
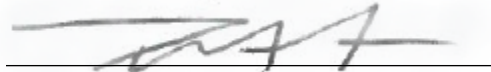


<b>POLICY TITLE: NATIONAL CENTER FOR CONSTRUCTION EDUCATION AND RESEARCH (NCCER) PROGRAM</b>		<b>PAGE 1 OF 9</b>	
<b>POLICY NUMBER: (AF) 24.5.2 and (JF) 19.2.1</b>			
<b>CHAPTER 24: ADMINISTRATION OF PROGRAMS AND SERVICES</b>			
	<b>STATE of MAINE</b> <b>DEPARTMENT OF CORRECTIONS</b>  <b>Approved by Commissioner:</b> 		<b>PROFESSIONAL STANDARDS:</b>  <b>See Section VIII</b>
	<b>EFFECTIVE DATE:</b> <b>November 5, 2019</b>	<b>LATEST REVISION:</b> <b>February 28, 2020</b>	<b>CHECK ONLY IF</b> <b>APA [ ]</b>

**I. AUTHORITY**

The Commissioner of Corrections adopts this policy pursuant to the authority contained in 34-A M.R.S.A. Section 1403.

**II. APPLICABILITY**

All Departmental Adult and Juvenile Facilities

**III. POLICY**

The Department offers NCCER programs to provide prisoners and residents an opportunity to learn technical and knowledge-based skills, develop long term career goals, increase employability skills and abilities, and gain apprenticeship hours to aid in obtaining employment upon their release.

**IV. DEFINITIONS**

1. Accredited Training Sponsor (ATS) - an entity that has been approved by NCCER as having the resources to effectively conduct a quality training program that utilizes the NCCER curriculum.
2. National Center for Construction Education and Research (NCCER) - a not-for-profit 501(c)(3) education foundation established to standardize training and credentialing programs for the construction industry.
3. Site Representative – support staff who assist with the NCCER program at the facility level.
4. Sponsor Representative – the staff person responsible for the administration of the NCCER training program for the Department, who is an NCCER Master Trainer with current credentials.

5. Student - for the purposes of this policy, a student refers to a prisoner or a resident enrolled in a Department NCCER program.

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## VI. ATTACHMENTS

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- NCCER form: [NCCER Registration and Release form](#)
- NCCER form: [Instructor Evaluation](#)

## VII. PROCEDURES

### Procedure A: NCCER Programs, General

1. The Department is a National Center for Construction Education and Research (NCCER) Accredited Training Sponsor and shall adhere to the NCCER Accreditation Guidelines.
2. In addition, the Department has Department Policies 3.13, Alcohol and Drug-Free Workplace and 3.5, Code of Conduct that meet NCCER's requirement for the Accredited Training Sponsor to have policies regarding alcohol, drugs, and firearms.
3. Department Policies (AF) 25.1, Prisoner Work Opportunities and (JF) 19.2 Education Programs, shall apply to NCCER programs where applicable. If a specific NCCER requirement varies from Policy 25.1, Prisoner Work Opportunities or (JF) 19.2 Education Programs, the NCCER requirement shall be followed, e.g., appeals, etc.
4. Case managers or social workers, as applicable, shall screen their caseloads for prospective NCCER students during case plan reviews.

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5. NCCER instructors and other educational/vocational staff may promote and provide outreach activities to prospective NCCER students.

**Procedure B: Management of NCCER Programs**

1. The Department’s Correctional Education Manager is responsible for the overall management of the National Center for Construction Education and Research (NCCER) certified training programs as outlined in Department Policy (AF) 24.5, Prisoner Education Programs.
2. In addition, the Correctional Education Manager is responsible to develop a transition plan if the replacement and/or removal of the Sponsor Representative occurs that includes the selection of either a temporary or permanent Sponsor Representative whether:
  - a. a current qualified Department employee;
  - b. a contract with another Accredited Training Sponsor from another NCCER training program; or
  - c. by recruiting a qualified individual through the Maine State Government hiring process.
3. The Department’s NCCER Sponsor Representative is responsible for the administration of the NCCER program including, but not limited to, the following:
  - a. serve as the liaison between the Department and NCCER;
  - b. select facility Site Representatives, if the Sponsor Representative does not serve in that capacity;
  - c. conduct facility NCCER training site evaluations as described in Procedure J, Program Evaluations;
  - d. evaluate NCCER instructors as described in Procedure J and ensure that each instructor completes any required training;
  - e. retesting of students as described in Procedure D, Retesting;
  - f. security of all test and student training records as described in Procedure H, Test Security;
  - g. approval of all forms submitted to NCCER;
  - h. communication of any policy revisions to all NCCER instructors;
  - i. ensure that if a certified NCCER Instructor leaves the Department or is no longer an NCCER instructor that he or she is removed from the Sponsor instructor list and is not allowed to instruct in the Department’s NCCER program; and
  - j. the return of all NCCER training records to the Sponsor Representative upon the closure of a facility NCCER program, if applicable.

