

 <p style="text-align: center;"><b>KENTUCKY CORRECTIONS</b> Policies and Procedures</p>	Policy Number	Total Pages
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Authority/References KRS 196.035, 196.111, 197.010, 197.020, 197.045, 439.250 501 KAR 3:120, 501 KAR 7:120 CPP 17.4, 19.3, 20.1, 30.1, 30.6	<p style="text-align: center;">30.2</p> <p style="text-align: center;">**</p>	<p style="text-align: center;">12</p> <p style="text-align: center;">July 20, 2021</p>
	<b>PROGRAM CREDIT</b>	

## I. DEFINITIONS

“Activity” means a facility specific function that is voluntary for offenders, does not require a standard curriculum, maintaining attendance records, or an achievement certificate and does not qualify for program credit.

“Case management” means an unstructured collaborative process of meeting with a member of the behavior management team or contract staff in a small group or individual setting, to discuss needs, progress in programming, conduct assessment of needs, safety planning, relapse prevention planning, and care coordination. Attendance tracking or progress review is excluded.

“Evidence-based practices” is defined in KRS 446.010 and 196.111(1).

“Jail” means a jail defined in KRS 441.005(1) or a regional jail as defined in KRS 441.005(7), but shall not include juvenile facilities for this policy.

“Jailer” means:

- A. The official duly elected or appointed pursuant to Section 99 or 152 of the Kentucky Constitution, charged with the responsibility of administering the jail;
- B. The administrator or director of a department as defined by KRS 67B.020(1);
- C. The administrator or director of a correctional services division as created by KRS 67A.028; or
- D. The administrator of a regional jail as defined by KRS 441.005(7).

“Jail program staff” means jail personnel that facilitate or oversee Department of Corrections approved programming provided to the offender population.

“Life skills program” is defined in KRS 197.010.

“Program” means a series of instruction or meetings with a standard curriculum:

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- A. That addresses the criminogenic needs of offenders in a group or individual setting;
- B. That complies with KRS 197.045(1)(a)3.;
- C. That is approved by the Department of Corrections;
- D. With established performance measures and
- E. Has mandatory attendance requirements.

“Program credit” means a sentence credit earned by completion of a designated program approved by the Department of Corrections as required in KRS 197.045(1)(a)(3).

“Promising practice” is defined in KRS 197.010.

“Publicize” means advertisements, posted notices, pamphlets, brochures, flyers, offender newsletters, or other publication or written material distributed to offenders.

“Religious program” means a program that does not have a secular purpose or a program, which has a curriculum that advances or inhibits specific religion(s) and does not qualify for program credit.

## II. POLICY AND PROCEDURE

This policy establishes procedures for the Department of Corrections (DOC) to award good time credit to offenders for completion of programs. This policy shall apply to all institutions, contract facilities, jails, and Probation and Parole.

### A. General Procedures

Program completion shall be verified by staff conducting the program. The program credit shall be awarded under the following procedures:

1. The DOC Commissioner or designee shall designate programs that qualify for program credit as referenced in CPP 30.1.
2. A list of programs approved by the DOC that meet the qualifying criteria in CPP 30.1 shall be maintained by the Department and publicized to offenders with the program title, program description, and amount of good time credit eligible for completion. Case management participation shall not be eligible for program credit.
3. Offenders may enter into a program only if the admission criteria is met as outlined in the list of DOC approved programs and if they meet the qualifications as provided in this policy.
4. Documentation of the offender’s program completion and program credit award shall be entered into the offender management system within the timeframes provided in this policy.

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5. The Department shall use a series of decision-making points to determine the amount of good time credit each program shall award upon completion to an offender. Good time credit amounts shall be evaluated based on these decision-making points annually by the Branch Manager of Programs.
6. The Department shall award credit for completion of each program an offender completes, including instances of enrollment in the same program on multiple occasions. While it shall not be common practice for the Department to enroll an offender in a duplicative program, there are circumstances where this may be an option:
  - a. If ordered by the Kentucky Parole Board or Sentencing Court for program completion.
  - b. If a DOC staff member deems the need for the offender to replicate a program based on a high or moderate risk factor as determined by the validated risk and needs assessment.
  - c. If a DOC staff member deems the need for the offender to replicate a program based on addressing an unmet clinical need.
7. An offender shall not be placed in more than two (2) concurrent programs unless a request for additional programming is approved by the Warden or the applicable Department of Corrections Director.
8. The DOC, jails, and contract facilities shall only award credit for a program that has completed the program approval process as outlined in CPP 30.1. A DOC recognized activity or religious program shall not be eligible to receive good time credit.
9. An offender requesting programming that does not originally meet the criteria outlined in section 6, shall be reviewed by DOC staff. The DOC staff member shall review the offender's KyRAS domains to see if they score moderate or high in a domain where programming is offered to address that need. If the score in a particular domain is moderate or high, the offender may be placed into programming that addresses that domain, as requested.
10. Staff shall upload all required program documentation into the offender management system. All documents not uploaded into the offender management system shall be retained in accordance with the Records Retention Schedule.
11. For substance abuse treatment programs operated by the Division of Addiction Services, refer to CPP 30.6.

