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# What Corrections Officials Need to Know to Partner with Colleges to Implement College Programs in Prisons

In 2019, 1.4 million adults were incarcerated in federal and state prisons (Carson, 2020). Each year, more than 700,000 leave those prisons and return to local communities (Carson, 2020). While these individuals are serving their time, prison facilities are responsible for both incarcerating them and providing them with rehabilitative programs so that when they return to their communities, they are better prepared to flourish in those communities than they were when they left.

Educational services are one important set of programs that prisons traditionally provide. Such services can not only improve the lives of those in prison and conditions in prison (e.g., by possibly helping to reduce rates of infractions among education participants) but also help individuals compete for jobs in their communities when they are released (Duwe, 2017). Also, if individuals can successfully gain employment after their release from prison, they are less likely to end up back in prison, which benefits everyone—prisons, which can ease overcrowding by reducing the ongoing problem of recidivism; ex-prisoners, who can get their lives back on track; and communities, which can add productive individuals to their tax rolls and reduce crime (Aos, Miller, and Drake, 2006; Mackenzie, 2006; Davis et al., 2013).

The value of such educational programs (or correctional education programs) in prison has been shown in past RAND research. This research revealed that incarcerated adults who participate in a correctional education program while in prison—whether it is adult basic education (ABE), general equivalency diploma (GED) preparation, college education, or vocational training (or career technical education [CTE])—had a 13-percentage point reduction in their risk of recidivating after being released from prison (Davis et al., 2013). The effect is even more dramatic for those who participate in in-prison college programs—they are roughly half as likely to recidivate as those who do not participate in any type of correctional education program (Davis et al., 2013). Furthermore, RAND researchers estimated that for every dollar invested in prison education programs, taxpayer-

ers save, on average, between \$4 and \$5 in three-year reincarceration costs (Davis et al., 2013).

In today’s economy, having a college education is necessary to compete for many jobs. According to Georgetown Center on Education and the Workforce, two-thirds of job postings require some level of college education (Carnevel, Smith, and Strohl, 2013). Driven partly by the research results and the increasing need for college programs, there has been a resurgence in interest of late in expanding higher education in prisons at the federal and state levels, particularly expansions that offer a path to degrees or industry-recognized credentials. Part of this resur-

gence has been facilitated by the U.S. Department of Education’s Second Chance Pell Experimental Sites Initiative, which began in 2015 and continues today (U.S. Department of Education, 2019). The initiative temporarily lifted the federal ban on Pell Grants to incarcerated individuals that was put in place in 1994, when Congress signed the Violent Crime Control and Law Enforcement Act.

When Congress passed the pandemic relief bill as part of the Consolidated Appropriations Act of 2021, that legislation permanently reinstated access to federal Pell Grants for incarcerated individuals (Pub. L. 116-260, 2020). The FAFSA (Free Application for Federal Student Aid) Simplification Act, signed into law on December 27, 2020, indicated that all incarcerated people will be eligible for Pell Grants, regardless of conviction or sentence length (Association of American Universities, 2020; Martinez-Hill, 2021). Furthermore, this act reinstated access to Pell Grants for a broader group of individuals, including those in prisons, jails, and juvenile and civil commitment settings (Martinez-Hill, 2021). Prior to the reinstatement, the U.S. Department of Education’s Second Chance Pell Experimental Sites Initiative in 2015 had provided Pell Grant access to incarcerated students, with 64 colleges and universities in 28 states participating in the initiative (U.S. Department of Education, 2019). With the reinstatement of access to Pell Grants, corrections and colleges and universities now have the means to help incarcerated students pay for in-prison college programs.

Abbreviations	
AAS	Associate of Applied Science
ABE	adult basic education
BPI	Bard Prison Initiative
CDCR	California Department of Corrections and Rehabilitation
CHEA	Council for Higher Education Accreditation
COVID-19	coronavirus disease 2019
CSG	Council of State Governments
CTE	career technical education
DOC	department of corrections
DRP	Division of Rehabilitative Programs
FAFSA	Free Application for Federal Student Aid
FTE	full-time equivalent
GED	general equivalency diploma
MOU	memorandum of understanding
NDPS	North Carolina Department of Public Safety
NJ-STEP	New Jersey Scholarship and Transformative Education in Prisons
OCE	Office of Correctional Education

## Need for a Guide on College Programs in Prisons That Focuses on Prisons

Establishing a college program in prison involves several steps to ensure that a program meets the needs of the population to be served and requires consideration of a range of issues, such as security and safety requirements, the remote locations of prisons, whether adequate classroom space is available, what technology and other resources are needed, and who will be eligible for the program. In addition, it involves bringing together two different bureaucracies with different missions, visions, and

values to establish a successful program (Walsh and Delaney, 2020). Furthermore, recent federal legislation provides an important funding source to cover the costs of students' participation in college courses, something that will likely spur renewed interest in establishing these programs.

In-prison college programs may be part time or full time and will vary in what types of courses they offer students. For example, some colleges may offer only freestanding courses while other colleges may offer courses that are part of an educational pathway leading to a degree or credential, such as a general education certificate, a business degree, a computer science degree, a liberal arts degree, or general science degree, among others. Some programs may offer courses that lead only to a credential, and others may offer courses that lead to an Associate of Arts degree and/or a Bachelor of Arts or a Bachelor of Sciences degree.

Regardless of what is offered, an in-prison college program is ideally a partnership between a college and a prison facility or department of corrections (DOC). Both have to agree on the overall goals of the program, the commitment of resources, and a set of clear expectations. In this situation, getting buy-in from correctional leadership and correctional staff is critical to the success of these programs.

Much has been written about what colleges need to know to implement and provide in-prison college programs, including recent guidance from the Vera Institute of Justice titled *First Class: Starting a Postsecondary Education Program in Prison* (Walsh and Delaney, 2020). That guidance summarizes a set of preparatory steps that colleges and corrections systems typically may undertake to establish a postsecondary education program in prison, with the overall goal of helping program coordinators understand and accomplish the sequential actions needed to launch an in-prison college program. Although this guidance is a valuable tool, in general, too little has been written from the perspective of what correctional leaders themselves need to know to make informed decisions about the college program being offered—whether the program aligns well with the department's overall educational goals and programs, what resources and other commitments will be involved, and what questions correctional officials

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should ask to ensure that the proposed college program is a good fit for their institution. This guide aims to rectify this concern.

In addition, guidance for corrections officials sometimes is sprinkled throughout toolkits or reports primarily aimed at colleges. This guide aims to address that concern and bring into one place a succinct summary of what corrections officials need to know.

## What This Guide Is and Is Not

Beyond being focused on prison needs, this guide is meant to do some things but not others. It is intended as a starting point for corrections officials who are considering whether to have a college program within their prison facilities or who currently have such a program and would like to know what additional information they might need to ensure the success of the program while meeting the overall goals and mission of their prison facilities. The guide is relevant for both two-year and four-year college programs. Also, this guide is intended to specifically address academic college programs. It is not intended to be a definitive guide. Therefore, it does not address CTE or secondary

programs (e.g., GED preparation) or ABE, valuable as those programs are in a prison setting.

## How to Use This Guide

This guide is for correctional leadership and administrators, wardens, correctional education staff, and correctional officers—that is, for those individuals responsible for overseeing or working closely with colleges in facilitating the establishment and implementation of an in-prison college program. However, colleges that want to understand the perspectives of those running prison facilities also can use it. Because not all readers enter with the same knowledge, this guide is designed to be flexible so users can quickly jump to the information that is most useful to them.

Figure 1 provides a flowchart to help readers identify where to go for specific information within this guide.