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4. The facility Site Representative at facilities that offer the National Center for Construction Education and Research (NCCER) certified training programs shall ensure that:
  - a. training classrooms:
    - 1) have adequate space and layout to carry out instruction and training with the required training equipment for realistic methods and procedures;
    - 2) accommodate teaching/learning activities such as lectures, discussions, laboratory work, module written and performance tests, and performance verifications; and
    - 3) are arranged to encourage interaction as warranted.
  - b. adequate/appropriate materials, tools, and equipment needed to support the class size and instructional content for instructors and students are provided; and
  - c. appropriate instructional support services and resources are provided.
  
5. NCCER instructors are responsible for, but not limited, to the following:
  - a. arrival at the class site sufficiently before the start time to ensure:
    - 1) access to the classroom;
    - 2) proper classroom set-up (seating) and climate control;
    - 3) appropriate audio-visual equipment and power supply;
    - 4) adequate amount of training materials (books or manuals for each trainee, testing equipment, etc.);
    - 5) adequate safety provision (entrance and exit, fire extinguishers, first aid kits and/or trained personnel, emergency phone numbers and phone access, a safety audit of equipment, tools, and materials to be used, etc.); and
    - 6) attendance recording.
  - b. provide requirements in writing concerning a student's participation in the program, to include:
    - 1) class times and attendance policies;
    - 2) classroom conduct and appearance;
    - 3) testing and results procedures;
    - 4) safety procedures;
    - 5) equipment and material handling (including HAZCOM or SDS issues); and
    - 6) expectations for and from training.
  - c. ensure the security of training materials, equipment, and NCCER curriculum tests under their control.

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- d. report any breach of security or awareness of the same to the Department's NCCER Sponsor Representative and the Site Representative immediately;
- e. management of the student candidate pool; and
- f. ensure that students read and understand this policy.

**Procedure C: Screening, Eligibility, and Enrollment**

1. The Unit Management Team or Unit Treatment Team, as applicable, shall identify possible candidates for National Center for Construction Education and Research (NCCER) programs and make referrals to the applicable instructor, as applicable considering the following:
  - a. institutional adjustment;
  - b. risk level;
  - c. reported and/or verified education history;
  - d. employment history;
  - e. vocational skill level;
  - f. earliest possible release date;
  - g. custody level;
  - h. prior participation or completion in Departmental education and work programs;
  - i. willingness to complete programs; and
  - j. availability of program resources.
2. Although a high school diploma or equivalent is not required as a pre-requisite for an NCCER program, the Unit Management Team or Unit Treatment Team, as applicable, may refer a prospective student without a high school credential to facility education staff, as appropriate.
3. The application process for enrollment in an NCCER program for a prospective student includes:
  - a. completion of an NCCER application (Attachment A);
  - b. submission of an essay;
  - c. a signed NCCER agreement (Attachment B);
  - d. an interview between the applicable NCCER instructor; and
  - e. a recommendation(s) by the Unit Management Team or Unit Treatment Team, as applicable, considering based upon the above factors.
4. Referrals may be prioritized based on risk level, individual needs, earliest possible release date, and availability of program resources.

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5. The applicable instructor in consultation with the Unit Management Team or Unit Treatment Team, as applicable, shall determine whether or not to approve the prospective student for enrollment in the National Center for Construction Education and Research (NCCER) Program.
6. The facility Chief Administrative Officer, or designee, may suspend or defer enrollment based on security considerations, conduct, or medical concerns.
7. If approved, a prospective student shall complete and sign the NCCER Registration and Release form.
8. A student enrolled in an NCCER training program shall:
  - a. be required to attend classes as scheduled or shall be considered tardy;
  - b. be counted as absent if he or she arrives past the start of class such that more than 20% of that session is missed; and
  - c. not be absent for 5% or more of any training program, without an acceptable excuse that is approved by a facility Site Representative or he or she may be removed from the program.
9. Instructors shall refer a student who is scoring low on or not passing an NCCER exam to facility education staff for assistance.

