

Expanding Access to Postsecondary Education in Prison

Sean Addie, Director of Correctional Education, US Department of Education

Anne Precythe, Director, Missouri Department of Corrections; President, Correctional Leaders Association

Romarilyn Ralston, Program Director, Project Rebound at Cal State Fullerton

Dr. Dwuan Warmack, President, Claflin University

Derek Lowry, Program Associate, Vera Institute of Justice

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Reentry Week | April 26-30, 2021

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For more information, contact:

info@nationalreentryresourcecenter.org

Derek Lowry: dlowry@vera.org

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Speakers

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Vera Institute of Justice

- The US Department of Education's Second Chance Pell (SCP) Experimental Sites Initiative provides need-based Pell grants to those in state and federal prisons. The initiative examines the impact expanded access to financial aid has on incarcerated adults' participation in educational opportunities.
- **Vera's goals are to:**
 - facilitate the implementation and scaling up of quality higher education programs in prisons and those that work with students after they return home
 - to assist with the development of policies, procedures, and practices to increase the participation of incarcerated and formerly incarcerated individuals in these programs
- To learn more, please visit: <https://www.vera.org/projects/college-in-prison>

Pell Reinstatement Overview

Expands Federal Aid Eligibility

- Reinstates access to Federal Pell Grants for confined or incarcerated students enrolled in qualifying prison education programs
- Selective Service registration will no longer be required for eligibility for aid
- Eliminates suspension of eligibility for drug-related convictions

Sets evaluation, reporting, and technical assistance requirements

- Requires an external evaluation beginning no later than 1 year after enactment and covering 1, 3, and 5 year outcomes
- Annual reporting requirements for prison education programs and ED beginning no later than 1 year after enactment
- Directs ED and DOJ to provide technical assistance and guidance to corrections agencies and others overseeing prison education programs to ensure programs are operating in the best interests of students

Definitions for Prison Education Programs

1. The program must be offered by a Title IV eligible institution of higher education;
2. The program **must be approved to operate in a correctional facility by the appropriate state department of corrections** or other entity that is responsible for overseeing correctional facilities, or by the Bureau of Prisons;
3. The program must be determined to be operating **in the best interest of students** by the appropriate state department of corrections or other entity that is responsible for overseeing correctional facilities, or by the Bureau of Prisons;
4. The program must offer **transferable credits to at least 1 institution of higher education in the state** in which the correctional facility is located, or, in the case of a federal correctional facility, in the state in which most of the individuals confined or incarcerated will reside upon release.

Definitions (cont.)

5. The program must **not have been subject to** i) suspension, emergency action, or termination of programs, ii) adverse action by the institution's accrediting agency or association, iii) any action by the state to revoke a license or other authority to operate during the 5 years preceding the date of the determination;
6. The program must **satisfy any applicable educational requirements for professional licensure or certification**, including licensure or certification examination needed to practice or find employment in in the state where located, or, in the case of a federal correctional facility, in the state in which most of the individuals confined or incarcerated will reside upon release
7. **Does not offer education designed to lead to licensure or employment for a specific job or occupation** in the state if such a job or occupation typically involves prohibitions of formerly incarcerated individuals occupation in the state where located, or, in the case of a federal correctional facility, in the state in which most of the individuals confined or incarcerated will reside upon release.

Criteria for Operating in the Best Interest

The criteria for determining whether a prison education program is operating in the best interest of students may be based on the following factors:

1. Rates of continuing education post-release;
2. Job placement rates;
3. Earnings;
4. Rates of recidivism;
5. The experience, credentials, and rates of turnover or departure of instructors;
6. The transferability of credits for courses available and applicability of such credits toward related degree or certificate programs;
7. Offering relevant academic and career advising services to students while confined or incarcerated, in advance of reentry, and upon release

FAFSA Simplification Generally

Needs Analysis / Pell Grant Eligibility

- Replaces “Expected Family Contribution” with the “Student Aid Index” for determining eligibility for need-based aid
- Establishes separate process for determining maximum and minimum Pell Grants based on student’s adjusted gross income and household size

Cost of Attendance (COA)

- Will now include license, certification, or first professional credential in COA
- Defines COA for confined or incarcerated students:
 - **“only tuition, fees, books, course materials, supplies, equipment, and the cost of obtaining a license, certification, or a first professional credential. . .”**

FAFSA Simplification Generally (cont.)

FAFSA Questions & Data Sharing

- Reduces the number of questions from 108 to 36 demographic, educational, and identification questions including questions about race and ethnicity
- Eliminates questions asking for income information not verifiable by the IRS
- Simplifies needs test for tax non-filers and certain means-tested benefits recipients
- Allows for the direct transfer of needed income information between the IRS and ED as authorized by the FUTURE Act

Discretion of Student Financial Aid Administrators

- Prohibits institutions from denying all professional judgement requests
- Updates what qualifies as “special” or “unusual circumstances” for determining dependent/independent status
- Updates what qualifies as “adequate documentation”
- Establishes a process for otherwise dependent students to complete the FAFSA as a “provisional” independent student