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12. For education courses, refer to the Academic and Vocational Education policy CPP 20.1.

B. Institutions - Procedures for Program Completion and Credit

1. Program Referral Process

a. Department of Corrections Classification and Treatment Officers (CTOs), Unit Administrators (UAs), or licensed clinical staff shall refer inmates to programs based on the following:

- (1) If ordered by the Kentucky Parole Board or Sentencing Court for program completion as found in scanned documents on the court order or parole certificate;
- (2) If a DOC staff member deems the need for the offender to complete a program based on a high or moderate risk factor as determined by the validated risk and needs assessment; or
- (3) If a DOC staff member deems the need for the offender to complete a program based on addressing an unmet clinical need.

b. The CTO or UA shall notify the offender of the referral.

c. The CTO shall document the referral in the Program Recommendation screen in the Kentucky Offender Management System (KOMS).

- (1) If an offender is recommended to take a program, the offender's status shall be updated by the CTO to "On Waiting List" on the Program Recommendation screen in KOMS. A program assignment shall be created once the offender is enrolled into the program.
- (2) If not recommended, the reasons for this shall be entered into the Program Recommendation screen in KOMS.

2. Program Tracking

a. Program staff shall enter program attendance weekly into the Job/Program Assignment screen in KOMS.

b. The CTO shall properly maintain the Assignment Status field in the Job/Program Assignment screen in KOMS for the duration of the program progression. Any change in status shall be documented in KOMS within three (3) working days.

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3. Application of Credit

a. Upon completion of an approved program, program staff shall:

- (1) Upload the completion document through the Program Achievement screen in KOMS within three (3) working days.
- (2) Good time credit shall automatically generate in KOMS upon uploading the completion document.

b. Central Office Offender Information Services staff shall review the daily report of Program Achievement entries and shall audit earned program credit for accuracy in Sentence Credits/Debits in KOMS. The staff performing the audit shall:

- (1) Review the KOMS generated completion certificate to verify the program title, site at which the program was completed, the offender's name, PID number, date of completion, and facilitator name and signature are included on it;
- (2) Review the External Movements screen in KOMS to verify the offender was housed in the institution where the program was completed;
- (3) Review the Institution Program Matrix to verify the program has been approved for that facility and is listed on the matrix;
- (4) Verify program attendance was entered into the Job/Program Assignment screen in KOMS;
- (5) Enter a remark into the comment field in the Program Completion Credit entry in the Sentence Credits/Debits screen in KOMS to reflect the credit is audited. Specify if the credit was approved or denied; and
- (6) If it is determined that the program completion requirements were not met or the program did not qualify for program credit, remove the credit and enter information indicating the reason for the denial.

4. An offender issue regarding sentence credit shall be appealed according to CPP 17.4.

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5. The Department of Corrections shall publicize available institutional programming to the offender population.
- C. Reentry Service Centers (RSC) and Recovery Kentucky Centers (RKC) - Procedures for Program Completion and Credit
1. Program Referral Process
    - a. Reentry Service Center or Recovery Kentucky Center staff shall refer inmates to programs based on the following:
      - (1) If ordered by the Kentucky Parole Board or Sentencing Court for program completion as found in scanned documents on the court order or parole certificate;
      - (2) If the RSC/RKC staff member deems the need for the offender to complete a program based on a high or moderate risk factor as determined by the validated risk and needs assessment in the KOMS risk assessment summary screen; or
      - (3) If the RSC/RKC staff member deems the need for the offender to complete a program based on addressing an unmet clinical need.
    - b. The RSC/RKC staff member shall notify the offender of the referral.
    - c. The RSC/RKC staff member shall document the referral in the Program Recommendation screen in the Kentucky Offender Management System (KOMS).
      - (1) If an offender is recommended to take a program, the offender's status shall be updated to "On Waiting List" on the Program Recommendation screen in KOMS. A program assignment shall be created once the offender is enrolled into the program.
      - (2) If not recommended, the reasons for this shall be entered into the Program Recommendation screen in KOMS.
  2. Program Tracking
    - a. Reentry Service Center or Recovery Kentucky Center staff shall enter program attendance weekly into the Job/Program Assignment screen in KOMS.

