

Paper No. 7

Correction by Degrees: Postsecondary Programs in Prisons

BY BENNETT G. BOGGS

In an era of national [record-low 3.8% unemployment](#), the unemployment rate among [formerly incarcerated people](#) stands at a significant 27%. Complicating this further, by [2020 two-thirds of job postings](#) will require some level of postsecondary education—certificates, associate degrees, bachelor degrees or more—while formerly incarcerated adults are nearly [twice as likely](#) as the general population to have no high school credential.

Facing changes in population demographics, some states regard incarcerated people nearing the end of their sentences as a possible resource to help address many challenges: the need for a stronger workforce, the need to reduce state spending, and the need for former prisoners to rebuild their lives and contribute to their communities. This brief provides an overview of the issues relating to prison postsecondary education programs with examples of state responses aimed at creating possible benefits for the participants, the workforce and economy, and the state taxpayers.

The Benefits

TO THE PARTICIPANTS

The nonpartisan Prison Policy Initiative [reports](#) that about 2.3 million people are incarcerated across the nation, and 95% will eventually be released back into their communities. In addition, [research](#) by the Urban Institute indicates that society benefits when these individuals return to their communities prepared to rebuild their lives, secure gainful employment and pay taxes. There are positive consequences for their families, communities and local economies.

Significantly, the benefits of prison education programs are evident before an inmate's release. Wardens and prison superintendents [note](#) that postsecondary education programs improve a prison's

About this series

With the support of the Arnold Ventures, this is the seventh of eight briefs published by NCSL as "A Legislator's Toolkit to the New World of Higher Education." The series seeks to inform legislators about current challenges to public postsecondary education so that they can form cohesive, strategic approaches to building effective and efficient postsecondary systems responsive to future statewide economic and community needs. In addition, an [interactive database](#) on the NCSL website identifies state approaches to governance, funding and affordability, allowing policymakers to share information, exchange ideas and adopt the best practices for their state's particular needs.

environment and culture—creating a safer facility and giving the overall inmate population a more positive post-prison perspective.

Therefore, the primary beneficiaries of postsecondary education programs within correctional facilities are the incarcerated individuals themselves. The programs reorient inmates to focus on life after prison—maximizing the use of their incarcerated time to rehabilitate and equip themselves to contribute to society—within a prison environment that is safe and purposeful.

TO THE WORKFORCE AND ECONOMY

In 2017, more than **622,000 people** were released from state and federal prisons. Of these individuals, **78% of the men and 83% of the women** were between the ages of 25 and 54—the prime working age population. Those who receive some form of postsecondary education within prison are estimated to have a 10% better chance of higher employment and earnings when they reenter the workforce. Nationally, the overall increase in salaries and wages of this population is projected to be \$45.3 million—each year.

Meanwhile, the U.S. Department of Labor **projects** that just over 5 million entry-level job openings annually over the next decade will require some form of postsecondary education. Education programs within correctional facilities help prepare workers who need employment for the jobs that need to be filled.

Therefore, offering educational programs to prisoners may not only help them reestablish their lives upon completing their sentences—and decrease their chances of returning to prison—but also provide a new source of workers to enhance economic development in their communities.

TO THE TAXPAYERS

As noted above, **95% of the 2.3 million people incarcerated** across the nation eventually will be released back into their communities. Furthermore, inmates who have an educational experience while in prison are significantly less likely to recidivate. Reduced recidivism saves taxpayers an average of \$5 for every \$1 spent on prison education. A study by the Vera Institute of Justice found that inmates who receive an education while in prison are 43% to 72% less likely to return to prison. The projected nationwide savings from reduced recidivism total \$365.8 million per year. These findings indicate significant savings for states while increasing opportunities for former prisoners to contribute to the workforce of their communities.

Restoring Pell Grant Eligibility

With an understanding of the potential benefits of providing high-quality postsecondary education programs within correctional facilities, a significant issue to consider is funding. Historically, the major source of postsecondary funding within prisons was the federal Pell Grant program. Created in 1972, this program provides funding to low-income students unable to afford postsecondary education. This originally included incarcerated individuals. In 1982, there were 350 postsecondary programs in prisons and by the early 1990s, the number had increased to nearly 800 programs in nearly 1,300 prisons.

