

# Pell Grant Restoration for Incarcerated Students



**BACKGROUND:** From 1965 to 1994, Pell Grant access for incarcerated students made postsecondary education a consistent feature of American prisons.<sup>1</sup> However, a 1994 amendment to the Violent Crime Control and Law Enforcement Act denied all prisoners access to Pell funding.<sup>2</sup> Enrollment in college and prison partnerships dropped by 40 percent in the year immediately after the 1994 crime bill.<sup>3</sup> In 2016, the Department of Education, using the flexibility authorized under the Experimental Sites Initiative, provided Pell Grant funding of postsecondary education at 67 colleges and universities working in 100 correctional facilities.<sup>4</sup> In the past three years, 954 credentials have been awarded at Second Chance Pell sites, with 578 students graduating from certification, associates, and bachelors programs.<sup>5</sup> In May 2019, the Trump Administration expanded funding for these sites, and Secretary of Education Betsy DeVos offered strong praise for the initiative.<sup>6</sup> While the Administration's Pell sites are yielding promising initial results, Pell Grant restoration for incarcerated students would significantly increase the scope and impact of these benefits in a more permanent manner.

## WHY IT MATTERS:

- Pell Grant access is a crucial policy tool for successful reentry and crime reduction. A RAND study showed that participants in correctional education were 48 percent less likely to recidivate.<sup>7</sup> Research in Minnesota, North Carolina, New Mexico, Indiana, Oklahoma and Texas prisons documents increased positive post-release outcomes for participants in postsecondary coursework.<sup>8</sup>

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<sup>1</sup> Gerard Robinson & Elizabeth English, *The Second Chance Pilot Program: A Historical Overview*, American Enterprise Institute (September 2017), <http://www.aei.org/publication/the-second-chance-pell-pilot-program-a-historical-overview/>.

<sup>2</sup> *Id.*

<sup>3</sup> Max Kremer, "The Long History of College-in Prison", in Gerard Robinson & Elizabeth English eds., *Education for Liberation: The Politics of Promise and Reform Inside and Beyond America's Prisons* (Maryland: Rowan & Littlefield, 2019), 19.

<sup>4</sup> Robinson, *supra* note 1.

<sup>5</sup> "Secretary DeVos Builds on 'Rethink Higher Education' Agenda, Expands Opportunities for Students Through Innovative Experimental Sites," U.S. Department of Education (May 20, 2019), <https://www.ed.gov/news/press-releases/secretary-devos-builds-rethink-higher-education-agenda-expands-opportunities-students-through-innovative-experimental-sites>.

<sup>6</sup> *Ibid.* & Department of Education, *Prepared Remarks by Secretary DeVos at the National Teacher of the Year Ceremony*, U.S. Department of Education (April 2019): <https://www.ed.gov/news/speeches/prepared-remarks-secretary-devos-national-teacher-year-ceremony>.

<sup>7</sup> Robert Bozick, et al., *Does Providing Inmates with Education Improve Postrelease Outcomes?: A Meta-Analysis of Correctional Education Programs in the United States*, RAND Corporation (July 2018), [https://www.rand.org/pubs/external\\_publications/EP67650.html](https://www.rand.org/pubs/external_publications/EP67650.html).

<sup>8</sup> Laura Winterfield, *The Effects of Postsecondary Correctional Education*, Urban Institute (May 2009), <https://www.urban.org/sites/default/files/publication/30626/411954-The-Effects-of-Postsecondary-Correctional-Education.PDF>; Hayne Yoon, *Back to School: A Common-Sense Strategy to Reduce Recidivism*, Vera Institute of Justice (September 2019), <https://www.vera.org/blog/back-to-school-a>

- Pell Grant access gives prisoners the opportunity to leave behind a life of crime. Incarcerated students are choosing a positive path forward, making amends to the victims and communities they harmed and developing the skills needed to thrive as citizens and workers upon release.
- Every \$1 spent on correctional education yields \$5 in savings on reincarceration costs—resources better used for policing, drug treatment and prevention, and other public safety measures.<sup>9</sup> Pell Grant access for the incarcerated never put a substantial fiscal burden on the program. In the 1993-1994 academic year, less than 1% of Pell Grant funding went to incarcerated students.<sup>10</sup> Pell Grant restoration neither undermines Pell’s long-term sustainability, nor reduces access to students outside of the correctional system.
- Ninety-five percent of prisoners will one day return to our communities.<sup>11</sup> The question for policymakers is whether we want them prepared to be productive, law-abiding citizens. Access to education for those in prison does just that. There is likewise a strong case for expanding Pell Grant access to prisoners with life sentences without parole. Eligibility for parole can fluctuate—the trend in many states is to expand eligibility, so some individuals originally sentenced to life without parole may become eligible for release. Even if not, prisoners with a life sentence play a crucial role in determining the culture of prisons. Opportunities for higher education can allow these individuals to pursue avenues of leadership and redemption, with positive effects on their peers who will return to society one day.<sup>12</sup>

## **ENDORSEMENTS:**

Several faith-based, conservative, business, and law enforcement organizations have called for the restoration of Pell grants for incarcerated students, including Prison Fellowship, Business Roundtable, National District Attorneys Association, U.S. Chamber of Commerce, and the Correctional Leaders Association. The REAL Act (S. 1074/H.R. 2168)—legislation that would lift the Pell ban for incarcerated students—has been introduced on a bipartisan basis, by Senators Brian Schatz (D-HI) and Mike Lee (R-UT) and Reps. Danny Davis (D-IL) and Jim Banks (R-IN). Pell restoration has been included alongside other higher education reforms in the recent introductions of HELP Chairman Lamar Alexander (R-TN)’s Student Aid Improvement Act (S. 2557) and Education and Labor Chairman Bobby Scott’s College Affordability Act (H.R. 4674).

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common-sense-strategy-to-lower-recidivism; Jessica Kelly, *Postsecondary Education in North Carolina: An Overview*, R Street Institute (May 2019), <https://www.rstreet.org/wp-content/uploads/2019/05/Final-Short-No.-71.pdf>.

<sup>9</sup> Louis M. Davis, et al., *Correction Education in the United States: How Effective is It, and How Can We Move the Field Forward?*, RAND Corporation (2014), [https://www.rand.org/pubs/research\\_briefs/RB9763.html](https://www.rand.org/pubs/research_briefs/RB9763.html).

<sup>10</sup> Robinson, *supra* note 2.

<sup>11</sup> Nathan James, *Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism*, Congressional Research Service (January 2015), <https://fas.org/sgp/crs/misc/RL34287.pdf>, 1.

<sup>12</sup> Arthur Rizer and Jesse Kelley, “Why lifers need access to postsecondary correctional education,” *Washington Examiner* (April 2019), <https://www.washingtonexaminer.com/opinion/why-lifers-need-access-to-postsecondary-correctional-education>