


**U.S. DEPARTMENT OF JUSTICE  
Federal Bureau of Prisons**



**PROGRAM STATEMENT  
Literacy Program**

Approved by	 William K. Marshall III Director, Federal Bureau of Prisons
DPI	RSD
Number	5356.01
Date	June 22, 2026

**Summary of Changes**

*Program Statement Rescinded:*

- 5350.28 Literacy Program (GED Standard) (12/1/2003)

*Changes:*

- Changes the title of this Program Statement from Literacy Program (GED Standard) to Literacy Program.
- Changes the time frame of 60 days to 28 days for designated inmates to provide proof of education credentials for meeting the Bureau's minimum education level requirement after arriving at the institution.
- Removes specific references to a Bureau inmate management system and related codes. Education staff must now refer to the Education Services Branch page of the Bureau's intranet site for guidance regarding this system and required education codes.
- Education staff will now refer to the Education Services Branch page of the Bureau's intranet site for guidance regarding education needs, progress reviews, and the appropriate education transaction codes.
- Refers to the Program Statement First Step Act Assessments, Programming, and Incentives for guidance regarding incentives for participation and completion of the literacy program.
- Refers to Program Statement First Step Act of 2018 – Time Credits: Procedures for Implementation of 18 U.S.C. § 3632(d)(4) for guidance regarding FSA time credits (FTC).
- Removes family literacy activities coordination responsibility.

## 1. §544.70 Purpose and Scope.

Except as provided for in §544.71, an inmate confined in a federal institution who does not have a verified General Educational Development (GED) credential or high school diploma is required to attend an adult literacy program for a minimum of 240 instructional hours or until a GED is achieved, whichever occurs first.

The purpose of this program statement is to outline the operation of the literacy program in the Federal Bureau of Prisons (Bureau).

The literacy program is designed to help inmates develop the foundational knowledge and skills necessary to attain a GED credential or high school diploma. A high school diploma or its equivalent is the basic academic requirement for most entry-level jobs. The completion of the literacy program is typically the first step towards adequate preparation for successful reentry into society.

### a. Program Objectives.

- Inmates with an identified education need, required to enroll under this program statement, will participate in the literacy program for at least 240 instructional hours.
- Prepare inmates for entry-level jobs and ultimately, successful community reentry.
- Education staff will maintain progress records on inmate participation.

### b. Institution Supplement. None.

## 2. AGENCY RESPONSIBILITIES

The following Bureau components are responsible for establishing, maintaining, and resourcing literacy programs to ensure inmates have the opportunity to achieve a GED credential or high school diploma:

a. **Education Services Branch (ESB).** The ESB is the agency's primary resource for literacy programs and services to include guidance on instructional practices and management of programs. Additionally, the ESB will develop education policies and procedures, provide professional development, and determine literacy program reporting processes (e.g., for reporting program enrollments, waitlists, participation status, program completions).

b. **Regional Education Administrator (REA).** The REA supports the ESB by providing guidance, updates, resources, and professional development to Education staff within their regions. Additionally, REAs monitor institutions in their region's adherence to education policies and procedures and provide program reports and updates to the ESB.

c. **Institution.** The Warden ensures the Education Department is appropriately staffed to provide literacy programs and ensure inmates have access to programs and services. The Supervisor of Education (SOE) has overall responsibility for the literacy program. The SOE provides support, guidance, updates, resources, and professional development training for Education staff. The SOE will serve as the Chief Examiner and will designate at least one Education department staff member as an Examiner. The Chief Examiner is authorized by the ESB Test Administrator(s) to administer educational tests. Chief Examiner responsibilities include managing the administration of various educational tests, managing testing sessions, ensuring compliance with testing standards and procedures, training examiner(s), reviewing test results, and resolving any issues related to test administration. They are also responsible for developing a plan outlining the test procedures and security measures as required by the test publisher. Overall, the Chief Examiner maintains the integrity and effectiveness of the educational testing program. Refer to the Program Statement **Minimum Standards for Administration, Interpretation, and Use of Education Tests** for additional guidance.

The classroom teacher serves as a general education teacher who monitors and evaluates inmate performance and progress in preparation for a GED credential.

The Special Education Teacher serves as the teacher with specialized training who plans, develops, instructs, and facilitates individual services for inmates with learning support needs, working collaboratively with classroom teachers to ensure delivery of Accommodations, Interventions, and Modifications (AIM) strategies and the Multi-Tiered System of Supports (MTSS) process.

