

Date of Hearing: March 24, 2021

ASSEMBLY COMMITTEE ON HIGHER EDUCATION

Jose Medina, Chair

AB 417 (McCarty) – As Introduced February 4, 2021

SUBJECT: Rising Scholars Network: justice-involved students

SUMMARY: Authorizes the California Community Colleges (CCC) Chancellor's Office (CCCCO) to establish a program, named the Rising Scholars Network, to enter into agreements with up to 50 community colleges to provide additional funds for services in support of postsecondary education for justice-involved students. Specifically, **this bill:**

- 1) Authorizes the office of the CCCCCO to establish a program to enter into agreements with up to 50 community colleges to provide additional funds for services in support of postsecondary education for justice-involved students. This program will be known as the Rising Scholars Network, and must expand the number of justice-involved students participating and succeeding in the community colleges and shall not displace other students.
- 2) Specifies that a community college district (CCD) that wishes to participate in the Rising Scholars Network must apply to the board of governors for funding pursuant to this article. The application of each participating CCD must identify the Rising Scholars college or colleges in the district, and will include, but not be limited to, the number of justice-involved students who will be served. The application must also describe the extent of cooperation between the college and local criminal justice stakeholders including, as applicable, wardens, county sheriffs, juvenile facilities, and probation departments..
- 3) Specifies that, to the maximum extent feasible, funds received by a community college under this article will be used for, but not limited to, any of the following supports and services:
 - a) Provide any of the following for programs serving all justice-involved students, whether on campus or in custody:
 - i) Academic counseling or advising that provides clear pathways;
 - ii) Academic tutoring;
 - iii) Financial aid information and application assistance;
 - iv) Frequent in-person contact; and,
 - v) Professional development for faculty and staff.
 - b) Provide any of the following for programs serving formerly incarcerated students on campus:
 - i) Peer-to-peer support or mentoring;
 - ii) Assistance with accessing campus resources, including admissions, financial aid, and student services;

- iii) Career counseling and, as feasible, placement services; and,
 - iv) Assistance with accessing community resources, including record clearance, housing assistance, mental health support, and social services.
- c) Provide either of the following for programs serving currently incarcerated or detained students:
- i) Transitional materials and services to support students in enrollment and persistence in higher education upon release; and
 - ii) Parity of academic supports and services as provided on campus.
- 4) Requires the board of governors (BOG) of the CCC will adopt regulations for the Rising Scholars Network that fulfill the following goals and guidance:
- a) Participating colleges designate a staff program director, coordinator, or liaison who has experience working with currently or formerly incarcerated students;
 - b) Funded programs are supported with a dedicated campus meeting space;
 - c) Funded programs build support and competency from a broad range of college stakeholders;
 - d) Participating colleges offer and make accessible a range of student supports to address academic and nonacademic needs;
 - e) Funded programs foster peer mentors, as applicable;
 - f) Funded programs develop and maintain strong relationships with external partners, including community-based programs, probation, parole, and county jails;
 - g) Participating colleges provide or connect justice-involved students with direct student financial support for critical needs;
 - h) Funded programs outreach and respond to prospective justice-involved students, particularly those in jail or prison; and,
 - i) Funded programs help justice-involved students apply, matriculate, and persist to graduation.
- 5) Requires the CCC BOG to be responsible for the administration of funds for the Rising Scholars Network. To the extent possible, services provided under this article to justice-involved students will be coordinated with, and not supplant, other services provided by the county and state.
- 6) Specifies that the CCC BOG may authorize the Chancellor, consistent with the requirements the BOG may impose, to designate up to 5% of the funds allocated, as specified, for program administration, program development, and program accountability.

- 7) Requires that, on or before December 31, 2023, and every two years thereafter, the CCC BOG must submit a report to the Department of Finance and all relevant legislative policy and budget subcommittees describing its efforts to serve justice-involved students. The reports shall include recommendations on whether and how the Rising Scholars Network under this article can be expanded to all community college districts and campuses.
- 8) Specifies that the language of this bill will be operative in a fiscal year only if funds have been appropriated, as specified, for that fiscal year by the Legislature in the annual Budget Act or another statute.
- 9) Specifies that, for the purposes of this bill:
 - a) "Justice-involved" means a person who is currently or formerly incarcerated in a California correctional facility, or currently or formerly detained in a juvenile facility.
 - b) "Rising Scholars Network" means the program established to this legislation.
- 10) Makes various findings and declarations, as specified.

EXISTING LAW:

- 1) Requires on or before March 1, 2015, the Department of Corrections and Rehabilitation (CDCR) and the Office of the Chancellor of the California Community Colleges (CCCCO) to enter into an interagency agreement to expand access to community college courses that lead to degrees or certificates that result in enhanced workforce skills or transfer to a four-year university. The courses for inmates in a state correctional facility developed as a result of this agreement will serve to supplement, but not duplicate or supplant, any adult education course opportunities offered at that facility by the Office of Correctional Education of the CDCR.
- 2) Requires the CDCR, in collaboration with the CCCCCO, to develop metrics for evaluations of the efficacy and success of the programs developed through the interagency agreement established pursuant to this section, conduct the evaluations, and report findings from the evaluations to the Legislature and the Governor on or before July 31, 2018.
 - a) Specified the requirement for submitting a report is inoperative on July 31, 2022, as specified. (Education Code (EDC) Section 84810.7).