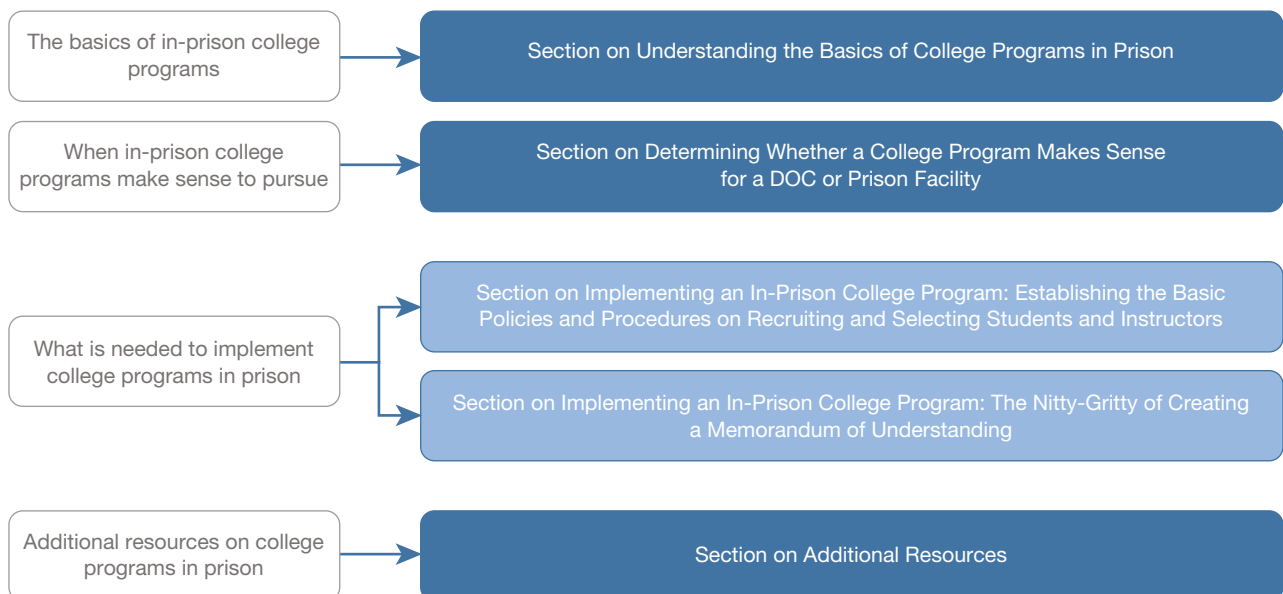
Given that all readers come in with somewhat different knowledge about college programs in prison, we use the first section to provide the basics of what constitutes a college program in prison, including how they are funded. Those who know this material can skip to the section titled “Determining Whether a College Program Makes Sense for a DOC

or Prison Facility,” but the material in the section titled “Understanding the Basics of College Programs in Prison” might serve as a refresher even to those who have some grounding in this.

Later in this guide, we discuss the important decisions that prisons need to consider when officials are trying to decide whether to pursue a particular program; the motivation to do so may be the same as it is for colleges. Once a decision to pursue a college program in prison is made, the focus shifts to how best to implement the program within the prison setting. We also focus on implementation issues and look at the nitty-gritty of creating a memorandum of understanding (MOU) between the college and the prison. Throughout this guide, we include additional information in boxes that expand on specific issues we covered.

In addition to specific references cited in this guide, readers may want more-general resources. We provide such sources at the end of this guide, including other reports, studies, and links to organizations that focus on the issues covered in this guide.

FIGURE 1  
How to Navigate This Guide



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## Understanding the Basics of College Programs in Prisons

College programs in prisons are not new—they have been around for years (Crayton and Neusteter, 2008; Davis, 2019). Before we go into the details of such programs from the perspective of prisons later in this guide, we review some basics of college programs in prisons that are important to bear in mind while having that discussion.

### Basic Questions About College Programs in Prisons

College programs in prisons are obviously not the same as the programs in colleges. Here, we highlight some of the most common types of questions that should be asked.

#### What Academic Institutions Provide In-Prison College Programs?

A community college or a four-year university or college (public or private) can provide in-prison college programs. The number of colleges or universities that do so varies by state. A landscape scan of in-prison higher education in a 2020 study by Royer and colleagues found that, in 2018 and 2019, there were 300 higher education programs in prison, with 354 academic institutions affiliated with these programs (Royer et al., 2020).<sup>1</sup> The majority of these academic institutions were public, two-year colleges (51 percent), followed by four-year colleges or universities (public or private nonprofit) (47 percent). A majority of higher education programs in prisons are affiliated with only one college or university; however, some programs are partnerships among multiple colleges or universities, such as the New Jersey Scholarship and Transformative Education in Prisons (NJ-STEP) initiative (NJ-STEP, undated), which is a partnership among four colleges and universities.

#### What Degrees Do Higher Education Programs in Prison Offer?

Using data compiled by the Research Collaborative on Higher Education in Prison,<sup>2</sup> of the 119 programs that offered degree pathways, 95 programs offered

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associate degrees, 39 offered bachelor's degrees, and six offered master's degrees (Royer et al., 2020). At least 121 programs in the database also offered certificates.<sup>3</sup>

Furthermore, of the programs that responded to the survey cited by Royer and colleagues, 94 percent offered postsecondary, vocational, or CTE coursework *for credit* (Royer et al., 2020). One-third of the programs offered college preparatory coursework (31 percent) *not-for-credit*, and another third offered postsecondary, vocational, or CTE coursework *not-for-credit*.

#### How Is Instruction Offered in College Programs in Prison?

Before the coronavirus disease 2019 (COVID-19) pandemic, most in-prison higher education programs (86 percent) offered face-to-face instruction (Royer et al., 2020).<sup>4</sup> Although COVID-19 has led many DOCs to prohibit in-person instruction to help prison facilities manage the pandemic, most colleges



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There is also a growing movement in such states as California, Ohio, Indiana, and Maryland to implement or broaden policies and legislation to give individuals time off for their sentences when they attain educational milestones.

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In addition to providing academic coursework mostly by in-person instruction, higher education programs also rely on supportive services from the DOC, such as access to prison libraries; computer labs; study halls; and, in partnership with the college, access to teaching assistants or tutors. Specifically, in addition to academic coursework, in-prison higher education programs surveyed offered students in prison access to academic libraries (62 programs), computer labs (48 programs), study halls (54 programs), and teaching assistants (59 programs) (Royer et al., 2020). Thus, in thinking about the resources required for these college programs, as we discuss later in this guide, it will be important for corrections officials to also consider what access will need to be made available for these types of services.

In addition, the college is responsible for (1) providing such supportive services as making instructors available to answer students' questions and pro-

viding course materials; and (2) helping students plan for reentry by

- providing financial aid counseling and assistance with filling out financial aid applications
- gathering transcripts from current and previous academic institutions
- providing guidance on academic plans and college options for students returning to the community, including which institutions their credits will transfer to
- assistance with applying to college programs out in the community (Delaney, Subramanian, and Patrick, 2016).

### **State Policies or Legislation May Impact What Type of Opportunities Can Be Made Available**

Depending on the state in which a prison is located, policies and legislation will determine what type of educational opportunities may be available to individual students participating in in-prison college programs and who is eligible to participate in these programs, including any statutory or administrative requirements, permissions, or restrictions on participation (see Box 1). A starting point for understanding what may be available is the National Conference of State Legislatures (NCSL), which has put together a series titled *A Legislator's Toolkit for the New World of Higher Education* (Boggs, 2019). The toolkit includes a policy brief titled "Correction by Degrees: Postsecondary Programs in Prisons" that summarizes which state legislatures have introduced bills to address basic and advanced education programs in state correctional systems. For example, in 2019, New York proposed legislation to establish a commission on postsecondary correctional education to examine, evaluate, and make recommendations about the availability, effectiveness, and need to expand postsecondary education in the New York state prison system. New York Senate Bill S3368, which aims to establish a commission on postsecondary correctional education, is currently pending (State of New York Senate Bill S3368, 2021).

## Box 1. Understanding State Policies and Practices

A useful guide for understanding state policies and practices is the Council of State Governments (CSG) Justice Center's state-by-state analysis, which analyzes each state's statutory, financial, and administrative policies and practices that affect the provision of postsecondary education for this population. The findings are summarized in its report, titled *Laying the Groundwork: How States Can Improve Access to Continued Education for People in the Criminal Justice System* (Bacon et al., 2020). In addition to the report, CSG also provides fact sheets summarizing the findings for each state, such as how the postsecondary education programs are funded, what is offered within correctional facilities, any restrictions or barriers on access and to participation, and incentives and/or supports to encourage enrollment and completion. For more information, see Bacon et al., 2020.

There is also a growing movement in such states as California, Ohio, Indiana, and Maryland to implement or broaden policies and legislation to give individuals time off for their sentences when they attain educational milestones; doing so makes education a more integral part of rehabilitation.<sup>5</sup> For example, in California, incarcerated students may be eligible to earn Milestone Completion Credit(s) and Education Merit Credit(s)<sup>6</sup> in accordance with the California Code of Regulations Title 15 (California Department of Corrections and Rehabilitation [CDCR], 2018; CDCR, undated-b).

Other states might limit the types of degrees that an incarcerated student can earn. For example, although North Carolina funds degree-bearing programs in its prisons, until recently, it was limited by law to only offering programs that resulted in a terminal Associate of Applied Science (AAS) degree. This was changed in 2019 to allow individuals to earn more than just an AAS degree (General Assembly of North Carolina, 2020).

### What Is the Management Structure of Partnerships Between Colleges and Correctional Departments or Individual Prison Facilities?

