



POLICY DIRECTIVE

Policy:	DOC 5.4.1 OFFENDER PROGRAM APPROVAL PROCESS
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Signature/Title:	/s/ Scott Eychner, Rehabilitation and Programs Chief

I. POLICY

Prior to being implemented in the Department, all programs of all types offered to offenders under the supervision of the Department must be submitted to the Department for review and approval. All programming will meet applicable requirements of federal and state law.

II. APPLICABILITY

All programs offered to offenders under the supervision of the Department.

III. DEFINITIONS (see Glossary)

IV. DEPARTMENT DIRECTIVES

A. General Requirements

1. Administration of Offender Programs
 - a. Offender programming will be offered as either:
 - 1) core risk reducing; programs available to a particular offender will depend on various factors, including the offender's risk and needs assessment scores (priority to high-risk and moderate-risk offenders), approved secondary assessments as applicable, and whether the program is offered by the program or facility where the offender is located; or
 - 2) other programming such as general education, post-secondary education, vocational education, and on-the-job training and programs.
 - b. Qualified staff will provide appropriate screenings and assessments, case management, progress reports, and clinical documentation when applicable.
 - c. Administrators will establish formal mechanisms to determine the appropriate staffing levels for the number and type of offenders served, locations, and the programming goals to be accomplished.
 - d. Since most offenders cannot accept paid work assignments during intensive programming, administrators may elect to pay offenders a daily wage during program participation.
 - e. The Department prohibits disability discrimination in providing programs to offenders. Programs and facilities may be required to take remedial action, when necessary, to facilitate offender participation as follows:
 - 1) make reasonable modifications to policies, procedures, or practices;
 - 2) provide auxiliary aids and services to the hearing and visually impaired;
 - 3) address the special needs of impaired offenders, for example, those with mental illness, or who are illiterate, head injured, or developmentally disabled;
 - 4) construct new or alter existing facilities; or
 - 5) deliver services at alternate accessible sites.
 - f. The Department will ensure no offender is prevented from attending programming for which they are eligible, based solely on an ADA accommodation, including housing assignment.

2. Program Provider Qualifications and Training
 - a. Behavioral health program directors or administrators will have the required credentials and experience for the position.
 - b. Sex offender programming providers will be, or supervised by an individual who is, certified by the Montana Sex Offender Treatment Association (MSOTA) or Association for the Treatment and Prevention of Sexual Abuse (ATSA) and will have successfully completed all training related to the delivery of these services. Additionally, individuals with professional licensure or eligibility for licensure are preferred.
 - c. Substance-abuse focused programming providers will have successfully completed all training related to the delivery of these services. Additionally, individuals with professional licensure or eligibility for licensure are preferred.
 - d. Trained and qualified staff who administer, supervise, and provide offender programming will maintain applicable current licensure, certification, and continuing training requirements.
 - e. All offender programs will receive appropriate levels of clinical or staff supervision and training according to licensing and credentialing standards and as necessary to maintain program fidelity.
3. Program Statistics
 - a. Designated staff associated with each component of offender programming will:
 - 1) have written goals and measurable objectives;
 - 2) as applicable, track the number of offenders:
 - a) in programs;
 - b) on waiting lists;
 - c) who have successfully completed programs; and
 - d) who have not completed programs and the reasons for not completing;
 - 3) track offender participation and involvement in programs;
 - 4) maintain and make program statistics available on request; and
 - 5) where applicable, document and submit required statistics for state agency databases.
4. Program Evaluation
 - a. In evaluating evidence-based/core risk reducing and adjunct programs, the Department uses an endorsed evaluation tool that addresses adherence to evidence-based practices. The Department has adopted the Correctional Program Checklist as its program evaluation tool, which is provided only to staff conducting the evaluations. At the direction of the QAEBPP Bureau Chief, certified staff will use this tool in periodically reviewing any implemented programs for fidelity and adherence to evidence-based practices.
 - b. For all other programs, the applicable Bureau Chief will periodically evaluate programs to ensure they are meeting the needs and goals of the Department and offenders.
 - c. Bureau Chiefs will analyze the collected data and report internally on program success and overall value at least annually to the Rehabilitation and Programs Chief.

