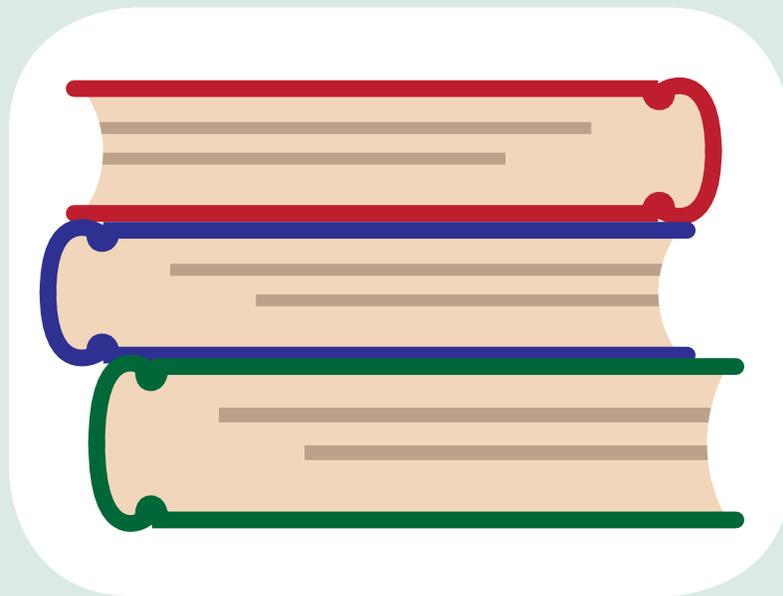


Education for Adults in Nebraska Corrections:

*Decreasing Recidivism and
Investing in Our Workforce*



Introduction

Education is essential not just for the individual who acquires knowledge and skills, but also for the community in general. The benefits of education are recognized to include lower rates of unemployment, reduced spending on public support programs, reduced crime rates, increased civic engagement, and improved health of society in general.ⁱ Where individuals have failed to acquire education earlier in life, the social and economic benefits alone are enough to justify providing access for those individuals to acquire education later in life. However, not all individuals in need of education are granted similar access to education and therefore, the social benefits of educating adults are not fully realized.

Ex-offenders, who already have a disadvantage in acquiring jobs upon release with the stigma of imprisonment may be particularly in need of education because they often do not have the requisite knowledge, training, or skills to reintegrate into the job market.ⁱⁱ For this reason, education is a critical component of rehabilitation in correctional facilities.ⁱⁱⁱ

This report investigated education in the corrections system in Nebraska, and makes recommendations for improving access to education. The first section presents the ties between correctional programming, recidivism (re-offending), and the workforce. Then the unique challenges education programs face in the correctional setting are outlined. Next some of the best practices from around the nation, which have been recognized as leading to decreased recidivism and increased participation in educational programs, are discussed. Finally, the report examines Nebraska's current approaches within correctional education programming, and provides recommendations for ways in which Nebraska may further utilize its federal, state, and community resources in implementing effective correctional adult education programs.

Corrections, Recidivism and the Workforce

In the 1970s, education was considered the most important tool for the successful rehabilitation of incarcerated individuals and led to the prioritization of adult basic education (ABE), adult secondary education (ASE) and General Education Development (GED®)^{iv} certification, vocational training, and postsecondary education programs within prisons.^v However, more recently, there has been less focus on correctional education nationally with efforts to reduce corrections' spending after the 2008 recession.^{vi} Indeed, at the federal level, legislation has limited the amount of adult education and vocational education funds available to correctional education programs and eliminated inmate eligibility for Pell college tuition grants.^{vii} This has narrowed the amount of education programs within prisons and the number of individuals each program can serve.^{viii}

This reduced emphasis on education in the context of corrections seems myopic, because increased access to and completion of education has been shown to reduce recidivism for incarcerated adults. In a meta-analysis comparing the results of 50 studies, the RAND Corporation found that inmates who participated in correctional education programs had at least 36 percent lower odds of recidivating than those who did not participate in any correctional education programs.^{ix}