As summarized by the U.S. Department of Education, the management structure for partnerships between corrections and colleges or universities varies among states (U.S. Department of Education, Office of Vocational and Adult Education, 2009). The management approach that a state takes primarily depends on the structure of the community college

system (see Box 2). If the community college is *decentralized*, then the management of the partnership is decentralized—one in which the prison or state correctional department coordinates with community colleges individually. In other states, a *centralized* approach is taken in which a state body consisting of representatives from the community college and correctional system oversees the partnership. Finally, individual universities (e.g., Boston University's Prison Education Program) or consortiums of colleges and universities—such as NJ-STEP or the Bard Prison Initiative (BPI)'s Consortium of Liberal Arts in Prison—may partner with DOCs to bring college programming into prison facilities.

Other factors that determine partnership management include: (1) the degree of emphasis the DOC and state policymakers place on correctional education, and (2) the assignment of responsibilities in the memorandum of agreement or MOU between the prisons and colleges.

### How Are In-Prison College Programs Funded?

College programs in prisons are paid for from a variety of sources, such as state funds (e.g., state corrections appropriations, college head-count dollars),<sup>7</sup> state financial aid or inmate self-pay, inmate welfare funds, student loan reimbursement, or private scholarships (see Box 3). The availability of these funds affects the stability of the postsecondary education programs, the resources offered to inmates, and the willingness of community colleges to provide

## Box 2. Management Structure of Higher Education Programs in Prisons

**A centralized structure** is one where partnerships may be governed by a state body composed of representatives from the community college and corrections systems. Examples include (1) North Carolina, which has a partnership between the North Carolina Department of Public Safety (NDPS) and the community college system to provide special education, ABE, CTE, and postsecondary vocational and academic education to inmates; and (2) Ohio, which has a partnership between the Ohio Department of Rehabilitation and Correction and the community college and university systems (with the Ohio Penal Education Consortium overseeing the partnership).

**A decentralized structure** is one where a prison facility or state corrections system coordinates with colleges individually. Examples include California, Indiana, Texas, and Virginia, where prisons collaborate with community colleges and, in some cases, with state universities and private liberal arts colleges on an institution-by-institution basis.

**An intermediary structure** is one where an intermediary is involved. For example, Wisconsin and Arkansas have as intermediaries the Milwaukee Area Technical College and the Riverside Vocational Technical School, respectively, which provide the majority of postsecondary education and CTE courses to incarcerated adults.

SOURCE: U.S. Department of Education, Office of Vocational and Adult Education, 2009.

## Box 3. Other Sources of Funding for In-Prison College Programs

Some states have used a variety of other funding sources for in-prison college programs. For example, Minnesota has been successful in using prison industry dollars to help fund associate degree programs. New Jersey permits outside funding and in-kind DOC resources to support associate and bachelor's degree programs in prison. California has two key funding sources for its college programs in prison: (1) the California College Program Grant (formerly the Board of Governors [BOG] Fee Waiver), which covers tuition for every low-income student in the state's community colleges, including incarcerated students; and (2) Senate Bill 1391, which allows community colleges to offer in-person courses in both prisons and jails and to be fully reimbursed for both credit and noncredit courses. Students may be eligible for a tuition fee waiver through the California College Program Grant program, which covers tuition for every low-income student in the state's community colleges, including incarcerated students.

SOURCE: Mukamal and Silbert, 2018; CDCR, undated-a.

services (U.S. Department of Education, Office of Vocational and Adult Education, 2009).

Overall, as is true of management structure, states vary in how they fund in-prison college programs. Prior to the 2015 Second Chance Pell Experimental Initiative, in-prison college courses in the majority of states (28) were paid for by the individual incarcerated students and their families or by private funding, such as foundations or individual donations (20 states) (as shown in a 2013 RAND survey) (Davis et al., 2014). State funding itself was used by only 16 states. Twelve states reported using college or university funding to cover the costs of

these programs, and a few states used inmate benefits or welfare funds. In general, states with larger prison populations were less likely to rely on incarcerated individuals' personal or family finances and more likely to use state funding or college or university funding to cover college program costs (Davis et al., 2014).

The 2015 U.S. Department of Education's Second Chance Pell Experimental Initiative marked the first time since 1994 that Pell Grants could be used to help pay for in-prison college programs by colleges that participated in this initiative (Davis, 2019). In 2020, federal legislation reinstated Pell Grant eligibility for



incarcerated students in all 50 states, representing an important opportunity and source of funding for these programs.

The Second Chance Pell Experimental Initiative showed that some, but not all, of the costs of college programs for incarcerated individuals can be covered by Pell Grants. For example, Pell Grants can only be used to pay for tuition, fees, books, and supplies required by an individual's education program (Davis, 2019). However, Pell Grants cannot be used to cover the administrative costs of higher education institutions or those of correctional facilities associated with implementing the initiative. The U.S. Government Accounting Office (GAO) noted that officials from eight of the 12 schools interviewed for its study reported hiring additional staff or allocating more staff hours to help manage the increased administrative workload (GAO, 2019). As the evaluation of the North Carolina Pathways Program showed, the administrative effort required in six prison facilities by corrections officials to implement an in-college program can be substantial (Davis and Tolbert, 2019).

## How Is the College or University Accredited?

An issue that pertains to any college program (whether in prison or out in the community) is accreditation—a process of external quality review of the higher education provided by colleges, universities, and educational programs to ensure that they meet minimum quality assurance standards. Accreditation is a way for students, corrections officials, and government officials to know whether an institution or program provides a quality education. Accreditation is also important because it is required for access to federal funds, such as student aid and other federal programs; state funds to institutions and students are also contingent on accredited status (CHEA, 2002).

There are three types of accreditation in the United States: regional, national, and specialized,<sup>8</sup> with regional and national accreditation being most important because they apply to entire institutions as opposed to curricular-specific programs (specialized

accreditation).<sup>9</sup> Regional accreditation is a process conducted by one of the six regional accrediting agencies in the United States.<sup>10</sup> Most public universities and nonprofit colleges are regionally accredited. More than 98 percent of all regionally accredited institutions are degree-granting and nonprofit (CHEA, 2002). National accreditation is different. About one-third of nationally accredited institutions are degree-granting, and almost 80 percent are for-profit institutions, some of which are faith-based (CHEA, 2002).

## Statewide Articulation and Transfer of Credits Agreements

As noted earlier in this guide, 700,000 incarcerated individuals are released back into local communities each year. Although, ideally, those incarcerated individuals enrolled in college programs will complete their coursework while in prison before release, in many cases, they will need to complete some of their coursework after being released from prison. Another issue that pertains to any college program, whether in prison or out in the community, has to do with articulation agreements. Statewide articulation or transfer agreements—recognized by public colleges and universities in a state—help incarcerated students transition to programs after their release by ensuring that earned credits and credentials are recognized by other postsecondary education institutions. Thus, a key question is whether the college is offering an in-prison program or course that the incarcerated student will be able to receive credit for and whether that will be accepted by local colleges or universities on release.

Couched in more-technical terms, individual states need to determine whether the specific state in which the in-prison college program is being given has articulation and transfer of credits agreements in place that are recognized by other colleges and universities within the state; having such an agreement will enable individuals who earn college credits while incarcerated to apply them to a community college or four-year college program upon release. Decisions about transfers of credits are made at the local level by colleges and universities, with some states having statewide transfer agreements and other states leav-

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There is an increasing mandate to connect postsecondary education with workforce development.

ing those decisions up to individual colleges or universities at the local level.<sup>11</sup>

If such agreements are not in place, incarcerated students may face challenges with transferring earned credits to a college or university after their release. Although all state-assisted colleges and universities may be required to follow their particular state’s articulation and transfer policy, independent colleges and universities may or may not participate in the transfer policy.

### **Determining Whether a College Program Makes Sense for a Department of Corrections or Prison Facility**

As we have noted earlier, much of the focus to date on college program–prison facility collaborations has been on providing colleges with guidance about how to implement in-prison college programs. However, it is important to recognize that these programs, as just noted, are a collaboration and a partnership between corrections and colleges. Our goal is to provide guidance to corrections officials on some key questions about any in-prison college program or courses being proposed as a way to help inform them in assessing such opportunities and developing such a partnership.

Next, we provide a list of higher-level questions and discussions for corrections officials and administrators to consider in determining whether a particular in-prison college program is a good fit for their population and institutions. We also discuss

some questions that corrections officials should ask of those colleges proposing in-prison programs.

