

Preparing for Pell Reinstatement: Important Updates for SHEEOs



SHEEO

STATE HIGHER EDUCATION EXECUTIVE OFFICERS ASSOCIATION

Vera

INSTITUTE OF JUSTICE

At the conclusion of this session, participants will:

1. Understand how the US Department of Education's (ED's) final Pell Grant reinstatement regulations provide colleges, accreditors, and corrections with an opportunity to ensure high quality prison education programs;
2. Understand how SHEEOs have an integral role to play as part of the stakeholder group within their state;
3. Learn how SHEEO is moving forward with its guidance to help states implement and maintain high quality prison education programs;
4. Have access to resources from ED, SHEEO, and the Vera Institute of Justice.



Welcome

- Pell reinstatement begins on July 1, 2023.
- SHEEOs are well positioned to assist colleges, accreditors, and other important stakeholders as part of Pell reinstatement.



Rob Anderson, SHEEO President

Vera Institute of Justice



Allan Wachendorfer



Belinda Wheeler

Vera's vision, mission, and focus:

Vision

Safe, healthy, empowered communities with truly just government institutions.

Mission

Fight mass criminalization and create anti-racist, reparative justice systems.

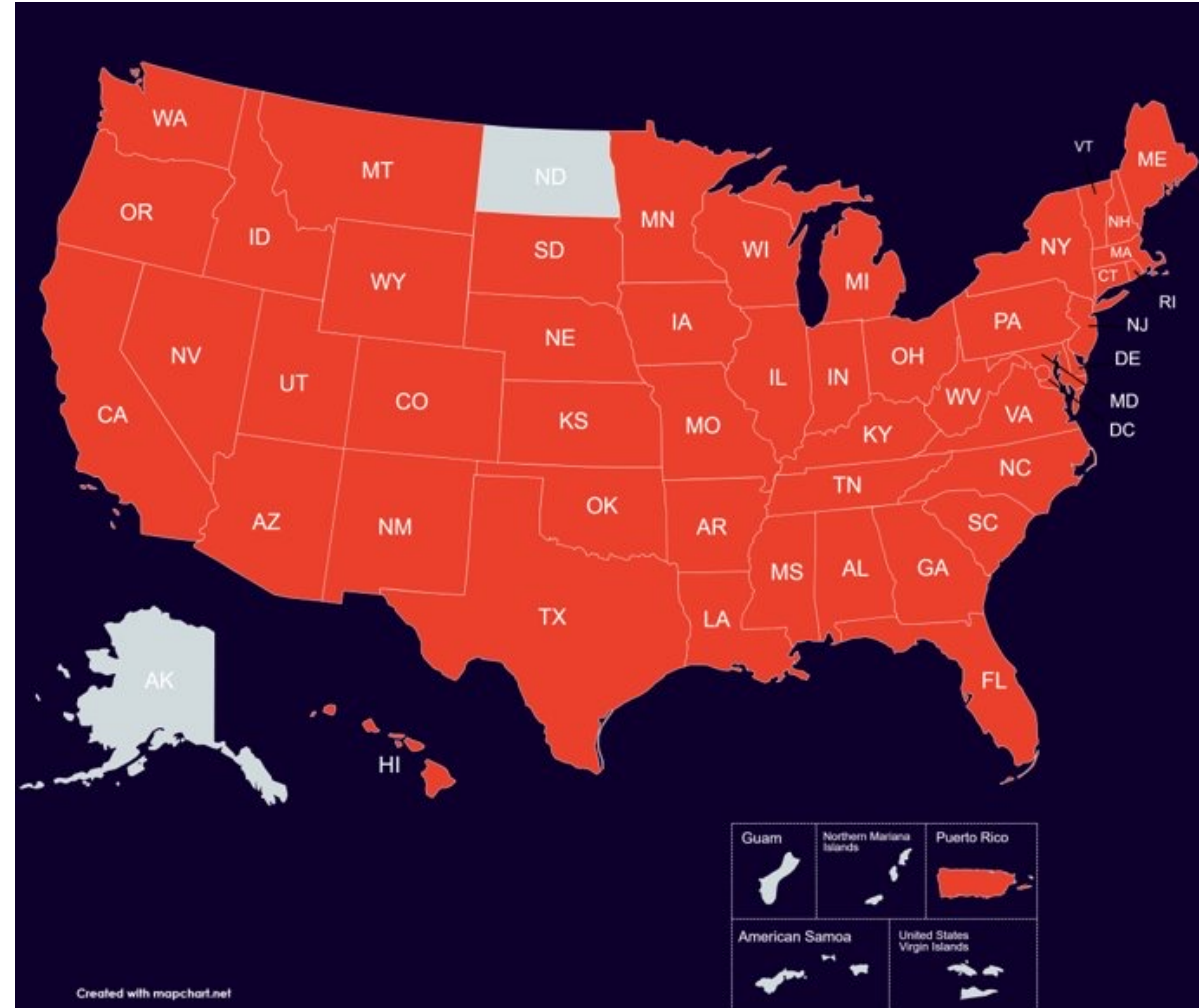
STRATEGIC AREAS OF FOCUS

1. End criminalization of people of color and immigrant communities.
2. Minimize the footprint of jails, prisons, and detention centers.
3. Center dignity and minimize the harms of justice and immigration systems.
4. Blueprint accountable institutions that move resources to communities.

Second Chance Pell 2016-2022

48

states, the
District of
Columbia and
Puerto Rico are
now involved in
the Second
Chance Pell
Initiative.



Pell Reinstatement Journey – From 2020 to 2023

The Pell reinstatement journey has taken over two years and involved thousands of engaged stakeholders.



Are you already engaging with **colleges** in your state that are providing postsecondary education to students who are incarcerated?



If yes, are any of these colleges using **Pell Grant funds** to provide postsecondary education to students who are incarcerated?



Prison Education Programs (PEP)

Who is the oversight entity?

Corrections

Who is Eligible to be a Part of a PEP?

Any person who is incarcerated and serving a criminal sentence is eligible to be a part of a PEP regardless of sentence length or conviction type.

Location:

PEPs include more than just prisons. The definition of an additional location for a PEP is as follows: *“A federal, state, or local penitentiary, prison, jail, reformatory, work farm, juvenile justice facility, or other similar correctional institution.”*

Benefits of Expanding the Additional Location Definition for PEPs:

Students are provided with additional quality measures (oversight by college accreditor) and federal government protections (including "Pell Grant restoration") should a PEP cease operations.

Are you already engaging with **corrections partners** in your state that are approving postsecondary education programming in correctional facilities?



If yes, are any of the programs your corrections partners are approving using **Pell Grants**?