With this in mind, some states have taken measures to improve access to adult education within corrections, investing in the individuals who will one day join the workforce. Now is an apt moment for Nebraska to consider doing the same. Currently, Nebraska's prisons have an overcrowding problem with every correctional facility at an average of 173.31 percent capacity.^x Part of the reason for this is due to Nebraska's 3-year recidivism rate, which is 22.3 percent. This means of the 4,847 inmates who will one day depart corrections, 1,081 will return to prison within three years of their release. There are no reported data on Nebraska's recidivism rate outside the first 3 years but the rate at which individuals re-offend within three years is enough to be concerning. Increased access to education can help reduce this recidivism and help address our prison overcrowding population.



Moreover, effective adult education programs within corrections can both decrease recidivism rates and make an important investment in the Nebraska's workforce. By 2020, 65 percent of all available jobs will require post-secondary education or training.^{xi} Nebraska is not well prepared for this reality, given that close to 33 percent of Nebraskans aged 18-64 lack any post-secondary education, with almost 10 percent lacking a high school degree or equivalent.^{xii} Those within and exiting corrections are no exception, since they typically enter corrections with an eighth-grade education level or less, and often require traditional education programming.^{xiii} With this increased demand for certifications and degrees across Nebraska, and with a specific need to prepare ex-offenders to reenter their communities, access to education programs are more important than ever across our state.^{xiv}

Education in the Corrections Setting: Unique Challenges

Adult education in corrections typically takes the form of Adult Basic Education (ABE), Adult Secondary Education (ASE), and English as a Secondary Language (ESL) programming. ABE aims to improve general literacy and mathematical skills for individuals, and is necessary for many to move on to high school equivalency classes or GED® preparation. ASE, on the other hand, includes high school level instruction and focuses on GED preparation for those who function at least at a 9th grade level. Ideally, these programs are flexible to help meet the varying needs of students functioning at different education levels. While basic literacy can be challenging to complete for many adults, education in corrections often has unique limitations particular to education in an institution.

First, there is a high turnover of students in correctional classrooms, with students being released, transferred to other facilities, or placed in segregation as a disciplinary action for something outside of the classroom.^{xv} This can mean significant disruption in the classroom, with new students coming from other facilities and old students leaving after becoming a part of the class. Second, prisons may lack the resources of other programs, in areas including technology and physical space. For example, many facilities across the nation do not have computers, and may not have a sufficiently large physical space dedicated to educational activities.^{xvi} This can result in waiting lists that last months or years. Third, it can be difficult to hire and retain quality instructors due to limited budgets, and because some instructors simply do not want to work in a prison setting.^{xvii} This can mean students may only have one instructor in the classroom, working with students who each have different education needs and abilities, which may lead to the student becoming discouraged and frustrated with the pace they progress through the program and eventually result in a voluntary drop-out.^{xviii} In short, educational programming in corrections has unique challenges and limitations. Recognizing this, many states have utilized promising models or concepts to address these issues and to increase access to education and vocational training for those in corrections.

Correctional Education: Best Practices in the United States

Greater Access to Instructors and Technology

Inmate or Peer Tutors

In 1980, Maryland introduced a literacy lab setting in which there is one instructor overseeing student instruction and trained inmate tutors working with individual students one-on-one.^{xix} As a reward, rather than an incentive, the correctional system in Maryland gave the volunteers tutors “good time” towards an earlier release date in return for their work as inmate tutors.^{xx} With the ability to provide one-on-one instruction through peer tutors, the Maryland literacy program has been very successful. About 400 students are able to participate in educational programming each day as a direct result of this initiative.^{xxi} And with the individualized instruction, students progress three times faster through the levels of reading skills instruction: on average they progress through three months’ worth of instruction levels for each month of individualized instruction.^{xxii} Washington State has also seen success with a similar model, which was recognized by the Journal of Correctional Education for its exceptional outcomes.^{xxiii} The peer tutoring model is one way states have addressed the limited number of instructors per program, without increasing funding for more instructors.