### **Questions About Proposed In-Prison College Programs That Corrections Officials Should Ask Themselves**

#### **Is the Program Consistent with the Department’s or Prison’s Organizational Mission and Overall Rehabilitative/Educational Priorities?**

Each DOC has an overall mission statement; and within the department—the division or department responsible for rehabilitative programs and services—that DOC will have its set of goals and objectives. For example, the overall mission statement for the CDCR is the following:

To facilitate the successful reintegration of the individuals in our care back to their communities equipped with the tools to be drug-free, healthy, and employable members of society by providing education, treatment, rehabilitative, and restorative justice programs, all in a safe and humane environment. (CDCR, undated-e)

Within the CDCR (see Box 4), the Division of Rehabilitative Programs (DRP)’s “top priority is to provide rehabilitative programming and skills to offenders to reduce their likelihood of reoffending by the time they return to their homes and communities” (CDCR, undated-e).<sup>12</sup>

Educational priorities should be based on the needs of the students. A proposed in-prison college program may fit within a prison’s overall mission statement but should also align with the DOC’s educational priorities. A key question to ask is whether the college program being proposed is in line with the overall rehabilitative and educational priorities for the DOC and institution. Specifically, DOCs typically have a roadmap or a master plan for the rehabilitative process or programming that is provided to incarcerated individuals—a roadmap that includes educational programs.<sup>13</sup> Furthermore, there is an increasing mandate to connect postsecondary education with workforce development (Pearson and Heckert, 2020). In addition, there is a need to balance postsecondary education programs that train indi-

#### **Box 4. How College Courses Are Offered Within the CDCR**

The CDCR OCE DRP, in collaboration with various community colleges and partnership with the California Community College Chancellor's Office, offers students opportunities to enroll in college courses that are nationally or regionally accredited by the U.S. Department of Education.

Courses may be available via face-to-face instruction or correspondence coursework from accredited agencies.

Currently, various community colleges provide face-to-face college courses in 34 of CDCR's institutions. These college courses are nonremedial and lead to a degree in accordance with the MOU established between the CDCR and the California community college serving in that geographical location. College courses are also provided to students via correspondence program by more than 25 different colleges.

Students are responsible for tuition, fees, textbooks, and materials associated with college course enrollment. Students may be eligible for a tuition fee waiver through the California College Promise Grant, which covers tuition for every low-income student in the state's community colleges, including incarcerated students.

Students may be eligible to earn Milestone Completion Credit and Education Merit Credit in accordance with the California Code of Regulations Title 15.

Enrollment in postsecondary education is voluntary. Students must have earned their high school diploma or equivalency and enroll in courses that are nonremedial and lead to a postsecondary degree.

SOURCE: CDCR, 2018; and CDCR, undated-b.

viduals in specific job skills versus academic college programs that lead to specific degrees. As noted in Box 5, there are different perspectives about whether postsecondary education programs in prison should lead to academic degrees or industry-recognized credentials.

A challenge for many students wishing to participate in an academic college program is whether they will have to forgo earning wages from a prison job to be enrolled in a college program full-time. North Carolina's Pathways Program addressed this concern by offering students a variety of incentives (e.g., phone cards, a monetary incentive based on a semester's final grade point average [GPA] to participate in the program) (Davis and Tolbert, 2019).

#### **Is There Adequate Support for the In-Prison College Program at the Headquarters Level and Prison Facility Level?**

Important to the success of these in-prison college programs is the commitment at the headquarters level of the Secretary of Corrections and/or the rehabilitative and educational leadership. The Secretary of Corrections, for example, sets the tone and conveys

the commitment of the department to implementing such programs.

At the facility level, wardens also need to be on board with any proposed programs. Wardens convey their priorities, the value of a program, and their commitment to such an endeavor to correctional and educational staff. The warden, for example, may be the first point of contact in setting up a college program. That program also may need to work directly with the warden or the associate warden on anything that requires facility approval and to ensure that students can complete a course or semester prior to any transfers to other facilities. If there is not strong support from the warden, then correctional staff may be less committed to making a program happen.

#### **Are There Adequate Resources for the In-Prison College Program to Succeed?**

Both DOC staff and physical resources are needed to implement any in-prison college program, so one key question to ask is whether such resources are adequate for a proposed in-prison college program.

## Box 5. Degrees and Stackability

Davis and Tolbert (2019) interviewed national experts in correctional education as part of a landscape scan of higher education in prison. Most experts interviewed felt that postsecondary education programs in prison should result in some type of credential (be it an education certificate or a postsecondary education degree) that is recognized by employers, colleges, and universities. Many also stressed that credentials should be stackable and that the programs and class credits be transferrable to other postsecondary institutions so the coursework in prison can contribute to individuals furthering their education and advancing in a career post-release. The issue of stackability was also highlighted by Mukamal, Silbert, and Taylor (2015) in their report, *Degrees of Freedom: Expanding College Opportunities for Currently and Formerly Incarcerated Californians*, a report on the Renewing Communities Initiative:

Community colleges throughout the state can and should offer different types of credentials, particularly in CTE, to respond to the economic needs of their region. Although the requirements and qualifications for each credential or degree understandably differ among colleges, courses taken for that certificate or degree should be stackable as much as possible so that students can stop or start as needed, and so that the certificate or degree courses can be used in the future should the student return for further academic work or transfer (Mukamal, Silbert, and Taylor, 2015, p. 77).

### Staff Resources

Educational staff in prisons will likely serve as the key liaisons for a college program. The educational staff will need to review the curriculum, approve what is being brought into the facility, be responsible for course scheduling, and make sure that college coursework dovetails with other educational and rehabilitative programming being provided within a facility. They also will be responsible for identifying which students are participating in a particular program and need to be escorted to the classroom. Educational staff also may be responsible for reports and other documentation for the department on how the college program is progressing.

The prison facility will need to provide custody supervision for college courses. Specifically, custody staff will be responsible for escorting students to the educational program, monitoring the safety of the instructors and students while in the program, and escorting students back to their housing units. This is not a new role for them; escorting inmates and program staff is routinely done. However, it will represent an additional demand on staff time that has to be taken into account.

### Physical Resources

Physical resources are as important as staff resources. Key questions to ask are whether there is adequate

classroom space within the facility, which may be limited; and whether room can be made in the schedule to allocate classroom space during the day or evening hours for a particular in-prison college course. For example, prisons must consider whether classrooms for such programs might displace volunteer programs or have to share space with other programs.

Access to a study hall, library, and computer lab is also often required in implementing such in-prison college programs. Key questions include the following:

- Is there a computer lab setup that students can access to do coursework assignments?
- Is there space for a study hall where tutors (e.g., college volunteers or inmates who serve as tutors) can work with individual students?
- What other types of resources does the college require from the prison facility (e.g., access to the Internet) for a particular program?

### Questions That Corrections Officials Should Ask the College About Its Proposed Program

As noted earlier, corrections officials should have some questions for the colleges proposing an in-

prison program. Some key questions are discussed below.

### Who Is Eligible and What Are the Participation Requirements for Students?

College administrators will have eligibility requirements that students must meet to participate in an in-prison college program. For example, potential students may be required to have a high school degree or a GED and to have certain test scores (e.g., on the Test of Adult Basic Education [TABE]). Colleges may also require that a student have a release date that allows sufficient time for the student to complete a course while incarcerated.

Correctional administrators, in turn, will have agency requirements for their population's participation in an in-prison college program. For example, a DOC may require that a person be within a certain time of release, have a record clean of disciplinary infractions, or be assessed at a certain security level. In addition, some DOCs may bar certain offenders (e.g., sex offenders) from participating in a program. Also, there may be statutory or other administrative requirements that may restrict access to a program. For example, in Indiana, participation in postsecondary education programs is based on behavior during incarceration; however, in Texas, participation in postsecondary education programs is based on proximity to release date, custody level, and behavior during incarceration.<sup>14</sup>

Having a candid conversation between corrections officials and college administrators about the requirements and an understanding of the eligibility requirements and what parameters each institutional partner is setting on eligibility to participate is critical to designing an effective workflow and processes (Wachendorfer and Budke, 2020). As discussed later in this guide, these agreements should be incorporated into an MOU (Wachendorfer and Budke, 2020).

Furthermore, a pipeline analysis<sup>15</sup> to determine how many individuals would be eligible will provide information on whether there will be adequate numbers of potential students for the proposed program. If the analysis shows that there are too few individuals eligible to make the program viable, then the decision may be not to implement it at that time.

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For example, in Indiana, participation in postsecondary education programs is based on behavior during incarceration; however, in Texas, participation in postsecondary education programs is based on proximity to release date, custody level, and behavior during incarceration.

### Is There Adequate Support Within the College at the Headquarters and Program Level to Deliver What It Proposes?

This question entails a whole series of questions that get at whether the college has the support it needs:

- Is the dean of the college supportive of the proposed prison education program?
- Have administrative staff been identified and resources allocated to support the implementation of the program?
- Have instructors been identified to provide the college courses, and are they willing to undergo the facility security training required by correctional departments?
- What other type of training is the college going to provide these instructors?



- Does the college have administrative and financial aid staff designated to help incarcerated students apply for financial aid from the federal government?