### 3. PROGRAM COORDINATION

#### **§544.73 Program participation.**

(a) The Warden or designee shall assign to an education staff member the responsibility to coordinate the institution's literacy program. Initially, staff shall meet with the inmate for the purpose of enrolling the inmate in the literacy program. Subsequently, staff shall formally interview each inmate involved in the literacy program when necessary for the purpose of determining a progress assignment. Staff shall place documentation of these interviews in the inmate's education file.

Ordinarily, the SOE has overall responsibility for the literacy program.

**Literacy Class Schedules.** Literacy classes, including special education classes, will be scheduled Monday through Friday. Students enrolled in the literacy program must be scheduled for class each weekday. Each literacy class session will meet a minimum of 90 minutes per day.

When possible, literacy programs will operate during day watch programming hours. However, evening literacy classes may be scheduled if, after consultation with the SOE, the Warden determines evening classes are needed to reduce the waiting list or to expand program offerings. To ensure literacy program fidelity and encourage direct classroom instruction, it is recommended instructional staff do not provide weekend coverage or work compressed schedules.

Education staff will refer to the ESB page of the Bureau's intranet site for guidance regarding literacy class schedules and the appropriate education transaction codes utilized for entry in the applicable Bureau inmate management system.

(b)

(1) For the purposes of 18 U.S.C. 3624, an inmate subject to the Violent Crime Control and Law Enforcement Act of 1994 (VCCLEA) or the Prison Litigation Reform Act of 1995 (PLRA) shall be deemed to be making satisfactory progress toward earning a GED credential or high school diploma unless and until the inmate receives a progress assignment confirming that:

(i) The inmate refuses to enroll in the literacy program;

(ii) The inmate has been found to have committed a prohibited act that occurred in a literacy program during the last 240 instructional hours of the inmate's most recent enrollment in the literacy program; or

(iii) The inmate has withdrawn from the literacy program.

(2) When an inmate subject to VCCLEA or PLRA receives a progress assignment indicating that the inmate is not making satisfactory progress, the assignment shall be changed to indicate satisfactory progress only after the inmate is currently and continuously enrolled in a literacy program for a minimum of 240 instructional hours. Any further withdrawal or finding that the inmate has committed a prohibited act in a literacy program during the last 240 instructional hours of the inmate's most recent enrollment in the literacy program shall result in a progress assignment indicating that the inmate is again not making satisfactory progress (see paragraphs (b)(1)(ii) and (iii) of this section).

VCCLEA requires inmates to participate and make satisfactory progress in the literacy program to vest earned Good Conduct Time (GCT) if they committed their offenses on or after September 13, 1994, but before April 26, 1996, and do not have a GED or high school diploma credential. PLRA requires the Bureau to consider whether inmates earned, or are making satisfactory progress towards earning, a GED credential before awarding GCT.

Deportable aliens sentenced under VCCLEA or PLRA who do not have a verified high school diploma or GED credential must follow the satisfactory progress provision of these laws to vest their earned GCT or be eligible for the maximum amount of GCT unless they are subject a final order of removal, deportation or exclusion in accordance in Program Statement **Good Conduct Time Under the Prison Litigation Reform Act**.

Education staff must include the VCCLEA and PLRA requirements in the Education Admission and Orientation (A&O) lecture and the Education Handbook. The Education Handbook will be distributed to all newly designated inmates.

Education staff will refer to the ESB page of the Bureau's intranet site for guidance regarding the appropriate education transaction codes utilized for documentation of VCCLEA and PLRA progress assignments.

Inmates may need to be placed in the English as a Second Language (ESL) program in lieu of the literacy program for instructional, programming, or administrative reasons.

(c) At the end of 240 instructional hours, excluding sick time, furloughs, or other absences from scheduled classes, the unit team during scheduled program review sessions shall meet with the inmate to encourage continued participation in the literacy program until the inmate earns a GED credential or high school diploma. At these meetings, the inmate may elect not to continue in the literacy program, and no disciplinary action will be taken. The inmate may not discontinue this program when participation is mandated by statute.

The SOE or designee will review an inmate's progress every time the inmate completes 240 instructional hours in the literacy program. Any time the inmate is absent from class does not count toward the 240 instructional hours. The SOE or designee will record the 240 instructional hours in the applicable Bureau inmate management system. Education staff will refer to the ESB page of the Bureau's intranet site for guidance regarding these reviews and the appropriate education transaction codes.

