



# Virginia Department of Corrections

## Educational Services

### Operating Procedure 601.2

#### *Class Organization and Management*

**Authority:**

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**Access:** ☐ Restricted ☒ Public ☐ Inmate

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**Content  
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8/31/2023

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## REVIEW

The Content Owner will review this operating procedure annually and re-write it no later than three years after the effective date.

*The content owner reviewed this operating procedure in August 2024 and determined that no changes are needed.*

## COMPLIANCE

This operating procedure applies to all units operated by the Virginia Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, American Correctional Association (ACA) standards, Prison Rape Elimination Act (PREA) standards, and DOC directives and operating procedures.

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## DEFINITIONS

**Academic Programs** - Courses offered to the adult inmate population designed to improve the student's literacy in language, mathematics, and other academic skills that culminates in the attainment of a High School Equivalency.

**Academic/Career and Technical Education Linkage** - A course designed to, assess, and develop entry level academic skills for placement in a Career and Technical Education (CTE) program or reinforce specific academic skills needed to complete a CTE program once enrolled.

**Administrative Absence** - An absence, which is a direct result of institutional/court decisions regarding the inmate's status such as protective custody, general detention/segregation, medical appointments, and court appearances.

**Adult Basic Education Program (ABE)** - Instructional services provided to individuals with a grade equivalency of 0.0 to 8.9 that provides educational skills necessary to function independently in society including, but not limited to: reading comprehension, writing, and arithmetic computation.

**Adult Secondary Education Program (ASE)** - Instructional services provided to individuals with a grade equivalency of 9.0 or higher. Successful completion of this level of instruction requires that the individual pass a Virginia Department of Education approved High School Equivalency (HSE) test and results in the awarding of a HSE certificate.

**Apprenticeship Training Program** - A program, of simultaneous work and classroom study, that prepares eligible adult inmates for journeyman-level skills.

**Available Inmate Population** - Inmates assigned to correctional facilities who have access to educational programs and services through class attendance or through instruction provided by staff in restricted environments.

**Career and Technical Education (CTE) Programs** - Courses with an emphasis on cultivation of career information, technical skills, employability skills, and related academic and workplace readiness skills.

**Class Capacity** - The maximum number of instructional slots per class period assigned to an individual instructor based on an established teacher-student ratio.

**Community Corrections Alternative Program (CCAP) Probationer/Parolee** - A probationer/parolee sentenced to complete a diversionary alternative to incarceration in accordance with COV §53.1-67.9, *Establishment of community corrections alternative program*; supervision upon completion.

**Curriculum** - Approved academic or skills-based instructional content of the subjects that comprise a course of study.

**English for Speakers of Other Languages (ESOL)** - Courses offered to the adult inmate population designed to improve the student's proficiency in English for advancement and placement into an ABE program.

**English Language Learners (ELL)** - A limited English proficiency individual whose native language is a language other than English.

**Excused Absence** - An absence for which the student cannot be held responsible such as a sick call, meeting an attorney, etc.; the student provides the Teacher with a written excuse from the staff member or other official who caused the absence. If the student's special education disability impacts attendance (i.e., health reasons, sleep issues related to emotional health) Teachers should provide documentation that rules out the disability as the primary reason for the absences.

**High School Equivalency (HSE)** - Recognized alternative to a high school diploma published by a Virginia Department of Education approved HSE publisher.

**Inmate** - A person who is incarcerated in a Virginia Department of Corrections facility or who is Virginia Department of Corrections responsible to serve a state sentence.

**Instructor/Teacher** - Full-time classified academic and career and technical education positions established to provide educational instruction to inmates enrolled in school programs.

**Personal Learning Plan (PLP)** - A student directed planning and monitoring tool that customizes instructional services throughout student's learning experience which supports attainment of goals.



**Program Assignment Reviewer (PAR)** - The facility staff person designated to conduct informal inmate case review hearings such as outside work classification, job assignments/removals, academic/vocational assignments/removals, and assignments/removals from treatment programs; the work PAR is the person with primary responsibilities relating to the inmate's work program.

**Restorative Housing Unit** - A general term for special purpose bed assignments including restorative housing, and step-down statuses; usually a housing unit or area separated from full privilege general population.

