



Justice Center
THE COUNCIL OF STATE GOVERNMENTS

Laying the Groundwork

How States Can Improve Access to Continued Education for People in the Criminal Justice System



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Over 600,000 people return to the community from incarceration each year.¹ Most face a harsh reality: the odds are stacked against them. Over two-thirds of people in prison have a high school credential, but only 6 percent have a postsecondary degree,² and most have limited workforce experience and marketable skills.³ Returning individuals must also confront the reluctance of many employers to hire people with a criminal record, along with practical barriers to employment such as finding housing, transportation, and securing identification. Many formerly incarcerated people also lack sufficient access to a host of supports that all people need to thrive, such as connections to family, positive peers, mentors, prosocial activities, and community programs and services. Perhaps it's unsurprising, then, that over 40 percent of people returning to the community from incarceration are rearrested within their first year of release,⁴ and the unemployment rate among formerly incarcerated people is over 27 percent—higher than the U.S. unemployment rate during the Great Depression.⁵

Increasingly, federal, state, and local governments are realizing that it is in the best interests of both returning individuals and community safety to adopt policies and practices that promote successful reentry. One standout strategy for accomplishing this goal is investing in postsecondary education. A recent meta-analysis of more than 50 research studies found that providing incarcerated people with any form of education was associated with a 43-percent reduction in recidivism. Additionally, people who participated in any educational programming in prison were 13 percent more likely to find employment after incarceration than people who did not receive such programming, while those who participated in vocational training were 28 percent more likely to find employment.⁶ As a result, multiple studies have concluded that increased investments in postsecondary programming and services for people in prison would result in hundreds of millions of dollars in cost savings per year through reduced recidivism and increased workforce productivity.⁷

The robust statistical evidence on the cost benefits of postsecondary education for incarcerated people has recently spurred bipartisan support for increased federal investments in career and technical education (CTE) and postsecondary programming for this population,⁸ including introduction of the **Restoring Education and Learning Act (REAL Act)**, legislation that would reinstate Pell Grant funding eligibility for students learning in prison. Similarly, nonprofits and institutions of higher education are increasingly partnering at the local level to expand postsecondary education opportunities, vocational training, record clearance, and reentry support services for formerly incarcerated people.

Unfortunately, the policy landscape at the state level is less optimistic. While states oversee approximately 87 percent of all individuals in prison⁹ and spend over 40 billion annually¹⁰ on prison operations, state policies have traditionally exacerbated the barriers that incarcerated people face when attempting to continue their education and find viable employment in the community. Across all 50 states (and the federal system), there are nearly 14,000 legal provisions (often called “collateral consequences”) that limit occupational licensing for individuals with criminal records, including over

5,000 provisions that create mandatory bans on specific licenses based on certain criminal convictions. States have erected additional barriers to educational and workforce participation that have hampered successful transitions back into the community, ranging from requirements to disclose criminal history on university and employment applications to restrictions on housing and eligibility for government contracts and services.¹¹

As states increasingly confront the consequences of these policies and practices and consider how to establish more supportive alternatives, thus far, there has been little to no focus or research on the extent to which states are ensuring that they provide people with postsecondary education programs and services while incarcerated and upon their return to the community. Given the overwhelming benefits of such programs and services demonstrated by research, it is critical to know whether state postsecondary policies, practices, and use of funding are supporting incarcerated and formerly incarcerated people to transition to crime-free, productive lives in the community. It is equally important to understand the extent to which states are imposing additional obstacles and barriers that are stacking the odds against such individuals even further.

ABOUT THIS REPORT

With support from Lumina Foundation, The Council of State Governments (CSG) Justice Center conducted a 50-state policy and practice scan on access to postsecondary education for people who are incarcerated. The study sought to assess whether states have the fundamental statutory, administrative, and funding building blocks in place to provide these individuals with high-quality postsecondary education programs and services while incarcerated and when they return to the community.¹² This state-by-state assessment was conducted through statutory and online research as well as surveys completed by all 50 state correctional and parole-granting agencies (see Appendix for full methodology).

This report presents overall and key findings from the study to help state policymakers, correctional and parole leaders, workforce development agencies, institutions of higher education, nonprofits, advocates, and other stakeholders establish a baseline for whether their state is making sufficient efforts to reduce recidivism and improve educational and employment outcomes for incarcerated people by providing postsecondary education opportunities. State leaders can use this report to assess state progress and identify concrete statutory, administrative, programmatic, and funding opportunities for statewide improvement. The report provides a checklist of postsecondary education best practices that states can use to guide their reforms.

FOUR FUNDAMENTAL BUILDING BLOCKS

This report identifies four building blocks necessary to provide postsecondary education to people who are incarcerated in facilities and after release: (1) use of available funding, (2) a continuum of postsecondary programming, (3) elimination of participation restrictions, and (4) incentives and supports to encourage participation and completion. These building blocks are based on what research and best practices have shown helps ensure that incarcerated individuals have access to high-quality postsecondary education and continued support to facilitate a successful transition back to the community.

Criteria used to determine whether states meet each building block include:



FUNDING: Uses key federal and state funding streams to support postsecondary education for people while incarcerated and after release.

- ➔ The state uses funds from the Carl D. Perkins Career and Technical Education Act (Perkins IV), Workforce Innovation and Opportunity Act (WIOA), or has a Second Chance Act Pell pilot site to provide postsecondary education to adults in state correctional facilities.
- ➔ The state does not restrict the use of state financial aid for people who are incarcerated as well as people in the community with criminal records.



OFFERINGS: Offers incarcerated people access to a full range of postsecondary education programs aligned with local labor market trends and employer needs.

- ➔ The state provides incarcerated individuals with access to all of the following services/courses/credentials: CTE training, associate degrees, and bachelor's degrees.
- ➔ The state has identified either local labor market trends, employer feedback, or program outcome data as their primary reason for determining the types of postsecondary education and CTE programming that are offered within correctional facilities.



LACK OF RESTRICTIONS: Eliminates statutory and/or administrative restrictions that limit access to postsecondary education for individuals who are incarcerated.

- ➔ The state does not have any formal statutory or administrative restrictions on who can participate in postsecondary education within correctional facilities.



INCENTIVES AND SUPPORTS: Provides incentives, as well as tangible services and supports, to promote postsecondary participation and helps incarcerated people transition to a crime-free, productive life in the community.

- ➔ The state formally offers at least one type of incentive to encourage postsecondary education participation in correctional facilities (i.e., specialized housing, release from work requirements, compensation, access to technology, etc.).
- ➔ The state parole-granting agency provides at least one of the following services/supports to promote postsecondary education participation for incarcerated individuals returning to the community: information on postsecondary education services; access to postsecondary education advisors or coordinators; CTE training; or CTE credential testing.
- ➔ Articulation agreements exist between the correctional education system and community-based postsecondary education providers.