### What Types of Courses and Credits Are Going to Be Offered?

In addition to asking about the focus of the college program (e.g., academic coursework in specific areas or vocational training), the following questions are also important for understanding what students will receive as part of the proposed program:

- Is the college offering freestanding courses or coursework that will lead to specific degrees or credentials (e.g., business degree, liberal arts degree, general science degree, a general education certificate)?
- How many courses will be needed for an individual to make progress toward a specific degree or credential?
- Will students receive credits for their coursework, or will they receive nondegree credits? That is, will the coursework result in credits that can be transferred and applied to college coursework upon release, or will these be noncredit courses?
- Is the in-prison college program structured so that students can start the program early enough in their sentence to earn a credential or earn general degree credits before leaving prison, with the option of continuing their education out in the community? Incarcerated

students often take longer to earn credentials and complete college coursework while incarcerated because fewer courses are offered per semester than they would take if they were out in the community. This underscores the need to think about the possibility that individuals will likely need help as part of the reentry planning process in making plans to continue their college coursework upon release.

- Will the credits that students receive from the program be “stackable credits”? *Stackable credentials* are a series of nondegrees (e.g., education certificates, certifications, or licenses) and degrees (e.g., associate or bachelor’s degrees) that are portable and allow students to progress on their education and career paths (Austin et al., 2012).
- Is the college proposing a program that is in-person instruction only, an online program only, or a blended learning program where a student receives in-person instruction combined with online instruction or the use of tablets? If so, are there adequate resources for doing so? What type of security concerns may need to be addressed to make the needed technology or Internet access available to students? (See Box 6 for more information.)

### What Type of Accreditation Does the College Have?

As noted earlier, accreditation is a process of external quality review that helps to ensure that educational

#### Box 6. The Growing Use of Technology in Prison Education

There has been a great deal of attention about expanding the use of technology in higher education for justice-involved populations. As noted in the report titled *Educational Technology in Corrections 2015*, released by the U.S. Department of Education, a “sea change is occurring in corrections” in terms of technology use (Tolbert, Hudson, and Erwin, 2015, p. 1). An increasing number of states and correctional facilities are purchasing tablets to support educational instruction, and this has accelerated as a result of the COVID-19 pandemic and the restrictions that DOCs have had to put in place to limit in-person instruction. Three approaches to providing access to online material have emerged: (1) an *isolated local server*, which moves Internet content to the facility’s server; (2) a *point-to-point secure line*, which is a dedicated line that operates through a virtual circuit set up between the facility and a vendor; and (3) *restricted internet access*, which uses routers and firewalls to permit access to only certain Internet content.

programs and the credits and degrees being offered meet quality assurance standards, with the most important type of accreditation being regional. Most public universities and nonprofit colleges are regionally accredited. With respect to in-prison college programs, for example, all adult schools in California in CDCR prisons are fully accredited by the Western Association of Schools and Colleges (CDCR, undated-b).

As summarized in the “Prison Education: Guide to College Degrees for Inmates and Ex-Offenders” (The Best Schools Staff, 2019):

- Earning course credits from an accredited school generally ensures the transferability of those classes to another school (assuming the new school’s degree rules allow for that). If the schools are nonaccredited, it means that the credits that students have earned cannot be applied elsewhere. For example, college correspondence courses may be offered by non-accredited institutions. If inmates take such a course, they might discover after the fact that the credits they earned will not be accepted by a college or university they want to transfer to.

### What Type of Certifications Do Proposed College Instructors Have?

In the past, not-for-credit college courses have been offered to incarcerated students, with some being taught by instructors who were not certified. A credentialing system helps establish the minimum level of academic preparation for faculty and administrators, such as a master’s degree, a bachelor’s degree, or an associate degree, depending on the discipline of study and what they will be teaching (California Commission on Teacher Credentialing and the Academic Senate for California Community Colleges, 2016).

Various states have moved forward with mandating certain requirements for their correctional education programs. For example, New Mexico has the following standards for its in-prison college programs: (1) Instructors must be nationally certified or accredited; (2) the program must result in a credential or prepare the inmate for national certification; and (3) the resulting career must yield an entry-level

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Articulation agreements would need to be in place for students to be able to transfer their college course credits to a community college or university within the state.

wage and be in demand in New Mexico’s job market (U.S. Department of Education, Office of Vocational and Adult Education, 2009).

### Are There Articulation and Transfer Agreements in Place?

Articulation agreements would need to be in place for students to be able to transfer their college course credits to a community college or university within the state. A key concern is whether the college is offering courses for which the incarcerated student will receive credit that will be accepted by local colleges or universities upon the student’s release. Couched in more technical terms, individual states need to determine whether the specific state in which the in-prison college program is being offered has articulation and transfer of credits agreements in place that are recognized by other colleges and universities within the state; having such an agreement will enable individuals who earn college credits while incarcerated to apply them to a community college or four-year college program upon release. However, note that decisions about transfers of credits are made at the local level by colleges and universities, with some states having statewide transfer agreements and other states leaving those decisions up to individual colleges or universities at the local level (CHEA, 2002; Education Commission of the States, 2020).

Articulation agreements exist among regionally accredited institutions to facilitate students' transfer of credits from one regionally accredited institution to another; the same exists for nationally accredited institutions. However, transferring credits from a nationally accredited institution to a regionally accredited institution is difficult, as is transferring credits from online, self-paced, and/or distance-based postsecondary education to regionally accredited institutions.

### How Will the College Coursework be Funded?

As noted earlier in this guide, states vary in terms of how they fund in-prison college programs and whether they use state funding for this purpose (see Box 7). Most states fund ABE, GED preparation, and some CTE programs. However, states vary in terms of their commitment to, and funding of, in-prison college or postsecondary education programs. Furthermore, various states might use a combination of funding sources from the state, the federal level or philanthropy to support in-prison college or postsecondary education programs.<sup>16</sup>

Key questions to ask include whether the proposed college course or program relies on the incarcerated student to pay for the course, whether it relies on funding from Pell Grants, and/or whether there are other sources of funding available from the state, the federal level, or philanthropy. Another question is about the duration of the funding and whether a

stable source of funding has been identified for the program. For programs just starting, for example, it may be that the funding is still being identified or is in place only for a year or two, with the hope of identifying a long-term funding source.

As mentioned earlier, the recent passage of federal legislation providing access to Pell Grants for all incarcerated students who meet federal requirements for these grants means that this will become an important source of funding for many in-prison college programs moving forward. However, as also noted in an earlier section, Pell Grants can only be used to pay for tuition, fees, books, and supplies required by an individual's education program (Davis, 2019). Both the higher education institutions and correctional facilities have administrative costs associated with implementing in-prison college programs that are not covered by Pell Grants.

Table 1 provides a summary of the different forms of financial aid and funding available to DOCs and incarcerated students in addition to the Pell Grants.

### Concluding Thoughts

This section covers a step in the process that often gets overlooked in the eagerness to move ahead with a college program: prison collaborations to deliver college education in prisons. As noted, these are fundamental questions. If the programs in question do not fit with the mission statement, priorities,

#### Box 7. Sources of Funding for In-Prison College Programs: Case in Texas

The Texas Department of Criminal Justice contracts with colleges and universities serving the geographic areas where units are located to provide postsecondary education, including an associate degree in general studies, an AAS Degree in Business Management, a bachelor's degree, or a master's degree. Students must indicate which funding option they will use to pay for the coursework, including:

- "(a) Post-Secondary Education Reimbursement—no upfront tuition fees; college expenses incurred by the offender shall be repaid by offender upon release;
- (b) Direct Pay—payment of tuition fees paid directly to the college or university by an outside source (e.g., family member, friend);
- (c) I-25—offender payment of tuition fees with an I-25 from his/her Inmate Trust Fund;
- (d) Hazelwood Benefits—available for Texas residents with an honorable discharge from their military service. Offender is required to provide copy of DD-214 for verification."

SOURCE: Texas Department of Criminal Justice, undated.