FISCAL EFFECT: Unknown

COMMENTS: *Purpose.* According to the author, "In the past decade, California's criminal justice system has refocused its efforts toward rehabilitation services for incarcerated individuals and those coming home under community supervision. Education is considered a rehabilitation tool that is crucial in reducing recidivism."

"In general, incarcerated individuals have less educational attainment than the general public; in 2004, approximately 36% of individuals in state prisons had attained less than a high school education compared with 19% of the general U.S. population. Many of those currently incarcerated report they were unable to receive a high school diploma because of incarceration and facing academic or behavioral problems."

“Incarceration clearly interferes with people’s ability to continue their education, hence the low levels of educational attainment. Studies suggest that justice-involved students are less likely to recidivate. A 2013 study by the Rand Corporation found inmates who participated in educational programs were 43% less likely to recidivate than those who did not participate. Specifically, individuals who participated in college programs had 51% lower odds of recidivating.

“Justice-involved students face unique challenges as they strive to reintegrate into their communities and navigate the higher education system. 29% of the U.S. population in 2008, compared to less than 4% of formerly incarcerated people, held a college degree. This is, in part, due to a lack of support services and the absence of a sense of community for justice-involved students on college campuses. Many of these students are still under community supervision, needing to follow strict guidelines that may interfere with their schooling. Having a program on campus which understands and addresses the unique challenges justice-involved students face is essential to their success...through the Rising Scholars Network, we will be able to provide services to California Community College justice-involved students and help them achieve the academic success and financial stability a higher education provides.”

Background. SB 1391 (Hancock), Chapter 695, Statutes of 2014, expanded access to face-to-face community college courses for incarcerated students through collaboration between the California Community Colleges and the California Department of Corrections and Rehabilitation (CDCR). Under the initial policy and funding framework of SB 1391, four pilot colleges were selected to offer instruction inside prisons.

Subsequently, other colleges were able to leverage resources to provide courses inside state prisons in their local areas. In total, 19 colleges piloted credit bearing, face-to-face, degree building education programs at 34 of the 35 CDCR state prisons. Over 5,000 students are enrolled each semester in these courses. The 2018-19 budget also provided new resources (\$5 million one-time) to the California Community Colleges to support the creation and expansion of reentry programs for formerly incarcerated persons.

Program growth and success. A January 2020 report published jointly by Correction to College and Stanford Law School Criminal Justice Center called *Striving for Success: The Academic Achievements of Incarcerated and Formerly Incarcerated Students in California Community Colleges* documented the growth and efficacy of California’s programs for incarcerated students. Eleven community colleges voluntarily provided existing data from spring 2018 and fall 2018 semesters. Six colleges (Bakersfield, Cerro Coso, Cuesta, Imperial Valley, Solano and Southwestern) provided data on their incarcerated students, for a total of 3,172 unique incarcerated students.

All students were enrolled in face-to-face degree-granting courses in a variety of prisons and yards, as California does not restrict college participation based on crime of commitment, security classification, or sentence length. Six community colleges (Chabot, Compton, Imperial Valley, Laney, Santa Rosa, and Shasta) provided data on their formerly incarcerated students, for a total of 384 unique formerly incarcerated students.

The authors observed that:

- 1) Demographically, the racial/ethnic composition of the incarcerated students is comparable to CDCR population, but reflects a much larger proportion of Black students than the

community college system. Similarly, the age of incarcerated students and the CDCR population mirror one another, but the incarcerated students tend to be older than the students enrolled in the California community college system as a whole.

- 2) Incarcerated students outperformed their main campus and system-wide counterparts on grades, success rate and African American male success. Specifically, in both spring 2018 and fall 2018, almost half of incarcerated students who completed at least one course earned a term 4.0 GPA for the semester. More than 80% of the spring and fall 2018 students received a term GPA of 3.0 or above. The median cumulative and median term GPAs for the incarcerated students was 3.5 or higher for both spring 2018 and fall 2018.
- 3) Of the 2,027 incarcerated college students in the sample who were enrolled in the spring 2018 semester, 1,178 (58.1%) persisted and enrolled in the fall 2018 semester. The authors note that the reasons why an incarcerated student may not have persisted are unknown and are often out of the student's control. An example given was that a student could be transferred to another yard within the same prison or to another prison where college programming is not available, placed in a job assignment that takes place at the same time as the college courses, or released from custody.

Compared to students enrolled in their same colleges and to all community college students statewide, incarcerated students are more likely to be part-time than full-time (where full-time status is defined as being enrolled in 12 units or more in a particular semester). The authors noted that most incarcerated individuals have mandated work assignments and other prison-imposed requirements that limit the number of college courses they can take.

Prior legislation. AB 2341 (McCarty, 2020) was nearly identical to AB 417, and was held in the Senate Education Committee.

SB 1391 (Hancock), Chapter 695, Statutes of 2014, allowed California CCCs to receive full funding for credit-course instruction offered in correctional institutions and sought to expand the offering of such courses.

REGISTERED SUPPORT / OPPOSITION:

Support

Allan Hancock Joint Community College District
 Antelope Valley Community College District
 California Community Colleges Chancellor's Office
 California Competes: Higher Education for a Strong Economy
 California Faculty Association
 East Los Angeles College Addiction Studies Program
 Faculty Association of California Community Colleges
 John Burton Advocates for Youth
 Kern Community College District
 Merced College
 Palo Verde Community College District
 Rio Hondo College

San Bernardino Community College District
San Jose-Evergreen Community College District
SEIU California
Shasta College
Shasta College STEP-UP Program
Southwestern College
50 Individuals

Opposition

None on file

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