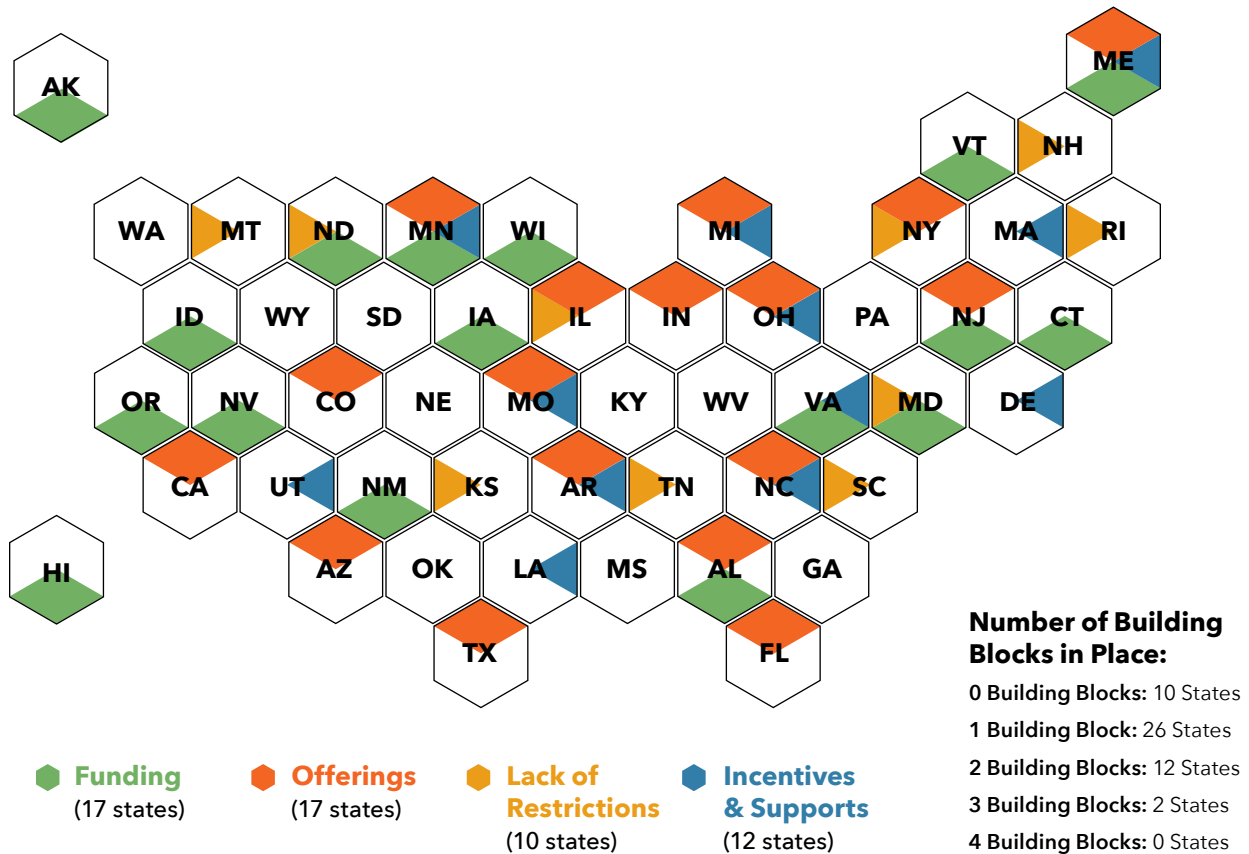
SUMMARY FINDINGS



Study findings show that no state currently has all four of the fundamental building blocks in place.

Further, while state leaders are increasingly recognizing the importance of preparing incarcerated people for educational and employment success in the community, **less than half of states meet the criteria for each one of the building blocks** (funding-17 states, offerings-17 states, lack of restrictions-10 states, incentives and supports-12 states). These findings highlight how far all states have to go to adopt the statewide postsecondary education policies and practices necessary to help incarcerated people transition to leading productive lives in the community.

Figure 1: States Meeting the Criteria for Each of the Four Building Blocks



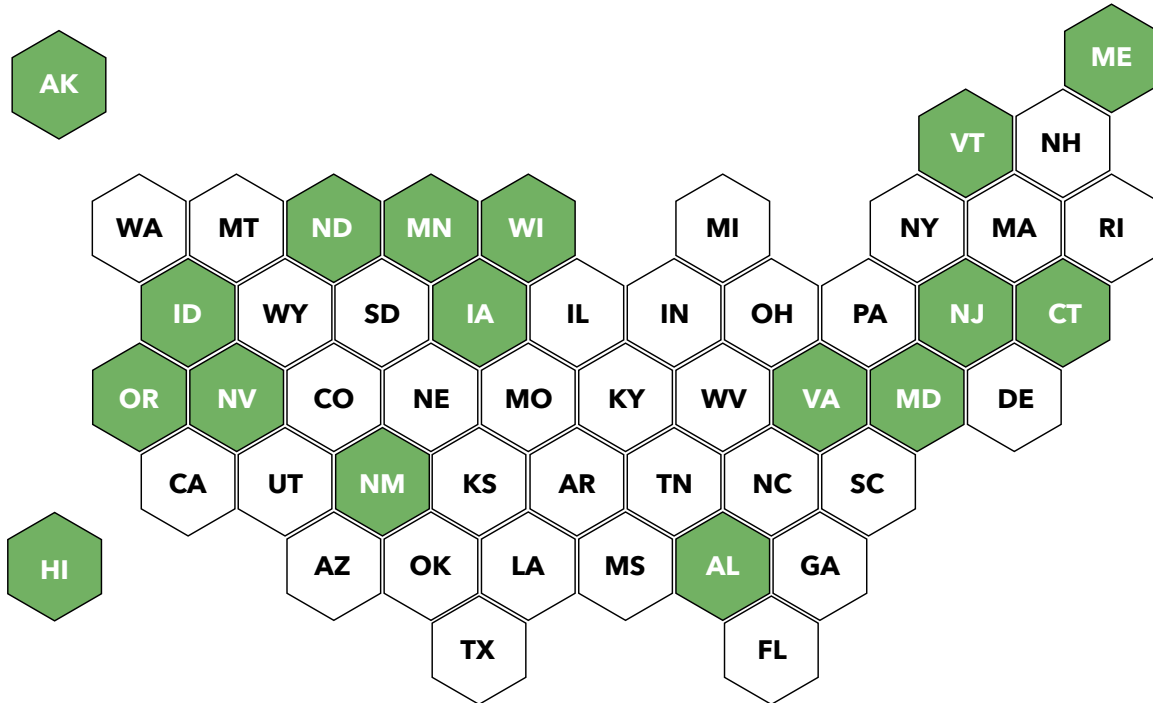


FUNDING

Fewer than one in three states are using key federal and state funding streams to support postsecondary education for people while incarcerated and after release.

The first and perhaps most basic building block that states should establish to promote access to postsecondary education is funding. More specifically, states must leverage and seek to maximize available federal and state funding streams for this purpose. Without adequate funding, correctional agencies cannot offer a robust array of high-quality postsecondary educational programming for individuals in facilities, and parole-granting agencies cannot support these efforts in the community to promote successful reentry. Yet, study findings show that only 17 states are tapping into any one of the key federal funding streams available to all states (detailed on page 6) to support postsecondary education for people while incarcerated and after release into the community, while also fully allowing currently and formerly incarcerated people to access state financial aid funding.

