

POLICY BRIEF: Restoration of Tuition Assistance Program (TAP) Eligibility

The **Education from the Inside Out Coalition** supports policy change that would eliminate the 1995 ban on TAP eligibility for incarcerated students and re-establish the opportunity for otherwise students people in prison to obtain college financial aid through TAP funding for postsecondary education programs.

BACKGROUND

Under current law, New York State institutions of higher education seeking to provide postsecondary education in the prison setting face a significant resource limitation: since 1995, incarcerated students are banned from receiving state Tuition Assistance Program (TAP) funding.

For almost 40 years, TAP grants have provided need based assistance to students in New York to promote access to higher education. Funding flows directly to the educational institution, and eligibility for aid is based on student need and expected family contribution. During the 2011-12 academic year, TAP provided more than \$920.1 million in tuition awards to more than 384,000 students. TAP grants are available to anyone who qualifies; thus, removing the barrier to eligibility for incarcerated persons does not diminish the opportunity of any other eligible student to receive aid. It ensures that all qualified low-income students who are motivated to pursue higher education have equal access to aid.

In 1995, New York State eliminated incarcerated students' eligibility for TAP funding - a severe blow to postsecondary correctional education programs throughout the state. This act followed the lead of the 1994 federal ban on Pell Grants for incarcerated students, which President Bill Clinton signed into law. The federal ban prohibited awarding Pell Grants to individuals incarcerated in federal or state correctional facilities. This provision effectively left the responsibility to fund higher education programs in prison to the states. When New York State followed and eliminated TAP grant eligibility for incarcerated students, only four out of seventy postsecondary correctional education (PSCE) programs remained open in the state, despite the widely held view among correction officials and experts in the field about the benefits of such programs. A spokesperson for the state Department of Correctional Services stated that in 2009 only about 1,500 incarcerated people out of about 60,000 received college courses, mainly through private funding from colleges.

Because postsecondary education is so closely linked to employment prospects, the very restricted access to educational opportunities for incarcerated people makes overcoming employment and reintegration obstacles after release significantly more difficult. With U.S. recidivism rates hovering above 66% within three years of release, and more than 50% in New York State, erecting barriers to reentry is counter to the public interest.

STUDIES REVEAL EDUCATION ENABLES EMPLOYMENT AND CUTS RECIDIVISM

Numerous studies conducted both prior and subsequent to the ban on students receiving Pell Grants demonstrate the effectiveness of correctional postsecondary education programs on reducing recidivism. As the recent studies listed below demonstrate, the impact of higher education on reducing recidivism is clear.

- The Indiana Department of Corrections and Ball State University reviewed recidivism rates as related to education and employment after release. The study shows that education level and employment status upon release are inversely related to recidivism - the higher the level of education, the more likely a person was to obtain employment upon release and the less likely the person was to return to a corrections facility within 2 years of release. Recidivism rates among unemployed, non-high school incarcerated individuals were 44.7%, compared to just 17.3% for employed, college program participants.
- A joint study by the North Carolina Department of Corrections and North Carolina Community College System analyzed the impact on recidivism rates of a variety of correctional training programs, including postsecondary education. In this study, recidivism rates dropped from 44.6% to 31.2% for postsecondary education program completers.
- Virginia Tech conducted a study of Virginia's Incarcerated Youthful Offender Program (IYOP), a program with some academic but mostly vocational training. Of the 104 incarcerated individuals who participated in the IYOP academic program and were released in 2001 and 2002, only 14 recidivated - a rate of 13.5%. The study also suggests that, much like the Indiana study, incarcerated individuals who participated in college classes while incarcerated and who have post-release employment are significantly less likely than general prison population to be re-incarcerated within three years of their release.

Providing incarcerated persons with access to higher education increases opportunities for employment after release and reduces the likelihood of additional criminal behavior and the related costs of crime and imprisonment. Securing employment upon release also increases the likelihood that people will successfully reintegrate into society and pay taxes, fines, court fees, restitution and child support upon release from prison. When formerly incarcerated persons gain employment, they are far likely to rely on public assistance. Governments, in turn, can divert funds that would have been used to build and maintain correctional facilities to other areas, such as public education or social services.

- A 1997 study of the return on investment for Florida's prison education program found that the state experienced a \$3.53 return for every \$1.00 invested in the academic education of incarcerated individuals. The study notes the significant cost savings from the low number of program completers re-incarcerated during the two years following their participation in the program.
- The requirement that high school-level studies be completed prior to enrolling in correctional postsecondary education programs naturally limits the prison population eligible for higher education, and thereby constrains the financial impact of Pell Grant eligibility for qualified students.

The Education from the Inside Out Coalition is a nonpartisan collaborative of criminal justice and education advocates, led by the College and Community Fellowship, JustLeadershipUSA and the Center for Community Alternatives. Our mission is to remove barriers to higher education funding facing students in prisons, both in New York State and nationwide.



THE COLLEGE & COMMUNITY FELLOWSHIP

College and Community Fellowship (CCF) is unique among organizations aimed at helping people reclaim their lives after criminal conviction. Many programs try to address the basic needs of people returning to the community after conviction and prison, but only CCF guides them through the stages of higher education while promoting their leadership, self-advocacy, artistic expression, civic participation and long-term economic security. We see beyond reentry. We see limitless possibilities for our participants, their families and their communities.

Visit www.collegeandcommunity.org to learn more.



JUSTLEADERSHIPUSA

JustLeadershipUSA (JLUSA) is dedicated to cutting the US prison population in half by the year 2030 while reducing crime. JLUSA empowers people most affected by incarceration to drive policy reform.

Visit www.justleadershipusa.org to learn more.



THE CENTER FOR COMMUNITY ALTERNATIVES

The Center for Community Alternatives (CCA) is a leader in the field of community-based alternatives to incarceration and reentry. CCA's mission is to promote reintegrative justice and a reduced reliance on incarceration through advocacy, services and public policy development in pursuit of civil and human rights.

CCA's work takes it into the neglected places of America – its ghettos and prisons – the places that many prefer to keep secret. CCA is committed to its responsibility to speak out, not only for progressive alternatives to the criminal justice system but also against those policies and practices that create barriers for people with criminal history records to personal development, transformation, and reintegration back into the community in a healthy, productive and fulfilling way.

Visit www.communityalternatives.org to learn more.