Use of Technology and Distance Instruction

Computer access within correctional facilities has been a controversial topic in the past, primarily due to the need to control inmate contact with those outside correctional facilities. This restriction limits the means by which incarcerated students may prepare for the GED®, limits the methods of instruction in ABE, ESL, and ASE courses, and effectively prohibits online courses offered by college correspondence programs. While security will always be a concern when increasing in-

mates' access to technology, there are ways to limit and control such access. For example, Justice Action, a community-based advocacy group in Sydney, Australia, has issued a proposal for the use of computers in all prisons and has included in its proposal the use of specifically designed software, called Cypersource PrisonPC, which "allows for easy surveillance and management of any unauthorized computer use while maintaining the educational benefits of computer access."^{xxiv} The software also allows prison administration to approve access to sites before inmates can access them and limit what content can be seen on those sites.^{xxv}

Increased access to secure computers in the corrections setting can have many benefits. Indeed, researchers took note of the merits of using computers to assist in instructing incarcerated students.^{xxvi} As one researcher noted, the advantages of using computers in instructing offenders are that computers are non-judgmental, have limitless patience, provide continuous feedback, and allow offenders to set their own pace, among others, which are particularly relevant for the incarcerated population used to academic failure and frustration.^{xxvii}

Additionally, since bringing in more instructors from outside of the prison system may not be feasible – with limited funding, space, time, or limited security – technology can allow another means to ensure access to education. For example, Barton Community College offers college courses for credit through an interactive television system within the Kansas state prisons.^{xxviii} Students at all facilities are able to take the course while the college professor does not have to take up time entering security through each facility and teaching separate classes.^{xxix}

Utilization of Federal Resources for Vocational Skills Training

Though federal funding has decreased for correctional education in the last few decades, States are still able to apply for funding through the Carl D. Perkins Vocational and Technical Act (Perkins Funds). The Perkins Funds are limited in that recipient States are prohibited from spending more than one percent of the funds on programs in correctional institutions.^{xxx} However, it is considered best practice for States to allocate the full one percent allowed.^{xxxi}

The Workforce Investment Act (WIA), reauthorized now as the Workforce Innovation and Opportunity Act (WIOA), is another federal grant designed to help individuals in increasing "access to and opportunities for employment, education, training, and support services they need in the labor market."^{xxxii} This federal fund also has restrictions on the funds but WIOA has doubled the amount available to correctional education: now, states may distribute up to 20 percent of the funds received under the act for administering correctional education programs.^{xxxiii} Under WIA, states were limited to only distributing up to 10 percent of their basic education grant, and most states still spent less than 8 percent.^{xxxiv} States can and should allocate the maximum amount of federal funds allowed.^{xxxv}

Prioritization of Postsecondary Education

While ABE and ASE programs are often the focus of education in the corrections system there is also a need to focus on postsecondary education and vocational training programs. Participation in postsecondary education programs has promising outcomes, including up to 46 percent

lower recidivism rates, changes in inmate behavior and attitudes, and improved conditions within correctional facilities with less inmate infringements.^{xxxvi} Research also concludes that there is a relationship between inmate participation in postsecondary education and reduced criminal justice costs and reduced reliance on public programs.^{xxxvii}

With this potential benefit, some states are investing in postsecondary education. For example, in Ithaca, New York, the Cornell Prison Education Program (CPEP) has been operating since the mid-1990s, first offering classes and then offering college credit in 1998. The program now waives tuition and fees and awards associate degrees to inmates in New York State.^{xxxviii} More recently, the governor of New York launched an initiative to fund college classes for incarcerated individuals within ten of New York's state prisons to allow more individuals to obtain bachelors and associates degrees.^{xxxix} The executive director of CPEP in New York has stated that the potential savings for New York Corrections are such that "for every person who is released from prison without returning, we save enough money to fund 12 more students to go to college while incarcerated."^{xl}