Figure 2: 17 States Meet the Funding Building Block Criteria

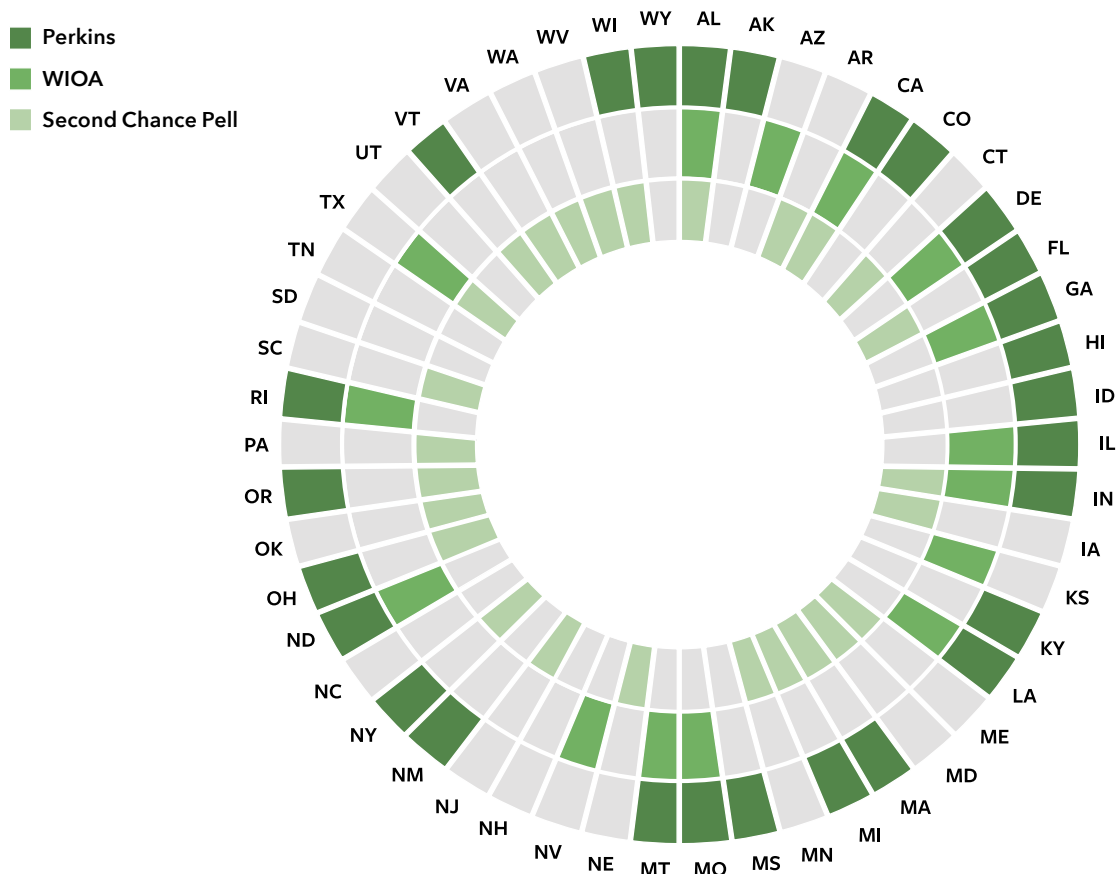


In recognition of the growing research base showing that investments in postsecondary education for incarcerated people can have substantial public safety and economic benefits, the federal government has allocated close to a hundred million dollars¹³ to three funding streams to support state efforts:

- ➔ **Carl D. Perkins Career and Technical Education Act (Perkins IV):** Since 2006,¹⁴ Perkins IV funds allow up to 1 percent of a state’s total grant funds to be used for career and technical education that enables incarcerated people to acquire skill proficiency, an industry-recognized credential, a certificate, or an associate degree.
- ➔ **Second Chance Pell Pilot Program:** In 2015, the Pell pilot program¹⁵ was established to expand access to Pell Grants to people who are incarcerated by giving eligible colleges and universities the necessary funds to deliver educational programming in correctional facilities. These colleges and universities must apply to the initiative and, upon acceptance, will be allocated federal Pell Grant funding to provide postsecondary programming in federal and state correctional facilities.
- ➔ **Workforce Innovation and Opportunity Act (WIOA):** Since 2015, WIOA Title II funds allow states to use up to 20 percent of their workforce development funding on correctional education—for both adults and juvenile populations—and WIOA requires states to annually report the number of individuals served by the funds to the U.S. Department of Education. Despite this reporting requirement, the extent of the funds’ direct impact remains unclear.¹⁶

Currently, five states are not using any of the federal funding streams, and only three states are leveraging all three funding sources.

Figure 3: State-Specific Use of Federal Funding Streams¹⁷



In addition to federal funding, states can use state-based financial aid to support postsecondary education for currently and formerly incarcerated people. However, two-thirds of states restrict the use of financial aid for this purpose. Over half of states impose restrictions specifically on people who are incarcerated; more than a third of states impose restrictions on people in the community who have any kind of criminal record or who have been convicted of specific offenses, such as those related to drugs or alcohol.¹⁸

Study findings highlight additional critical gaps in state postsecondary education funding policy and practice. In eight states, state statute expressly prohibits the use not only of financial aid but any form of state funding to support postsecondary education activities in correctional facilities. Further, only 14 state correctional agencies have a dedicated line item in their appropriated budgets for postsecondary education. While not having such a line item does not necessarily mean that a state is not allocating resources for this purpose, the lack of budget transparency inhibits a clear understanding and assessment of whether state correctional agencies are sufficiently investing in critical postsecondary programming and support services. It also makes it difficult to establish a baseline for current funding levels and for state leaders to set targets for improved leveraging of federal and state funding sources.

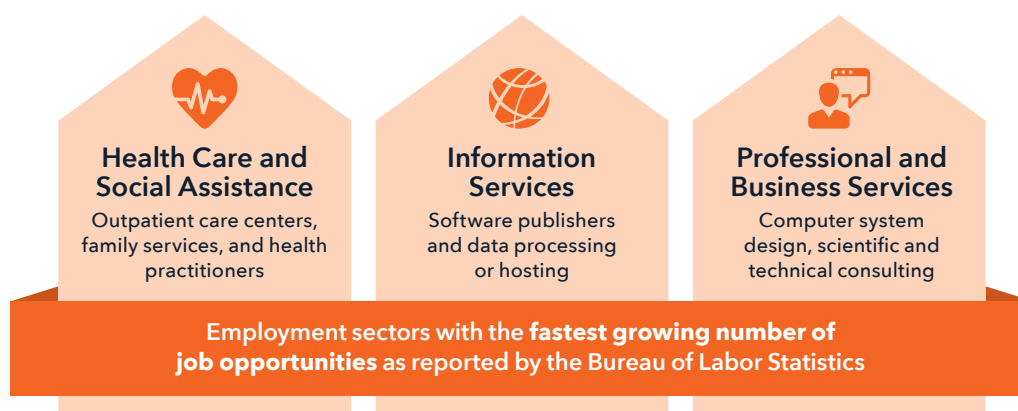


OFFERINGS

Less than half of states give incarcerated people access to a full range of postsecondary education programs aligned with local labor market trends and employer needs.

