

program shall result in termination of the assignment. Local Federal Prison Industry (FPI) management may elect to retain the reassigned inmate in an hourly rated grade 4 position.

(b) *Promotion.* An inmate ordinarily must show prior attainment of a GED credential or high school diploma to be promoted above the minimum pay level or grade in a commissary work assignment, an institutional work assignment, or an industrial work assignment. An inmate already in an assignment above the minimum pay grade who had met prior literacy requirements when approved for promotion is eligible for further promotion under the prior standard. Such inmate, however, must meet the current standard if, due to demotion based upon a poor performance appraisal, he or she needs to reapply for a promotion.

(c) *Exceptions.* The Warden may, for good cause, exempt inmates on a case-by-case basis, from the literacy requirements for work assignment appointment and promotion. Staff shall document such exemption in the inmate's education file and central file.

#### § 544.75 Disciplinary action.

As with other mandatory programs, such as work assignments, staff may take disciplinary action against an inmate lacking a GED credential or high school diploma if that inmate refuses to enroll in, and to complete, the mandatory 240 instructional hours of the literacy program.

### Subpart I—Education, Training and Leisure-Time Program Standards

SOURCE: 58 FR 65852, Dec. 16, 1993, unless otherwise noted.

#### § 544.80 Purpose and scope.

In consideration of inmate education, occupation, and leisure-time needs, the Bureau of Prisons affords inmates the opportunity to improve their knowledge and skills through academic, occupation and leisure-time activities. All institutions, except satellite camps, detention centers and metropolitan correctional centers, shall operate a full range of activities as outlined in this rule.

#### § 544.81 Program goals.

The Warden shall ensure that an inmate with the need, capacity, and sufficient time to serve, has the opportunity to:

(a) Complete an Adult Literacy program leading to a General Educational Development (GED) certificate and/or high school diploma;

(b) Complete one or more levels of English-as-a-Second Language;

(c) Acquire or improve marketable skill through one or more programs of Occupation Education (OE);

(d) Complete one or more Postsecondary Education activities;

(e) Complete one or more Adult Continuing Education activities;

(f) Participate in one or more leisure, fitness, wellness or sport activities;

(g) Participate in a Release Preparation program; and

(h) Participate in Career Counseling. Staff shall encourage each inmate to accept the responsibility to identify any specific education needs, set personal goals, and select activities, programs and/or work experiences which will help to reach those goals.

[58 FR 65852, Dec. 16, 1993, as amended at 61 FR 47795, Sept. 10, 1996]

#### § 544.82 General program characteristics.

(a) The Supervisor of Education shall assure that the following minimum criteria are met for the institution's education program set forth in § 544.81.

(1) There is a written curriculum which establishes measurable behavioral objectives and procedures.

(2) There are clear criteria which establish minimum expectations for program completion, as well as provisions for the assessment of student progress.

(3) There are provisions for periodic review of the relevancy and effectiveness of the program.

(4) Unless unusual circumstances (e.g., college credit courses) exist, all programs should allow for open entry and exit, at least on a monthly basis.

(5) The Supervisor of Education may establish other requirements necessary to assure that the stated goals of the program are achieved.

(b) Upon an inmate's completion of a program specified in § 544.81, staff may