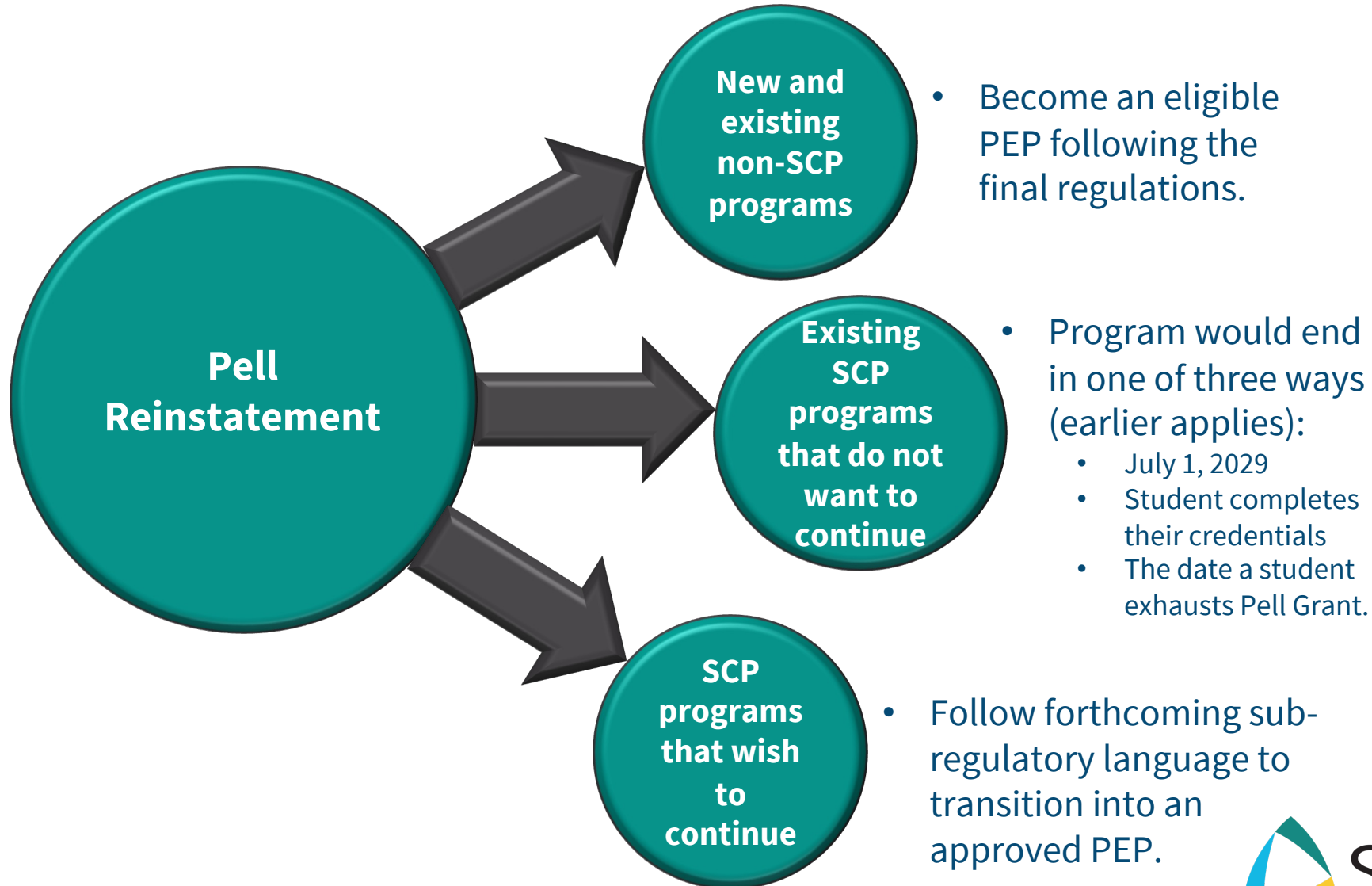


Prison Education Programs (PEP)

Criteria:

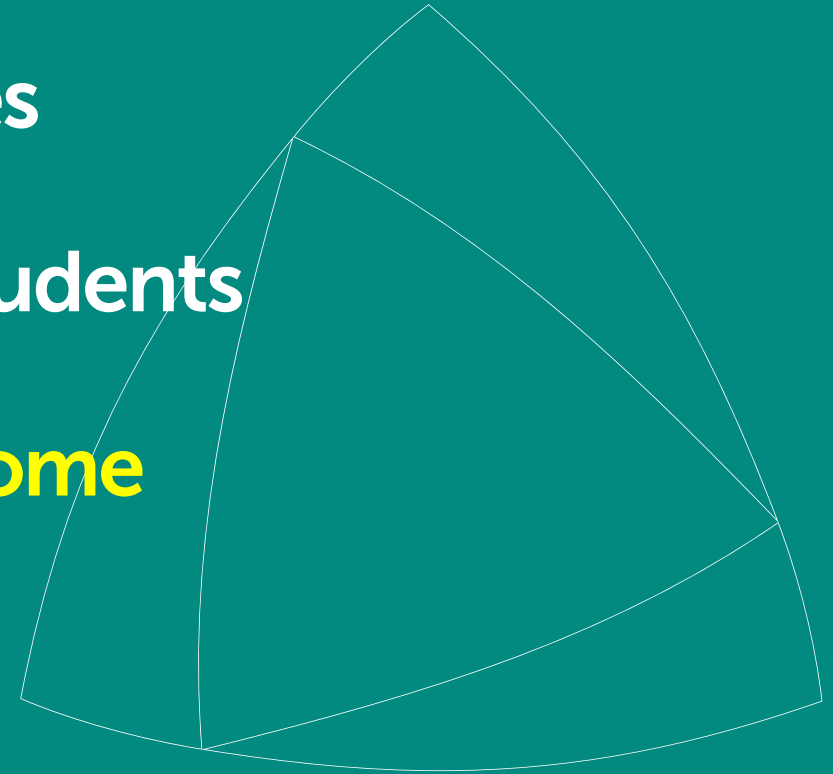
- Be a public or private nonprofit institution.
- Continue to comply with the Higher Education Act, as amended.
- Is initially approved by the relevant Oversight Entity.
- Is approved to be operating in the best interest of the students at the close of the two-year initial operating period.
- Offers credits transferrable to at least one institution in the state to which most students will return.
- Has not been subject to an adverse accreditation, state, or US ED action in the previous 5 years (with some detail about what types of rulings and how to handle current or future rulings of this type).
- Satisfies requirements for licensure or certification if such a credential is a requirement for entry into the profession for which the program is designed.
- Does not offer a program designed to lead to a license or professional certification from which people with criminal convictions are barred (with detail about how this applies).