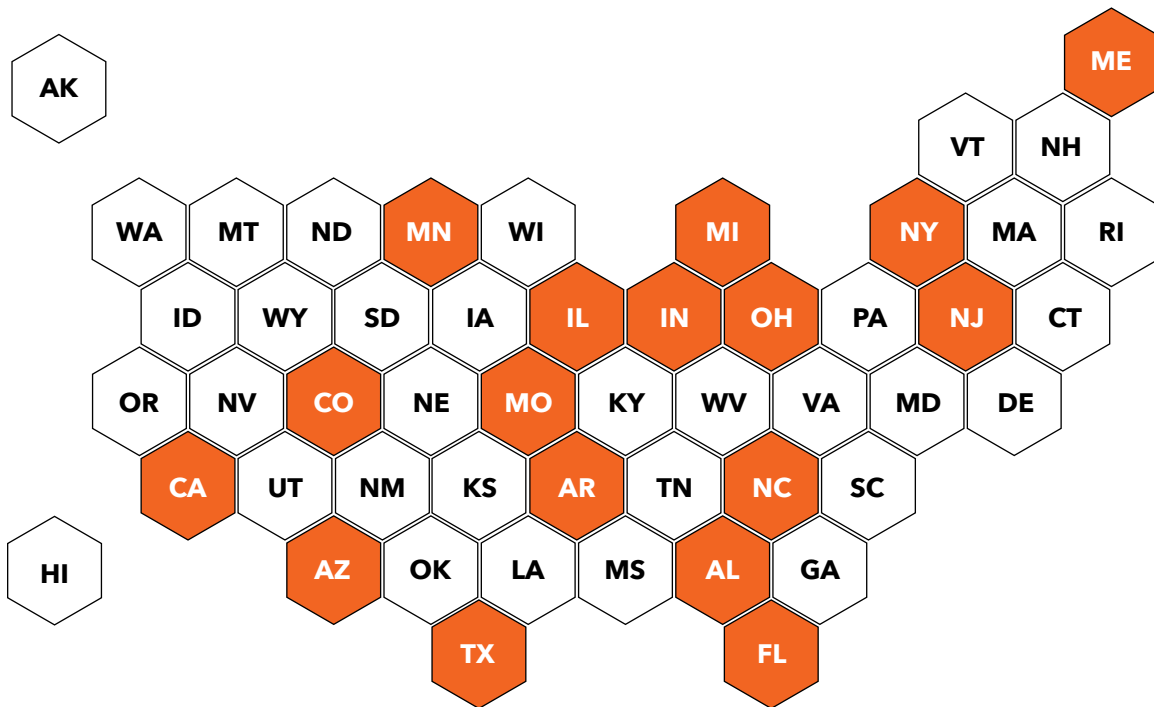
The current overall unemployment rate is near historic lows,¹⁹ and employers in many sectors, such as technology and health care, report significant challenges finding skilled labor to meet their workforce needs. Over the next decade, this gap in skilled labor is likely to grow, with approximately five million projected job openings that will require applicants to have specific occupational licensures and/or at least a bachelor's degree.²⁰ The provision of high-quality postsecondary education for incarcerated individuals offers states a key opportunity to not only adopt a research-based recidivism-reduction strategy, but to tap into the underutilized potential of this population to fulfill local labor market needs. As a result, the second key building block that states must establish is a range of postsecondary offerings that can boost the credentials of incarcerated individuals of varying skill levels and that are explicitly designed with local labor market and employers' needs in mind.

Figure 4: Fastest Growing Employment Sectors in the U.S.²¹



However, while 31 states do offer CTE training, associate degree programming, and bachelor's degree programming to incarcerated individuals, only 17 states are providing all three offerings as well as determining the nature of these offerings based primarily on local labor market needs, employer feedback, and/or successful employment outcomes.

Figure 5: 17 States Meet the Offerings Building Block Criteria



Indeed, many states are not making sufficient efforts to intentionally develop their postsecondary offerings with the explicit goal of positioning people with a criminal record to find viable, sustainable employment in the community while simultaneously helping to meet the workforce and skill development needs of local employers. Less than half of all states use local labor market trends or employer feedback as their main basis for determining their postsecondary offerings, while just as many states primarily base their offerings on less substantive considerations, such as staff and funding availability.

Given that 69 percent of incarcerated people aspire to enroll in postsecondary education,²² many states are also missing out on important opportunities to expand and diversify their education delivery methods and partnerships to increase postsecondary access for a greater number of incarcerated people as well as to potentially improve the quality of offerings. While almost all states provide postsecondary education through a traditional classroom approach, 25 states employ tutors (who may be incarcerated themselves) as a way of providing more individualized instruction. Additionally, 14 states provide access to online coursework through tablets, and 9 offer online coursework in computer labs. Likewise, though most states report having partnerships with community colleges and universities for the delivery of postsecondary programming in facilities, only 11 states have partnerships with trade schools to provide more robust CTE training. Additionally, only 7 states have facility-based partnerships with nonprofit social service organizations, which could help state correctional and parole-granting agencies not only enhance program quality but also promote critical linkages and warm handoffs to service providers in the community to support successful reentry.