Instructional hours accrued from previous enrollment in other Bureau facilities, including privately managed facilities, can be credited toward the required 240 instructional hours if the interruption in enrollment is due to reasons beyond the inmate's control (e.g., transfer between federal correctional facilities, appearance in court). Inmates who previously participated in the literacy program, were released, and are resentenced to Bureau custody must earn 240 more instructional hours in the literacy program. Attendance hours from previous sentences are not credited.

**Testing Out.** After enrollment, an inmate may test out of the literacy program before completing 240 instructional hours if the classroom teacher refers an inmate for a GED certification test and the inmate passes the test.

**Voluntary Program Withdrawal.** An inmate may request to opt out of the literacy program after 240 instructional hours. Inmates may request withdrawal from the literacy program in person or via the electronic Request to Staff Service, in accordance with the Program Statement **Inmate Request to Staff**. Education staff will calculate program hours and after obtaining approval and signature from the inmate's respective classroom teacher, Unit Manager, and SOE, the inmate may be dropped from the program. The inmate will be counseled of any potential impacts to GCT, First Step Act Time Credits, and other loss of incentives prior to program withdrawal. This counseling will be documented as directed on the ESB page of the Bureau's intranet site. If an inmate does not earn a GED credential within 240 instructional hours, the literacy coordinator should strongly encourage the inmate to continue in the literacy program.

#### **Involuntary Program Withdrawals.**

- **Transfers.** An inmate who transfers to another institution before completing the mandatory 240 instructional hours will complete the remaining instructional hours at the new institution as resources allow. Time spent in transfer status or preparing for transfer where in-person instructional hours are not attended does not count toward the mandatory 240-hour period.

**Restrictive Housing Placement.** An inmate who has been placed in restrictive housing, such as the Special Housing Unit, for more than 30 days may be withdrawn from the formal literacy program. This inmate's status should be monitored and the inmate should be reenrolled as soon as practical once no longer in a restrictive housing unit.

#### 4. **§ 544.74 Work assignment limitations.**

Work assignment appointments and promotion potential may be affected by an inmate's educational status and literacy program participation.

These limitations on work assignment appointment and promotion apply to all inmates, including those exempted from required participation in the literacy program by § 544.71.

##### (a) **Appointment.**

(1) An inmate who does not meet the literacy requirement may be assigned to a grade 4 position contingent upon the inmate's continued enrollment in the literacy program.

(2) An inmate ordinarily must show prior attainment of a GED credential or high school diploma in order to be considered for a commissary work assignment above minimum pay level, an institution work assignment above grade 4 compensation, or an industrial work assignment above grade four or in a non-graded incentive pay position.

(3) If labor force needs require, an inmate who does not meet the literacy requirement may be assigned to an industrial non-graded incentive pay position if the inmate is simultaneously

enrolled in a literacy or related program. Withdrawal from the literacy 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.

(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.

**Pay Exemptions for Inmates Who Need Extended Time in the Literacy Program.** The Warden or designee may grant a pay promotion exemption if an inmate is in the literacy program and needs more than 480 hours to complete the program. The intent of this exemption is to encourage the inmate to stay in the literacy program and continue to make a strong effort. The Warden will not delegate this authority below the SOE level.

The SOE will recommend this exemption unless Education staff determine the inmate is not making an acceptable level of effort. Education staff will review the pay promotion exemptions at least every 240 instructional hours. If not recommended for a pay exemption, the low level of effort must be documented.

Inmates will lose their pay promotion exemptions if they do not continue to make a strong effort, are found guilty of a prohibited act that occurred in the literacy program (e.g., Unexcused absence from work or any program assignment, Insolence towards a staff member) or withdraw from the program.

Education staff will refer to the ESB page of the Bureau's intranet site for guidance regarding limitations on work assignment appointments and promotions and the appropriate education transaction codes utilized for documentation in the applicable Bureau inmate management system.

#### 5. **§544.71 Exceptions to required literacy program participation.**

(a) The following inmates are not required to attend the literacy program:

(1) Pretrial inmates;

Each institution will refer to the Program Statement **Pretrial Inmates** for guidance about pretrial inmate participation and access to Education programs.

(2) Inmates committed for the purpose of study and observation under the provisions of 18 U.S.C. 4205(c), 4241(d), or, effective November 1, 1987, 18 U.S.C. 3552(b);

(3) Sentenced deportable aliens;

Sentenced deportable aliens do not need to participate in the literacy program if they are assigned a Public Safety Factor “H” status of “Alien” or are under a final order of deportation, exclusion or removal legally enforceable by the Bureau of Immigration and Customs Enforcement (ICE). See the Program Statement **Inmate Security Designation and Custody Classification** for more information about Public Safety Factor “H” status of “Alien.”