- **Alt-GP Status** - General population bed assignments operated with increased privileges above RHU status but more control than full privilege general population for inmates making an informed voluntary request for placement and inmates assigned to the restorative housing unit for their own protection.
- **RHU-Restorative Housing (RHU) Status** - Special purpose bed assignments operated under maximum security regulations and procedures, and utilized under proper administrative process, for inmates requesting placement with informed voluntary consent, inmates needing confinement for their own protection, when there is a need to prevent imminent threat of physical harm to the inmate or another person, or the inmate's behavior threatens the orderly operation of the facility.
- **RH Step-Down 1 (SD-1), RH Step-Down 2 (SD-2) Status** - General population bed assignments operated with increased privileges above RHU status but more control than full privilege general population.

#### **School Day -**

- **Five day work week:** Eight hour day (six hours/designated time for instruction, two hours/Teacher planning and other activities)
  - A.M. Classes: Academic Classes = (2) 1.5 hour classes, CTE Classes = (1) three hour class
  - P.M. Classes: Academic Classes = (2) 1.5 hour classes, CTE Classes = (1) three hour class
- **Four day work week:** 10 hour day (eight hours/designated time for instruction, two hours/Teacher planning and other activities)
  - A.M. Classes: Academic Classes = (2) two hour classes, CTE Classes = (1) four hour class
  - P.M. Classes: Academic Classes = (2) two hour classes, CTE Classes = (1) four hour class
- Exceptions to the school day schedule must be approved in advance and in writing by the Superintendent of Education.
- Community Corrections Alternative Programs may use optional schedules.

**School Programs** - Established Academic and Career and Technical Education (CTE) programs provided for the available inmate population by Correctional Education.

**Screening, Assessment and Evaluation Process** - The intake procedures used to identify each inmate's individual educational needs.

**Special Education** - Instruction designed to meet the needs of individuals who qualify for services under the Individuals with Disabilities Act including those with cognitive impairment, learning disabilities, physical disabilities, or qualifying emotional disabilities.

**Student** - An inmate or CCAP probationer/parolee assigned to a DOC facility who is enrolled in an educational program.

**Tardy** - Late arrival to class for which the student cannot provide a written or verbal excuse from the staff member or other official whose request caused the student to be tardy.

#### **Teacher-Student Ratios**

- **Standard Teacher-Student Ratios** - The maximum number of students assigned to Academic and Career and Technical Education programs based on an analysis of program requirements, enrollment patterns, available classroom space, and related security issues.
- **Modified Teacher-Student Ratios** - A modification of the standard teacher-student ratio based on

considerations of student needs e.g., special education, special programs limited classroom space, safety issues, or security procedures as applicable to specific classrooms.

**Unexcused Absence** - Any absence for which the student can be held responsible; these include, but are not limited to, oversleeping, assignment to a Restorative Housing Unit, going to the commissary, getting a haircut, attending an athletic activity, and similar events for which the student cannot produce a valid excused pass. Special education student's absences will be considered on a case-by-case basis.

**Waiting List, Academic** - The list composed in VACORIS of the names of eligible inmates/probationers/parolees assigned based on their release date and TABE scores to participate in the program. The VACORIS waiting list will be the official waiting list used to determine student placement.

**Waiting List, Career/Technical** - The approved list composed of names of inmates who have sent in a formal written request to participate in the program, which has been received by the school office. The inmate will be placed on the appropriate list in VACORIS.

## PURPOSE

This operating procedure provides for the organization and management only of inmate and Community Corrections Alternative Program (CCAP) probationer/parolee classes provided by the Correctional Education Unit of the Department of Corrections (DOC).

