

Date of Hearing: June 24, 2014

ASSEMBLY COMMITTEE ON HIGHER EDUCATION  
Das Williams, Chair  
SB 1391 (Hancock) – As Amended: June 19, 2014

SENATE VOTE: 35-0

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 and establishes the Career Technical Education Grant Program to provide grants to CCC to offer workforce development programs in state correctional facilities. Specifically, this bill:

- 1) Waives open course requirements for classes offered by CCC districts for inmates of state correctional facilities and authorizes the inclusion of the units of full-time equivalent students (FTES) generated in those classes for purposes of state apportionments.
  - a) Provides that the attendance hours generated by inmates in local, state or federal facilities for credit courses shall be funded at the marginal credit rate, and noncredit courses shall be funded at the noncredit rate.
  - b) Prohibits CCC districts from claiming apportionments for any class where the district receives full compensation for its direct education costs for the conduct of the class from any public or private agency, individual, or group of individuals, or where the district has a contract or instructional agreement, or both, for the conduct of the class with a public or private agency, individual, or group of individuals that has received from another source full compensation for the costs the district incurs under that contract or instructional agreement.
  - c) Provides that in reporting a claim for apportionment to the Chancellor of the CCC, the district shall report any partial compensation it receives from the aforementioned sources and provides that the chancellor shall subtract the amount of any partial compensation received from the total apportionment to be paid.
  - d) Establishes that these provisions shall not provide a source of funds to shift, supplant, or reduce the costs incurred by the Department of Corrections and Rehabilitation (CDCR) in providing inmate education programs.
- 2) Requires CDCR to, in collaboration with the CCC Chancellor, to establish the Innovative Career Technical Education Grant Program (ICTE Grant Program) with goals for education and workforce development and metrics for evaluating efficacy and success of the ICTE Grant Program. Requires, beginning July 2017 and each three years thereafter, CDCR to report findings from evaluations to the Legislature and Governor.
  - a) Provides ICTE Grants Program grants to be awarded to CCC to offer career technical education and workforce development programs for inmates in state correctional facilities

to fund equipment and instructional materials necessary for the instruction of these programs.

- b) Requires programs developed and provided by CCC pursuant to this program to include:
  - i) Career technical education and experiential educational courses and training necessary to obtain high skill, high pay employment, or to enter apprenticeship programs upon release from prison;
  - ii) Sequences of courses leading to industry, business, or state certification;
  - iii) CCC courses that offer units transferable to the University of California and the California State University;
  - iv) Information on reentry programs with job search assistance, and, where possible, information about employers with a record of hiring participants of the program with similar skills education upon their release from prison; and
  - v) If applicable, information about preapprentice and state-certified apprenticeship programs with a record of hiring participants of the program with similar skills education upon their release from prison.
- c) Appropriates, in 2014-15, \$2,000,000 from the Recidivism Reduction Fund within the CDCR, to the CCC Chancellor of which \$300,000 is to identify the components essential for creation of an ICTE Grant Program and administer the program; the metrics upon which programs are to be assessed, and the remainder for up to 20 competitive grants of up to \$100,000 each, for CCC in 2014-15.
- d) Requires ICTE Grant Programs to be consistent with the performance metrics upon which programs will be assessed, and to consider the availability of existing equipment and resources of the partner prisons upon which to build courses. Authorizes funds to be used for purchase of instructional materials and equipment in preparation for the receipt of implementation grants in 2015-16.
- e) Provides that from funds provided in the Budget for fiscal years 2015-16, 2016-17, 2017-18, 2018-19 and 2019-20, there shall be funded up to 20 ICTE Grant Program implementation grants.
- f) Provides that funds not expended, an amount not to exceed \$150,000 per year may be used by the CCC Chancellor, for the identification of best practices and the on-going administration and evaluation of the grant programs.
- g) Requires, by July 1, 2015, CDCR and the CCC Chancellor to develop administrative guidelines for CCC education programs operating in prison facilities, including academic priorities; conditions; faculty to inmate ratios; time reduction credits; suspension of courses during lockdowns; participation preferences; authorized equipment; and other guidelines as appropriate.

- h) Requires, by January 1, 2020, the Office of the Legislative Analyst to conduct a comprehensive evaluation of the ICTE Grant Program and other inmate education programs for purposes of making informed policy decisions and for cost benefit analysis of the investments made in inmate education.