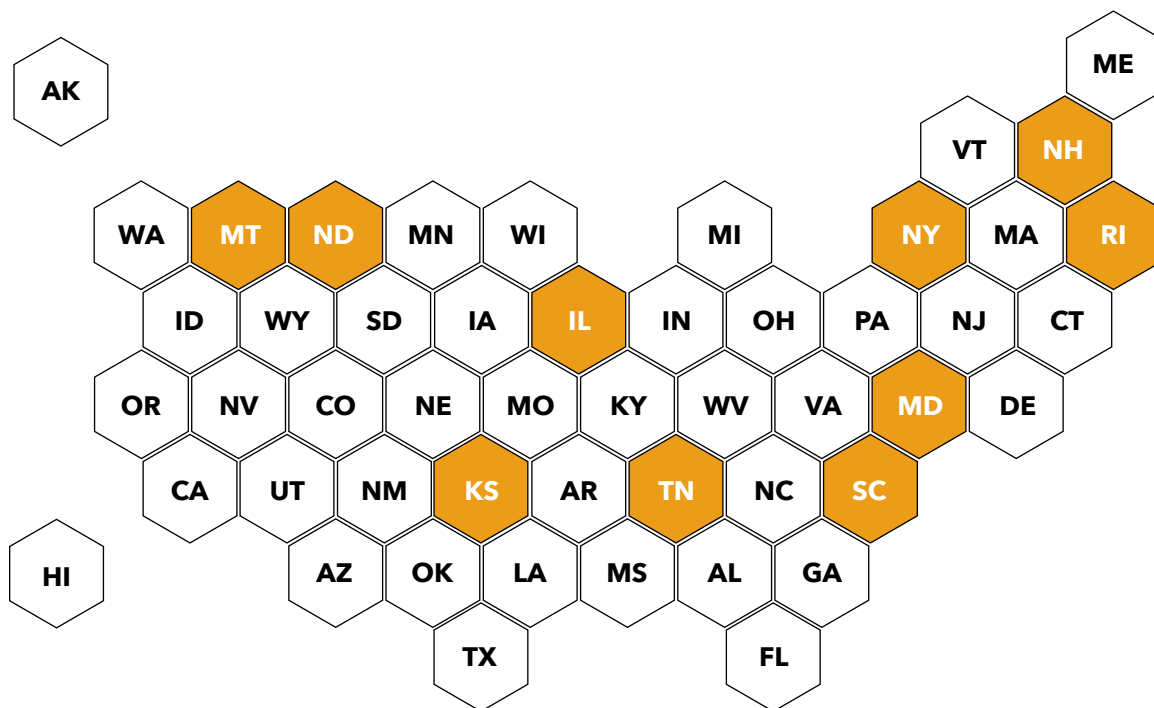


LACK OF RESTRICTIONS

More than three-quarters of states impose statutory and/or administrative restrictions that limit access to postsecondary education for individuals who are currently and formerly incarcerated.

Over two-thirds of people who are incarcerated have a high school diploma or its equivalent and are therefore eligible to take postsecondary coursework. Considering the positive impact that participating in such programming has on recidivism, education, and employment outcomes, the third key building block that states should establish is to ensure that all incarcerated people and people in the community who have a criminal record—particularly those with the highest risks and needs—actually have access to such services. However, most states have taken the opposite approach, imposing a variety of administrative and statutory restrictions that limit those who stand to benefit the most from participating in such programming. Only 10 states provide postsecondary educational opportunities that are fully accessible to all incarcerated individuals.

Figure 6: 10 States Meet the Lack of Restrictions Building Block Criteria



Five states restrict access to postsecondary education for incarcerated individuals through state statutes, while the majority of states impose these restrictions through state correctional agency administrative policy and regulations. Unfortunately, these types of restrictions can hinder the establishment of a positive facility culture by barring large populations of people from participating in productive activities. These restrictions can also exacerbate the challenges that people who will be returning to the community face if they have not had the opportunity to develop any marketable skills or credentials, particularly if they have served extended sentences or were convicted of more serious offenses. Statutory and administrative restrictions are often based on an individual's custody level, sentence length, and/or the nature of their offense/conviction.

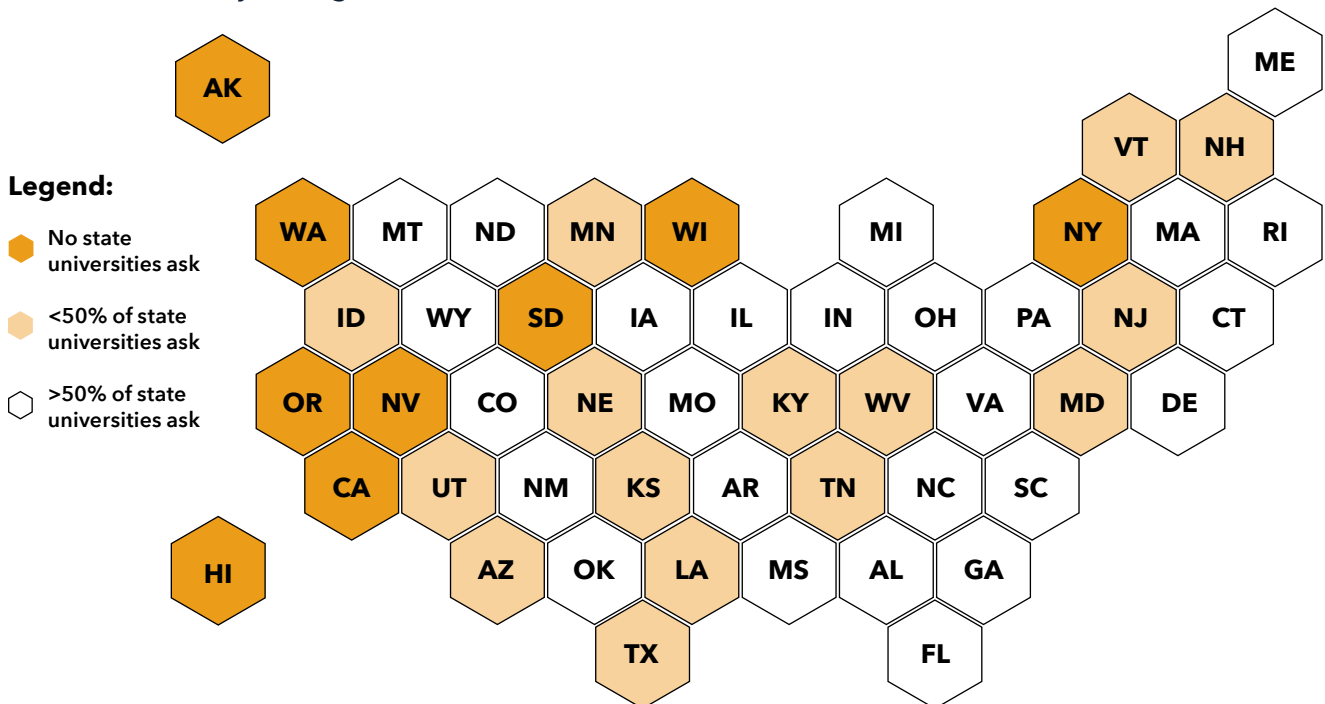
- ➔ 16 states restrict participation based on an individual’s **custody level**; people incarcerated in the highest security levels are often barred from participating in postsecondary education activities.
- ➔ 25 states impose restrictions based on the length of an individual’s **sentence**. For example, some states restrict postsecondary participation for people serving life sentences.
- ➔ 12 states restrict participation based on an individual’s **offense or conviction**, such as sexual or violent offenses.

Additionally, 33 states restrict postsecondary participation based on an incarcerated individual’s *behavior*. While this type of restriction seems logical, its application can be arbitrary and inconsistent and can reflect or deepen social, racial, or other types of bias. Facilities should seek alternative methods for sanctioning people for their behavior rather than restricting access to programming that has a host of benefits not only for participants, but ultimately, for community safety.

Given the inherent challenges that incarcerated people face during the reentry process, it’s critical that states don’t actively restrict these individuals’ ability to continue their postsecondary education and obtain employment in the community. In particular, postsecondary education programming offers a crucial pathway for all people with criminal records in the community to obtain a job given many employers’ reluctance to hire such individuals. However, state university systems—a key gateway for accessing these services—often impose additional hurdles that deter people with criminal records from college admission, enrollment, attendance, and participation.

Past research has shown that inquiring about criminal convictions on college or university applications dissuades potential applicants who have a criminal record from completing the application.²³ Yet, in 10 states, *all* four-year public universities inquire about criminal history, and in 26 states, at least half of all four-year public universities ask about criminal history. In only nine states do none of the four-year public universities require individuals to disclose their criminal history as part of the application process.

