCATION, INCLUDING:~~

22   ~~(I) WEBSITES AND DOCUMENTS NECESSARY FOR THE INMATE~~
23 ~~TO COMPLETE THE FEDERAL FREE APPLICATION FOR FEDERAL STUDENT AID~~
24 ~~(FAFSA);~~

25   ~~(II) VIRTUAL LEARNING APPLICATIONS; AND~~

26   ~~(III) THE WEBSITES FOR THE COMMISSION AND PARTICIPATING~~
27 ~~INSTITUTIONS OF POSTSECONDARY EDUCATION~~ COURSES AND INSTRUCTION ARE
28 PROVIDED IN A SUITABLE MANNER AS INDICATED BY THE PILOT PROGRAM IN
29 CONSULTATION WITH THE COMMISSION, THE DIVISION, AND THE APPLICABLE
30 INSTITUTION OF POSTSECONDARY EDUCATION, WHETHER VIRTUAL OR
31 NONVIRTUAL; ~~AND~~

1   **(2)** CREATE A SAFE AND REASONABLE PROCESS, WHETHER
2   VIRTUALLY OR IN PERSON, BY WHICH TO CONFER A DEGREE TO AN INMATE WHO IS
3   STILL INCARCERATED AND WHO COMPLETES THE REQUIREMENTS FOR A DEGREE AS
4   PART OF THE PILOT PROGRAM; AND

5   **(3)** ON OR BEFORE JUNE 1, 2022, CREATE A PROCESS AND SYSTEM IN
6   COORDINATION WITH THE COMMISSION TO DEVELOP A HYBRID VIRTUAL AND
7   IN–PERSON LEARNING ENVIRONMENT IN THE DIVISION'S STATEWIDE SYSTEM.

8   **24–1304.**

9   **(A)   (1)** EACH INMATE WHO PARTICIPATES IN THE PILOT PROGRAM
10   SHALL AGREE TO PROVIDE THE ~~COMMISSION~~ ASSIGNED INSTITUTION OF
11   POSTSECONDARY EDUCATION AND NONPROFIT ORGANIZATION WITH REGULAR
12   UPDATES FOR **2** YEARS FOLLOWING THE INMATE'S RELEASE.

13   **(2)** UPDATES PROVIDED UNDER THIS SUBSECTION SHALL INCLUDE
14   INFORMATION ABOUT THE PILOT PROGRAM PARTICIPANT'S EMPLOYMENT,
15   ENROLLMENT IN POSTSECONDARY EDUCATION COURSES, AND LICENSURE OR
16   CERTIFICATION.

17   **(B)** THE COMMISSION SHALL ESTABLISH A HOTLINE FOR PARTICIPANTS IN
18   THE PILOT PROGRAM THROUGH WHICH A FORMER INMATE MAY BE CONNECTED TO
19   COUNSELING AND JOB SERVICES.

20   **(C)   (1)** SUBJECT TO PARAGRAPH **(2)** OF THIS SUBSECTION, BEFORE A
21   PILOT PROGRAM PARTICIPANT'S RELEASE, THE COMMISSION SHALL CONNECT A
22   PARTICIPANT WITH A NONPROFIT ORGANIZATION THAT SERVES INDIVIDUALS IN
23   THE COMMUNITY WHERE THE PARTICIPANT PLANS TO RESIDE.

24   **(2)** THE COMMISSION SHALL CONNECT A PARTICIPANT WITH A
25   NONPROFIT ORGANIZATION ONLY IF THE PARTICIPANT DESIRES THE AID OF A
26   NONPROFIT ORGANIZATION WHOSE MISSION INCLUDES AID WITH:

27   **(I)** JOB PLACEMENT;

28   **(II)** HOUSING SERVICES; OR

29   **(III)** COUNSELING SERVICES.

30   **(3)** THE COMMISSION SHALL FACILITATE PILOT PROGRAM
31   PARTICIPANT CONTACT WITH THE APPROPRIATE NONPROFIT ORGANIZATION.

32   **(D)** THE COMMISSION SHALL ENCOURAGE FORMER PILOT PROGRAM

1 PARTICIPANTS TO SERVE AS CONTACTS FOR FUTURE PILOT PROGRAM
2 PARTICIPANTS.

3 24–1305.

