

SB 234 WORKGROUP POSTSECONDARY EDUCATION FOR ADULTS IN CUSTODY

Fall 2021



Photo Courtesy of: Oregon Department of Corrections – photo taken prior to pandemic.

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SECTION ONE: EXECUTIVE SUMMARY AND RECOMMENDATIONS

In the 2021 Oregon Legislative Session, the Higher Education Coordinating Commission (HECC) was directed, through the passage of Senate Bill 234, “to convene stakeholder group to study ways to best serve adults in custody who are recently eligible to receive student grants.” This report is a result of those efforts. This report begins with a summary of recommendations that will maximize the impact of Pell grants statewide, based on the work of the stakeholder group convened by HECC. Despite the lack of federal financial aid, some in Oregon’s prisons have had access to some higher educational courses for years. Women, and people of color, however, have been particularly underserved. Equity is a vital principal of this coordinated Pell rollout, with an attention to equitable educational access regardless of gender, race and geographical location.

CURRICULUM AND COURSE DELIVERY

- Offer a variety of instructional delivery including face-to-face, synchronous and asynchronous on-line course. As Pell eligible programs are delivered, attention should be paid to accreditation standards and requirements at the institutional level.
- Degree pathways should build upon the efforts already under way regarding transfer and common course numbering, and should be designed to allow for seamless transitions.
- Community colleges and universities are encouraged to create partnerships to allow for completion of college level degrees and certificates that easily transfer to university programs. This may likely include the community colleges offering courses with numbers 0-299, allowing students to complete Associate of Arts Oregon Transfer (AAOT) degrees and other Pell eligible certificate programs at the community colleges, and then facilitate transfer to four-year institutions for those students who want to continue their education along a Bachelors’ degree pathway.
- Community colleges should partner with Department of Corrections (DOC), WorkSource Oregon, business and industry to investigate Career and Technical Education (CTE) programs with career opportunities after release and create pathways to those careers.

- Increased priority for and expanded access to these programs/courses within the DOC facilities (supporting compliance with SAP requirements).

TECHNOLOGY

Technology access and increased availability of and access to online/tele courses is vital to the equitable statewide roll out of Pell grants for Adults in Custody (AICs). The global pandemic has demonstrated very clearly that technology is vital to higher education, and without technology access, AIC students are left behind, creating additional stress, cost, and lower outcomes.

- Develop and upgrade infrastructure at DOC facilities to support internet access to online and remote courses, educational resources and materials for students in Pell eligible programs.
- Allow online completion of the Free Application for Federal Student Aid (FAFSA), including email account access for students
- Allow for synchronous video instruction at multiple facilities.

POLICY

The following policy changes are recommended, in order to maximize equitable roll out of Pell statewide.

- Amend Oregon Revised Statute (ORS) 421.081 to include post-secondary educational opportunities
- Revise Oregon Administrative Rule (OAR), Chapter 291, Division 77, to include activities associated with post-secondary education conducted by Oregon's accredited institutions of higher education as workforce development activities.
- DOC to collaborate with the HECC to ensure that the determination of which educational opportunities and providers offer programs is transparent, and follows the recommendations of this and future legislative reports related to AIC educational pathways.
- Allow full time education to qualify as work under Measure 17.
- AICs who are enrolled in Pell eligible certificate or degree programs should be allowed to enroll in at least 6 and up to 12 credits per term, in order to maximize Pell awards
- Allow AICs who are engaged in Pell Eligible Programs to be considered for hold in a

particular facility, or for transfer to participating facilities, when necessary to continue their education.

- DOC to provide appropriate classroom space for education at each facility
- Provide *Navigator* positions at each correctional institution to work directly with students to assist with advising, coordination, and FASFA applications. .
- Provide *Post-secondary Coordinator* positions at each institution.
- Expand the Adult Basic Skills (ABS) Tutoring Program to include Postsecondary Tutor Program.
- Educational resources and materials made available to students.

Equitable access to higher education in prison holds immense promise to improve and transform the lives of students and their families, reduce recidivism, improve economic opportunities and to contribute meaningfully to safe and healthy communities.

SECTION TWO: BACKGROUND

FEDERAL PELL GRANTS FOR ADULTS IN CUSTODY

In 1965, the United States Congress enacted Title IV of the Higher Education Act, which allowed low income students, including those who were adults in custody (AICs), to access federal Pell Grant dollars to pay for their postsecondary education. Eligibility for this financial aid for AICs continued until 1992, when an amendment to the Higher Education Act prohibited AICs who were serving life and death sentences from accessing the grant dollars. In 1994, Congress passed the Violent Crimes and Law Enforcement Act which prohibited all AICs from accessing Pell Grants. This ban continued for over two decades until the Obama Administration in 2015 announced the Experimental Sites Initiative, which allowed for the waiver of some restrictions on federal student aid in an effort to evaluate new policy ideas. As a result of the initiative, the Second Chance Pell Program was created as an experiment. The program was expanded from 67 sites to 134 in 2020 under the Trump Administration. Later that year, the ban on Pell Grant access was lifted for everyone, allowing all AICs to access the grant as long as the AICs were enrolled in approved programs. Implementation of the legislative change is planned to begin on July 1, 2023.

Since its inception as one of the nation's inaugural Second Chance Pell Experimentation Sites, Chemeketa Community College has partnered with the Department of Corrections (DOC) to provide postsecondary educational opportunities to over 145 AICs who earned over 116 credentials. Eighty-nine percent of the AICs who participated earned academic honors with a Grade Point Average of 3.5 or higher. Currently (in 2021) these opportunities are on hold due to access restrictions related to the COVID-19 pandemic.

Treasure Valley Community College joined Chemeketa Community College as a Second Chance Pell Program Experimental Site when the program was expanded in 2020. Although the pandemic has adversely affected the ability for the program to begin, Treasure Valley Community College will expand its course offerings for AICs who are pursuing an Associate of Arts Oregon Transfer Degree (AAOT).

In 2014, the US Department of Education issued Dear Colleague Letter Gen 14-21¹, which clarified that students who are incarcerated in a juvenile justice facility are eligible to receive federal Pell Grants if the student meets Pell Grant eligibility criteria, regardless of age, sentence type or length. Each Oregon Youth Authority (OYA) facility provides staff support to incarcerated youth in filling out the Free Application for Federal Student Aid (FAFSA) to apply for Pell Grant financial aid and registering for courses. In addition, OYA partners with community colleges, many of which provide counselors to help students navigate their postsecondary education and training pathway.