## PROCEDURE

### I. Teacher - Student Ratios

- A. Standard teacher-student ratios are established and modified based on studies of enrollment patterns, the number of available classroom spaces at each corrections facility, the size of the available classroom spaces, and safety or security related issues.
- B. Principals will be advised of the established teacher-student ratios.
- C. The established teacher-student ratios for all academic program areas are as follows:
  1. Adult Basic Education (ABE) and High School Equivalency (HSE) classes which have a standard enrollment of 15 students per class period, providing classroom size permits. Enrollment will not exceed 17 students in any given class.
  2. Special Education class enrollment must be compliance with appropriate federal and state laws and regulations. The standard is ten students; class size will not exceed 12.
  3. English for Speakers of Other Languages (ESOL) and Joint Academic Programs classes have an enrollment of 12 students per class period.
- D. Career and Technical Education (CTE) teacher-student ratios will be determined on a case-by-case basis based on the nature of the program and available space. Established CTE teacher-student ratios must be approved by the Superintendent, based upon recommendations from the Director of Career and Technical Education Programs, Regional School Administrator, and Principal.
- E. The established modified teacher-student ratios for specific academic and career and technical education programs are based on a review of classroom space, safety issues, and security regulations.
- F. The Assistant Superintendent for Education Operations or designee will monitor the established standard or modified teacher-student ratios to determine necessary changes.
- G. Changes in teacher-student ratios must be approved by the Superintendent based on recommendations from the Principal, Regional School Administrator, Assistant Superintendent for Education Operations, and appropriate Program Director.

### II. Enrollment and Program Capacities

- A. The school Principal establishes and works with the local unit schools to maintain maximum school enrollment.
  1. Each school is advised of the enrollment program capacities established for the school.
  2. School Principals review the current school enrollment to determine which program area, if any, can accommodate additional students.
  3. Program enrollment should exceed the stated maximum capacity in those instances where enrollment and/or attendance fluctuate sporadically.
  4. Students currently on a waiting list to enroll in classes are notified that they can enroll.
  5. Students currently enrolled in school programs who wish to attend additional class periods may be given that option if it does not prevent the enrollment of inmates not currently enrolled.
  6. To assist in record keeping and security count-out sheets, any optional placement and enrollment of



students will be reported on a weekly basis or more frequently if necessary.

- B. The Assistant Superintendent for Education Operations or designee monitor the school enrollments of each adult school to determine:
  - 1. The need, if any, to establish additional programs.
  - 2. The need, if any, to transfer staff or programs to other schools.
  - 3. The budget needs of each individual school and the Correctional Education Unit.
- C. Enrollment and program capacities are adjusted by the Superintendent or designee based on changes in the school program. The following are considered in adjusting the school's enrollment and program capacities:
  - 1. A change in the number of academic, CTE staff assigned to the school.
  - 2. A change in the number of academic, CTE programs.
  - 3. A change in the number of available academic, career or technical education classroom spaces.
  - 4. Renovations to existing classroom facilities.
  - 5. Recommendations by the school Principal, Regional School Administrator, and appropriate Assistant Superintendent for Academic Programs or Assistant Superintendent for CTE Programs.

### III. School Day

- A. The Principal and Facility Unit Head at each facility determine the specifics of the class periods designated for instructional time and a method to implement the appropriate school day for the facility. Class periods may vary for a Community Corrections Alternative Programs (CCAP).
- B. The Principal works jointly with the Facility Unit Head to maintain an appropriate school day schedule for inmates and CCAP probationers/parolees enrolled in educational programs.
- C. Each Principal monitors the school day and provides feedback to the Facility Unit Head, Regional School Administrator, and the Assistant Superintendent for Education Operations on maintaining the school day and open classes.

### IV. Use of Inmate or CCAP Probationer/Parolee Educational Aides

- A. Inmate and CCAP probationer/parolee Educational Aides are used to assist educational staff with the provision of individualized instruction in academic classrooms, CTE classrooms, housing units, and with library services.
- B. Inmate and CCAP probationer/parolee Educational Aides will only be allowed to perform clerical, instructional, and specific CTE duties. Interaction with and use of inmate and CCAP probationer/parolee Educational Aides in any way contradictory to Operating Procedure 135.2, *Rules of Conduct Governing Employees Relationships with Inmates and Probationers/Parolees* may result in disciplinary action under Operating Procedure 135.1, *Standards of Conduct*.
  - 1. Clerical duties – Inmate and CCAP probationer/parolee Educational Aide duties include but are not all inclusive of, competency records, coordination of college class records, working on graduation programs, working on school newsletters, working on student handbooks, forms, and flyers. Inmate and CCAP probationer/parolee Educational Aides will not take attendance.
  - 2. Instructional duties - Inmate and CCAP probationer/parolee Educational Aide duties will be performed under the supervision of a licensed Instructor and may include: individual instruction to designated students, following the Teacher's lesson plan, reviewing and evaluating designated students' progress and notes, non-standardized test administration, creation of instructional units of study, and orientation of new students.
  - 3. Specific CTE duties - Are appropriate in certain CTE classrooms or labs because they are part of the