4 (A) THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN
5 APPROPRIATION FOR THE PILOT PROGRAM IN THE AMOUNT OF:

6 (1) ~~$125,000~~ $300,000 IN FISCAL YEAR 2023;

7 (2) ~~$137,500~~ $330,000 IN FISCAL YEAR 2024;

8 (3) ~~$151,250~~ $363,000 IN FISCAL YEAR 2025; AND

9 (4) ~~$151,250~~ $363,000 IN FISCAL YEAR 2026.

10 (B) FUNDING APPROPRIATED UNDER THIS SECTION SHALL BE PROVIDED
11 TO:

12 (1) THE COMMISSION FOR:

13 (I) COSTS ASSOCIATED WITH THE ADMINISTRATION OF THE
14 PILOT PROGRAM, INCLUDING A DESIGNATED EMPLOYEE RESPONSIBLE FOR THE
15 ADMINISTRATION OF THE PILOT PROGRAM;

16 (II) GRANTS MADE TO INSTITUTIONS OF POSTSECONDARY
17 EDUCATION THAT PARTICIPATE IN THE PILOT PROGRAM; AND

18 (III) STIPENDS PROVIDED TO STUDENT MENTORS WHO
19 PARTICIPATE IN THE PILOT PROGRAM; AND

20 (2) THE DIVISION FOR COSTS ASSOCIATED WITH THE
21 ADMINISTRATION OF THE PILOT PROGRAM WITHIN THE DIVISION, INCLUDING A
22 DESIGNATED EMPLOYEE RESPONSIBLE FOR THE ADMINISTRATION OF THE PILOT
23 PROGRAM.

24 (C) ON OR BEFORE DECEMBER 15, 2022, AND EACH DECEMBER 15
25 THROUGH 2026, A GOVERNING ENTITY SHALL REPORT TO THE COMMISSION ON THE
26 NUMBER OF INMATES ENROLLED IN THE PILOT PROGRAM AT THE INSTITUTION IN
27 THE CURRENT ACADEMIC YEAR.

28 (D) (1) SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, EACH YEAR
29 THE COMMISSION SHALL ALLOCATE FUNDS TO INSTITUTIONS OF POSTSECONDARY
30 EDUCATION THAT PARTICIPATE IN THE PILOT PROGRAM ON A PRO RATA BASIS,

1   ACCORDING TO THE MOST RECENT ENROLLMENT DATA REQUIRED UNDER
2   SUBSECTION (C) OF THIS SECTION.

3   **(2)**   ~~AN INSTITUTION~~ INSTITUTIONS OF POSTSECONDARY EDUCATION
4   MUST <u>COLLECTIVELY AIM TO</u> ENROLL AT LEAST ~~10~~ <u>40</u> INMATES<u>, TO BE DIVIDED</u>
5   <u>AMONG THE INSTITUTIONS,</u> TO QUALIFY FOR AN ALLOCATION OF FUNDS UNDER
6   THIS SUBSECTION.

7   **24–1306.**

8   **(A)**   **(1)**   ON OR BEFORE JULY 1, 2024, THE COMMISSION, IN
9   CONSULTATION WITH THE DIVISION, SHALL SUBMIT AN INTERIM REPORT TO THE
10   GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT
11   ARTICLE, THE GENERAL ASSEMBLY ON THE PROGRESS OF THE PILOT PROGRAM.

12   **(2)**   ON OR BEFORE JULY 1, 2028, THE COMMISSION, IN
13   CONSULTATION WITH THE DIVISION, SHALL SUBMIT A FINAL REPORT TO THE
14   GOVERNOR AND, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT
15   ARTICLE, THE GENERAL ASSEMBLY ON THE PROGRESS OF THE PILOT PROGRAM.

16   **(B)**   THE REPORTS REQUIRED UNDER THIS SECTION SHALL INCLUDE THE
17   FOLLOWING INFORMATION ON PROGRAM PARTICIPANTS:

18   **(1)**   THE COURSES IN WHICH A PARTICIPANT ENROLLED;

19   **(2)**   POST–CONFINEMENT EMPLOYMENT OF A PARTICIPANT;

20   **(3)**   POST–CONFINEMENT   CONTINUING   EDUCATION   OF   A
21   PARTICIPANT; AND

22   **(4)**   POST–CONFINEMENT   CERTIFICATION   OR   LICENSURE   OF   A
23   PARTICIPANT.

24   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25   1, 2021. It shall remain effective for a period of 7 years and, at the end of June 30, 2028,
26   this Act, with no further action required by the General Assembly, shall be abrogated and
27   of no further force and effect.