It is important to note that Pell eligibility is more than just completing the application and enrolling in courses. For AICs, meeting all of the requirements for eligibility can be especially challenging. Some key points that have been identified regarding federal Pell Grant to consider for all students include:

- Pell Grants must be awarded by a specific regionally accredited institution.
- Only students who are taking courses while seeking a degree or qualifying certificate are eligible to receive Pell Grants.
- Students must maintain Satisfactory Academic Progress (SAP).
- Access to technology in order to complete the application online provides an additional access point for students.



Photo courtesy of Oregon Department of Corrections. Photo taken prior to pandemic.

EDUCATION FOR OREGON ADULTS IN CUSTODY

Inside each DOC facility eligibility for AICs to participate in educational opportunities is based upon factors related to incentive levels and the time served with good behavior. For AICs who

¹ ED Gen 14-21: <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2014-12-08/gen-14-21-subject-federal-pell-grant-eligibility-students-confined-or-incarcerated-locations-are-not-federal-or-state-penal-institutions>

may need special educational accommodations, referrals for an assessment to identify needs are made. The following table provides an outline of postsecondary education and training opportunities currently being offered at DOC facilities² and their Pell Grant eligibility status:

Facility	Program	Education Provider	Outcome/Certification
Currently Pell Grant Eligible (Under Second Chance Pell Grant)			
OSP, SCI	AAOT	Chemeketa CC	Associate of Arts Oregon Transfer Degree
SRCI	AAOT	Treasure Valley CC	Associate of Arts Oregon Transfer Degree
May be Pell Grant Eligible After July 1, 2023			
DRCM	Welding	Central Oregon CC	Welding Fabrication Certificate of Completion & American Welding Society Certification
OSP	Automotive Technology	Chemeketa	Automotive Entry Level Technician Certificate of Completion
			Automotive Technology Associate of Applied Science Degree
SRCI	BCT (Building Construction Technology)	Treasure Valley CC	BCT Certificate of Completion & 25 NCCER certificates.
CRCI	Inside Out classes	Lewis & Clark University	
CCCF	Higher Education in Prison Program	Portland State University	Bachelors of Arts in Liberal Studies
CCCF, DRCI, OSCI, OSP, SCI	Prison Education Program and Credit Bearing Classes	University of Oregon	OSCI and OSP offer Bachelors of Arts and Bachelors of Science in General Social Sciences. Bachelors of Art in General Humanities.
OSCI	Liberal Arts	Corban University	Bachelors of Science in Liberal Arts

² For a list of Department of Corrections Facilities: <https://www.oregon.gov/doc/about/Pages/prison-locations.aspx>

Facility	Program	Education Provider	Outcome/Certification
As Currently Delivered – Not Pell Grant Eligible			
CCCF	Cosmetology	Portland CC	License from Oregon Health Licensing Agency in Hair Design, Esthetics, & Nail Technology
CCCM	School of Paraoptometrics (Dispensing Optician)*	Portland CC	American Optometric Association: Certified Paraoptometric
OSCI, SRCI	Cabinetmaking		Journeyman’s Card
EOCI, OSP	Limited Energy Class B (Electrician)		Limited Energy Technician Electrician Class B (LEB) Journeyman’s Card and Electrical License
DRCI, EOCI, OSCI, OSP, SCI, SRCI, TRCI, WCCF	Limited Maintenance Electrician		Limited Maintenance Electrical License and/or Journeyman’s Card
DRCI, EOCI, OSCI, OSP, SRCI, TRCI	Limited Manufacturing Plant Journeymen (Electrician)		Limited Manufacturing Electrical License and/or Journeyman’s Card
OSP	Heating, Ventilation, Air Conditioning, and Refrigeration (HVAC/R)		HVAC/R Journeyman’s Card and Limited Energy Technician Electrician Class B (LEB) License

Facility	Program	Education Provider	Outcome/Certification
OSCI, OSP, SRCI	Painting		Journeyman's Card
OSCI	Plumbing**		Basic & Advanced Custodial Technician Certification from the Cleaning Management Institute and/or Journeyman's Card.
CCCF, SRCI, TRCI	Custodial Training		Offered through Apprenticeship Training Division of BOLI; related training recognized by OHA as meeting the requirements of Food Manager Certification and Journey Card
DRCI	Culinary/Food Service Manager		The food handler certificate (FHC) program is developed in cooperation with the Oregon Health Authority. This program was designed to comply with ORS 624.570 and OAR 333-175 and is recognized by all Oregon Counties. Food service workers are required to get a food handler card within 30 days of beginning work.
All ODOC facilities	Food Handler Certificate Program		Limited Building Maintenance Electrical License and/or Journeyman's Card
CCCF	Limited Building Maintenance Electrician		American Welding Society Qualification Certification from an AWS-Certified Welding Inspector and/or Journeyman's Card
CCCF, EOCL, MCCF, OSP, SCCI, SCI, SRCI, TRCI	Structural Welding Training		American Welding Society Qualification Certification from an AWS-Certified Welding Inspector and/or Journeyman's Card

*= Provides skills and education necessary for employment in the optical field. Program manufactures all DOC AIC eyeglasses.

**= Recently added and scheduled to begin as soon as the related training material is purchased and received at OSCI.

SENATE BILL 234

The identification of the direct correlation between educational attainment and significant reduction in AIC recidivism rates has led to increased interest and stakeholder collaborative efforts in Oregon. One of those collaborative efforts includes the passage of Senate Bill 234 during the 2021 Legislative Session. The bill requires the Higher Education Coordination Commission to “convene a group of stakeholders to conduct a study and develop recommendations on how to establish a coordinated, statewide approach to best serve adults currently in custody who are recently eligible to receive student grants under a federal program³

The Workgroup began its work in September of 2021, with a focus on shared goals regarding system alignment, efficiency, and student-centered supports for AICs. The Workgroup met approximately every three weeks through November and members provided a conduit to various stakeholders. Each meeting included a review of edits to the legislative report, discussion of contents, and an identification of next steps as the report was developed and edited in collaboration with HECC staff.

