

197.290 Kentucky Community and Technical College System Prison Education Program -- Location -- Program availability to inmates -- Responsibilities of department and KCTCS -- Administrative regulations -- Program requirements.

- (1) The Kentucky Community and Technical College System Prison Education Program, or KCTCS Prison Education Program, is hereby established within the department to provide inmates with intensive, hands-on job training in high-demand workforce sectors.
- (2) The department shall enter into a memorandum of agreement with the Kentucky Community and Technical College System (KCTCS) as defined in KRS 164.001 in accordance with KRS 197.292 to provide academic instruction for the program.
- (3)
 - (a) The program established in subsection (1) of this section shall be located on the grounds of the Northpoint Training Center.
 - (b) The department shall:
 1. Manage facility operations, including operations related to safety and security;
 2. Be responsible for all maintenance and repair of the facility, utilities, and facility supplies; and
 3. Provide inmate transportation to the facility, inmate meals and food services, and inmate housing that is segregated from the general prison population.
- (4) The program shall not be available to an inmate serving a sentence:
 - (a) Of imprisonment for life without possibility of parole;
 - (b) For escape or attempted escape; or
 - (c) For a sex crime as defined in KRS 17.500.
- (5)
 - (a) The department shall be responsible for the identification of candidates for the program, including recruitment and selection, in accordance with the restrictions set forth in subsection (4) of this section and as determined by the department.
 - (b) Selection of candidates for the program shall include consideration of:
 1. Established security criteria;
 2. Industry guidance for second-chance employment; and
 3. The capacity of academic instructors to provide industry-recommended and high-need training.
- (6) An inmate who is selected and meets eligibility requirements shall be transported by the department to the Northpoint Training Center facility.
- (7) The department shall promulgate administrative regulations in accordance with KRS Chapter 13A relating to:
 - (a) The selection and eligibility of inmates for the program, including but not limited to the following criteria:
 1. The inmate's academic background;
 2. Vocational counseling or testing that indicates the inmate has an interest

- or aptitude for a particular trade; and
- 3. The inmate's willingness to abide by the attendance, academic, and behavioral requirements of the program;
- (b) The terms and conditions under which inmates may continue in the program;
- (c) The adequate care, supervision, guarding, disciplining, maintenance, transportation, and housing of inmates when assigned to the program;
- (d) Availability and accessibility of post-release services, including consideration of education and employment requirements in administering terms of probation and parole;
- (e) The collection of data to include:
 - 1. The number of inmates:
 - a. Participating in the program who receive an offer of employment prior to release;
 - b. Who successfully complete the program;
 - c. Who obtained employment following participation in the program; and
 - d. Who were unsuccessful and the reason for removal from the program; and
 - 2. Following completion of the program and release from the facility, the number of inmates with:
 - a. Successful completion of parole;
 - b. A violation of parole;
 - c. A return to prison as a result of a parole violation and the date the inmate returned; and
 - d. A return to prison as a result of the commission of a new offense;
- (f) Requirements of KCTCS employees, including:
 - 1. Compliance with the department's institutional safety and facilities management policies and procedures; and
 - 2. Participation in the department's drug-testing program, including random screenings and tests based upon reasonable suspicion of drug or alcohol impairment, as determined by the warden of the institution, and at the cost of the department if the test is administered at a department facility by a department vendor;
- (g) Policies to permit remote instruction or services during emergencies or pandemics, consistent with department and health advisories of the Commonwealth; and
- (h) Any other regulations the department deems necessary and appropriate to carry out the requirements of this section.
- (8) Hours of classroom instruction shall model, to the extent possible, an average workday similar to what the inmate can expect to experience in employment upon release.
- (9) Instruction shall occur outside of any area accessible by the general population of

the facility and inmates participating in the program shall be segregated from the general prison population at all times.

(10) Potential employers shall have the opportunity to recruit and interview potential employees prior to parole.

(11) KCTCS shall:

- (a) Construct a facility on the grounds of Northpoint Training Center to provide academic instruction for the prison education program established in this section;
- (b) Upon completion of the facility construction under paragraph (a) of this subsection, deed the facility to the department which will bear responsibility for management, operations, security, and maintenance. The details of the prison education program will be jointly determined by the department and KCTCS outlined in a memorandum of agreement between the parties;
- (c) Retain ownership, maintenance, and responsibility for all equipment related to academic instruction within the prison education program;
- (d) Ensure compliance with all applicable federal, state, and local laws;
- (e) Enter into and maintain all appropriate confidentiality and data protection agreements, including nondisclosure forms, for all academic instruction employees accessing Commonwealth data;
- (f) Provide academic instruction within the facility and all components required for instruction, including a learning management system; and
- (g) Determine program placement with regard to a participant's academic readiness.

(12) This section shall not be interpreted to:

- (a) Create or confer upon any inmate any private right or benefit; or
- (b) Limit the discretion of the department in determining and maintaining operational and security requirements of the department.

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