**Procedure D: Retesting**

1. A student who fails to pass a written or performance-based test shall be evaluated by the instructor to determine if more studying or practice is needed or if the student requires intervention such as tutoring for a specific area. Once a determination of why the student may have failed has been made and proper corrective measures have been executed the student shall be scheduled for a retest in accordance with the NCCER time frame policy.

**Procedure E: Academic Honesty**

1. A student in an NCCER program is expected to engage in academic honesty.
2. Cheating and plagiarism are considered serious offenses of academic dishonesty and shall be grounds for removal from the program, responsible for the cost of the book, and possible disciplinary action. The student may also receive a zero on the test or assignment in question and the cheating shall be reported to the Sponsor Representative.
3. When proctoring module tests, instructors must be vigilant to prevent cheating and should walk around the room during a test session.

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## **Procedure F: Removal from NCCER**

1. Removal from participation in any National Center for Construction Education and Research (NCCER) program may occur based upon, but not limited to, the following:
  - a. The student:
    - 1) is repeatedly absent from scheduled class sessions;
    - 2) demonstrates an unwillingness to study, learn, or participate in class activities or expresses a desire to withdraw from the training program;
    - 3) violates project or training program guidelines; or
    - 4) other reasons that warrant consideration of removal.
2. Determination to remove a student from training shall be made by the student's instructor in consultation with the Sponsor Representative.
3. If a student is removed from the NCCER program, the instructor shall document the removal, the reason, and ensure that the student is informed of the reason(s) for removal.

## **Procedure G: Appeals**

1. A student wishing to appeal removal from an NCCER program or other NCCER issue may submit an appeal to the Department's Sponsor Representative within five (5) working days of receiving an adverse decision.
2. The Sponsor Representative, or designee, upon consultation with the facility Chief Administrative Officer, or designee, shall make a decision on the appeal within thirty (30) days after receiving a timely appeal. Upon review of the appeal, the Sponsor Representative, may:
  - a. approve the decision;
  - b. reverse the decision; or
  - c. modify the decision.
3. A copy of the appeal and the decision on the appeal shall be placed in the student's Case Management Record and the NCCER student file.
4. If the appeal is not satisfactorily resolved, the appeal may be submitted in writing to NCCER within thirty (30) days of submitting the initial submission of the appeal and NCCER shall respond accordingly.

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## **Procedure H: Test Security**

1. The Department's Sponsor Representative shall ensure the security of all testing mechanisms (written, web-based, online). Written tests shall be kept in a secured, locked location and shall be only accessible to approved trainers and certified instructors. In addition, only the current version of a module test shall be used.
2. When a module test is to be administered, the current version shall be downloaded from the NCCER Instructor Resource Center, required copies made and administered. All unused copies and the original download shall then be destroyed.
3. Tests shall be graded by a certified instructor and results shall be submitted to the NCCER Registry. Scored module tests will be kept in a secure physical or electronic location for three (3) years and/or until the next re-accreditation audit.

## **Procedure I: Records**

1. The Department's Sponsor Representative shall ensure that instructors place student's training records and certificates in the student's NCCER file, the student's administrative file, and CORIS, as applicable.
2. Each facility Site Coordinator shall ensure that:
  - a. any paper student records are kept in a file cabinet in a locked secure location and shall not be removed from the area unless authorized by the Department's Sponsor Representative; and
  - b. once three (3) years have passed since the completion of an NCCER program by a student, the paper student records shall be scanned into CORIS and the paper record destroyed.
3. Any breaches of confidentiality shall be reported to the Department's Sponsor Representative immediately.
4. As soon as possible after the departure of an instructor, all related NCCER training records shall be forwarded to the Department's Sponsor Representative.
5. If at any time, a facility is no longer going to offer NCCER training the Department's Sponsor Representative shall ensure that all training files, test supplies, and documentation are removed and stored at the Mountain View Correctional Facility.

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**Procedure J: Program Evaluation**

1. The Department's Sponsor Representative shall ensure there is a program evaluation process at each facility with a National Center for Construction Education and Research (NCCER) program to evaluate the program's effectiveness and compliance with the NCCER program standards.
2. Training sessions by each instructor shall be monitored annually by the Department's Sponsor Representative on a scheduled basis.
3. Each student shall be provided with an NCCER Instructor Evaluation form to complete on each NCCER training program that he or she completes.
4. The Department's Sponsor Representative shall review evaluations and provide feedback as necessary to instructors.

**VIII. PROFESSIONAL STANDARDS**

None

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