As the workgroup approached the research and identified key areas of focus, the workgroup agreed that additional research and corresponding conversations, authentic collaborative efforts, and staffing support would be needed into the future. The key areas of focus identified included:

- Programs, Curriculum, and Pathway Options
- Technology
- Policy and Practice.

Equity (including racial, gender and geographical location), quality assurance, and access remained key areas of discussion during each workgroup convening.

³ SB 234: <https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/SB234/Enrolled>

SECTION THREE: PROGRAMS, CURRICULUM, AND PATHWAY OPTIONS

DEGREE PATHWAYS

Access to well defined degree pathways should be equitable and inclusive for all AICs. They should provide clear direction for AICs in reaching their education and training goals. Credits earned while an AIC is enrolled within a degree pathway should be transferable among postsecondary institutions. Enrollment in a certificate or degree pathway should be taken into consideration when decisions are made related to the transfer of AICs between DOC facilities.

The ability for AICs to transfer universally from DOC facility to DOC facility and from postsecondary institution to postsecondary institution is foundational to the statewide approach to Pell Grant eligible educational offerings for AICs. The work of the newly formed Transfer Council in collaboration with the public institutions regarding common course numbering and transfer maps will provide a strong foundation in this effort. Additional work regarding implementation within the DOC infrastructure and coordination among the postsecondary institutions will be necessary to continuing efforts once they are established.

STACKABLE CAREER AND TECHNICAL EDUCATION DEGREES

Career and Technical Education (CTE) certificates that are stackable within a degree pathway and allow for the inclusion of alternative methods of learning which take place outside of the classroom, such as experiential learning, are recognized as a best practice nationally. In Oregon, the Credit for Prior Learning Standards provide a framework for institutions to follow when granting credit for such alternative methods.⁴

Federal Pell Grant requirements related to the number of credits in a certificate program can create barriers for all students, including AICs. These requirements often create obstacles for students seeking noncredit, shorter term certificates, or for those who are participating in apprenticeship programs.

⁴ Oregon Credit for Prior Learning Standards: <https://www.oregon.gov/highered/policy-collaboration/Documents/Transfer-Credit/2017-CPL-Standards-2017-Final.pdf>

Due to lack of space and equipment requirements for most CTE programs, it is important that any investments be leveraged to the greatest extent possible. This includes space, equipment, and faculty. This leveraging may include specific programs being offered only within one DOC facility and by only one participating postsecondary institution.

RECOMMENDATIONS:

- Offer a variety of instructional delivery including, face-to-face, synchronous and asynchronous on-line courses. As Pell Eligible Programs are delivered, attention should be paid to accreditation standards and requirements at the institutional level.
- Degree pathways should build upon the efforts already under way regarding transfer and common course numbering, and should be designed to allow for seamless transitions.
- Community colleges and universities are encouraged to create partnerships to allow for completion of college level degrees and certificates that easily transfer to university programs. This may likely include the community colleges offering courses with numbers 0-299, allowing students to complete AAOT degrees and other Pell eligible certificate programs at the community colleges, and then facilitate transfer to four-year institutions for those students who want to continue their education along a Bachelors' degree pathway.
- Community colleges should partner with DOC, WorkSource Oregon, business and industry to investigate CTE programs with career opportunities after release and create pathways to those careers.
- Increased priority for and expanded access to these programs/courses within the DOC facilities (supporting compliance with SAP requirements).

SECTION FOUR: TECHNOLOGY RESOURCES, INFRASTRUCTURE AND DELIVERY MODELS

Technology plays an integral role in today's education and training programs. Employers in almost every industry use some form of technology. Providing AICs the opportunity to gain valuable computer literacy skills is an important step in preparing them for the jobs that will be waiting for them upon their release.

Online education and access to what is considered “everyday” technology in the community would enhance AICs’ education and preparation for success upon release. In order to provide online education opportunities, access to technology is a necessary infrastructure component to support curriculum and educational program delivery to AICs.

“COVID has had a devastating effect on DOC education programming.”

Tracie Hightower, DOC
Education and Training
Administrator

Leveraging technology to increase very small class sizes will also aid in the sustainability efforts. Nationally, it is a promising practice to align efforts with the National Education Technology Plan. This plan calls out key areas of infrastructure that must be in place to adequately support technology in learning environments.⁵

Developing and maintaining a secure statewide intranet for online learning resources is a significant undertaking. In 2021, Senate Bill 235 called for the “Department of Corrections to develop for providing equipment, connectivity and infrastructure necessary to ensure that adults in custody in Coffee Creek Correctional Facility and Snake River Correctional Institution, have online access to certain education programs.” While the bill did not pass, it has helped to inform resource and capacity conversations of the workgroup during the preparation of this report.

TRADITIONAL “FACE TO FACE” COURSE DELIVERY

In-person, face to face delivery of courses is the preferable method of course instruction. This method allows for deeper faculty/student interaction and engagement, peer engagement and class discussion, and reduction of distractions. Education program retention rates are higher with traditional in-person instruction.

The cost to deliver face to face instruction may be a barrier for postsecondary institutions to offer and financially support courses being delivered to AICs. The availability of federal financial aid does help overcome this challenge, however there are still course enrollment minimums for an institution to “break even” in offering courses. While postsecondary opportunities for AICs

⁵ USDOE Education Technology Plan: <https://tech.ed.gov/netp>

may be supported by outside entities, philanthropic support for programs has declined over the years with more costs being shifted to the postsecondary institution.

SYNCHRONOUS REAL-TIME DELIVERY STATE-WIDE

Expansion of current existing technology; creates a learning environment that is cost-effective and creates learning opportunities across all DOC facilities. Using webcams for live streaming, to create a “flipped classroom” setting is used for connecting instructional contact from an outside classroom to a classroom inside a correctional facility. This allows for expansion of course offerings and still allows for faculty/student engagement.