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.

COMMENTS: Purpose of this bill. In 2013, the Rand Corporation released a study entitled: Evaluating the Effectiveness of Correctional Education. According to the report, a common thread among instructional delivery methods is that programs with courses taught by college instructors, programs with courses taught by instructors external to the correctional facility, and programs that have a post-release component can connect inmates both directly and indirectly with the outside community. In addition, college instructors and instructors external to the correctional facility can potentially infuse the program with approaches, exercises, and standards being used in more traditional instructional settings. Programs with post-release components can provide continuity of support that can assist inmates as they continue on in education and/or enter the workforce in the months immediately after they are released.

According to the author, CCCs have a great deal of experience with career technical education; faculty is both experienced in the field and classroom. CTE faculty have established programs and a good understanding of the work world, the economic needs of the communities and a wide network of workforce development/economic development contacts. In many cases, CCCs are closely aligned with WIA funded one-stop shops and will also be linked with the 13 new pre-release centers developed as part of the realignment effort and early release to ease the overcrowding. This bill contains two changes regarding inmate education.

Open course requirements. Current law specifically prohibits CCCs from collecting funds generated by attendance hours for programs that are not "open to the public". According to the author, because inmate education is not "open", CCCs have been hamstrung on the types of education offered inmates. The author believes that correspondence courses and television/video courses cannot substitute for in-person, hands on, experiential courses; especially when the goal is to provide work-world skills that lead to jobs upon release of the inmates. This bill would remove the "open course" requirements for courses offered in correctional facilities.

Credit funding per Full-Time Equivalent Student (FTES) is currently \$4636, and non-credit funding per FTES is \$2788. According to the CCC Chancellor's Office, districts provided credit courses for 1,769 FTES in 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 the provisions of this bill, the remainder (181 FTES) would receive credit apportionment.

CDCR is funded to provide inmate education in state correctional facilities. According to the CDCR Office of Correctional Education (OCE), academic courses through the 12<sup>th</sup> grade are available at 32 institutions, and 15 different vocational trades are taught within CDCR facilities.

To ensure against supplanting of existing CDCR programs, this section of the bill establishes that these provisions shall not provide a source of funds to shift, supplant, or reduce the costs incurred by CDCR in providing inmate education programs.

ICTE Grant Program. This bill creates the ICTE Grant Program, with \$2,000,000 of funding provided through the CDCR Recidivism Reduction Fund to the CCC Chancellor's Office (funding provided in the 2014-15 Budget bill) to provide, in coordination with CDCR, up to 20 grants of \$100,000 to CCCs for educational collaboration in state correction facilities. The funds are intended to support courses leading to high-skill, high-wage employment opportunities for inmates upon reentry into society.

As previously noted, the CDCR OCE is funded to provide inmate education through 12<sup>th</sup> grade. Service Employees International Union (SEIU), Local 1000 represents members that include academic and vocational teachers working in CDCR. SEIU has expressed some concern regarding the grant program established in this bill potentially supplanting the instruction currently offered by their members.

Suggested amendments. To ensure that CCC programs funded through the ICTE Grant Program supplement, rather than supplant, CDCR OCE programs, the author may wish to consider:

- 1) Explicitly clarifying that grant funds are intended to supplement, not duplicate or supplant, adult education courses currently offered in facilities by CDCR OCE;
- 2) Authorize funds for equipment and instructional materials to also be used to improve existing equipment and facilities;
- 3) Clearly require that equipment and materials purchased with ICTE Grant funds be used for the purpose of inmate education programs;
- 4) Require that units earned be transferrable to other CCCs, in addition to CSU and UC, to the extent campuses offer related programs; and
- 5) Require the LAO to include in the report a review of any impacts of CCC program offerings on CDCR OCE program offerings.

REGISTERED SUPPORT / OPPOSITION:

Support

Alliance for Boys and Men of Color  
Friends Committee on Legislation of California  
Legal Services for Prisoners with Children  
Kern Community College District  
Los Angeles Community College District  
Los Rios Community College District  
Peralta Community College District  
Rio Hondo Community College District  
South Orange County Community College District  
West Kern Community College District

Yosemite Community College District  
Yuba Community College District

Opposition

None on file.

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