

Date of Hearing: January 14, 2014

ASSEMBLY COMMITTEE ON HIGHER EDUCATION
Das Williams, Chair
AB 1271 (Bonta) – As Amended: January 6, 2014

SUBJECT: Community colleges: inmate education programs: computation of apportionments.

SUMMARY: Allows California Community Colleges (CCC) to receive full funding for courses offered in correctional institutions. Specifically, this bill:

- 1) Waives open course provisions for CCC courses offered in state correctional facilities.
- 2) Provides that attendance hours generated by CCC credit instruction in state, city, county or federal correctional facilities shall be funded at the credit rate, hours generated by non-credit instruction be funded at the non-credit rate, and hours generated by instruction in career development and college preparation funded at the established rate.
- 3) Prohibits CCC from receiving state funding for attendance hours generated in any inmate education class for which the CCC receives full compensation from another agency or private source, and requires the offset of state aid for partial compensation received from any such source.
- 4) Prohibits use of state funding for CCC inmate education to supplant costs incurred by the California Department of Corrections and Rehabilitation (CDCR).

EXISTING LAW prohibits CCCs from claiming state funding for classes that are not open to the public; however an exemption is allowed for inmate education in city, county and federal correctional facilities. Such courses are funded at non-credit rates. Under the exemption, funding is not allowed for CCC classes in state correctional facilities.

FISCAL EFFECT: Unknown. However, according to the Assembly Appropriations Committee analysis of identical legislation authored in 2012:

- 1) Ongoing General Fund (Prop. 98) cost pressure for converting qualified existing courses to the full credit rate at local and federal institutions. In addition, the higher funding rates could result in increased course offerings at local and federal facilities, with resulting state costs.
- 2) Additional costs would depend on the number of FTEs taking classes in state correctional facilities and thus eligible for apportionment funding under this bill. For every 100 for-credit FTEs, annual GF (Prop. 98) costs would increase by \$456,000. CCC are limited to enrollment caps that arguably would make this a zero sum change, but not all colleges are at their caps, thus expanding access and funding rates creates enrollment and funding pressure.
- 3) To the extent this bill leads to increased education programming for inmates, the state and local governments could realize unquantifiable savings associated with decreased recidivism.

COMMENTS: Purpose of this bill. According to the author, CDCR data from 2006 showed that 28,000 paroled felons returned to prison within one year after release. The UCLA School of

Public Policy and Social Research suggest that recidivism may be reduced by 10% to 20% with educational programs at correctional facilities. Inmates who participate in education programs are two times more likely to be employed after release than those who do not. This can enhance local entities ability to assist parolees in reintegrating into the community, as required under realignment, by releasing inmates to county supervision having obtained skills necessary for employment.

Background. Credit funding per Full-Time Equivalent Student (FTES) is currently \$4636, and non-credit funding per FTES is \$2788. Career Development and College Preparation course funding per FTES is currently set at \$3283. According to the CCC Chancellor's Office, CCC districts provided credit courses for 1,769 FTES in local and federal correctional facilities in 2006-07, the most recent year from which this data is available. The majority (1,588 FTES) already receive full credit funding as distance education courses that are open to the public. Under this bill, the remainder (181 FTES) would now receive full credit apportionment.

Inmate Education Program. CDCR is funded to provide inmate education in state correctional facilities. According to the CDCR Office of Correctional Education, academic courses through the 12th grade are available at 32 institutions, and 15 different vocational trades are taught within CDCR facilities. The analyses of previous similar legislation raised concerns surrounding the possible supplanting of CDCR's inmate education efforts. This bill contains language specifying these provisions shall not be construed as providing a source of funds to shift, supplant or reduce the current CDCR efforts.

CCC course offering priorities. In recent years, budget shortfalls and General Fund reductions combined with increased student demand left CCC unable to provide course offerings to fully meet student needs. While the 2013-14 Budget Act provided additional revenue to CCC, many colleges are still unable to meet demand. For example, according to data provided by the CCC Chancellor's Office, in the fall of 2013, colleges had an average of 5,026 students on waitlists. In recent years the Legislature has directed CCC in implementing budget reductions to prioritize transfer, basic skills, and career technical education courses. The goal of this legislation is to encourage CCC course offerings for inmates, which may be inconsistent with existing Legislative priorities.

Prior similar legislation. Several similar bills have been introduced in the past. AB 216 (Swanson, 2012) was approved by this Committee, but was subsequently amended to address a different subject matter. AB 1702 (Swanson, 2010) and SB 574 (Hancock, 2009) were held in the Senate Appropriations Committee. SB 413 (Scott, 2008) was vetoed by the Governor.

REGISTERED SUPPORT / OPPOSITION:

Support

American Federation of State, County and Municipal Employees
California School Employees Association
California State Conference of the NAACP
Community College League of California
Los Rios Community College District
Yuba Community College District

Opposition

None on File

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