This initiative in New York is one example of how states can support postsecondary education. States could also require public colleges to provide classes to inmates or allow public colleges to include incarcerated students in the calculations used for distributing state formula funding.^{xli}

In addition, outside the corrections setting, states have found success with the use of bridge program models.^{xlii} Bridge Programs are a relatively new model in the field of adult education that combine contextualized learning and instruction to allow students to get basic skills and learn information applicable to their employment needs or interests. These programs typically involve a curriculum designed to fast track a student with the traditional educational background as well as the job skills needed for a specific career. Bridge programs allow students to quickly acquire the skills and college credits necessary for additional education or employment.

The use of bridge programs in the setting of corrections is something that could be further explored and piloted. For example, a bridge program could be designed to begin in the corrections setting, and have components of the program completed once outside the corrections in the community. This design may help establish and maintain an educational pathway for adults exiting corrections.

Incorporation of Education and Referral into Reentry

A common reason incarcerated students fail to complete their education program is because they exit the institution before they finish the program.^{xliii} Part of the reason for this is some educational grants require prioritization by release date.^{xliv} That is, when there is not enough room for all to participate, individuals who are closer to the date at which they can be released from prison are prioritized over other individuals who have more time than them before being released. With this in mind, it is important students are connected to education and support programs in their community, before and upon release. This can be achieved through better networking and referrals.^{xlv}

For this reason, the U.S. Department of Education, in its model of reentry education, highlights the need to offer reentry counseling that includes education and career goals to assist the individual in transferring to a community education program in order to complete credentials.^{xlvi} The Kansas state prison and Barton Community College partnered to provide educational services and career planning to inmates and those exiting the prison. This partnership showed that monthly face-to-face meetings between prison officials in charge of reentry and community education providers improved coordination between the prison and community authorities in charge of the incarcerated student's programming.^{xlvii} Having all involved with incarcerated students' transitioning from the correctional to the community education program ensured that the students got what they needed and the program staff were informed about both sides of the student's education.

Reevaluation and Tracking of Program Effectiveness

To ensure effectiveness, educational programs should constantly reevaluate their structure and methods to ensure optimization of participant outcomes. It is often necessary too when it is dependent on government funding.^{xlviii} Recidivism is a common post-release outcome that correctional programs use in evaluating the effectiveness of programs but, while it is an important outcome to track, it is not enough in itself to evaluate the effectiveness of correctional education programs. As previously mentioned, adult education programs are geared at readying individuals for careers that require higher education and training. Therefore, it is recommended that adult education programs be evaluated by "obtaining data on gainful employment, job retention, and ex-offenders' efforts at continuing education."^{xliv}

The collection of this data requires the cooperation of prison administrators with those outside the prison administration. For example, post-release employment and job retention data is typically collected from parole officers, earnings-related data systems compiled by other state agencies, or through follow-up with ex-offenders.^l Likewise, post-release education data can be collected from other state agencies or follow-up with ex-offenders.^{li} It has been found that the most ideal method of tracking these post-release outcomes is to merge corrections data with the data from other state agencies' employment and education systems data.^{lii} This strong communication and cooperation between state agencies is a best practice among correctional education programs.^{liii}

These post-release data are only useful when compared to pre-release data outcomes like program participation and completion rates. Therefore, correctional adult education programs should know the relationship of incarcerated students' success inside the correctional program to their success upon release in order to determine what is working within the correctional education program and what could be improved upon. Of particular importance to evaluating success in pre-release data outcome is understanding why incarcerated students do not complete the education program in which they enroll. For example, a Florida evaluation found that only 10 percent of their adult basic education students completed their program within a two-year period primarily due to administrative reasons like being transferred to another facility or released.^{liv} The report also suggested that ABE often takes longer than two years to complete.^{lv} However, the report also concluded that more than 64 percent of incarcerated students were released from prison before

completion, usually because the individuals were transferred to another institution and then were unable to re-enroll before their release date.^{lvi} The Florida corrections' department then took initiatives to avoid this transfer of enrolled students near completion of their program in order to avoid disrupting their progress.^{lvii} The lesson from Florida's example is to have thorough evaluations that allow the identification of obstacles to education in order to address them.