- curriculum but are not appropriate in other classrooms. The use of printers, copiers and scanners are specific tasks for programs including but not limited to, Business, Digital Imaging, Printing, and Communication Arts and Design programs.
4. Non-approved duties – Educational Aides will not be asked, or allowed the use of a telephone, fax machine, scanner, DVD burner, the Internet, printer, copy machine, checkout tools, waiting list information, maintain tool control records, Teacher's computer, or work in an administrator or Teacher's office. Educational Aides will not have access to any standardized testing materials.
  5. Educational Aides will not be permitted access to sensitive and personal information, including but not limited to: information that can be used to defraud or discredit a person such as a social security number, home phone number, home address, intelligence quotient scores, psychological reports, or DOC treatment plans.
- C. In ABE classes, the student-aide ratio approximates one-on-one for students with below fourth grade skills.
- D. In ESOL classes, the student-aide ratio approximates four-on-one. If available, Educational Aides should be proficient in English language skills and one other language.
- E. Employment as an inmate or CCAP probationer/parolee Educational Aide is considered an institutional job assignment.
1. Program Assignment Reviewer (PAR) approval is required for the hiring of an inmate or CCAP probationer/parolee Educational Aide. If an inmate or CCAP probationer/parolee Educational Aide is removed from employment, the work supervisor must notify the PAR.
  2. Minimum job requirement and job description will be established for each inmate and CCAP probationer/parolee Educational Aide position.
  3. Inmate and CCAP probationer/parolee Educational Aides are compensated for their work in accordance with Operating Procedure 841.2, *Offender Work Programs*.
- F. All inmate and CCAP probationer/parolee Educational Aides are required to have a High School Diploma or HSE certificate as a minimum requirement for employment. The Assistant Superintendent for Education Operations or appropriate Assistant Superintendent for Academics or Assistant Superintendent for CTE in consultation with the Regional School Administrator may grant written exceptions to this requirement.
- G. Standard practices covering the recruitment, screening, hiring, training, supervision, evaluation, and removal of inmate and CCAP probationer/parolee Educational Aides will be established and maintained by each school.
- H. Inmate and CCAP probationer/parolee Educational Aides will not have access to any sensitive and personal information, such as the school's student files.
1. Inmate and CCAP probationer/parolee Educational Aides will have access to student files pertaining to a student's abilities and progress necessary to assist with instruction within an Academic or CTE program.
  2. Files that inmate and CCAP probationer/parolee Educational Aides have access to will not contain sensitive or any other personally identifiable information not directly related to the inmates' or CCAP probationers'/parolees' assigned duties.
- I. Inmate and CCAP probationer/parolee Educational Aides must not have access to any employee's assigned computer.
- J. Inmate and CCAP probationer/parolee Educational Aides will not have access to a printer, scanner, DVD burner, or copy machine, unless to perform specific CTE duties within their assigned class and must be under direct supervision of the CTE Instructor when performing said duties; see Operating Procedure

**310.3, *Inmate/Probationer/Parolee Access to Information Technology.***

- K. Inmate and CCAP probationer/parolee Educational Aides are strictly prohibited from having access to an administrative telephone, fax machine, or Internet.

**V. Course Enrollment and Waiting Lists**

- A. Inmates and CCAP probationers/parolees are provided with the opportunity to participate in Academic and CTE programs.
- B. A uniform system for enrolling students into programs will be established and followed to minimize waiting time for entry into programs and to facilitate learning.