Figure 7: Percentage of State Public Universities that Require Applicants to Disclose Criminal Conviction History During the Admission Process



Overall, half of all public universities in the United States have questions on their applications that require applicants to disclose their previous or current involvement with the criminal justice system to some degree. A third of these public universities use The Common Application, an undergraduate college admission portal, for their admission process. Although the 2019-2020 Common Application—for the first time—did not require applicants to disclose their criminal history, 59 percent of the almost 200 public universities reviewed in this study decided to add questions that required applicants to disclose their criminal history. In addition, universities both within and across states typically lack a common approach to these disclosures, with significant variation as to whether applicants must disclose misdemeanors, arrests, traffic violations, drug charges, sex offenses, and/or juvenile offenses, in addition to the more standard felony/criminal conviction disclosure requirements.

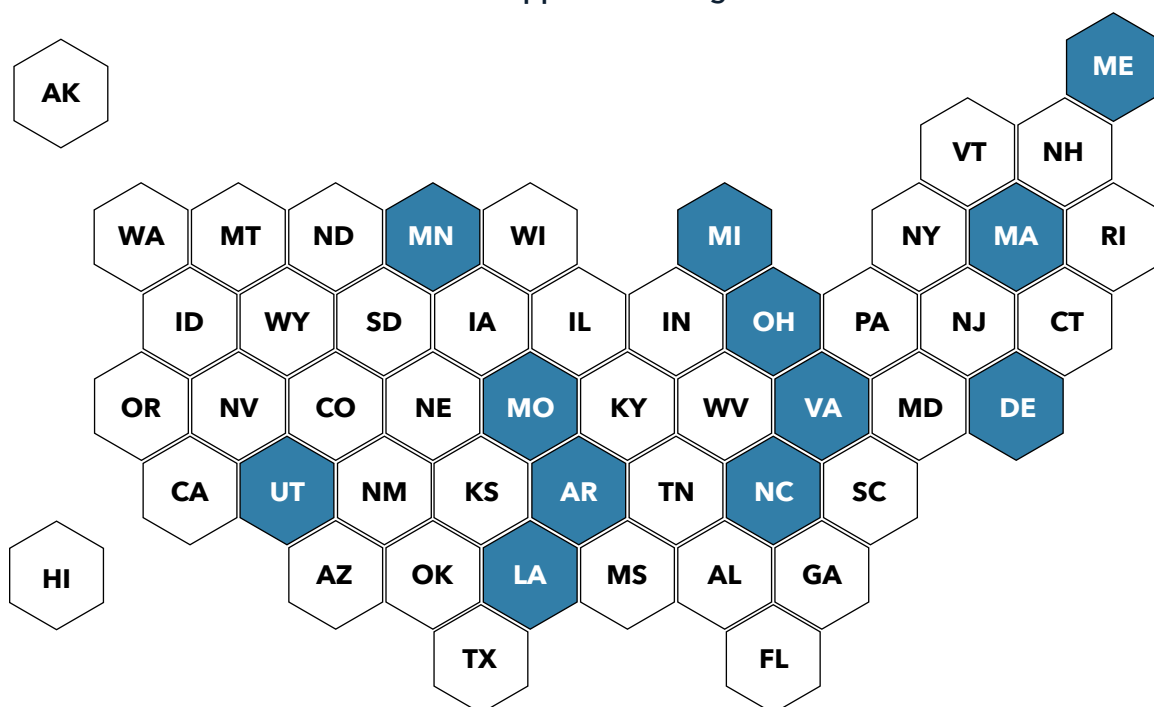


INCENTIVES AND SUPPORTS

Only one-quarter of states offer incentives, as well as tangible services and supports, to promote postsecondary participation and help incarcerated people transition to a crime-free, productive life in the community.

The fourth and final building block that states should establish is not simply to lift restrictions on postsecondary access but to proactively encourage and support individuals to take advantage of these beneficial services. Research has shown that state correctional facilities that offer incarcerated people consistent, tangible incentives—such as designated housing, release from work requirements, and/or earned time credits—to participate in postsecondary education can encourage higher enrollment and program completion.²⁴ Similarly, states that provide incarcerated people with the flexibility, services, and supports to connect to postsecondary educational opportunities when they return to the community may experience better parole outcomes. However, only 12 states provide such incentives and concrete services and supports to individuals while incarcerated and in the community.

Figure 8: 12 States Meet the Incentives and Supports Building Block Criteria



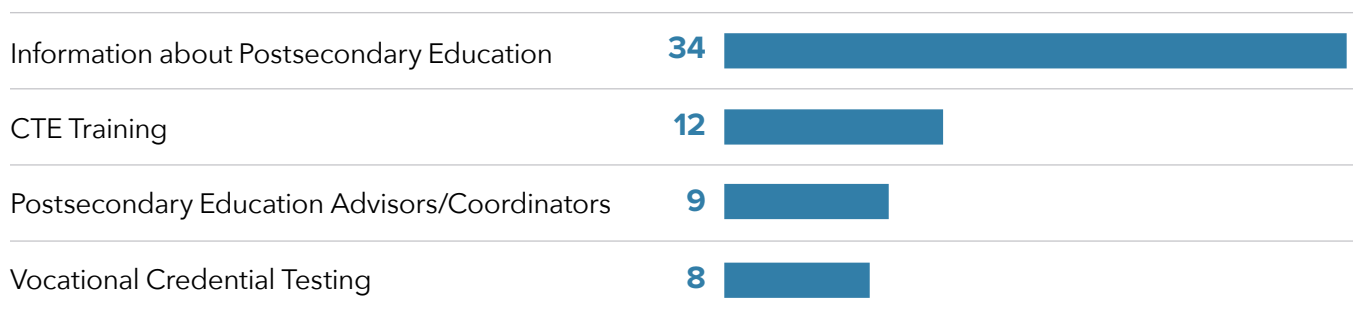
States can encourage incarcerated individuals to enroll in postsecondary education programming and complete their course of study in three key ways: (1) providing incentives in correctional facilities, (2) establishing parole criteria and conditions that account for postsecondary education participation and progress, and (3) ensuring that parole and correctional agencies provide information, services, and supports in the community. Forty states do offer at least one incentive to promote postsecondary education participation for individuals while incarcerated, but the majority of states are not taking advantage of the full array of potential low-cost methods for increasing the number of people committed to improving their workforce skills and employability:

- ➔ 14 states provide designated housing in correctional facilities for people enrolled in a postsecondary education program.
- ➔ 13 states provide some form of compensation for incarcerated students.
- ➔ 10 states provide release from work requirements for incarcerated students.
- ➔ 5 states provide access to technology for personal use for incarcerated students.

States can also incentivize and reward postsecondary education participation through parole criteria and conditions of release. However, only 34 states have regulations that enable incarcerated people to earn release time credits for their participation in postsecondary education activities, allowing a certain period of sentenced time to be reduced based on program participation and/or completion. Likewise, only half of states have statutory and/or administrative policies allowing postsecondary education participation to be considered when making parole decisions. In terms of parole conditions, 34 states allow an individual's postsecondary education to meet parole requirements related to employment, but 16 states do not, requiring people who want to continue their education full-time to seek employment as well. Unsurprisingly, then, almost half of state parole-granting agencies reported that the conditions of parole serve as a potential barrier to postsecondary education participation.