ASYNCHRONOUS DELIVERY FOR INDEPENDENT LEARNING

Delivery of credit bearing courses must include *regular and substantive interaction* between the students and the instructor or instructors, either synchronously or asynchronously, as outlined by the Northwest Commission on Colleges and Universities (NWCCU), the accrediting authority for all colleges and universities in Oregon. Correspondence courses or “packet work”, that does not include *regular and substantive interaction* should be used for non-credit bearing learning opportunities only. According to the NWCCU, the following methods may be used for accredited distance learning:

- The Internet;
- One-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
- Audio conference; or
- Other media used in a course in conjunction with any of the technologies listed above.

SECURE STATE-WIDE INTRANET AND ONLINE LEARNING RESOURCES

While enrolled in college courses, students increasingly rely on the internet and digital sources for library access and research. Most DOC security concerns can be addressed by using firewalls and secure servers that limit the range of internet sites to which AIC students have access. This has been successfully accomplished in the Oregon Youth Authority education programs, and students there are able to access online courses at colleges and universities. Additionally, local area networks (LAN) and wide area networks (WAN) allow for controlled intranet access and/or a storage area network to allow for cross-facility access to articles, education resources and databases.

RECOMMENDATIONS:

- Develop and upgrade infrastructure at DOC facilities to support internet access to online and remote courses, educational resources and materials for students in Pell Eligible Programs.
- Allow online completion of FAFSA, including email account access for students.
- Allow for synchronous video instruction at multiple facilities.

SECTION FIVE: POLICY AND PRACTICE

Policy and Practice must be addressed in order to implement and maintain educational programming that supports AIC's student success. Some of the areas discussed in previous sections of this report provide some recommendations for policy and practice implementation. This section identifies additional areas for consideration.

ON-LINE FAFSA COMPLETION

Students may be eligible to receive Pell Grant funding at any level of enrollment (there is no minimum). However, there is a maximum lifetime limit of 600% (the equivalent of 6 years of full-time attendance) that AICs may reach. Regarding online FAFSA completion, in order for a student to submit a FAFSA electronically, they must first create a "FSA ID" which requires them to have access to their Social Security Number (SSN) and a unique email address that they can access to verify their identity online. This FSA ID is also considered to be their electronic signature. AICs will need to access the www.studentaid.gov website along with the www.irs.gov website which the FAFSA accesses for income verification in order to properly submit their FAFSA electronically. Once the FAFSA is submitted, the post-secondary institution will use that information to determine if they meet the requirements to qualify for the federal Pell Grant.

EDUCATION HAS SAME PRIORITY AS WORK

In 1994, Oregon voters enacted a constitutional amendment that requires correctional institutions to actively engage AICs in full-time work or on-the-job-training. The amendment, known as "Ballot Measure 17", took effect April 1, 1995. In order to hold institutions

accountable and ensure that they comply with the intent of the measure, the Oregon Department of Corrections maintains data on daily work and program assignments for each AIC.

Oregon Constitution Section 41 (2 -3)

(2) All inmates of state corrections institutions shall be actively engaged full-time in work or on-the-job training. The work or on-the-job training programs shall be established and overseen by the corrections director, who shall ensure that such programs are cost-effective and are designed to develop inmate motivation, work capabilities and cooperation. Such programs may include boot camp prison programs. Education may be provided to inmates as part of work or on-the-job training so long as each inmate is engaged at least half-time in hands-on training or work activity.

(3) Each inmate shall begin full-time work or on-the-job training immediately upon admission to a corrections institution, allowing for a short time for administrative intake and processing. The specific quantity of hours per day to be spent in work or on-the-job training shall be determined by the corrections director, but the overall time spent in work or training shall be full-time. However, no inmate has a legally enforceable right to a job or to otherwise participate in work, on-the-job training or educational programs or to compensation for work or labor performed while an inmate of any state, county or city corrections facility or institution. The corrections director may reduce or exempt participation in work or training programs by those inmates deemed by corrections officials as physically or mentally disabled, or as too dangerous to society to engage in such programs.

Currently DOC is working to align all work programs across all institutions to ensure AICs are awarded the same number of Performance Recognition and Awards System (PRAS) points regardless of location. Education programs are also being evaluated as part of this project. AICs are awarded PRAS points for work and program participation, including education programs that do not meet the Oregon Constitution Section 41 requirements. The number of PRAS points awarded is based on whether the program is full time or part time as well as the level of expertise required for the associated job component, if applicable.

Oregon Administrative Rules, Chapter 291, Division 77 provides statutory language regarding AIC performance recognition and award systems. The following is an excerpt from the statute:

(7) Qualifying Programs: Any qualifying inmate assignment, including work, training, treatment and workforce development. Qualifying programs may include, but are not limited to the following:

- (a) Work based education (WBE) program assignments in which inmates perform a service or produce a product. Many of the programs may include both training and production components.
- (b) Treatment assignments that address diagnosed mental or behavioral problems that are barriers to successful employment, including but not limited to, alcohol and drug treatment or mental health day treatment; and
- (c) Workforce development assignments intended to remove educational barriers (e.g., Adult Basic Education (ABE) or English as a Second Language (ESL)) or address personal deficits (e.g., Anger Management or Basic Living Skills) that impede employment.⁶

DEDICATED STAFF TO SUPPORT AIC EDUCATIONAL JOURNEY

The foundation to this program includes strong supports for an AIC’s educational journey. Supports must be provided in multiple areas and the staff providing it should be knowledgeable in the partnering postsecondary institutions’ policies, processes, and procedures.

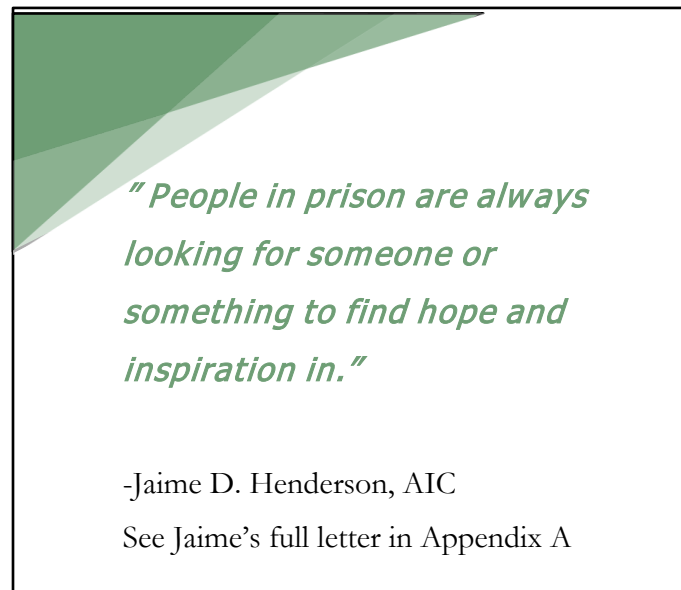
Financial Aid Application Support

The FAFSA completion process (electronic or manual) is not a straightforward process for AICs. They may have challenges access information as basic as their Social Security Number. In order to have a successful partnership between the AICs, DOC and the

Postsecondary partners, strong consideration should be given to allocating dedicated resources that will assist AICs specifically with the support needed to be success in a postsecondary program.