**C. Course Enrollment**

1. Class capacity will be established for each course at each school to maximize the number of students who can participate safely and effectively in the available program space.
2. The Assistant Superintendent for Education Operations will establish program capacities in consultation with the Regional School Administrators, Assistant Superintendent for Academic Programs, or Assistant Superintendent for Career and Technical Education Program, and Principals.
3. Program capacities will be evaluated at least annually to determine whether adjustments are warranted.
4. A system will be implemented locally, which provides those inmates and CCAP probationers/parolees who have shorter sentences priority placement into programs compared to those individuals with longer sentences.

**D. Academic Programs**

1. ABE
  - a. The Test of Adult Basic Education (TABE) is used to determine applicable ABE Level.
  - b. For detailed procedures concerning admission and testing for ABE; see Operating Procedure 601.5, *Academic Programs*.
2. ASE
  - a. Score requirements for completion of ABE and thus eligible for TABE testing will be established by the School Assessment Coordinator and included in Testing Guidelines and Security Protocols attached to Operating Procedure 601.4, *Educational Testing*.
  - b. All alternative testing and/or official HSE Practice Test is used to determine eligibility for the official HSE.
3. ESOL
  - a. The Comprehensive Adult Student Assessment System (CASAS) is used to determine the instructional level of an English Language Learner (ELL).
  - b. For detailed procedures concerning admission and testing for ABE; see Operating Procedure 601.5, *Academic Programs*.
4. HSE
  - a. All HSE related Testing must be administered in accordance with Operating Procedure 601.4, *Educational Testing*. Inmate testing score requirements will be established by the School Assessment Coordinator and included in Testing Guideline and Security Protocols in accordance with Operating Procedure 601.4, *Educational Testing*.
  - b. Detailed procedures contained in the *Admission to Academic Classes in Adult Institutions* section of Operating Procedure 601.5, *Academic Programs*, are mandatory for adult schools. The document will be updated as needed with the approval of the Superintendent.

**E. CTE Programs**

1. A list of courses and their prerequisites will be established and maintained by the Assistant Superintendent for CTE or designee and the School Administrator. No school will establish a prerequisite for entry into a particular program that is not in use at all adult institutions without the written approval of the Assistant Superintendent for CTE or designee.
2. A sequential academic/CTE linkage course may be required prior to entry into a CTE course provided it is designed to develop specific academic skills needed to succeed in the CTE course and provided the course is no more than 12 weeks long.
3. Where course prerequisites are established, inmates will maintain their place on the waiting list until it can be verified that they meet the entry requirements. This determination will be completed in a timely manner.
4. CTE students with prior work experience may be given credit for certain competencies after successfully completing appropriate written and performance tests.
5. Detailed procedures contained in the *Admission to CTE Classes* section of Operating Procedure 601.6, *Career and Technical Education Programs* are mandatory for adult schools. The document will be updated as needed with the approval of the Superintendent.

#### F. Apprenticeship Programs

1. An inmate must meet either of the following set of criteria to be eligible for participation in apprenticeship programs:
  - a. Is 16 years of age or older, has at least one year or more remaining on a mandatory sentence, has a work assignment of at least half a day, five days per week, is recommended by the work supervisor after 90 days on the job, and meets the HSE/High School Diploma requirements as outlined in *Virginia Interagency Manual Apprenticeship Training Programs*; or,
  - b. Is 16 years of age or older, has at least one year or more remaining on a mandatory sentence, is enrolled in a CTE program, was recommended by the CTE Teacher after 90 days in the class, has a minimum of two years or more documented work experience in the trade, and meets the HSE/High School Diploma requirements as outlined in *Virginia Interagency Manual Apprenticeship Training Programs*.
2. Inmates who register as apprentices must adhere to all requirements as outlined in *Virginia Interagency Manual Apprenticeship Training Programs*.

#### VI. Student Attendance

- A. A uniform student attendance policy is upheld, which maximizes inmate student participation, ensures full classes to the greatest extent possible, and provides negative sanctions for excessive unexcused absences; see Operating Procedures 861.1, *Inmate Discipline* and 940.4, *Community Corrections Alternative Program*, Attachment 4, *Offender General Rules of Behavior and Offender Disciplinary Infractions*.
- B. All schools will enforce the following procedures with respect to student attendance in educational classes.
  1. Students are required to maintain a satisfactory level of school attendance.
    - a. Satisfactory attendance is defined as no more than three unexcused absences per school quarter.
    - b. On the fourth unexcused absence in a school quarter, the inmate is referred to the PAR for an administrative drop from the program.
  2. An unexcused absence from class is treated as an unexcused absence from place of assignment and results in an institutional infraction in accordance with the applicable inmate disciplinary procedure.
  3. The fourth incident of a late arrival to class (tardy) within a 90-day period is treated in the same manner as an unexcused absence.