TABLE 1

## Forms of Financial Aid and Funding Other Than Pell Grants

Types of Funding	Summary
College financial aid	Grant aid directly from colleges is the fastest growing source of funding for student aid, having grown 24 percent from the 2012–2013 award year to the 2017–2018 award year. It is the second-largest source of money behind federal loans and the largest source of student grants. Although both public and private institutions tend to award this aid based on factors other than financial need alone, financial aid administrators should explore these potential sources of funding for incarcerated students.
State financial aid	Seventeen states and the District of Columbia have no statutory, regulatory, or policy barriers explicitly precluding incarcerated students from applying for state financial aid. Sixteen states bar students from at least one state-based financial aid program—leaving access to others within the state—and a few tie the eligibility for state aid to eligibility for Pell Grants. These programs are usually strictly need-based, but a few have stipulations specific to other factors, such as college enrollment status, grade-point average, prior foster care involvement, or age.
State allocations	Although not a form of direct aid to students, colleges are funded through varying mechanisms that often include what are referred to as “state full-time equivalent (FTE) student enrollments.” This means that the college receives funding per enrolled student. However, rather than counting heads, the funders count 15 credit hours as one full-time student. Many states allow public colleges to count incarcerated students toward their enrollment targets.
Federal aid and funding other than Pell Grants	Although incarcerated students are not eligible to receive federal student loans while confined in an adult correctional or juvenile facility, there are some sources of federal aid and funding other than Pell Grants that the federal government allows to support programming in prisons. They include: <ul style="list-style-type: none"> <li>• Workforce and Innovation Opportunity Act Title I funds allow states to use up to 20 percent of their workforce development funding on correctional education for both adults and juvenile populations.</li> <li>• Carl Perkins Grants (originally authorized under the Carl D. Perkins Career and Technical Education Act of 2006), available for career and technical education programs. Perkins IV funds allow up to 2 percent of a state’s total grant funds to be used for CTE programs. However, few states report using these funds.</li> <li>• The GI Bill provides educational funding for qualified veterans</li> <li>• A limited number of Federal Supplemental Educational Opportunity Grants are available for high-need students</li> <li>• Federal Work-Study grants support students to function as tutors, teaching aides, and other jobs that colleges could offer in prisons if they can overcome the logistical challenges of offering such positions in a prison setting.</li> </ul>
State and federal foster care tuition assistance	Twenty-eight states provide tuition assistance programs for people who have been in the child welfare system. The majority of these programs include a tuition waiver for qualifying students and are available to students who are currently incarcerated. In addition, the federal government funds an education and training voucher program for former and current foster care youth that each state manages. The program provides up to \$5,000 of funding per student annually to aid with tuition, books, fees, and other living expenses.

SOURCES: Wachendorfer and Budke, 2020, p. 13; Bacon et al., 2020.

resources available to the prison, or how the prison delivers its programs, then these factors could be reasons in deciding not to go forward with the program.

The rest of this guide assumes that a proposed program has passed through this gauntlet of fundamental questions intact. What remains is the implementation of such programs; there are more questions to answer, but those questions are negotiable ones in the collaboration rather than fundamental ones about whether or not to participate in a program.

## Implementing an In-Prison College Program: Establishing Basic Policies and Procedures on Recruiting and Selecting Students and Instructors

The final sections in the guide focus on implementing an in-prison college program. They deal with questions that need to be asked and answered for ensuring that an agreed-upon program gets done in reality—it is where the rubber meets the road.

## Establishing an Education Hold

It is important to recognize that it takes time for incarcerated students to complete a college program or earn a degree. One of the challenges of providing in-prison college programs is that inmates may be transferred to another facility before they are able to complete their coursework. Furthermore, a transfer in the middle of a course effectively means that a student must withdraw from the course or will likely not be able to enroll again if a new facility lacks that same college program (Pearson and Heckert, 2020). That is why education holds are important for the success of these programs; they ensure that incarcerated students can remain at a prison facility until they are able to complete a college course or complete a certification (see Box 8).

## Training and Orientation of College Instructors for Teaching in a Correctional Setting

Four fundamental questions for both corrections officials and college administrators to address are:

- Who will be the instructors and what are their backgrounds?
- What type of training will the college provide the instructors?
- What type of security training will the correctional department require instructors to undergo to teach an in-prison college program?
- How will the course content or teaching approach have to be modified for the proposed course or program, given security con-

cerns, facility limitations, and other requirements of the correctional setting?

With respect to the instructors, they can vary from program to program and course to course—the course instructor could be a college professor, an adjunct professor, or a graduate student. It is important for correctional administrators to understand the quality of the instruction being offered and the proposed instructor’s experience in teaching a particular course and in a correctional environment.

With respect to training needs, for many college instructors, teaching within a correctional environment will be a new experience for them. They will need training by the college on the do’s and don’ts of teaching in a correctional environment (e.g., rules about restricted items and procedures for getting course materials and other outside resources approved, rules for interacting with students, procedures to follow when requesting help or support from corrections staff) (Delaney, Subramanian, and Patrick, 2016).

Also, they might need training on what technology they might expect to be available to them and any limitations in technology use that might require instructors to modify their instructional approach (e.g., exclude the use of videos, access to the internet). (Delaney, Subramanian, and Patrick, 2016) In addition, they will need to understand what access students might have to a computer laboratory, library resources, and the internet to do research for coursework assignments.

Instructors also will need training on the security requirements of the prison facility, procedures for entering facilities, guidelines for receiving approval to bring in course materials or videos, and the

### **Box 8. The Importance of Education Holds: Case of North Carolina Department of Public Safety**

The NDPS Pathways from Prison to Postsecondary Education Program used education holds to ensure that Pathways students were able to complete their in-prison college coursework and not be transferred to other facilities midstream. It meant, in some cases, that incarcerated students had to agree to remain in medium custody to complete their coursework, although they were eligible to be moved to minimum custody. The education hold by the NDPS was key to Pathways students’ ability to successfully complete their coursework while in prison.

SOURCE: Davis and Tolbert, 2019.



importance of meeting key deadlines in a controlled movement environment. Instructors also need to understand that they will need to allot enough time to enter the facility and pass through the security screenings. Being well-prepared for a class is critical because, once in the correctional facility, instructors will likely not be able to go on the internet to do an online search or print additional copies for students.

The instructors also will need to consider how the course content or their teaching approach might need to be modified given security concerns, facility limitations, and other requirements of a correctional setting. As summarized by the Vera Institute of Justice, instructors likely would be limited in what course materials they can bring into the facility and what type of advance review and approval are required (Walsh and Delaney, 2020). Also, because classroom space within a prison facility is often limited, the college course might need to share classroom space with other programs or it might be feasible to only hold the course on certain days or times. There also might be restrictions on the use of whiteboards or chalkboards, overhead projectors, or televisions, and even in the rearranging of furniture (Walsh and Delaney, 2020). Therefore, how an instructor teaches a course in the community setting will likely need to be modified to accommodate these requirements for the constraints of a correctional setting.

## Designating Correctional Staff to Serve as Point Persons for the College

With respect to correctional staff, key members of the implementation team might include the DOC educational director at the headquarters level who will oversee the program, ensure it aligns with the broad DOC rehabilitation and education goals and plan, and identify the policies and procedures that the college program will need to follow (Walsh and Delaney, 2020). Other correctional staff at the facility level typically include the warden or assistant warden, the DOC facility education director or superintendent, and staff members in charge of programming.

It is important to designate a point person within the DOC not only at the headquarters level but also at

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The instructors also will need to consider how the course content or their teaching approach might need to be modified given security concerns, facility limitations, and other requirements of a correctional setting.

the facility level. Correctional education staff will be needed to handle various administrative tasks associated with implementing a college program in prison. Specifically, they will need to

- develop the class schedules in advance
- coordinate class schedules and classroom space
- ensure custody supervision for the course
- identify who is eligible for enrollment and track release dates
- create rosters and the call-out lists of students participating in a given course
- approve all course materials being brought into a facility by instructors.

At the college level, the implementation team may include the chief academic officer or designee who can provide guidance on policies that will affect the in-prison college program; a college financial aid director or designee, given that the program may rely on state or federal financial aid; and a program coordinator (e.g., a dean, program director, faculty member) who will oversee program development and implementation (Walsh and Delaney, 2020). It is important that these individuals be designated in advance so that the correctional point person and

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Reentry planners also will be important to get on board because they facilitate the transition of students to the community and those students interested in continuing their education after their release.

college point person can coordinate with one another and know whom to contact to solve any issues that might arise. For example, North Carolina Pathways instructors typically coordinated their work through a college administrator and the facility-based education coordinator (Davis and Tolbert, 2019).

One suggestion is for the DOC and prison facility to identify “champions” at the headquarters and facility levels to oversee the college program. This group of champions will be responsible for the overall program, for meeting regularly with the college program director to coordinate the program, and problem-solving. Champions may be the warden, assistant warden, and/or correctional education staff.

### Getting Correctional Staff Buy-In for the Program

It is important to get the facility-based education staff on board, from the principal to the counselor, because they will likely be responsible for creating rosters and call-out lists, coordinating class schedules and classroom space, collecting and reporting program data, and addressing staff and student concerns. It is also important for the facility-based edu-

cation staff to be on board because the time required of them to facilitate implementation may be high, so the correctional department will need to build in staff time to handle these additional responsibilities. Reentry planners also will be important to get on board because they will facilitate the transition of students to the community and those students interested in continuing their education after their release.

Although the state leadership sets the tone for the state, wardens, assistant wardens, or superintendents are key to getting correctional staff’s buy-in for the program and in explaining their role in making the program work. For example, some custody staff may be committed to the program, while other custody staff may need convincing of the program’s value.