Advising

Staffing resources to provide advising services for AIC's pursuing educational goals is critical to program effectiveness. AIC's will need support from advisors to complete FAFSA applications, monitor progress toward completion, transferring credit, navigating their way out of default,



⁶ ORS <https://secure.sos.state.or.us/oard/displayDivisionRules.action?selectedDivision=928>

enrolling in educational institutions post-release, and petitioning for graduation. While most colleges are able to provide these services remotely, via zoom for example, this is not currently possible for AIC's in Oregon. There is high demand for educational advising services in Oregon's prisons. Without advising services, AIC's are less likely to achieve their educational goals.

Tutoring

All DOC facilities engage AICs as tutors for its Adult Basic Skills Development (ABSD) programs. In collaboration with the community colleges, DOC is in the process of updating and changing the AIC tutor training to be consistent across all facilities. It has been working with the State of Washington DOC, which has established statewide ABSD tutor training as well as college level AIC tutors.

Registration

Registration processes for students can be challenging. They must navigate course schedules and take into consideration their personal obligations and schedules and when the courses needed to complete their certificate or degree program are available. The majority of postsecondary institutions have moved or are moving to fully online catalogs, which are connected to their online registration systems. While this can aid in some scheduling challenges, students still must have reliable internet access in order to complete the process. Currently AICs must continue to use hard copy catalogs and paper processes for registration, which is cumbersome and may create barriers to accessing postsecondary education. As we start to include technology in the infrastructure, AICs can expand their digital literacy skills.

RECOMMENDATIONS:

- Amend ORS 421.081 to include post-secondary educational opportunities
- Revise OAR, Chapter 291, Division 77, to include activities associated with post-secondary education conducted by Oregon's accredited institutions of higher education as workforce development activities.
- DOC to collaborate with the HECC to ensure that the determination of which educational opportunities and providers offer programs is transparent, and follows the recommendations of this and future legislative reports related to AIC educational

pathways.

- Allow full time education to qualify as work under Measure 17.
- AICs who are enrolled in Pell eligible certificate or degree programs should be allowed to enroll in at least 6 and up to 12 credits per term, in order to maximize Pell awards
- Allow AICs who are engaged in Pell Eligible Programs to be considered for hold in a particular facility, or for transfer to participating facilities, when necessary to continue their education.
- DOC to provide appropriate classroom space for education at each facility
- Provide *Navigator* positions at each correctional institution to work directly with students to assist with advising, coordination, and FASFA applications. .
- Provide *Post-secondary Coordinator* positions at each institution.
- Expand the Adult Basic Skills Tutoring Program to include Postsecondary Tutor Program.
- Educational resources and materials made available to students.

SECTION SIX: CONCLUSION

Equitable access to higher education in prison holds immense promise to improve and transform the lives of students and their families, reduce recidivism, improve economic opportunities and to contribute meaningfully to safe and healthy communities.

We are grateful for the opportunity to put our heads together as a workgroup to facilitate the return of Pell eligibility for adults in custody across Oregon, as we believe in the great promise of educational access and attainment. We urge the legislature to give utmost consideration to our recommendations, and we thank you for the opportunity to serve.

SECTION SEVEN: VOICES OF ADULTS IN CUSTODY

In partnership with members of the Workgroup who represented Adults in Custody, the following letters and statements were provided to the SB 234 Workgroup. They served as a reminder to the Workgroup to keep the AICs at the center of discussions and to help give voice to those whom the system should be designed to serve.

November 10th, 2021

Dear The 81st Oregon Legislative Assembly,

My name is Jaime Darnell Henderson Sr., and I am an Adult in Custody (A.I.C.) who is incarcerated at the Oregon State Correctional Institution (O.S.C.I.). I wanted to share with you some of the barriers, and also, some of the highlights I have experienced with the Prison Education program during my 13 years I have been incarcerated.

When I was sentenced to 20 years day-for-day in 2009, for a crime that I committed in 2008, I was devastated, depressed and my soul was really crushed. At the time I was sentenced, and during the time I was transferred to the Oregon Department of Corrections (O.D.O.C.), I was 38 years old and I genuinely thought that my life was over. Since this was my third time being incarcerated in Oregon, I knew that I did not want to behave and serve my time in the same negative ways I had previously served my time. Which was being a gang member and and really learning anything positive that will help me stay out once I was released.

After I did completed my 30 days at Coffee Creek Correctional Facility Intake Center, I was transferred to Snake River Correctional Institution (S.R.C.I.). When I arrived at S.R.C.I., I was so mentally depressed and out of it, that I was placed on some very strong Behavioral Health Services (B.H.S.) medications for depression. It took me a couple of years to come out of the mental darkness, and I was able to come out of this mental darkness by my friends that I had served time with on previous sentences. The thing that drew me to them, was the change that I saw in them. They were no longer a gang member, and they were all involved with positive programs or positive jobs at S.R.C.I. Over time, I was able to have several one-on-one conversations with them, and the one thing that they all had in common was, they all had or they all were pursuing some kind of post-secondary education. Another thing that they had in common was, all of their post-secondary education were correspondence courses that they or their family member(s) had to pay full-tuition for. At that time, S.R.C.I. had no Pell-Grant programs, nor did they offer any kind of donor paid tuition educational programs to A.I.C.'s that wanted to pursue their post-secondary education. I was not in the position to pay full-tuition.