Although sentenced deportable aliens are exempt from attending the literacy program for the mandated 240 instructional hours, they are still subject to the satisfactory progress literacy provision of the VCCLEA or the PLRA unless they are subject a final order of removal, deportation or exclusion in accordance with Program Statement **Good Conduct Time Under the Prison Litigation Reform Act**.

Excepted inmates who complete their deportation hearing and have been determined to be non-deportable will be required to attend the literacy program for a minimum of 240 instructional hours. Education staff will interview these inmates and inform them of the literacy participation program requirement. Education staff will document this interview in the applicable Bureau inmate management system.

Inmates who fall under the pretrial, study and observation, or deportable alien exceptions may still choose to participate in the literacy program. Enrollment will be dependent upon resources available and preference will be given to mandatory inmates.

The above exceptions in Section 5 of this program statement and in § 544.71(a)(1), for pretrial inmates, (2) for inmates committed for study and observation, and (3) sentenced deportable aliens are “direct policy exemptions.”

(4) Inmates determined by staff to be temporarily unable to participate in the literacy program due to special circumstances beyond their control (e.g., due to a medical condition, transfer on writ, on a waiting list for initial placement). Such inmates, however, shall be required to participate when the special circumstances are no longer applicable.

When an inmate has a medical or mental health condition, which prevents them from attending the literacy program, they may request Health Services or Psychology Services staff send a recommendation of temporary class exception to the SOE. The documentation will clearly indicate the duration of the temporary exception. The SOE or designee will enroll inmates with this type of exception in the literacy program when the special circumstances are no longer applicable.

(b) Inmates who have been determined (on the basis of formal diagnostic assessment) to have a documented emotional, mental, or physical individual impediment to learning shall not be required to complete the literacy program beyond those achievement levels indicated as realistic by the formal diagnostic assessment.

The Warden will review the following documentation and approve this exception to the literacy program for inmates with medical or mental health conditions which prevent the inmate from further benefit of literacy program participation:

- Formal documentation reflecting the inmate has stopped making progress in all major academic areas. This will require valid pre- and post-test achievement scores that indicate a lack of academic gain in any major academic area (i.e., reading, math, or written language).
- Documentation indicating the inmate has demonstrated a satisfactory level of effort to participate in and complete assignments.
- Documentation confirming that the inmate will no longer benefit from the literacy program.

Most medical conditions do not warrant this type of exception, because accommodations and/or modifications to curricula can be given or the inmate can be adequately treated with medication. Only when the inmate's condition has permanently affected their ability to attend and participate in school, or when the condition permanently prevents learning, even with interventions, should this exception be given. The Warden must not delegate this literacy program exception below the Associate Warden level.

Inmates excepted from the literacy program under these criteria may be exempted by the Warden from literacy program requirements for work assignment appointment and promotion as stated in Section 4 of this program statement. The Warden will not delegate this work promotion exemption below the SOE level.

(c) Staff shall document in the inmate's education file the specific reasons for not requiring the inmate to participate in or to complete the literacy program.

Education staff will refer to the ESB page of the Bureau's intranet site for guidance regarding exceptions to required literacy program participation, documentation requirements, and the appropriate education transaction codes utilized for entry in the applicable Bureau inmate management system.

## 6. §544.72 Incentives.

The Warden shall establish a system of incentives to encourage an inmate to obtain a GED credential.

Each institution will refer to the Program Statement **First Step Act Assessments**,

**Programming, and Incentives** for guidance regarding monetary incentives for inmates participating in and completing the literacy program. Non-monetary incentives may also be offered including pencils, pens, journals, “Student of the Month” or “Perfect Attendance” awards, in an effort to encourage continued participation in the literacy program.

The literacy incentive award program must be explained to the inmates during the Admission and Orientation (A&O) presentation, included in the Education Handbook, and posted on bulletin boards.

## 7. HIGH SCHOOL DIPLOMA OR EQUIVALENCY VERIFICATION

An inmate’s high school diploma or its equivalent is verified when:

- The SOE receives official documentation from the appropriate school or agency.
- Government personnel officially verify the high school diploma or its equivalent in the presentence investigation report (PSI). A PSI should only be accepted as verification when the writer clearly indicates educational records were verified.
- A valid postsecondary credential (e.g., associate’s degree, bachelor’s degree, master’s degree, or doctoral degree) is an acceptable form of verification for a high school diploma or its equivalent.