B. Evidence-Based/Core Risk Reducing and Adjunct Program Approval Process

1. This area pertains to all evidence-based/core risk reducing and adjunct programming.
 - a. Adjunct programming may include but is not limited to parenting, victim impact, grief, eating disorders, body dysmorphia, mental health, and trauma-focused programming.
 - b. Questions should be directed to CORQAEBPP@mt.gov.
2. An employee will complete the applicable parts of the *DOC 5.4.1 (A) Request for Program Approval (Request)*. If the employee is:
 - a. a Department employee, the employee will send it to their supervisor;
 - b. a contracted facility employee, the employee will send it to correquests@mt.gov; or
 - c. a secure contracted facility employee, the employee will send it to the warden of that facility.

3. At any stage in the process, if the request is denied, it will be returned to the applicable individual(s) with reasons for the denial.
4. In reviewing a *Request*, the following factors of the proposed program should be considered at all stages of the process, as applicable:
 - a. in the public domain and evidence-based/core risk reducing,
 - b. research-driven,
 - c. studied on a criminal justice population,
 - d. culturally appropriate,
 - e. gender responsive,
 - f. trauma-informed, and
 - g. likely to result in ongoing costs for the offender or Department.
5. The recipient will review the *Request* for the above factors and associated costs, space, and staffing requirements. After review, if the *Request* is approved the recipient will forward it to CORQAEBPP@mt.gov.
6. After receiving the *Request*, the Bureau Chief or designee selects the members of the review team. The review team must include independent Department staff (not the Bureau Chief), at least three of whom must be CPC-certified and at least one of whom must be a licensed clinician. The review team will confirm whether the *Request* is evidence-based/core risk reducing or an adjunct program.
7. The members review the *Request* to determine by consensus whether the program is appropriate to implement, and forward their approval or denial recommendation to the Bureau Chief for final review and determination.
8. A program may not be used by the Department until the Bureau Chief gives final approval.
9. Designated staff with appropriate qualifications will observe and review evidence-based facilitator performance at least once per quarter. The designated staff will document the observation and submit it to the facilitator's supervisor and CORQAEBPP@mt.gov for recordkeeping.

C. Approval Process for Educational, On the Job Training, and All Other Types

1. This area pertains to programming and education other than evidence-based/core risk reducing and adjunct programming.
 - a. This programming and education may include but is not limited to general education, post-secondary education, vocational education, and on-the-job-training and programs.
 - 1) General, post-secondary, and vocational education programming includes efforts to deliver adult basic education; general high school equivalency; college-level education that may include classroom and experiential learning opportunities and may or may not result in college credit; and occupationally related skills development training that does not include paid wages.
 - 2) On-the-job training and programs include occupationally related skills development training that includes paid wages, and prison industries related job assignments that include paid wages and may or may not include an ongoing related skills development component.
 - b. Questions should be directed to the applicable Bureau Chief.
2. A program may not be used by the Department until the applicable Bureau Chief or Rehabilitation and Programs Chief gives final approval.
3. At any stage in the process, if the request is denied, it will be returned to the applicable individual(s) with reasons for the denial.

4. During the process, the following factors should be considered at all stages, as applicable:
 - a. introduces or expands relevant educational and/or occupational skills;
 - b. addresses a current or projected labor market demand;
 - c. establishes or directly supports a relevant and realistic business opportunity;
 - d. leads to a self-sustaining career (not job) opportunity (either directly or via a pathway);
 - e. has been successfully implemented for a criminal justice population;
 - f. utilizes/employs/offers technology as an option to engage beyond the classroom and beyond a single facility;
 - g. accounts for offering-equity across facilities;
 - h. includes engagement of/support from industry champions; and
 - i. includes engagement of/support from other government agencies and/or partners.
5. Staff will complete the applicable parts of *DOC 5.4.1 (A) Request for Program Approval (Request)* and forward it to their supervisor.
 - a. If the Bureau Chief is submitting the *Request*, they will review it as specified below.
6. The supervisor will review the *Request* for the above factors and associated costs, space, and staffing requirements. After review, the supervisor will forward the *Request* to the Bureau Chief.
 - a. If the Bureau Chief is submitting the *Request*, they will complete the above review and forward the *Request* to the Rehabilitation and Programs Chief.
7. The Bureau Chief/Rehabilitation and Programs Chief will review the *Request*, approve or deny it, and respond to the applicable staff.

V. CLOSING

Questions about this policy should be directed to CORQAEBPP@mt.gov or the applicable Bureau Chief.

VI. FORMS

DOC 5.4.1 (A) Request for Program Approval