In 2013, I was transferred to Eastern Oregon Correctional Institution (E.O.C.I.). While I was housed at E.O.C.I., I signed up for an educational workshop that gave details about E.O.C.I.'s educational program through Blue Mountain Community College (B.M.C.C.). The one thing that has always stuck out to me was when the professor presented the group of A.I.C.'s a Power Point presentation. The last slide on the Power Pint presentation said, "*The higher the degree an inmate earns while they are incarcerated, the lower the recidivism rate is for that inmate.*" As I looked at that slide, it showed the percentage rate for each degree. I do not remember what the percentage rate was for an A.A. or A B.A., but I do remember that a Maters was 0% recidivism. So, I signed up and I took my first college class. This was a donor paid tuition program that I had to pay \$25.00 per class. They too had no Pell-Grant program. But the other down side to their program is, no matter how many classes I took through them, I would never earn a degree because, their program does not offer their students the core classes they need to earn a degree. They only offer elective classes, and if a student wanted to earn a degree through their program, they would have to take

correspondence courses at full-tuition in order to earn a degree.

In 2015, I was transferred to the Oregon State Penitentiary (O.S.P.). When I was housed at O.S.P., I kept hearing about the Chemeketa Community College A.A.O.T. Degree program. When I first wrote to the program, I received my communication back saying that I did not qualify for the program because at that time the Pell-Grant rules required that you had to have 5 years or less remaining on your sentence until your release date. I was crushed. I signed up for a Writing course that Chemeketa Community College offered, and the students that did well would be awarded a spot in their A.A.O.T. Degree program. I was one of the students that did well, and I was awarded a spot in their program. But because I have a student loan in default from 1990 for the amount of \$2,842.48 that I owe the U.S. Department of Education Student Financial Assistance. I again, did not qualify for their program. I was again crushed.

I then heard about the College Inside-Out educational program through the University of Oregon (U of O), where I could earn U of O credit for \$50.00! So, I signed up for every U of O class that I could. This too was not a Pell-Grant program, but a donor sponsored program. I eventually became an Academic Interim (A.I.) for two classes that the College Inside-Out program offered. My opportunities as an A.I., let me to being invited to be a member of the Prison Education Think Tank Program.

In the height of the 2020, COVID-19 health pandemic, I applied for the four year, tuition free, Bachelor's Program through Corban University Private Christian University that is being offered at O.S.C.I. In December 2020, I was accepted and transferred to O.S.C.I. To start the pursuit of earning my Bachelor's.

I wanted to sit down and write you something to share with you some of the barriers, and also, some of the highlights I have experienced with the Prison Education program during my 13 years I have been incarcerated because, prison education has been changing the trajectory of people's lives while they are incarcerated. And I am proud to say that I am one of these people that I am taking about. I truly feel that education in prison is the key to lowering the recidivism rate for those that are incarcerated.

Before my exposure to the Prison Education program, my opinion of this criminal justice system has been that it is mainly focused on warehousing us with the bare minimum cognitive programs that can help us get our mind right. Before my exposure to the Prison Education program, I thought that for my adult life that all I could measure up to be was a deadbeat dad, deadbeat son, deadbeat brother and a deadbeat uncle. Because of my Prison Education experience, even without the support of the Pell-Grant program, I no longer fell like this. Even though I had experienced setback after setback with the Pell-Grant program during this incarceration, I was able through A LOT of networking, start the process through education to bring honor back to my family's name.

On this educational journey, I have learned 4 things about myself. Those 4 things are:

1. Through interacting with my professor's, class mates, reading and homework assignments have taught me the importance of understanding my "why,"
2. I now understand that success is solely determined by ME! I used to think that success was

- determined by my family, by society, by the gang culture and by material possessions, and
3. the last thing I have learned about myself from education is, for me to recognize that my differences are what makes me unique.
 4. My education experiences has inspired me to think like a man that has a purpose and a vision.

Before I go, I wanted to express to you that I really believe in every member of this work-group, and I am thankful to be apart of this work-group. I hope that some of the many good things that will come out of this work-group are:

- Student Loan forgiveness for those who are incarcerated,
- Suspend the Student Loan debt while that person is in incarcerated,
- Expanding the Pell-Grant program to correspondence classes, or
- Expanding the certified trade programs to include more Pell-Grant eligible programs.

I feel that these suggestions will create more access and opportunities for A.I.C.'s who so desperately want to change their lives. People in prison are always looking for someone or something to find hope and inspiration in. Hope and inspiration are two things that help us make it through the dark mental times while in prison. Education has been my hope and inspiration.

Thank you for giving me this opportunity to share my experiences with you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jaime Henderson Sr.", with a stylized flourish at the end.

Jaime Darnell Henderson Sr. #1315106
Oregon State Correctional Institution
3505 Deer Park Drive, SE
Salem, Oregon 97310

Sarah Martin
AIC Testimonial- "Face to Face" Course delivery
11/17/2021

When I first arrived here at Coffee Creek Correctional Facility (CCCF) in 2016, I attempted to try and finish my college degree. I had started when I was 19 years old but was unable to finish due to an accident in 1996. I kyted education upon my arrival and it took months to get a response, which was "NO, we do not provide college". I kyted again and received a list of several correspondence courses. I was advised none were "recommended or affiliated with CCCF"; only ones those past Adults in Custody (AIC) have used in accordance to mail room rules. CCCF only supported GED through Portland Community College (PCC), nothing else for higher education.

I immediately wrote, with the help of my mom, (which many AIC's do not have outside help so they are limited) to obtained outside correspondence course information. I was shocked to find prices up to \$220 per credit hour with Adams State. I was also disappointed in the limitations and programs not available here due to no allowance for CD-ROM or any other online resources. This reduced my choices and options for my college degree to only one for a "Bachelors of Science (BS) in Sociology with an emphasis in criminal justice". I also would like to earn my paralegal certificate as well. I have taken every program I qualify for here. Having a very low ACRE score there are few options available.

In 2017 I completed Computer Aided Drafting & Design (CADD) from Oregon Correctional Enterprises (no longer offered thru OCE). I was the highest score in class at 99%. This was an in person learning with teacher and two tutors for a small class of 10 held in the OCE area. I took my first Portland State University (PSU) inside/out class in 2017. This was in person through our visiting room and was a wonderful experience working with outside students as well as others from my "inside" community. I earned an "A" and was proud of the hard work I accomplished. I attribute both these successes directly to having the professor and teachers on sight, tutors in-house and the in person interaction with other students to communicate and connect with. This would transfer as four elective credits, saving me upwards of \$900, yet I've been unsuccessful at obtaining this transcript. When CCCF or ODOC is not coordinated with the colleges, it's impossible to get our credits transferred and transcripts managed.