4. If an absence is classified as administrative, the student is not penalized.

C. Reenrollment on the waiting list after a student is dropped from ABE class is contingent upon the inmate's request and PAR approval. Inmates who refuse to enroll in ABE class or who have been removed from class in level two or higher institutions, will not be eligible for employment, earning good time, transfer requests, housing in an honor pod, or receiving special incentives until they are reenrolled in ABE class.

1. The reenrollment procedure for a Special Education student will be determined on a case-by-case basis.

2. At any time after withdrawal or removal from an ABE class or CTE class, an inmate may request to be placed on the waiting list to reenroll.

3. Regardless of their place on the waiting list, an inmate will not be allowed to reenroll in class after withdrawal or removal until the following wait period has expired:

a. Academic class

i. 90 days for conviction of a Category II (200 series) disciplinary offense related to classroom behavior (other than offense code 200 for voluntary withdrawal from class)

ii. 90 days for first conviction of a Category I (100 series) disciplinary offense related to classroom behavior; 180 days for each subsequent Category I (100 series) conviction

b. CTE class

i. 90 days for voluntary withdrawal

ii. 180 days for any conviction of a disciplinary offense related to classroom behavior

4. If a student is removed from school as the result of a disciplinary offense, but is later found not guilty, the student can be reenrolled at the discretion of the School Administrator.

5. If an inmate comes to the top of the waiting list before the wait period has expired, other inmates will be enrolled ahead of him as required to keep classes operating at capacity.

## VII. Education for Inmates in a Restorative Housing Unit

A. Educational services must be provided when:

1. The services are required by state or federal law.

2. The Superintendent of Correctional Education has determined that educational services may be provided to satisfy accreditation standards or for other business-related reasons.

3. When limited language proficiency hinders the ability to effectively communicate or progress.

B. The Principal or designee must first confer with and receive approval from the Regional School Administrator and Assistant Superintendent for Education Operations before taking steps to implement the program or service, see Operating Procedure 841.4, *Restorative Housing Units*.

## VIII. Curriculum

A. The Assistant Superintendent for Academic Programs will develop a system of administrative review to ensure that appropriate curriculum is implemented.

B. The adult school Principal will implement a facility-wide plan to ensure the implementation of the approved curriculum.

## IX. Individualized Instruction

A. Instruction appropriate to each student's identified needs is planned and implemented. Student progress is monitored and recorded. Instructional plans are modified as appropriate.

B. Students' needs are initially identified through the screening, assessment, and evaluation process that are conducted at the reception and diagnostic centers and/or initial reception site.

1. The Assistant Superintendent for Academic Programs will implement and maintain a system wide plan



that explains the:

- a. Process and practices to identify each student's educational needs.
- b. Process and practices that each Teacher will follow to develop and implement written personal learning plans for each student.
- c. Process and practices that each Teacher will follow to monitor student progress.
- d. Process and practices that each Teacher will follow to modify individual student personal learning plans.

2. Each school Principal will:

- a. Review and monitor quarterly updates of personal learning plans.
- b. Ensure that process and practices to monitor student progress are implemented in classrooms.
- c. Ensure Teacher instruction aligns with students personal learning plans.
- d. Monitor facility-wide student progress to track student achievement.