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- b. Reentry Service Center or Recovery Kentucky Center staff shall maintain the Assignment Status field in the Job/Program Assignment screen in KOMS for the duration of the program progression. Any change in status shall be documented in KOMS within three working days.

### 3. Application of Credit

- a. Upon completion of the program, Reentry Service Center or Recovery Kentucky Center staff shall:

- (1) Upload the completion document through the Program Achievement screen in KOMS within three (3) working days.
- (2) Good time credit shall automatically generate in KOMS upon uploading the completion document.

- b. Central Office Offender Information Services staff shall review the daily report of Program Achievement entries and shall audit earned program credit for accuracy in Sentence Credits/Debits in KOMS. The staff performing the audit shall:

- (1) Review the KOMS generated completion certificate to verify the program title, RSC or RKC at which the program was completed, the offender's name, PID number, date of completion, and facilitator name and signature are included;
- (2) Review the External Movements screen in KOMS to verify the offender was housed in the RSC or RKC where the program was completed;
- (3) Review the Reentry Service Center Program Matrix to verify the program has been approved for that RSC/RKC and is listed on the matrix;
- (4) Verify program attendance was entered into the Job/Program Assignment screen in KOMS;
- (5) Enter a remark into the comment field in the Program Completion Credit entry in the Sentence Credits/Debits screen in KOMS to reflect the credit is audited. Specify if the credit was approved or denied; and
- (6) If it is determined that the program completion requirements were not met or the program did not qualify for program

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credit, remove the credit and enter information indicating the reason for the denial.

4. An offender issue regarding a sentence credit shall be appealed according to CPP 17.4.
5. The Reentry Service Center or Recovery Kentucky Center shall publicize approved programming available as part of the orientation process to the residential population.

D. Jails - Procedures for Program Completion and Credit

1. Program Referral Process

- a. The jailer or jail program staff shall ensure the offender has been classified prior to enrolling the offender into a program, except in the case of GED.
- b. The jailer or jail program staff shall refer inmates to programs based on the following:
  - (1) If ordered by the Kentucky Parole Board or Sentencing Court for program completion;
  - (2) If a jailer, jail staff member, or DOC staff member deems the need for the offender to complete a program based on a high or moderate risk factor as determined by the validated risk and needs assessment or most recent PSI if needed; or
  - (3) If a DOC staff member deems the need for the offender to complete a program based on addressing an unmet clinical need.
- d. The jailer or jail staff member shall notify the offender of the referral. Notification shall be documented in the offender's file.

2. Program Tracking

- a. The jailer or jail program staff shall submit program attendance weekly to the Division of Local Facilities.
  - (1) The jailer or jail program staff shall use the program attendance roster provided by the Division of Local Facilities.
  - (2) Completed program attendance rosters shall be submitted electronically on Monday to [Program.Attendance@ky.gov](mailto:Program.Attendance@ky.gov).



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- b. Local Facilities staff shall enter the reported weekly program attendance into the Job/Program Attendance screen in KOMS.
  - c. Local Facilities staff shall maintain the Assignment Status field in the Job/Program Assignment screen in KOMS for the duration of the program progression, as reported by the jailer or jail program staff. Any change in status shall be documented in KOMS within three working days.
3. Application of Credit
- a. Upon completion of the program, the jailer or jail program staff shall:
    - (1) Indicate the completed status on the program attendance roster within three (3) working days.
    - (2) Submit the DOC authorized completion document to the Offender Information Services Branch electronically to Program.Certificates@ky.gov within three (3) working days.
  - b. Central Office Offender Information Services staff shall upload the completion document through the Program Achievement screen in KOMS within twenty-four (24) hours of receipt.
  - c. Good time credit will automatically generate in KOMS upon uploading the completion document, if the program is approved to earn credit.
  - d. Central Office Offender Information Services staff shall review the daily report of Program Achievement entries and shall audit earned program credit for accuracy in Sentence Credits/Debits in KOMS. The staff performing the audit shall:
    - (1) Review the completion document to verify the program title, jail at which the program was completed, the offender's name, PID number, date of completion, and facilitator name and signature are on it;
    - (2) Review the External Movements screen in KOMS to verify the offender was housed in the jail where the program was completed;
    - (3) Review the Jail Program Matrix to verify the program has been approved for that jail and is listed on the matrix;