In 2018, I became part of a new special interest group, RubiconGPS. Ms. Malick became our staff liaison and proctor for testing as CCCF has no one designated. RubiconGPS advocates for CCCF to initiate educational programs to be “equally available to male and female inmates (AIC) amongst all facilities” (Jeldness v ODOC 1996). CCCF provided many reasons for the “why” there were no education programs offered in “equality or parity” with other housing facilities including, but not limited to: no classroom space; security protocols; lack of staffing; no funding; no internet allowed, and so on. We even kyted to other facilities to enroll in college programs they offered, but were denied for multiple reasons including male/female security, lack of transportation, and housing.

The announcement of the 2019 PSU Metamorphosis inside/out class was a blessing. I completed 15 credits in year one! This cost me \$300 with scholarships and financial support from PSU. It was so new here to CCCF that we had challenges with staff “buying in” or even understanding it was “REAL” college. It was held in our visiting room with two professors and about 15 outside students and 18 inside students. Some of the officers would make us wait and not respect the time of the others waiting for us which led to decreased class time and frustration. Staff was constantly short and thought this was not part of “their” job to escort us. Approval for pens, books, and folders was often questioned by security as to why it was needed; however we all tried to be patient and understood it was a new pilot program with lots of details to work out on both PSU and CCCF ends.

The year 2020, found us in the unprecedented Covid-19 Pandemic. This very much changed the outlook for our education path for in person learning with PSU. Although we finally had approval for year two; we had no laptops to use in our housing unit and in person visiting shut down on March 13, 2020, resulting in no professors or students to work with. This put in jeopardy all the coordination accomplished by PSU, CCCF and the enrolled AIC’s and outside students as well. Luckily, PSU, with our advocate and professor Deb Arthur at the helm, quickly created “correspondence courses”. I completed year two with 24 credits. I now have a total of 39 credits through PSU. I am now in my 3rd year with PSU which is currently “postponed” for in person learning, due to staff shortages.

With the announcement that Pell grants are coming back, PSU has offered us enrollment as full time college students for Fall 2021. They are coordinating college transcripts for transferring our prior credits. I now am able to earn my “Bachelors of Arts in Liberal Studies”

with a major in Sociology. University Of Oregon (U of O) has also brought in supplemental college credit courses and I'm now accepted into two colleges on the fast track to earning my BA! It has been very exciting to be a part of this journey. Finances are a major barrier for not obtaining a college degree while incarcerated, even with Pell Grants there are multiple barriers to overcome in order to complete college programs here at CCCF including: limited space for property allowances; lack of access to internet programs or research; no computers; no laptops for in-cell work; mail room violations for books; access to supplies; security & facility limitations, and working full time within DOC schedules to maintain our measure 17 requirements.

I have worked for the CCCF butterfly lab since 2017. We partner with the Sustainability in Prisons Project, the Oregon Zoo, United States Fish and Wildlife Services and the Institute of Applied Ecology to help save an endangered species, the Oregon Taylors Checkerspot. I am very fortunate my job allows flexibility and my boss supports my completion of college. This allows me time to dedicate to homework, but many other jobs do not offer the same and some AIC's are unable to participate in college due to scheduling conflicts. I have been a level three since my first year here and live on incentive housing. I have never received a DR nor do I have a history of misconduct during my time here. I have maintained my 4.0 GPA in all my college courses and I am an exemplary, "AIC".

I had never been in trouble with the law throughout my whole life. I have no history of substance abuse or mental health issues. I have a wonderful, close knit family who supports me; I was a productive member of society, devoted mother, and had a very, quote, "normal" life. Although we all have a different story of what brought us here, guilt or innocence does not take away the importance of using the time we are here wisely and vesting into our futures. I'm showing my two children you can accomplish anything, at any age, no matter what life's circumstances bring you. I believe equitable education should be a right, not a privilege.

My View on Prison Higher Education
By Coffee Creek Correctional Facility AIC

I have been fortunate to be a Portland State University student since its inception into Coffee Creek Correctional Facility in the autumn of 2018. I began my first year as a Metamorphosis student and I was able to take classes with others from PSU both inside and outside students. The first year and a half prior to the Covid 19 outbreak we held in person classes. The interaction with fellow students and the professors led to an enriched learning experience. Since the spread of the pandemic as with other institutions the in person learning has been suspended. I feel fortunate to have been able to complete many of my studies through correspondence packets put out by the professors and PSU. However, with that it has also brought many challenges.

It was difficult enough when we met in person to accomplish our work without the use of the internet, causing us to depend on others outside of the facility for research. Now without in person learning we are left with limited options. We no longer have the shared camaraderie with our classmates and instructors we have also lost the ability to function in real time as we depend on a middle person to meet with a professor to pick up and drop off assignments (I believe this is outside of their regular work load), and the time between assignments delays the learning process. Furthermore, if we had access to devices that we could utilize for the internet we not only could conduct our own research we would be able to take classes only available through internet access. On a personal note as an example, I have decided to get my degree in Communications and I am now facing the fact that correspondence may not be an avenue for me to pursue my goal. This is a case where a computer with limited internet access would be of benefit. I am not the only one facing a similar situation. This is a condition where firewalls, which are easily installed for the purpose of safety and security, are a viable option.

This opportunity for higher education while I am incarcerated has been life changing. It has given me the opportunity to reenter the outside community in a position to be self-sufficient. It has given me the opportunity to be a contributor when I am released by having a means to obtain a living wage job and pay taxes and no longer depend on the state to financially care for me. May this work continue on and continue to grow for a brighter society for all.