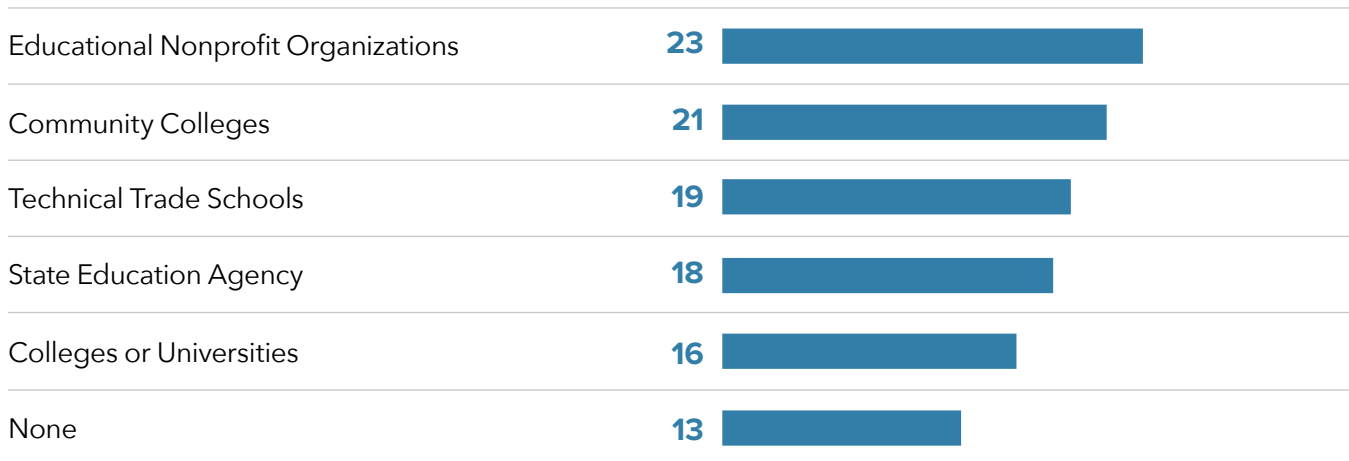
Perhaps most importantly, many parole-granting agencies do not provide incarcerated people with basic information on postsecondary educational opportunities in the community or tangible supports that facilitate critical connections to these services to promote successful reentry.

Figure 9: Services Parole-Granting Agencies are Offering (by Number of States)



Partnerships with universities, community colleges, trade schools, community-based organizations, and nonprofit service providers are a key way that parole-granting agencies can provide such services and better support formerly incarcerated people to continue their education and develop their workforce skills. Yet, less than half of parole-granting agencies nationwide have partnerships with any one of these entities, and 13 states reported not having any partnerships that would foster improved connections to education and employment opportunities for people returning to the community.

Figure 10: Organizations that Parole-Granting Agencies are Partnering with to Support Postsecondary Education (by Number of States)



Finally, effective partnerships between state correctional agencies and institutions of higher education must include articulation agreements that support the continuity of education from correctional facilities to the community by enabling incarcerated individuals to get full credit for the coursework that they completed while incarcerated to count toward the completion of their degree in the community. However, only 19 states have agreements in place that allow program credits earned during incarceration to transfer and be equal in value to local community colleges, colleges, or universities upon release.

Given the substantial public safety and economic benefits for both individuals and communities associated with improving access to postsecondary education, all states should seek to establish the building blocks necessary to promote postsecondary education participation and credential completion for incarcerated people and those with a criminal record in the community. State policymakers and correctional and parole-granting agency leaders, in collaboration with workforce development agencies, employers, institutions of higher education, and service providers, should use the best practices detailed below to assess current state policy and practice and identify concrete opportunities for reform.



FUNDING CHECKLIST

- The state correctional agency is allocated 1 percent of the state's Perkins IV funding to support correctional education.
- State leadership ensures transparency about whether and how the state is using its WIOA funding, 20 percent of which may be allotted to support correctional education (and the education of populations, such as those with behavioral health needs, in other types of residential institutions).
- State institutions of higher education apply to the Second Chance Pell Pilot program to obtain funding specifically aimed at providing high-quality postsecondary education to incarcerated students.
- Federal funding is not only allocated to promote higher education participation for incarcerated individuals and those with a criminal record in the community, but agency leaders have established a regular review and oversight process to ensure that these funds are fully and appropriately spent.
- States have lifted statutory or administrative funding restrictions that prevent incarcerated students or those in the community with a criminal record from accessing postsecondary education, including not adhering to the federal Pell Grant's eligibility criteria that restricts use by incarcerated students.²⁵
- The state correctional agency has a dedicated line item in its public budget for postsecondary education expenditures and establishes targets for increasing this funding and the proportion of incarcerated/paroled individuals participating in related programming.

- State higher education agencies develop a range of funding and scholarship opportunities for “nontraditional” students, including currently and formerly incarcerated people, to assist with paying for college.
- State correctional, parole-granting, and workforce development agencies, along with institutions of higher education and service providers, have developed a resource map that identifies major sources of state, local, and private funding allocated for postsecondary education programs and services for special populations, including people who are currently or formerly involved in the criminal justice system. These entities meet on an ongoing basis to discuss strategies for maximizing and using these funds efficiently and to assess progress toward this goal.

In Practice: Funding in Wisconsin

Wisconsin creatively uses a variety of funding sources to support postsecondary education for incarcerated individuals, including federal Perkins IV and Second Chance Pell funding as well as state funds designated by statute since 2009 known as the Becky Young Community Corrections Recidivism Reduction Appropriation. The Wisconsin Department of Corrections (WDOC) requested over \$11.5 million for its 2019-2021 biennium for this programming²⁶ to support evidence-based reentry strategies, including partnering with local technical colleges to provide short-term vocational training academies in high-demand fields for incarcerated individuals. WDOC also partnered with each of Wisconsin’s 11 Workforce Development Boards to provide a Windows to Work Program that helps prepare incarcerated people for employment success in the community.²⁷

Additionally, Wisconsin has an inclusive state financial aid policy, with the Wisconsin Higher Education Aids Board explicitly seeking to promote educational opportunities for people in the criminal justice system by limiting restrictions for applicants who have drug-related convictions, and/or are incarcerated, and/or may be in default on a federally guaranteed student loan.²⁸ The state also offers and allocates over \$4.5 million to the Talent Incentive Program Grant, which assists low-income and disadvantaged Wisconsin students with the cost of college.²⁹ The grant’s criteria are geared toward non-traditional students, including students who are currently or formerly incarcerated, and provides between \$600 to \$1,800 per semester.³⁰



OFFERINGS CHECKLIST

- All state correctional facilities offer high-quality CTE-, associate-, and bachelor-level programming for incarcerated individuals.
- Postsecondary programs lead toward industry-recognized credentials whenever possible.
- The state correctional agency's CTE, credentialing, associate, and bachelor's degree offerings are based on labor market needs; selected with an understanding of state occupational licensing barriers for those with a criminal record; and developed in consultation with employers, the state workforce development agency, chambers of commerce, and other key stakeholders, potentially through a formal advisory board and/or ongoing discussions with the state Workforce Development Board.
- The state correctional agency employs a diverse array of delivery methods to increase postsecondary education access and quality for incarcerated individuals, including the use of individualized tutoring, computer labs, tablets, and partnerships with community colleges and universities, trade schools, and community-based organizations.
- The state correctional agency ensures that programs offered are high quality. Resources such as the [Equity and Excellence in Practice: A Guide for Higher Education in Prison](#) and the [Reentry Education Toolkit](#) provide practical strategies to improve the quality of postsecondary programs delivered in correctional settings.³¹
- The state correctional and parole-granting agencies track postsecondary education participation, retention, and credits/credentials earned; analyze this participation by demographic groups—including race, gender, and facility—as well as its impact on incarcerated individuals' behavior, recidivism, and educational/employment outcomes; and report this data to key oversight bodies and state and local partners.

