

1 **DEPARTMENT OF CORRECTIONS EDUCATION SERVICES**

2 2022 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Melissa G. Ballard**

5 Senate Sponsor: Luz Escamilla

6	Cosponsors:	Marsha Judkins	Andrew Stoddard
7	Cheryl K. Acton	Kelly B. Miles	Mike Winder
8	Jefferson S. Burton	Karen M. Peterson	
9	Matthew H. Gwynn	Susan Pulsipher	
10	Sandra Hollins	Angela Romero	

11

12 **LONG TITLE**

13 **General Description:**

14 This bill concerns educational and career-readiness programs for incarcerated
15 individuals.

16 **Highlighted Provisions:**

17 This bill:

- 18 ▶ requires the Department of Corrections to:
 - 19 • ensure appropriate educational or career-readiness programs are made available
20 to an inmate as soon as certain conditions are met;
 - 21 • provide incarcerated women with substantially equivalent educational and
22 career-readiness opportunities as incarcerated men;
 - 23 • provide reasonable access to resources necessary for an inmate to apply for
24 grants or other available financial aid for an educational or career-readiness
25 program;
 - 26 • consider an inmate's current participation in an educational or career-readiness
27 program when making a decision regarding an inmate's transfer or disciplinary
28 sanction;

- 29 • when possible, allow an inmate to continue an inmate's participation in an
- 30 educational or career-readiness program while a facility is under lockdown,
- 31 quarantine, or similar status;
- 32 • maintain and release educational records for an inmate under certain conditions;
- 33 and
- 34 • provide an annual report to the Higher Education Appropriations Subcommittee
- 35 regarding the department's educational and career-readiness programs for
- 36 inmates; and
- 37 ▶ makes technical and conforming changes.

38 **Money Appropriated in this Bill:**

39 None

40 **Other Special Clauses:**

41 None

42 **Utah Code Sections Affected:**

43 ENACTS:

44 **64-13-48**, Utah Code Annotated 1953



46 *Be it enacted by the Legislature of the state of Utah:*

47 Section 1. Section **64-13-48** is enacted to read:

48 **64-13-48. Educational and career-readiness programs.**

49 (1) The department shall, in accordance with Subsection **64-13-6(1)(c)**, ensure that
50 appropriate evidence-based and evidence-informed educational or career-readiness programs
51 are made available to an inmate as soon as practicable after the creation of the inmate's case
52 action plan.

53 (2) The department shall provide incarcerated women with substantially equivalent
54 educational and career-readiness opportunities as incarcerated men.

55 (3) Before an inmate begins an educational or career-readiness program, the
56 department shall provide reasonable access to resources necessary for an inmate to apply for

57 grants or other available financial aid that may be available to pay for the inmate's program.

58 (4) (a) The department shall consider an inmate's current participation in an
59 educational or career-readiness program when the department makes a decision with regard to
60 an inmate's:

61 (i) transfer to another area or facility; or

62 (ii) appropriate disciplinary sanction.

63 (b) When possible, the department shall use best efforts to allow an inmate to continue
64 the inmate's participation in an educational or career-readiness program while the facility is
65 under lockdown, quarantine, or a similar status.

66 (5) (a) The department shall maintain records on an inmate's educational progress,
67 including completed life skills, certifications, and credit- and non-credit-bearing courses, made
68 while the inmate is incarcerated.

69 (b) The department shall facilitate the transfer of information related to the inmate's
70 educational process upon the inmate's release, including the inmate's post-release contact
71 information and the records described in Subsection (5)(a), to:

72 (i) the inmate; or

73 (ii) an entity that the inmate has authorized to receive the inmate's records or
74 post-release contact information, including an institution:

75 (A) from which the inmate received educational instruction while the inmate was
76 incarcerated; or

77 (B) at which the inmate plans to continue the inmate's post-incarceration education.

78 (6) Beginning May 1, 2023, the department shall provide an annual report to the
79 Higher Education Appropriations Subcommittee regarding educational and career-readiness
80 programs for inmates, which shall include:

81 (a) the number of inmates who are participating in an educational or career-readiness
82 program, including an accredited postsecondary education program;

83 (b) the percentage of inmates who are participating in an educational or
84 career-readiness program as compared to the total inmate population;

85 (c) inmate program completion and graduation data, including the number of
86 completions and graduations in each educational or career-readiness program;

87 (d) the potential effect of educational or career-readiness programs on recidivism, as
88 determined by a comparison of:

89 (i) the total number of inmates who return to incarceration after a previous
90 incarceration; and

91 (ii) the number of inmates who return to incarceration after a previous incarceration
92 who participated in or completed an educational or career-readiness program;

93 (e) the number of inmates who were transferred to a different facility while currently
94 participating in an educational or career-readiness program, including the number of inmates
95 who were unable to continue a program after a transfer to a different facility; and

96 (f) the department's:

97 (i) recommendation for resources that may increase inmates' access to and participation
98 in an educational or career-readiness program; and

99 (ii) estimate of how many additional inmates would participate in an educational or
100 career-readiness program if the resources were provided.

101 (7) The department may make rules in accordance with Section [64-13-10](#) and Title
102 63G, Chapter 3, Utah Administrative Rulemaking Act, to carry out the provisions of this
103 section.