To: Higher Education Coordinating Commission

(HECC) From: Sasha Womack #16453123

Date: November 16th, 2021

Re: The Impact of Covid-19 on Higher Education: Benefits and Challenges of
Synchronous Real-Time Learning (SRTL)

Providing education in a carceral setting is challenging under normal circumstances, but during the Covid-19 pandemic, it became virtually impossible. This fact led to two creative and innovative solutions to a vexing dilemma: how best to provide access to higher education in prison and be in compliance with the Oregon Department of Corrections (ODOC) policies regarding Covid-19 social-distancing protocols and room-capacity restrictions. RubiconGPS-a dedicated cohort of female Adults-in-Custody (AICs) housed at Coffee Creek Correctional Facility who believe in the rehabilitative power of higher education in prison-working in conjunction with Professors from Portland State University (PSU) and the University of Oregon (UO), devised a strategy to deliver correspondence learning and SRTL to incarcerated students. This project-both monumental in its implementation and impact-has been, and continues to be, successful in its application; however, this project was only designed to be a bridge to in-person learning, not a viable long-term solution to the abovementioned dilemma.

I am currently a student at PSU and UO. The curriculum at both universities is geared towards correspondence learning that is both comprehensive and flexible in its approach, and yet, this modality lacks that essential quality of the traditional classroom setting that makes the process of learning a more effective and rewarding experience, namely, reasonable contact and association with my professors. It is not an understatement to say that a professor's knowledge, experience, and insight are indispensable to any student's education. The flow of communication along with constructive dialogue and critique offered in a traditional classroom setting cannot be simulated or reproduced through correspondence learning, and every meaningful attempt-though noble in its intention and commitment to pedagogical praxis-has failed thus far. This fact is less a slight to my professors who I believe wholeheartedly are more

than capable of teaching AIC's in a traditional classroom setting than it is me expressing a common frustration experienced by incarcerated students regarding the ODOC's over-reliance on this temporary mechanism.

This brings me to my final point of contention. For the first time since the start of the Covid-19 pandemic, Professor Deborah Arthur and Michele Malick-through meticulous preparation, persistence, and perseverance-have made it possible for the First-Year General Education Metamorphosis cohort to participate in SRTL. This mode of supplemental instruction is not only efficacious; it promotes a sense of technological normalization and humanization.

With that said, the introduction of technology into a notoriously tech-averse environment such as a prison is not without its (/technical difficulties". When utilizing an online medium platform, the primary obstacle to effective classroom participation is inconsistent audio feedback, a problem that is virtually non-existent in in-person classroom settings. The time spent repeating oneself is ruinous to the learning process and an unnecessary theft of the incarcerated student's most precious resource: time.

In conclusion, the benefits of correspondence learning and SRTL are Pyrrhic at best, and the lion's share of the sacrifice is borne by the incarcerated student. This isn't to say that these options are completely without merit or useless; it's simply a matter of acknowledging that these educational modalities have outlived their usefulness. If supporting academic excellence is a priority for the HECC, it is imperative that in-person learning be restored to its rightful place: as the primary form and mode of education, even in a carceral setting.

Transcription of handwritten letter received from current AIC

My experience with higher education

My name is Stella Kiser and enrolled in metamorphosis the beginning of the first semester.

I have been incarcerated for almost 25 years and my understanding going into it that education is a huge part of rehabilitation and I wanted to be involved in what it stood for and could offer me and that I could become a more productive member of society.

My expectations were that I would be in an inside out format where would be in a classroom with a professor and other students.

I am 46 years old and prior to my incarceration I had only completed an 8th grade education, through DOC was able to complete my GED.

School was difficult for me but with the support of my teachers and fellow students I was able to thrive and succeed, and most important my GED tutor was my saving grace.

I was hesitant to enroll in college to begin with by my best friend had such a great first year and had so much fun, that was what I wanted and it convinced me to do it so I did. Then covid happened.

Suddenly I was given a bunch of papers, books, and folders full of work even a syllabus (I had no idea what that was) and basicly told here ya go and good luck! To say it was overwhelming was an absolute understatement. I hadn't been to school in over 30 years I had no help what-so-ever and on top of that was only out of my cell 2 hours a day even when covid restrictions were lifted some of the DOC staff wouldn't even allow me to sit with other students because they had no clue what we were doing with higher education. Without teachers' peers and tutors or classrooms no computer or technology research for questions, I felt lost very disappoint and like I was set up for failure and I ultimately had to drop out until in house teaching returned so I could have the vital help of a tutor or peer to guide me. And I am still waiting for inhouse teaching to start. And I can't wait re- start my first semester of metamorphosis. And this is my experience.

Thank you for listening

Sincerely,

Stella Ann Kiser

SECTION EIGHT: ADDITIONAL RESOURCES

Background: Second Chance Pell

Second Chance Pell Fact Sheet (2015): <https://www2.ed.gov/about/offices/list/ope/pell-secondchance.pdf>

Inside Higher Ed. Article (2021): <https://www.insidehighered.com/news/2021/01/27/pell-grants-restored-people-prison-eyes-turn-assuring-quality>

2021 Consolidated Appropriations Act (Pages 5261-5265):

<https://www.documentcloud.org/documents/20433222-bills-116hr133sa-rcp-116-68>

NASFAA Article (2021):

<https://www.nasfaa.org/news:item/24541/Appropriations-Act-Restores-Pell-Eligibility-to-Incarcerated-Students-Establishes-Eligibility-Guidelines-for-Prison-Education-Program>

Student Aid Eligibility:

<https://studentaid.gov/understand-aid/eligibility/staying-eligible>

Incarcerated Students Will Have Access to Pell Grants Again. What Happens Now?

<https://www.vera.org/blog/incarcerated-students-will-have-access-to-pell-grants-again-what-happens-now>

Technology:

US Dept. of Education: Educational Technology in Corrections (2015):

<https://www2.ed.gov/about/offices/list/ovae/pi/AdultEd/policybriefedtech.pdf>

Policy and Practice:

Rand Corporation: What Corrections Officials Need to Know to Partner with Colleges to Implement

College Programs Inside Prisons: (received from DOC): <https://www.rand.org/pubs/tools/TLA1253-1.html>

Institute for Higher Education Policy Article (2020): <https://www.ihep.org/publication/supporting-success-the-higher-education-in-prison-key-performance-indicator-framework/>

General Articles and Reference:

Barriers to Work Article (2018): <https://www.ncsl.org/research/labor-and-employment/barriers-to-work-individuals-with-criminal-records.aspx>