Access to Education in Nebraska's Corrections System

Nebraska's state correctional facilities are overseen by the Nebraska Department of Correctional Services (NDCS) and offer ABE, ASE, and ESL programs at each facility.^{lviii} All adult men who are incarcerated enter the correctional system at the Diagnostic & Evaluation Center (DEC) and participate in an intensive medical, psychological, and social assessment process that determines individual classification and specific programming recommendations, like anger management or other rehabilitative programming.^{lix} The diagnostic and evaluation center for adult women in corrections is located in York at the Nebraska Correctional Center for Women (NCCW) and the same process is used there.^{lx} During evaluation, NDCS administration verify high school and high school equivalency diplomas and individuals lacking a diploma or equivalent are put on a "watch list."^{lxi} This "watch list" is passed along to staff at the individuals' permanent facilities so the staff can know who is in need of educational programming.^{lxii}

All individuals 22 years of age and younger are required to participate in educational programming if they do not have a verified high school or high school equivalency diploma.^{lxiii} For those who are older than 22 years of age and do not have a verified high school high school equivalency diploma, education is only a recommendation and they are placed on the above mentioned watch list.^{lxiv} Individuals placed on a watch list must complete either the Test of Adult Basic Education (TABE) or the BEST Plus test (if they require ESL instruction) to determine their placement if they choose to participate in an educational program.^{lxv}

Of the 5,348 individuals currently in Nebraska corrections, 3,251 individuals have a verified diploma, leaving 2,097 without a verified diploma.^{lxvi} Currently, 885 of the 2,097 without a verified diploma in NDCS are enrolled in adult education.^{lxvii} This means that only 33 percent of those who need adult education are currently involved in a program, whether voluntarily declining to do so, because they are on a waiting list, or otherwise prevented from participating.

Funding for Education

Nebraska receives federal assistance through the Workforce Investment Act (WIA), now titled the Workforce Innovation and Opportunity Act (WIOA), to support education programming. A portion of the money from the federal WIOA grant is then distributed to NDCS to fund correctional education. Along with this grant, Nebraska correctional ABE, ASE, and ESL programs are all funded through appropriations from the State General Funds by the Nebraska Legislature.

In the most recent fiscal year, NDCS's total agency spending increased to \$19.3 million from \$17.6 million (2013-14 fiscal year).^{lxviii} But adult education spending for NDCS remained steady last year, with \$1.78 million in total expenditures from \$1.71 million for the 2013-14 fiscal year.^{lxix} The amount of federal aid received in those years also remained steady: of the \$1.78 million spent last year, \$124,424.71 was federal Workforce Investment Act (WIA) dollars, and of the \$1.71 million spent for the 2013-14 fiscal year, \$123,414.30 was federal WIA dollars.^{lxx} Last year, Nebraska received a total of \$2,015,000 from the federal government under WIA and could allocate no more than 10 percent of that to correctional education.^{lxxi} The amount distributed to NDCS, however, was just over 6 percent of the total grant received.

Of the allotted adult education funds for 2014-15, about 90 percent of the budget goes to instructors' salaries. In the 2014-15 fiscal year, NDCS spent \$1.5 million on adult education staff salaries and benefits and \$64,000 on other operating expenses which include software updates and office supplies, among other things.^{lxxii} There are currently 28 instructors working within the department: 23 who work within the adult correctional facilities, and 5 who work at the youth detention facility.^{lxxiii}

Instruction and Technology

In Nebraska, each correctional facility instructs adult education participants within its facility, with students at different levels of educational being taught at the same time and location. Thus, the size of the classroom(s) in each facility can determine the number of participants. For example, at the state penitentiary, there is a designated school building that can accommodate at least 35 students, while at the Lincoln Correctional Center there is one classroom that accommodates less than 20 students at a time. Aside from space, funding sources can also create limitations. Under the federal WIOA, those incarcerated students who are within five years of their release date are given preference.^{lxxiv} Therefore, if there is not enough room for all the individuals, there is a waitlist and individuals who are closer in time to being released from the prison are prioritized for education programs.