Furthermore, the purpose and importance of the program needs to be continually reinforced to all staff. For example, although North Carolina’s Pathways administrator did considerable outreach early on, educating correctional staff turned out to be an ongoing process to continually reinforce the program’s goals and structure (Davis and Tolbert, 2019). The most common question and concern that Pathways administrators had to address was how the program was funded. Other questions included why inmates should be receiving a college education when the custody staff themselves could not afford to send their children to college. Also, the administrators needed to emphasize how the program helped with prison safety. Several administrators noted that when custody staff saw the students’ college-level work, they realized that many of the Pathways students were taking this opportunity seriously. Various colleges and educational advocates have suggested that in-prison college programs also should consider providing opportunities for correctional officers to participate in the college courses being offered, with the idea that this would help in getting staff buy-in for the program. This suggestion should be explored.<sup>17</sup> However, in one instance, one college received push-back from a DOC because it already offered educational opportunities to its correctional staff and the incentive of a tuition reimbursement program.

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## Implementing an In-Prison College Program: The Nitty-Gritty of Creating a Memorandum of Understanding

An MOU is a key part of implementing an in-prison college program. It establishes the operational framework for the partnership and delineates respective roles and responsibilities (Mukamal and Silbert, 2018). The MOU formalizes the implementation plan developed by the college and the DOC or prison facility and will be drawn up by the college's or university's contracts office and the DOC headquarters. The MOU formalizes the partnership agreement for colleges to provide coursework—therefore, if there are staff changes, the terms of the agreement are clear and can provide a roadmap for personnel to follow. Next, we summarize the important elements that an MOU should address.<sup>18</sup>

### Courses to Be Offered and Instructional Format

The MOU should address what courses will be offered to students, if they are for credit or not-for-credit, what degrees or certifications will be offered, and the curriculum or pathway for a student to follow to earn a particular degree or certification.

The MOU should also address whether the college program or course will be provided in person or online only, a combination of in-person and online instruction, and/or use tablets for instructional purposes.

### Timeline and Resources

The MOU should specify what resources and support are required for the program and which party will be responsible for what. For example, the MOU should address classroom space; access to a library, computer lab, and/or a study hall; and email or internet access on the corrections side (Wachendorfer and Budke, 2020; Mukamal, Silbert, and Taylor, 2015).

On the college side, the MOU should acknowledge the college's commitment to provide materials for the course, including books, paper, pens and pencils, and others. If the college is proposing the use of tablets, the MOU should specify whether the col-

Requirements need to be negotiated in advance, and the partnership agreement should include the eligibility requirements, parameters for who can participate, and what may disqualify a student from participating in a program.

lege will provide the tablets. The MOU should also specify the process and timeline by which instructors need to submit in advance course materials to be brought into the facility for approval by the correctional point of contact.

### Eligibility Requirements

As discussed earlier in this guide, the college and corrections administrators may have different requirements for who will be eligible to participate in a particular program. Requirements need to be negotiated in advance, and the partnership agreement should include the eligibility requirements, parameters for who can participate, and what may disqualify a student from participating in a program (e.g., major disciplinary infractions). The MOU should also note how the selection process will be conducted.

The MOU should also address the number of students who will be served for the specified period (e.g., a school calendar year) and in which prison facilities.

## Whether Education Holds Will Be Used

The MOU should specify whether an education hold will be required for the college program and, if so, the duration of the hold and the process for getting agreement from the students to have an education hold in place. Having such an educational hold might require inmates staying in a higher level security facility until their coursework is complete.

## Censorship Expectations of Teaching Materials Used

The MOU should specify whether there are any censorship expectations on the part of the correctional department for the books or other media that will be brought into the facility and be provided to the students.

## Communication Protocols

The protocols in the MOU need to identify the point persons on the corrections side and the college side for the program. On the corrections side, this includes designating the education coordinator or staff member to serve as the point person for the college administrators and instructors in coordinating the program, including facilitating security training, scheduling courses, attending provider meetings, completing administrative paperwork, and approving course materials for use in the facility.

The protocol should also identify which administrator or staff member the college designates to serve as the in-prison college program coordinator or point of contact. The communications protocol also should address the process for documenting decisions made and for reconciling any disagreements or problems that might arise.

Communication protocols should address how a student can communicate with an instructor outside the classroom to get questions answered, submit homework assignments, or receive additional help.

## Role of Correctional Officers During Operation of College Program

The MOU should specify the role of the custody staff. Their role will include escorting instructors to

the classroom, escorting students to the educational program, providing security for the class while in progress, and escorting students back to their housing units. Their roles and responsibilities should be explicit so that the college administrators and instructors understand what to expect inside the facility.

## Instructors for the Course and Involvement of Tutors

The MOU should also specify who the instructors will be for a proposed college program (e.g., regular college professors, adjunct instructors, graduate students) and whether the instructors are certified.

The MOU also should specify if civilian tutors will be part of the program. In some cases, the college may request that the tutors for a particular course or program be other advanced students who are incarcerated.

## Training of Instructors and Related Issues

The MOU also should address what type of training the college will provide instructors and what security training the prison facility will be required to provide. This should include not only what the trainings will entail but also whether annual or semi-annual training refresher courses are required.

The MOU also should address issues that the colleges required for their faculty teaching outside the normal college or university space/facilities. For example, the MOU might include sections on “insurance, indemnification and hold harmless” and on certificates of insurance.

## Administrative Oversight

The MOU should also specify what administrative oversight of the program or course will be provided by the college, the DOC, or the prison facility and what administrative support by each entity will be needed. For example, administrative oversight will include coordinating classroom space and student attendance with other programs being provided within the facility, addressing the recruitment of students, assisting them with financial aid applications, enrolling them in courses, ensuring that the classrooms are set up and



materials supplied, and adding courses to the prison scheduling system (often referred to as the “call-out”) so that prison officials permit students to attend classes. The MOU should also specify who the coordinators will be within each organization.

In addition, the MOU should specify how the participants’ progress in the course or program will be tracked and monitored and who will be responsible for doing so. It should also specify what databases will be used to do so and the types of reporting that will be required to enable the DOC and college to monitor the progress of these programs.

## Duration of the Partnership Agreement

The MOU should spell out the duration that the agreement between the DOC and college will be in place. Also, the MOU should detail the timeline for scheduling courses and credential pathways.

## Financial Commitments Required

In addition to staff time and correctional resources—such as classroom space and access to computers and a computer lab, study hall, or the library—the MOU should be explicit about what resources the DOC will provide and what resources the college will provide. In addition, the MOU should specify what funding sources the college and the DOC will use to support the program.

Other funding decisions that should be addressed are whether the students themselves will pay for the course; whether Pell Grants will be used to cover the costs of tuition, fees, books, and supplies; or whether there are other sources of funding available from the state, the federal level, or philanthropy. The MOU should also specify whether the college will provide dedicated staff to assist with financial aid applications or will provide financial aid workshops to assist students in applying for such assistance.

## Notes

<sup>1</sup> For the landscape scan, data were drawn from two sources: responses to the 2020 Annual Survey of Higher Education in Prison Programs ( $n = 131$ ) and data compiled by the Research Collaborative on Higher Education in Prison for known programs that did not complete the annual survey ( $n = 169$ ) (see Royer et al., 2020).

<sup>2</sup> For the landscape scan, data were also gathered by the Research Collaborative on Higher Education in Prison on 169 academic institutions that did not respond to the survey (see Royer et al., 2020).

<sup>3</sup> Certificates indicate that an individual has completed a set of courses or training. For example, the types of certificates earned by North Carolina’s Pathways students while in prison were in entrepreneurship, business administration, computer information technology, and developmental coursework completion (Davis and Tolbert, 2019).

<sup>4</sup> Among programs responding to the survey, most offered only face-to-face, in-person instruction on-site (86.2 percent,  $n = 105$ ,  $N = 122$ ). Two programs offered solely remote instruction, and 15 programs offered both face-to-face and remote instruction (Royer et al., 2020).

<sup>5</sup> For example, under Indiana law (Indiana [IN] Code 35-50-6), individuals can earn educational credits to reduce their length of imprisonment by participating in educational, vocational, rehabilitative, and other programs. This includes earning an associate degree or bachelor’s degree during their incarceration (see State of Indiana, 2017).

<sup>6</sup> Individuals who participate in approved rehabilitative and educational programs are eligible to earn Milestone Completion Credits (MCC), or Educational Merit Credits (EMC). For more information on who qualifies, see CDCR, undated-c.

<sup>7</sup> *College head-count dollars* refers to the amount of funding allocated per student enrolled in and attending classes at a public college or university. Many states also refer to this as *full-time equivalent* (FTE), which means the number of students attending full-time per full academic year. FTE also generally correlates with the amount of instructional effort required per student (see U.S. Department of Education, Office of Vocational and Adult Education, 2009).