An English translation of the official high school diploma sent directly from a secondary or postsecondary education school/agency from a foreign country to the SOE may be used, upon verification, to document a high school credential.

When there is no adequate information to verify an inmate’s high school diploma or its equivalent, the inmate must attempt to get verification information.

To do this, an inmate must complete a BP-A0812, Request for Education Records form, and submit it to the SOE, who will forward it to the appropriate school or agency. An inmate may request the form from a staff member.

Except those inmates exempt under Section 5 of this program statement, an inmate who cannot obtain information to verify high school completion or its equivalent will participate in the literacy program. Inmates have 28 days from their arrival at the institution to provide documentation of a high school diploma or its equivalent. If the institution does not receive verification of high school completion, its equivalent, or a completed college degree, the inmate will be placed on the GED waiting list.

Guidance on accepting and documenting a high school diploma or its equivalent, including online schools, can be found on the ESB page of the Bureau’s intranet site.

## 8. DISTRICT OF COLUMBIA EDUCATIONAL GOOD TIME (DCEGT)

Certain inmates with a District of Columbia sentence can receive DCEGT sentence credit when they successfully complete or participate in the literacy program. Program Statement **Educational Good Time Sentence Credit for D.C. Code Offenders** outlines criteria of eligibility for DCEGT.

Education staff will refer to the ESB page of the Bureau's intranet site for guidance regarding D.C. Code offenders' participation in the literacy program.

## 9. §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.

Except for those who are granted an exception under Section 5 of this program statement, an inmate who refuses to enroll in and complete the mandatory 240 instructional hours of the literacy program may be charged with Prohibited Act 306, Refusing to work or accept a program assignment, or any other appropriate prohibited act under the Program Statement **Inmate Discipline Program**. The inmate is then expected to enroll and complete the mandatory 240 instructional hours after serving the disciplinary sanction. Pretrial, study and observation, and deportable alien inmates exempted under Section 5, even if participating voluntarily, may elect to opt out of a literacy program any time without disciplinary action.

Removal from a literacy program may be imposed as a disciplinary sanction by the Discipline Hearing Officer (DHO) or Unit Discipline Committee (UDC) for a specified period of time, not to exceed six months, following an appropriate finding of misconduct consistent with the Program Statement **Inmate Discipline Program**. The SOE must monitor these inmates and place them back in class or on the waitlist if no space is currently available at the end of the removal period.

## 10. PROGRAM MONITORING REQUIREMENTS

Education staff will refer to the ESB page of the Bureau's intranet site for guidance regarding program monitoring requirements and the appropriate education transaction codes utilized for documentation in the applicable Bureau inmate management system.

## REFERENCES

### *Program Statements*

Admission and Orientation Program

First Step Act Assessments, Programming, and Incentives

First Step Act of 2018 - Time Credits: Procedures for Implementation of 18 U.S.C. § 3632(d)(4)

Good Conduct Time Under the Prison Litigation Reform Act

Inmate Discipline Program

Inmate Request to Staff

Inmate Security Designation and Custody Classification

Pretrial Inmates

### *Bureau Forms Prescribed by 5350*

BP-A0812 Request for Education Records

### *Federal Regulations*

28 CFR §544.70-75.

### *ACA Standards*

Performance-Based Standards and Expected Practices for Adult Correctional Institutions (5th Edition): 5-ACI-3D-04, 5-ACI-3D-05, 5-ACI-5E-02, 5-ACI-7B-01, 5-ACI-7B-02, 5-ACI-7B-03, 5-ACI-7B-04, 5-ACI-7B-05, 5-ACI-7B-06, 5-ACI-7B-07, 5-ACI-7B-08, 5-ACI-7B-09, 5-ACI-7B-10, 5-ACI-7B-11, 5-ACI-7B-12, 5-ACI-7B-13, 5-ACI-7B-14, 5-ACI-7B-15.

Performance-Based Standards and Expected Practices for Adult Local Detention Facilities (5th Edition): 5-ALDF-6B-05, 5-ALDF-2A-30, 5-ALDF-2E-24, 5-ALDF-5A-09, 5-ALDF-5A-10

### *Records Retention Requirements*

Requirements and retention guidance for records and information applicable to this program are available in the Records and Information Disposition Schedule (RIDS) on the Bureau's intranet site.