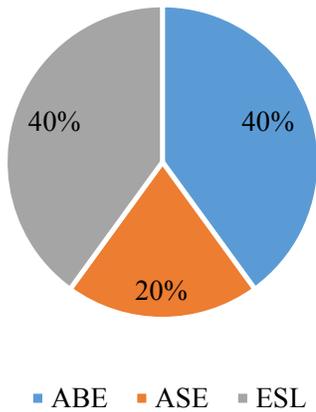
Since there are currently waiting lists at the Nebraska State Penitentiary (about 80 people on the list), the Omaha Correctional Center (about 30) and the Lincoln Correctional Center (less than 30), some students are prioritized over others.^{lxxv}

Each facility also has five computers which are used for GED® testing, which means five students can conduct GED testing at a time, though there is no limitation on how many students may prepare for the GED at any given time.^{lxxvi} However, if there are more than five individuals who are ready for the GED test, the administration works around this limitation by conducting multiple testing sessions on any given day.^{lxxvii}

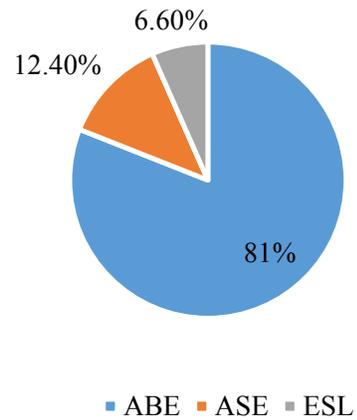
Success Rates of Adult Basic Education in NDCS

While the Nebraska Department of Education tracks participation and completion rates for ABE, ASE and ESL programs, presently there is no data tracking the length of time it takes in corrections for one individual to move through levels of ABE, ASE and ESL programs. Most participants enter the program between the 4th and 8th grade levels and are placed in the corresponding ABE level.^{lxxviii} Then, once an individual reaches the 8th grade level, it is projected that the student can complete the program and/or obtain a GED within 90-180 days.^{lxxix}

Nebraska Adult Education Program Enrollment Statewide

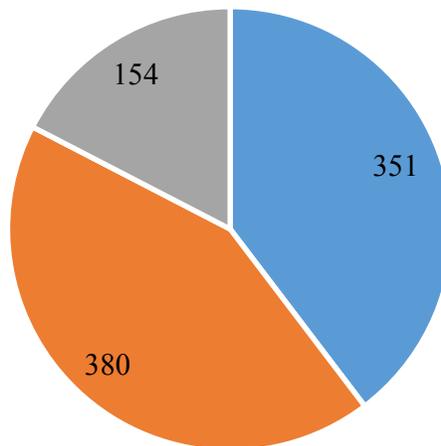


Nebraska Adult Education Program Enrollment in Corrections



The statewide data is an approximation of the averages for the last few years while the corrections data is based on enrollment this year.^{lxxx} From July 1, 2014 to June 30, 2015, 68 incarcerated students in Nebraska received their GED.^{lxxxii} On the other hand, 885 students were enrolled in an educational functioning level for the 2014-2015 fiscal year and 351 were able to complete their level during the fiscal year.^{lxxxiii} Another 154 students remained within the level in which they enrolled and were not able to complete their level, and the remaining 380 separated before completion of their educational level.^{lxxxiii}

NDCS Student Outcomes for 2014-2015 Year



- Students Who Completed an Educational Level
- Students Who Separated Before Completing an Educational Level
- Students Who Remained in the Same Educational Level

The number of individuals who separate a program reflects the number of students who left the program before completing it. Individuals separate by being released from custody before completing the program, by voluntarily dropping out, or by being restricted from attending for a behavioral issue within the facility that led to segregated custody.^{lxxxiv} It is unclear whether separation may also occur when an enrolled individual is transferred to another facility and there is a waitlist at the new facility.