However, in 1994 Congress passed **the Violent Crime Control and Law Enforcement Act**. Reflecting a “tough on crime” approach, the legislation made incarcerated individuals ineligible for the Pell Grant program. As a result, the number of prison-based postsecondary education programs quickly plummeted to a



national total of only 12 by the year 2005. [Currently, 64%](#) of inmates in state and federal prisons would be academically eligible to enroll in postsecondary education programs beyond the GED yet do not have the opportunity to do so.

In 2016, the U.S. Department of Education launched the [Second Chance Pell Grant](#) program. This initiative, started under the Obama administration and continued under the Trump administration, is a [pilot program](#) that gives 65 two- and four-year postsecondary institutions in 27 states the opportunity to develop prison-based programs for 12,000 eligible inmates with access to Pell Grants. The participating colleges now offer a combined 82 certificates, 68 associate degree programs and 21 bachelor programs to nearly 8,800 incarcerated students. As of 2018, more than [950 credentials](#) had been awarded.

As the Second Chance Pell program has gained attention, congressional lawmakers have developed bipartisan support for the [Restoring Education and Learning \(REAL\) Act](#). The REAL Act intends to re-establish incarcerated individuals' eligibility for Pell Grants as a way to reduce recidivism and lower incarceration costs. The bill comes as Congress considers renewal of the [Higher Education Act](#), which also includes restoration of Pell Grant eligibility to inmates.

CHALLENGES

While the Second Chance Pell Grant program appears to be broadly successful, a 2019 [review](#) by the federal Government Accountability Office (GAO) also identified a few challenges for the program. First, the participating colleges report difficulties in establishing and documenting inmate applicants' eligibility for Pell grants. This is due to some having defaulted on existing student loans or not having registered for the federal Selective Service system (required for Pell). Second, the colleges report that acquiring proper Free Application for Federal Student Aid (FAFSA) documentation is often difficult. The FAFSA is known for its numerous questions and complex procedures—and the variety of backgrounds among the incarcerated population only aggravates this problem. Third, arranging for classrooms within prisons often requires creative solutions because of technological limitations and difficulty scheduling facility space. Finally, a few colleges note the difficulties that arise when inmates are transferred to other prisons that don't offer the same programs—a challenge often resolved once brought to the attention of wardens.



Possible Approaches

As lessons are being drawn from the reestablishment of postsecondary education programs within prisons, the nonpartisan [Prison Policy Initiative](#) offers these suggestions to improve overall prison education:

- 1. Address K-12 education inequalities, such as those related to zero-tolerance discipline policies.** The issues inhibiting education for incarcerated individuals begin before prison. States need to consider the condition of their public schools and the need for ample educational resources regardless of a school's location. This also includes punitive disciplinary policies that create "school to prison" pipelines for underserved students facing socio-economic challenges. These challenges reveal themselves within prison as incarcerated adults are nearly [twice as likely](#) as the general population to have no high school credentials.
- 2. Ensure that incarcerated populations have access to vigorous educational services.** The correctional community needs to view education programs as the beginning of a prisoner's preparation to enter a new life, not as an "extra" elective activity.
- 3. Eliminate indications of previous imprisonment on applications to public colleges and universities.** As former inmates seek to continue or complete credentials and degrees started in prison, barriers that limit their ability to join traditional campus communities need to be removed. Having to identify

oneself on an application as having a felony record severely limits the opportunity for the individual to “get on” with his or her life.

- 4. Restore Pell Grants to incarcerated people and open opportunities for financial aid.** As noted above, federal Pell Grants have traditionally been the primary source of financial support for prison postsecondary education programs. Pell Grants and other student aid should be viewed not only as a benefit to the incarcerated individual, but also as a public good that supports overall economic and community development.

Examples Among the States

Even without federal Pell Grant funding, a number of states and postsecondary institutions have attempted—either independently or through Second Chance Pell—to develop credential and degree programs within their state prison systems.

The Prison University Project is [an initiative](#) at the San Quentin Prison in **California**. The purpose is to identify the most effective methods for educating prisoners. While policymakers understand that these programs reduce recidivism rates and increase post-prison job opportunities, few studies reveal how those programs work best. This information could offer helpful principles for establishing state coordinated programs that are both effective and efficient within the unique prison environment. For example, science laboratories cannot have glass containers or various substances, yet programs need to offer the same rigorous curriculum as academic programs in traditional campus settings.

Beyond the San Quentin study, California has [demonstrated](#) an unusual commitment to prison education. In 2018, 22 of the state’s community colleges provided instruction to more than 7,000 students in 35 prisons. The California system is developing an associate degree pathway that would be available to inmates regardless of where they might be transferred within the state correctional system.