In Practice: Offerings in Michigan

Michigan offers a range of CTE, associate, and bachelor's programming designed to prepare incarcerated individuals to earn credentials and obtain employment in high-demand fields in the community. In 2012, the Michigan Department of Corrections (MDOC) launched the Pathways from Prison to Postsecondary Education program³² in partnership with Jackson Community College, which provides a unique "two-year-in, two-year-out" model for incarcerated students to participate in postsecondary programming for two years inside correctional facilities and two years in the community.³³ As part of the program, an MDOC employment counselor works with Pathway students to provide them with individualized support to successfully return to the community and continue their education.³⁴



LACK OF RESTRICTIONS CHECKLIST

- Neither state statute nor correctional agency policy/practice impose blanket restrictions on participation in postsecondary education for any population of incarcerated individuals.
- No state-funded community colleges or universities require applicants to disclose current or past involvement with the criminal justice system during the application process, and state leaders seek to partner with the private university community to adhere to the same admissions process.
- If any state institutions of higher education require applicants to disclose their criminal history, state statute requires applicants to be provided with information about how their disciplinary record is used and also establishes a standardized process to appeal admissions decisions.
- State institutions of higher education limit barriers to participation/retention for people with a criminal record, including restrictions related to on-campus employment or housing, and provide supports such as mentoring and counseling.

In Practice: Lack of Restrictions in New York

New York has made extensive efforts not only to limit restrictions on access to postsecondary education for people in the criminal justice system but to establish policies that eliminate potential barriers to participation. First, New York does not have any statutory or administrative restrictions on postsecondary participation for incarcerated individuals. Second, since 2017, the State University of New York policy for admissions stresses that it is in the best interest of the state to admit students with previous criminal convictions to improve access to postsecondary education and to “enhance public safety by reducing recidivism and facilitating successful reintegration into society.”³⁵ As a result, all state universities in New York have eliminated any questions related to an applicants’ criminal history and established a written policy that protects students from admission biases or unnecessary disclosures.



INCENTIVES AND SUPPORTS CHECKLIST

- State statute and/or correctional agency policy establishes a range of incentives for incarcerated individuals to participate in and complete postsecondary education, such as designated housing, release from work requirements, and access to technology for personal use.
- Incarcerated individuals in determinate release states can have their progress in postsecondary education evaluated by the parole-granting agency when being considered for earlier release after they complete their mandatory sentence.
- Incarcerated individuals in indeterminate release states can have their progress in postsecondary education evaluated by the parole-granting agency when determining sentencing reductions.
- Parole-granting agency policy allows participation in postsecondary education in lieu of parole conditions related to required employment.
- Articulation agreements exist between the state correctional agency and community institutions of higher education regarding the equivalency of credits and credentials earned in facilities to those earned in the community and also supports the seamless transfer of these credits toward community degree programs accordingly.
- The state correctional and/or parole-granting agencies, institutions of higher education, state workforce development agencies, and service providers have established strong partnerships and a seamless, robust array of services and supports to promote postsecondary education participation and completion after release.

In Practice: Incentives and Supports in California

The university systems in California have developed specific initiatives to support formerly incarcerated students to continue their education. Project Rebound, which exists on 9 of the California State University system's 14 campuses, provides individualized assistance to students who have been impacted by the criminal justice system with the university application and enrollment process as well as ongoing support services and community connections.³⁶

The Underground Scholar's Initiative (USI) is a similar program through the University of California system. USI programs support formerly incarcerated students just entering the postsecondary education space, and also those transferring from community colleges, with the initial admissions process (i.e., personal statement development, transcript analysis, financial aid assistance, etc.). Once students are accepted and enrolled, participants receive academic planning, peer mentoring, tutoring, housing services, stipends for basic necessities, and other vital reintegration supports that help them continue their course of study.³⁷

METHODOLOGY

This report summarizes key findings from a 50-state study of policies that impact the provision of postsecondary educational and CTE services for incarcerated individuals in prisons and after release. The study was conducted in 2018–2019 through online and statutory research as well as through two national surveys of all 50 state correctional education directors and parole-granting agencies.

ONLINE AND STATUTORY RESEARCH

CSG Justice Center staff drew from the following informational sources to research state statutes and regulations on postsecondary education for correctional facilities, parole-granting agencies, and state financial aid institutions:

- Lexis Advance
- National Inventory of Collateral Consequences of Conviction (NICCC)
- Prison Studies Project’s National Directory of Higher Education Programs in Prison
- State correctional and parole-granting agency as well as Department of Higher Education, university, and college websites
- Related national reports and research studies including the Vera Institute of Justice’s “College in Prison” project and *A Piece of the Puzzle: State Financial Aid for Incarcerated Students* report

CSG Justice Center staff also conducted research on all public, four-year state universities to analyze how, if at all, schools inquire about an applicant’s criminal history. Each school’s application was obtained through the school-specific application portal or third-party application sites, such as the Common Application or MyCoalition. Over 600 college and university admission applications were reviewed.

NATIONAL SURVEYS

In July 2019, the CSG Justice Center partnered with the Correctional Leaders Association to send an electronic survey to all state correctional education directors or related officials and all state parole-granting agencies. All 50 states completed both surveys. All states were notified that state-specific data would be shared in the report and were given a formal opportunity, in writing, to review and revise their responses.

The correctional survey asked states to identify the scope of their postsecondary education and CTE programs, including offerings, how these offerings are determined, delivery methods, who is able to access services, any statutory or administrative restrictions in place for accessing these services, funding structures, the incentive and support systems in place to encourage participation and completion, and data collection. The parole survey asked states how postsecondary education participation is considered in the decision to grant parole, the conditions of parole, information and services provided by parole-granting agencies, and community-based partnerships.

ENDNOTES

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16. For more information on WIOA, see <https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/corrections-education.pdf>.
17. Georgia, Louisiana, and Missouri all noted having Second Chance Pell grantees operating in their state correctional facilities to provide postsecondary education, but these Second Chance Pell funds were not awarded directly to institutions of higher education within their respective states. Further, Vermont's Bennington College was awarded Second Chance Pell funding, but the college is currently only providing postsecondary programming to a correctional facility in New York.
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