Options for SCP and Non-SCP Colleges



For those of you engaging with colleges
using Pell Grant funds to
provide postsecondary education to students
who are incarcerated...

**Are your college partners eager to become
an approved PEP?**



Determining Eligible PEPs Post-July 2023: Pre-Approval Process

Corrections/Oversight Entity:

College discusses potential programming with corrections and applies to become an official partner. Agreement (e.g., MOU) is established.

Accreditor:

After a college has established a partnership with corrections, the college initiates the substantive change additional location process with its institutional accreditor, if applicable, to offer a new academic program.

US Department of Education (ED):

After the college has obtained an agreement or approval from corrections and their accreditor, the college applies to ED to become an approved PEP. If a college is approved by ED, they will receive a Program Participation Agreement (PPA).

PEP Application Form

Regulations.gov
Your Voice in Federal Decision Making

SUPPORT

Docket (ED-2023-SCC-0037) / Document

NOTICE

Comment Period Ends: 57 Days

Agency Information Collection Activities; Comment Request; Prison Education Program Application
Posted by the **Department of Education** on Feb 27, 2023

Comment

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Document Details

Document ID
ED-2023-SCC-0037-0001

Content

College Accreditation

Including 2023 Update*

Institutional accreditors will play an important role in ensuring quality programming for students who are incarcerated as access to Pell expands.

This will include:

- An evaluation by accreditors of at least the first PEP offered at the first two locations regardless of the correctional facility's proximity to the college campus or method of delivery.
- Site visits by accreditors will occur as soon as practical but no later than one year after initiating the PEP at the first two additional locations.

**Modality does not determine site visit status.*

**Off-cycle site visits by a college accreditor may be needed.*

Determining Eligible PEPs Post-July 2023: Final Approval

Year 0:

Assuming the college has received a PPA from ED, they begin college programming utilizing Pell Grant funds.

Year 1-2:

College launches program as an approved PEP, implements best interest criteria, and a site visit by their institutional accreditor takes place.

End of Year 2:

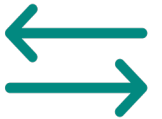
The oversight entity completes an assessment of the college and determines college's final approval as a PEP.

Best Interest of Students Criteria: 4 "Musts" (65,497)

"Input indicators [are] mandatory" (65,469)



Comparable experience, credentials, and turnover of faculty.



Comparable transferability of credits.



Comparable academic and career advising while incarcerated and in advance of reentry.



Ability for students to continue their education at any location of the college post-release.
(This may require colleges to modify their existing admissions practices.)

Best Interest of Students Criteria: 6 "Mays" (65,497)

Best interest "outcome indicators are optional" (65,469)



Recidivism



Rates of completion during incarceration meet threshold set by oversight entity and relevant stakeholders.



Job placement rates



Continued enrollment after release.



Earnings for graduates



Other criteria as determined by the oversight entity.

Opportunities for Community Engagement



Advisory Committee - *optional*

- A group established by the oversight entity that provides nonbinding feedback regarding the approval and operation of a PEP within the oversight entity's jurisdiction.

Relevant Stakeholders - *required*

- Individuals and organizations that provide input to the oversight entity as part of a feedback process regarding the approval and operation of PEPs.

Must include -

- Representatives of students who are incarcerated.
- Organizations representing individuals who are confined or incarcerated.
- **State higher education executive offices.**
- Accrediting agencies.
- Additional stakeholders as determined by the oversight entity.

