

Senate Bill No. 343

CHAPTER 798

An act to amend Sections 2053.1, 2054, and 2054.2 of, and to repeal Section 2054.1 of, the Penal Code, relating to corrections.

[Approved by Governor October 11, 2015. Filed with Secretary of State October 11, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 343, Hancock. Corrections: inmates.

Existing law requires the Secretary of the Department of Corrections and Rehabilitation to implement a literacy program in every state prison. In implementing these programs, existing law requires the Secretary of the Department of Corrections and Rehabilitation to give strong consideration to computer-assisted training and other innovations that have proven to be effective in reducing illiteracy among disadvantaged adults.

This bill would require the Department of Corrections and Rehabilitation to also give strong consideration to the use of libraries and librarians for that literacy program.

Existing law permits the Secretary of the Department of Corrections and Rehabilitation to establish and maintain classes for inmates. Existing law provides for funding of this program, upon appropriation by the Legislature, at a rate of \$40 per inmate. Existing law requires this rate to increase or decrease in the same proportion as the median salaries for full-time high school teachers in the public schools of the state have increased or decreased since the 1956–57 fiscal year.

This bill would repeal the provisions regarding the setting of the rates for funding of these classes.

Existing law requires the Department of Corrections and Rehabilitation to determine and implement a system of incentives to increase inmate participation in, and completion of, academic and vocational education including, but are not limited to, a specified literacy level, a high school diploma or equivalent, or a particular vocational job skill.

This bill would add completion of a community college or 4-year academic degree to the list of included academic and vocational education.

The people of the State of California do enact as follows:

SECTION 1. Section 2053.1 of the Penal Code is amended to read:

2053.1. (a) The Secretary of the Department of Corrections and Rehabilitation shall implement in every state prison literacy programs that are designed to ensure that upon parole inmates are able to achieve the goals

contained in this section. The department shall prepare an implementation plan for this program, and shall request the necessary funds to implement this program as follows:

(1) The department shall offer academic programming throughout an inmate's incarceration that shall focus on increasing the reading ability of an inmate to at least a 9th grade level.

(2) For an inmate reading at a 9th grade level or higher, the department shall focus on helping the inmate obtain a general education development certificate, or its equivalent, or a high school diploma.

(3) The department shall offer college programs through voluntary education programs or their equivalent.

(4) While the department shall offer education to target populations, priority shall be given to those with a criminogenic need for education, those who have a need based on their educational achievement level, or other factors as determined by the department.

(b) In complying with the requirements of this section, the department shall give strong consideration to the use of libraries and librarians, computer-assisted training, and other innovations that have proven to be effective in reducing illiteracy among disadvantaged adults.

SEC. 2. Section 2054 of the Penal Code is amended to read:

2054. (a) The Secretary of the Department of Corrections and Rehabilitation may establish and maintain classes for inmates by utilizing personnel of the Department of Corrections and Rehabilitation, or by entering into an agreement with the governing board of a school district or private school or the governing boards of school districts under which the district shall maintain classes for such inmates. The governing board of a school district or private school may enter into such an agreement regardless of whether the institution or facility at which the classes are to be established and maintained is within or without the boundaries of the school district.

(b) Any agreement entered into between the Secretary of the Department of Corrections and Rehabilitation and a school district or private school pursuant to this section may require the Department of Corrections and Rehabilitation to reimburse the school district or private school for the cost to the district or private school of maintaining such classes. "Cost" as used in this section includes contributions required of any school district to the State Teachers' Retirement System, but such cost shall not include an amount in excess of the amount expended by the district for salaries of the teachers for such classes, increased by one-fifth. Salaries of such teachers for the purposes of this section shall not exceed the salaries as set by the governing board for teachers in other classes for adults maintained by the district, or private schools.

(c) Attendance or average daily attendance in classes established pursuant to this section or in classes in trade and industrial education or vocational training for adult inmates of institutions or facilities under the jurisdiction of the Department of Corrections and Rehabilitation shall not be reported to the State Department of Education for apportionment and no

apportionment from the State School Fund shall be made on account of average daily attendance in such classes.

(d) No school district or private school shall provide for the academic education of adult inmates of state institutions or facilities under the jurisdiction of the Department of Corrections and Rehabilitation except in accordance with this section.

SEC. 3. Section 2054.1 of the Penal Code is repealed.

SEC. 4. Section 2054.2 of the Penal Code is amended to read:

2054.2. The Department of Corrections and Rehabilitation shall determine and implement a system of incentives to increase inmate participation in, and completion of, academic and vocational education, consistent with the inmate's educational needs as identified in the assessment performed pursuant to Section 3020, including, but not limited to, a literacy level specified in Section 2053.1, a high school diploma or equivalent, completion of a community college or four-year academic degree, or a particular vocational job skill. These incentives may be consistent with other incentives provided to inmates who participate in work programs.