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 Facilities

III. POLICY

The Department offers NCCER programs to provide prisoners 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 them 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. Performance Verification - the hands-on, skill component of the National Craft Assessment and Certification Program that measures the craft professional’s ability to perform journey-level tasks

4. Site Representative – support staff who assist with the NCCER program at the facility level.
5. Sponsor Representative – the staff person responsible for the administration of the NCCER training program for the Department.

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VII. PROCEDURES

Procedure A: NCCER Programs, General

1. The Department is an NCCER Accredited Training Sponsor and shall adhere to the NCCER Accreditation Guidelines.

2. Department Policy 25.1, Prisoner Work Opportunities shall apply to NCCER programs where applicable. If a specific NCCER requirement varies from Policy 25.1, Prisoner Work Opportunities, the NCCER requirement shall be followed, e.g., appeals, etc.

3. Case managers shall screen their caseloads for prospective NCCER students during case plan reviews.

4. 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 NCCER certified training programs as outlined in Department Policy (AF) 24.5, Prisoner Education Programs.

2. The Department’s NCCER Sponsor Representative is responsible for the administration of the NCCER program and, but not limited to, the following:
   a. serve as the liaison between the Department and NCCER;
b. facility NCCER training site evaluations;

c. instructor evaluations;

d. retesting procedures;

e. security of all test and prisoner training records; and

f. approval of all forms submitted to NCCER.

3. The facility Chief Administrative Officer at facilities that offer 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/assessment activities such as lectures, discussions, laboratory work, module written and performance tests, administering assessments 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 prisoners are provided;

c. appropriate instructional and assessment support services and resources are provided.

4. NCCER instructors are responsible for, but not limited to the following:

a. arrival at the class site sufficiently prior to 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. providing requirements in writing concerning a prisoner’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. ensuring the security of training materials, equipment, and NCCER curriculum tests under their control. Any breach of this security or awareness of the same is to be reported to the Department’s NCCER Sponsor Representative and the Site Representative immediately; and
d. the management of the candidate pool.

Procedure C: Screening, Eligibility, and Enrollment

1. Unit Management Teams shall identify possible candidates for NCCER programs at a prisoner’s annual or semi-annual reclassification review and make referrals to the applicable instructor, as applicable.

2. The prisoner’s Unit Management Team shall consider the following before a referral is made for enrollment in an NCCER Program:
   a. prisoner’s 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 Department provided education and work programs;
   i. willingness to complete programs; and
   j. availability of program resources.

3. Although a high school diploma or equivalent is not required as a pre-requisite for an NCCER program, the Unit Management Team may refer a prisoner without a high school credential to facility education staff, as appropriate.

4. The application process for enrollment in an NCCER program includes:
   a. completion of an NCCER application (Attachment A) by the prisoner;
   b. submission of an essay by the prisoner;
   c. a signed NCCER agreement (Attachment B) by the prisoner;
   d. an interview between the applicable NCCER instructor and the prisoner; and
e. a recommendation(s) by the Unit Management Team considering based upon the above factors.

5. Referrals may be prioritized based on risk level, individual needs, earliest possible release date, and availability of program resources.

6. The applicable instructor in consultation with the Unit Management Team shall determine whether or not to approve the prisoner for enrollment in the NCCER Program.

7. The facility Chief Administrative Officer, or designee, may suspend or defer enrollment based on security considerations, conduct, or medical concerns.

8. If approved, a prisoner shall complete and sign the NCCER Registration and Release form.

9. A prisoner enrolled in a 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; or
   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.

10. Instructors shall refer a prisoner who is scoring low on or not passing an NCCER exam to facility education staff for assistance.

Procedure D: Removal from NCCER

1. Removal from participation in any NCCER training program may occur based upon, but not limited to, the following:
   a. The prisoner:
      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 prisoner from training shall be made by the prisoner's instructor in consultation with the Site Representative.

3. If the prisoner is removed from the NCCER program, the instructor shall document the removal and the reason and ensure that the prisoner is informed of the reason(s) for removing him or her from training.
Procedure E:  Appeals

1. A prisoner may appeal:
   a. removal from an NCCER program; and
   b. an assessment and/or performance verification.

2. A prisoner wishing to appeal one of the above decisions may submit an appeal to
   the Department’s Sponsor Representative within five (5) working days of
   receiving a decision on one of the above.

3. 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 prisoner appeal. Upon review of the
   appeal, the Sponsor Representative, or designee, may:
      a. approve the decision;
      b. reverse the decision; or
      c. modify the decision.

4. A copy of the appeal and the decision on the appeal shall be placed in the
   prisoner’s Case Management Record.

5. 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.

Procedure F:  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, the most current version of a module test shall
   be used and the question and answer sequences shall be altered as a test
   security measure.

2. When a module test is to be administered, the original shall be used to make
   copies as needed. The original shall then be placed back in a secured, locked
   location. All unused copies of a module test shall be destroyed immediately.

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 then destroyed.

Procedure G:  Recordkeeping

1. The Department’s Sponsor Representative shall ensure that documentation of
   training conducted, end-of-module exams, and performance profile task sheets
are maintained in the NCCER file, the prisoner’s administrative file, and CORIS, as applicable.

2. Each facility Site Coordinator shall ensure all training related records are kept secure and confidential.

3. Any breaches of confidentiality shall be reported to the Department’s Sponsor Representative immediately.

Procedure H: Program Evaluation

1. The Department’s Sponsor Representative shall ensure there is a program evaluation process at each facility with an NCCER program to evaluate the program’s effectiveness in accordance with the guidelines set forth by NCCER.

2. Training sessions by each instructor shall be monitored annually by the Department’s Sponsor Representative, or designee, on a scheduled basis.

3. Each prisoner 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, or designee, shall review evaluations and provide feedback as necessary to instructors.

VIII. PROFESSIONAL STANDARDS

None