<sup>8</sup> Specialized accrediting organizations that review programs and some single-purpose institutions also operate throughout the country. There are more than 17,600 of these accredited programs and single-purpose operations.

<sup>9</sup> The U.S. Department of Education and the Council for Higher Education Accreditation (CHEA), both recognize accrediting organizations. The U.S. Department of Education process is governed by federal law and regulations. The CHEA is a private organization whose process is undisclosed and governed by policies adopted by a 17-member board of directors (see CHEA, 2002).

<sup>10</sup> Regional accrediting organizations operate in six different regions of the country and review entire institutions, 98 percent or more of which are both degree-granting and nonprofit. Regional organizations may also accredit non-degree, for-profit institutions, but this is a rare occurrence (see CHEA, 2002).

<sup>11</sup> The Education Commission of the States has a state-by-state summary of current transfer and articulation policies (see Education Commission of the States, 2020).

<sup>12</sup> Within the CDCR DRP, there are three offices that provide services and operations to support rehabilitation, including the Office of Correctional Education (OCE), which provides academic, vocational, and literacy programs within the adult



institutions; the Office of Program Operations, which focuses on the rehabilitative programs and services offered to offenders and parolees; and the Office of Program Support, which consists of units focused on providing support and outreach to all DRP (see CDCR, undated-e).

<sup>13</sup> For example, CDCR's Roadmap to Rehabilitation outlines the basic steps in the rehabilitative process from the time offenders enters prison to the time that they are released (see CDCR, undated-d).

<sup>14</sup> For more information, see the CSG Justice Center's state fact sheets, which summarize each state's statutory, financial, and administrative policies and practices that affect the provision of postsecondary education for their state prison population (Bacon et al., 2020).

<sup>15</sup> That is, an analysis of how many individuals would be eligible for the proposed college course or program.

<sup>16</sup> For a state-by-state summary of the statutory, financial, and administrative policies and practices that impact the provision of postsecondary education for the prison population, see the Bacon, et al., 2020.

<sup>17</sup> In considering the feasibility of this option, two questions to ask are (1) what is the state policy with respect to tuition reimbursement for correctional staff; and (2) what college programs are already available to the staff?

<sup>18</sup> Walsh and Delaney (2020) also provide a summary of MOU elements in Unit 4 of their report entitled *First Class: Starting a Postsecondary Education Program in Prison*.

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## Additional Resources

Earlier sections in this guide provided helpful tips, insights, and examples related to the establishment and implementation of in-prison college programs. This section is designed to provide a guide to available toolkits, reports, studies, and useful websites that will be helpful to corrections officials and administrators involved with these programs.

## Reports and Toolkits

Bacon, Leah, Gina Lee, Josh Gina, Josh Weber, and Le'Ann Duran, *Laying the Groundwork: How States Can Improve Access to Continued Education for People in the Criminal Justice System*, New York: Council of State Governments Justice Center, 2020. <https://csgjusticecenter.org/publications/laying-the-groundwork/>

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## List of Websites

The following websites provide the reader with additional information about in-prison college programs.

Ascendium Education Group, "Expand Postsecondary Education in Prison": <https://www.ascendiumphilanthropy.org/our-grantmaking/expand-postsecondary-education-in-prison/>

Alliance for Higher Education in Prison: <https://www.higheredinprison.org/>

California Community Colleges/Rising Scholars Network, "Resources": <https://risingscholarsnetwork.org/resources/>

Correctional Education Association: <https://ceanational.org/>

Council for Higher Education Accreditation: <https://www.chea.org/>

Ford Foundation:  
<https://www.fordfoundation.org/>

Institute for Higher Education Policy (IHEP):  
<http://www.ihep.org/>

IHEP Higher Education for Students Impacted by the Criminal Justice System:  
<http://www.ihep.org/ihep-policy-priorities/higher-education-students-impacted-criminal-justice-system>

Laughing Gull Foundation, Higher Education in Prison Program:  
<https://www.laughinggull.org/higher-education-in-prison>

Lumina Foundation:  
<https://www.luminafoundation.org/>

Michelson 20MM Foundation, “The Michelson Smart Justice Initiative: Justice In Education”:  
<https://20mm.org/focus-areas/smart-justice/>

The Opportunity Institute, “Renewing Communities.”:  
<https://theopportunityinstitute.org/renewing-communities>

RAND Corporation, “Correctional Education”:  
<https://www.rand.org/well-being/justice-policy/portfolios/correctional-education.html>

U.S. Department of Education, Office of Career, Technical, and Adult Education, “Correctional Education”:  
<https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/correctional-education.html>

Vera Institute of Justice:  
<https://www.vera.org/ending-mass-incarceration/providing-second-chances>

## Examples of Programs

Bard Prison Initiative (BPI):  
<https://bpi.bard.edu/>

Consortium for the Liberal Arts in Prison, BPI:  
<https://bpi.bard.edu/our-work/national-engagement/>

Cornell Prison Education Program:  
<https://experience.cornell.edu/opportunities/cornell-prison-education-program>

Jackson College Corrections Education Program:  
<https://www.jcemi.edu/jccep/>

New Jersey Scholarship and Transformative Education in Prisons:  
<https://njstep.newark.rutgers.edu/>

Prison University Project at San Quentin State Prison, Mount Tamalpais College:  
<https://www.mttamcollege.org/>

Project Rebound: (California) multiple locations; for example, see:  
<https://www.fullerton.edu/rebound/>

University of California, Irvine, LIFTED (Leveraging Inspiring Futures Through Educational Degrees) Program:  
<https://prisoneducation.uci.edu/>

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## Acknowledgments

This guide is dedicated to John Linton, who was the former Director of Correctional Education in the U.S. Department of Education and a leader in this field. Linton devoted his life to providing educational opportunities to students in incarcerated settings. He was active in helping to shape state and federal policies to further the field of correctional education and was a strong advocate for restoring access to Pell Grants for these students. Linton recognized the need for a straightforward guide for corrections officials who were considering a partnership with a college to establish an in-prison college program or who currently had such a program in place and might need additional information to help ensure the success of the program. He spearheaded the idea of this guide and believed strongly that such guidance would help make in-prison college programs a true partnership between corrections and colleges. Unfortunately, Linton passed away before this guide could be completed. However, many of the ideas presented here are based on his valuable input.

I also wish to thank the Michelson 20MM Foundation for their support for this guide. Additional funding was received from Natalie Crawford of the RAND Corporation, who recognized the need for such a roadmap. I am grateful for their support of this endeavor.

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## About This Report

In today's economy, having a college education is critical if one wants to compete in the job market. Two-thirds of job postings require some level of college education. Driven partly by research results and the increasing need for college programs, there has been a resurgence in interest of late in expanding higher education in prisons at the federal and state levels, particularly expansions that offer a path to degrees or industry-recognized credentials. Part of this resurgence has been facilitated by the U.S. Department of Education's Second Chance Pell Experimental Sites Initiative, which began in 2015 and continues today. When the U.S. Congress passed the pandemic relief bill as part of the Consolidated Appropriations Act of 2021, that legislation reinstated access to federal Pell Grants for incarcerated individuals. With the reinstatement of access to Pell Grants, corrections facilities and colleges and universities now have the means to help incarcerated students pay for in-prison college programs.

An in-prison college program is ideally a partnership between a college and a prison facility or department of corrections (DOC). Both must agree on the overall goals of the program, the commitment of resources, and a set of clear expectations. In this situation, buy-in from correctional leadership and correctional staff is critical to the success of these programs. Much has been written about what colleges need to know to implement and provide in-prison college programs. However, as noted by several correctional education experts, still too little has been written from the perspective of what correctional leaders themselves need to know to make informed decisions about a college program being offered, what resources and other commitments would be involved, and what questions correctional officials should ask to ensure that the proposed college program is a good fit for their institutions.

This guide is intended as a starting point for corrections officials who are considering whether to have a college program within their prison facilities or who now have such a program and would like additional information to help ensure the success of that program. The guide is relevant for both two-year and four-year college programs and specifically addresses academic college programs. Funding support for the guide has been provided by the Michelson 20MM Foundation and a gift from Natalie Crawford of the RAND Corporation.

## Justice Policy Program

RAND Social and Economic Well-Being is a division of the RAND Corporation that seeks to actively improve the health and social and economic well-being of populations and communities throughout the world. This research was conducted in the Justice Policy Program within RAND Social and Economic Well-Being. The program focuses on such topics as access to justice, policing, corrections, drug policy, and court system reform, as well as other policy concerns pertaining to public safety and criminal and civil justice. For more information, email [justicepolicy@rand.org](mailto:justicepolicy@rand.org).



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