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- (4) Verify program attendance was entered into the Job/Program Assignment screen in KOMS;
  - (5) Enter a remark into the comment field in the Program Completion Credit entry in the Sentence Credits/Debits screen in KOMS to reflect the credit is audited. Specify if the credit was approved or denied; and
  - (6) If it is determined that the program completion requirements were not met or the program did not qualify for program credit, remove the credit and enter information indicating the reason for the denial.
5. An offender issue regarding the failure to recommend a program or termination from a program shall be appealed through the jail.
  6. An offender issue regarding a sentence credit shall be appealed according to CPP 17.4.
  7. The jail shall publicize approved programming available to the offender population as part of the orientation process pursuant to CPP 5.3, incorporated by reference 501 KAR 3:120 and 501 KAR 7:120.
- E. Division of Reentry Services and Division of Probation and Parole - Procedures for Program Completion and Credit
1. Program Referral Process
    - a. Department of Corrections Probation and Parole Officers shall refer offenders to the Division of Reentry Services for programs based on the following:
      - (1) If ordered by the Kentucky Parole Board or Sentencing Court for program completion as found in scanned documents on the court order or parole certificate;
      - (2) If a DOC staff member deems the need for the offender to complete a program based on a high or moderate risk factor as determined by the validated risk and needs assessment; or
      - (3) If a DOC staff member deems the need for the offender to complete a program based on addressing an unmet clinical need.
    - b. The Probation and Parole Officer shall notify the Reentry Coordinator if the offender is being referred to programming.

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- c. The Probation and Parole Officer shall notify the offender of the referral.
  - d. The Probation and Parole Officer shall document the referral in the Program Referral screen in the Kentucky Offender Management System (KOMS).
    - (1) If an offender is recommended to take a program, the referral shall be put in the KOMS Program referral screen and the offender's status shall be listed as "Pending Referral". Once the offender is enrolled into the program, Reentry staff shall update the status of the referral to show "Active (Admitted)".
    - (2) If not recommended, the reasons for this shall be entered into the KOMS supervision contacts.
  - e. Upon enrollment, the Probation and Parole Officer and Reentry Coordinator shall provide the offender with instructions for entrance into the specific program.
2. Program Tracking
- a. Reentry Coordinators shall enter program attendance weekly into the Job/Program Assignment screen in KOMS.
  - b. The Reentry Coordinator shall properly maintain the Assignment Status field in the Job/Program Assignment screen in KOMS for the duration of the program progression. Any change in status shall be documented in KOMS within three working days.
3. Application of Credit
- a. Upon completion of an approved program, reentry staff shall:
    - (1) Upload the completion document through the Program Achievement screen in KOMS within three (3) working days.
    - (2) Good time credit will automatically generate in KOMS upon uploading the completion document if credit is applicable.
  - b. Central Office Offender Information Services staff shall review the daily report of Program Achievement entries and shall audit earned program credit for accuracy in Sentence Credits/Debits in KOMS. The staff performing the audit shall:

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- (1) Review the KOMS generated completion certificate to verify the program title, site at which the program was completed, the offender's name, PID number, date of completion, and facilitator name and signature are included on it;
  - (2) Review the External Movements screen in KOMS to verify the offender was supervised in the district where the program was completed;
  - (3) Review the Probation and Parole Program Matrix to verify the program has been approved for that district and is listed on the matrix;
  - (4) Verify program attendance was entered into the Job/Program Assignment screen in KOMS;
  - (5) Enter a remark into the comment field in the Program Completion Credit entry in the Sentence Credits/Debits screen in KOMS to reflect the credit is audited. Specify if the credit was approved or denied; and
  - (6) If it is determined that the program completion requirements were not met or the program did not qualify for program credit, remove the credit and enter information indicating the reason for the denial.
- c. If an offender under supervision in another state completes a program recognized by the DOC, the Officer shall notify the Reentry Coordinator of the program completion. At this time, the Reentry Coordinator shall follow the steps as outlined in this section to award good time credit.
4. An offender issue regarding a sentence credit shall be appealed according to CPP 17.4.
  5. The Department of Corrections shall publicize available community programming to supervised offenders.