#### X. Copyright and Fair Use Guidelines

- A. Printed material (short) - A single copy may be made of a chapter from a book, periodical or newspaper article, short story, short essay, or poem; chart, graph, diagram, drawing, cartoon or picture from a book, periodical, or newspaper for scholarly research or preparation to teach.
  1. Multiple copies (not to exceed more than one copy per student in a class) may be made of a complete poem if less than 250 words; complete article, story, or essay less than 2,500 words (or 10 percent of the work).
  2. Each copy must include a notice of copyright.
- B. Printed material (archives) - Librarians may make up to three copies "solely for the purpose of replacement of a copy that is damaged, deteriorating, lost, or stolen."
  1. Copies must contain copyright information.
  2. Archiving rights allow libraries to share with other libraries one-of-a-kind and out-of-print books.
- C. Illustrations and photographs - A copy of one chart, graph, diagram, drawing, cartoon, or picture per book or periodical.
  1. Copyrighted, syndicated cartoon characters are not permitted to be copied without permission.
  2. Single works may be used in their entirety but not more than five images by an artist or photographer.
  3. Reproduction of not more than 15 images or ten percent (whichever is less) may be used.
- D. Video (for viewing) - Public showings of video recordings (videotapes, DVD, Laser Discs) at school that do not satisfy the standards for instructional use, distance learning, or fair use should occur only as permitted by a valid license agreement with the copyright owner or its agent.
  1. The work must be shown for instructional purposes, not for recreation, entertainment, or reward.
  2. The copy of the work shown must have been legally made or purchased.
- E. Video (for integration into multimedia or video projects) - Teachers or students may use portions of lawfully acquired copyrighted works in their academic multimedia (ten percent or three minutes (whichever is less) of motion media. Proper attribution and credit must be noted for all copyrighted works, including those prepared under fair use.
- F. Music (for integration into multimedia or video projects) - Reproduction of up to ten percent of a copyrighted musical composition, performed and displayed as part of a multimedia program produced by an educator or student for educational purposes.
- G. Computer software - Licensed software may be installed on multiple machines, and distributed via a

network, pursuant to applicable restrictions as defined in Operating Procedures; 310.2, *Information Technology Security*.

1. The software may be copied for archival use or to replace lost, damaged, or stolen copies (if the software is unavailable at a fair price or in a viable format).
2. Librarians may make archival copies after verifying the terms of sale or license agreement of the original copy of the software and any special conditions put in place by the copyright owner that might affect the ability or rights to make an archival copy.

H. Internet - Images may be downloaded for student projects and Teacher lessons. Sound files may be downloaded for use in multimedia projects, same portion restrictions as music.

I. Television - Broadcasts, over the air programming, ABC, NBC, CBS, PBS, etc., and local stations, or tapes made from television programs may be used for instruction.

1. Cable channel (CNN, HBO, Showtime, and Cable in the Classroom) programs may be used with permission.
2. Many programs may be retained for years - depending on the program.

J. Under no circumstance should local interpretation overrule current copyright laws and fair use standards. The individual requesting use of copyrighted material must be responsible for ensuring that all current copyright laws and fair use standards are followed and that use permission has been given by the appropriate entity.

#### XI. Multimedia Usage

- A. The Principal must approve all multimedia showings, each time they are shown, unless otherwise stated herein, and must follow appropriate copyright laws.
- B. Multimedia presentations are to be approved solely for use as a component, supportive aid, or addendum to the core subject matter of the course. They are not to be used to replace core classroom instruction.
- C. Multimedia that is an integral part of course instruction may only require an initial approval. Thereafter such presentations may be shown continuously as required by class participation.
- D. The Superintendent of Correctional Education or designee must approve any variations concerning a single instance.

## REFERENCES

Operating Procedure 135.1, *Standards of Conduct*

Operating Procedure 135.2, *Rules of Conduct Governing Employees Relationships with Inmates and Probationers/Parolees*

Operating Procedure 310.2, *Information Technology Security*

Operating Procedure 310.3, *Inmate/Probationer/Parolee Access to Information Technology*

Operating Procedure 601.4, *Educational Testing*

Operating Procedure 601.5, *Academic Programs*

Operating Procedure 601.6, *Career and Technical Education Programs*

Operating Procedure 841.2, *Inmate Work Programs*

Operating Procedure 841.4, *Restorative Housing Units*

Operating Procedure 861.1, *Inmate Discipline*

Operating Procedure 940.4, *Community Corrections Alternative Program*

*Virginia Interagency Manual Apprenticeship Training Programs*



## **ATTACHMENTS**

None

## **FORM CITATIONS**

None