In **Indiana**, the Department of Corrections works in partnership with Oakland City University, Vincennes University and Ivy Tech Community College to help more than 800 convicted felons earn industry-recognized credentials in welding, computer coding, carpentry, culinary arts, cosmetology, horticulture and other fields. By enrolling in these academic and vocational programs, the inmates prepare to reenter their communities—and help ensure that businesses can find qualified workers for vacant and in-demand positions. Approximately 20,000 former inmates are released annually from Indiana pris-



ons. Data reveal that 60% of those released and who remain unemployed for three years will return to prison. The percentage drops significantly for those who secure work.

Michigan's Jackson College is one of the 65 postsecondary institutions participating in the Second Chance Pell program. Currently, about 600 prisoners participate in the program, which has 60 faculty members. Before inmates enroll, their file is reviewed by the prison's warden for recommendation. Once enrolled, they face challenges unknown to non-prison students such as a crowded and constantly noisy environment with a lack of privacy to study, and sometimes unsupportive fellow prisoners and guards. Furthermore, prisoners could be transferred to another prison that may not offer the program in which they enrolled.

As part of the program, Jackson College provides a letter to parole boards for prisoners nearing parole eligibility. The letter underscores the student's classroom achievements and includes his or her academic transcript. In certain cases, the college works with the board to ensure the paroled inmate is placed near a satellite campus so the former prisoner can continue and completed an academic program as part of his or her parole.

Sinclair Community College of **Ohio** has offered prison education programs for over 30 years. Working with the Ohio Department of Rehabilitation and Corrections, the college is reimbursed an average of \$1,950 for every student enrolled. Currently, the college offers programs in 10 of the state's 28 prisons. Each inmate in Ohio costs \$26,000 to house and feed annually. With reduced recidivism, Sinclair is saving taxpayers more than \$33 million each year. In Ohio, 70% of prisoners lack a high school diploma, but Sinclair's educational programs show a 92% completion rate—a remarkable accomplishment within this environment.

As in many prison education programs, prisoners are not allowed to apply to Sinclair unless they are five years or less from their release date. Each prisoner who applies and is approved is given an entry assessment to determine his or her skills. The most popular education tracks are business/entrepreneurship and community/social services—reflecting the desire among inmates who have dealt with addiction to help others in their home communities to avoid their mistakes. Those in business/entrepreneurship learn how to start their own businesses in communities where they may find it difficult to be hired as former felons. Although inmates are encouraged to take classes that interest them, Sinclair instructors also guide them to programs that will lead to adequately paying, “in demand” jobs once they are released.

The Sinclair program has 80 full- and part-time faculty who teach across the 10 prisons. The level of access and allowed materials in each prison varies depending upon the warden and the facilities. Some prisons have computers available to the students, but few have an internet connection. Therefore, the Ohio Department of Higher Education has provided internet-free tablets so that instructors can pre-load information for the students.

Similar to Michigan's Jackson College, Sinclair College works with parole officers to ensure that former inmates continue their studies and attend classes once released from prison. In this sense, Sinclair views itself as a partner with the Department of Corrections to help former prisoners readjust to life outside prison.

How State Legislatures are Responding

Over the past few years, state legislatures have introduced bills that address the issues of basic and advanced education programs in state correctional systems. In some cases, the legislation focuses only on post-incarceration opportunities for the individuals. Below are examples of some recent bills. One will note that a number have failed in recent sessions. This may well be due to the current ineligibility of incarcerated individuals for federal Pell Grants—a major source of revenue for these programs.