For those of you engaging with colleges that are drawing on Pell Grants for their college in prison programming...
Have you started participating (possibly informally) as a "relevant stakeholder"?



Ongoing Review

- Each PEP will be reviewed by the Oversight Entity and **relevant stakeholders** 120 days before the institution's PPA with ED expires.
- The Oversight Entity can determine at any time after the two-year review that the program is not operating in the best interest of the students.
- PEPs will keep documentation of these reviews on file for their accreditor and ED while the program is active and will submit documentation to ED as required.

How might SHEEOs move forward?

Start working with colleges, corrections, and accreditors in your state as they prepare for Pell reinstatement.



Join or start a "relevant stakeholder" committee and ensure the committee's goals encompass the final regulations.



Review any policies colleges will need to follow with your agency to create PEPs.

How might corrections move forward?

Finalize an application process for colleges to complete.



Ensure capacity for PEP program partnership including corrections' capacity to provide college partner with student transfer or release dates.



Join or start a "relevant stakeholder" committee and ensure the committee's goals encompass the final regulations.



Finalize a review process for PEPs at the two-year mark.



Provide documentation to applicant PEPs about approvals/declines.

How might colleges move forward?

Complete corrections' application.



Complete institutional accreditor application.



Complete US Department of Education's PEP application.



Join or start a "relevant stakeholder" committee and ensure the committee's goals encompass the final regulations.



Complete two-year review and continue to keep documentation of approval/decline on file.

How might accreditors move forward?

Create a process for PEP (substantive change additional location) applications.



Work with corrections to review their "methodology" for approving PEPs.



Join or start a "relevant stakeholder" committee and ensure the committee's goals encompass the final regulations.



Create a process for mandatory site visits to approved PEPs within 12 months, or as close as practicable, of programming starting.

Department of Education Resources

Email address for PEP-related questions

pep@ed.gov

FSA's Knowledge Center

Federal Student Aid | PROUD SPONSOR of the AMERICAN MIND®
AN OFFICE of the U.S. DEPARTMENT of EDUCATION

KNOWLEDGE CENTER ▾ TRAINING ▾ FINANCIAL AID DELIVERY ▾ TITLE IV PROGRAM ELIGIBILITY ▾

What's New Library Topics

Knowledge Center Home > Library > Electronic Announcements > Prison Education Programs Topics Page

(GENERAL-22-79) Prison Education Programs Topics Page

<https://fsapartners.ed.gov/knowledge-center/topics/prison-education-programs>

Vera Resource: Summary of the Final Regulations

Publication January 2023

Accessing Pell Grants for College Programs in Correctional Settings

A Summary of the Regulations and Requirements



Final Regs Summary

A square QR code with a black and white pixelated pattern. In the center of the QR code, the word "Vera" is written in red, with "INSTITUTE OF JUSTICE" in smaller red capital letters below it.

Vera INSTITUTE OF JUSTICE

Vera Resource: Guidebook for Accreditors and Peer Reviewers

Publication

October 2022

Postsecondary Education in Prison Programs and Accreditation—General Considerations for Peer Reviewers and Accreditors



Guidebook



Additional Resources

- Alliance for Higher Education in Prison - <https://www.higheredinprison.org/>
- Formerly Incarcerated College Graduates Network - <https://www.ficgn.org/>

Vera offers a range of resources that may be helpful to corrections, colleges, accreditors, and others in the higher education in prison space:

- [Accessing Pell Grants for College Programs in Correctional Settings](#) summarizes the final regulations.
- [Postsecondary Education in Prison Programs and Accreditation—General Considerations for Peer Reviewers and Accreditors](#) provides college accreditors, peer reviewers, and other interested parties with supplementary information about the higher education in prison space.
- [Second Chance Pell: Five Years of Expanding Higher Education Programs in Prisons](#) summarizes the fifth year of the experiment using survey data collected from 64 of the participating colleges.
- [First Class report](#) offers relevant guidance on starting new college in prison programs.
- [A Piece of the Puzzle](#) analyzes state financial aid available to students who are incarcerated.
- [Lessons from Second Chance Pell](#) provides guidance on advising students completing the FAFSA form while incarcerated.

Questions?