2019 Legislation

State	Bill	Summary	Status ¹
AL	H 108	Would create the Alabama Office of Apprenticeship to promote apprenticeships through community colleges to certain targeted groups, including formerly incarcerated individuals	Pending
DE	H 22	Provides the authority for the Department of Education to prescribe the rules and regulations necessary to implement the prison education program which provides educational services to the Department of Correction.	Pending
MI	H 4347	Removes student credit hours generated through inmate prison programs from the list of excluded sources for student credit hour reports used by the higher education audit.	Pending
MS	H 9	Requires the department of corrections to administer the adult basic examination to each adult offender within its custody; provides that if such offender fails the examination, he or she shall receive individualized instruction as well as remedial classes until he or she passes the examination; requires the commissioner of the department to award meritorious earned time to an offender who successfully completes the examination.	Failed
NC	H 463 S 561	Provides access to education and job readiness skills for individuals incarcerated in state prisons and local jails.	Pending
NJ	S 2055 A 3722	Permits incarcerated persons to receive student financial aid; provides that a person who is incarcerated shall be eligible for student financial aid provided that the person had been a resident of the state for a certain period of time immediately prior to the date of incarceration, the person is a state-sentenced inmate, and the person receives approval from the Department of Corrections to enroll in an eligible institution.	Pending
NY	S 2206 A 4011	Establishes the commission on postsecondary correctional education to examine, evaluate and make recommendations concerning the availability, effectiveness and need for expansion of postsecondary education in the New York State prison system.	Pending
OR	S 949	Appropriates money to Higher Education Coordinating Commission for purposes of prison education programs.	Pending
OR	S 777	Establishes Task Force on Prison Education.	Pending
TN	H 30 S 299	Relates to scholarships and financial aid; permits certain incarcerated persons who are allowed to enroll in courses offered by a community college or state college of applied technology pursuant to an approved release plan to receive a state reconnect grant.	Pending
TN	H 1303	Requires the Department of Correction, in partnership with the Tennessee higher education commission and the board of regents, to develop and submit to the General Assembly an annual report detailing the higher education opportunities available to incarcerated individuals in this state.	Enacted

¹ As of June 2019

WA	S 5433	Provides postsecondary education opportunities to enhance public safety.	Enacted
----	--------	--	---------

2018 Legislation

State	Bill	Summary	Status ¹
FL	HB 1201	Education for Prisoners; Authorizes DOC to contract with certain entities to provide education services for Correctional Education Program; authorizes each county to contract with certain entities to provide education services for county inmates; authorizes use of state funds for operation of postsecondary workforce programs for education of certain state inmates.	Enacted
NJ	A 3722	Permits incarcerated persons to receive student financial aid.	Failed

2017 Legislation

State	Bill	Summary	Status ¹
IL	H 3831	Provides that the Department of Corrections shall provide educational programs in each of its institutions and facilities for all committed persons.	Failed
NY	S 3735	An act to repeal paragraph d of subdivision 6 of section 661 of the education law relating to the ban on incarcerated persons for receiving student financial aid awards.	Failed
NY	S 7505	Would have created a pilot program: a college educational leave program for no more than 50 inmates.	Failed
WA	S 5069	Authorizes the Department of Corrections to partner with community and technical colleges to provide associate degree programs, preparing inmates to re-enter the workforce.	Enacted

2014 Legislation

State	Bill	Summary	Status ¹
CA	S 1391	This bill allows California Community Colleges (CCCs) to receive full funding for credit-course instruction offered in correctional institutions and seeks to expand the offering of such courses.	Enacted

Conclusion

With demands for a larger and better prepared workforce increasing, prison education programs offer benefits to a state's economy, workforce and communities as incarcerated individuals prepare to return to their communities. These programs also aid efforts to reduce recidivism—which has the potential for significant state savings—and help strengthen states to meet 21st century needs. With the anticipated renewal of incarcerated individuals' eligibility for federal Pell Grant funds, states may have an opportunity to reestablish high-quality postsecondary education programs in their correctional facilities—to the benefit of all.

The National Conference of State Legislatures is the bipartisan organization dedicated to serving the lawmakers and staffs of the nation's 50 states, its commonwealths and territories.

NCSL provides research, technical assistance and opportunities for policymakers to exchange ideas on the most pressing state issues, and is an effective and respected advocate for the interests of the states in the American federal system. Its objectives are:

- Improve the quality and effectiveness of state legislatures
- Promote policy innovation and communication among state legislatures
- Ensure state legislatures a strong, cohesive voice in the federal system

The conference operates from offices in Denver, Colorado and Washington, D.C.

NCSL Contact:

Bennett Boggs

Education Program Principal

303-856-1516

Ben.Boggs@ncsl.org



NATIONAL CONFERENCE *of* STATE LEGISLATURES

William T. Pound, Executive Director

7700 East First Place, Denver, Colorado 80230, 303-364-7700 | 444 North Capitol Street, N.W., Suite 515, Washington, D.C. 20001, 202-624-5400

www.ncsl.org

© 2019 by the National Conference of State Legislatures. All rights reserved. ISBN 978-1-58024-970-6