Individuals who are released into the community correctional centers may continue their programming there and if they are paroled, they may continue their GED program at the Lincoln Regional Parole Office.^{lxxxv}

Postsecondary Education for NDCS Inmates

Only the Nebraska State Penitentiary and the Omaha Correctional Center have adult postsecondary education courses within the facilities at no cost to the inmate and only within limited pilot programs, one of which is no longer funded. As it is, there are no opportunities for women in Nebraska prisons to seek postsecondary education aside from the paper and mail correspondence courses. In fact, individuals at all the other facilities must either find pen and paper college correspondence courses at their own expense or wait until they are released to community corrections where they may get educational release and pursue traditional college course options.

This is unfortunate because currently 3,251 inmates have verified diplomas, and could enroll in college courses if they had the desire and access to do so. While all incarcerated individuals within NDCS are able to participate in college credit correspondence courses (pen and paper courses where assignments are handed in through the mail) there are two significant barriers to doing so. First, incarcerated students often cannot afford to pay the cost of courses, and they are ineligible for many educational financial assistance programs, including Pell Grants. Currently there are no educational financial assistance programs offered through the State of Nebraska to help incarcerated students pay for postsecondary education, with the exception of the MCC pilot program explored below. Second, there are few colleges that now offer pen and paper correspondence courses as most have gone on to online offerings. This limitation is significant with regards to incarcerated students in Nebraska because they do not have access to the internet, and limited access to computers. A seemingly simple solution would be to invest in more secure computers and allow for access to online college courses.

While Nebraska has not yet attempted this method, one way Nebraska has sought to address this issue is through a pilot program, which began in the summer of 2013, with Southeast Community College (SCC). The pilot program was a collaborative effort of the state penitentiary, Lincoln's Interfaith Ministries, and SCC administration.^{lxxxvi} Under this model, SCC professors visited the Nebraska State Penitentiary facility to teach evening courses and eligible students could take eight credit general education courses.^{lxxxvii} Eligibility criteria included facility recommendations, test scores, and release date.^{lxxxviii} The program originally had 22 students, but some students were unable to stay within the program because they were transferred to other correctional facilities, and two have completed the program.^{lxxxix} There is currently no state funding for this program as

the pilot was privately funded, and so it has not been available to any students beyond the original class.^{xc} Metropolitan Community College (MCC) is providing a similar service now thanks to a grant under the Nebraska Vocational and Life Skills Program Grant, but the classes and workshops are currently only provided within the Nebraska Correctional Youth Facility and Omaha Correctional Center.^{xcii}

Another way Nebraska may address this issue in the future is by introducing more pilot programs and outside organization initiatives. The Prison Fellowship Ministry is currently leading an initiative to expand education program offerings inside NCCW for women in partnership with York College and to possibly build a school building on the correctional facility campus.^{xciii} However, with the current availability as it is, many of Nebraska's inmates will be unable to access postsecondary education unless they are at the right correctional facility at the right time to fulfill all eligibility credentials.

In addition, Nebraska could explore the use of bridge programs specifically designed around corrections. In 2012, the Nebraska Legislature appropriated funding to pilot bridge programs in Nebraska, outside the corrections setting. During the most recent 12-month period, a total of 133 students enrolled in the four programs and 92 students received a credential for completing their program.^{xciii} In the fourth quarter of 2014, 54 percent of students that completed their program were employed and 22 percent were engaged in postsecondary education.^{xciv} While these results are very promising, funding for bridge program expired in September of 2015, and would need to be reauthorized.

Re-Entry and Education

Finally, a new program was initiated last year through a grant program created by the Nebraska Legislature, known as the Vocational and Life Skills Programming Fund. This program was created to aid in the establishment and provision of community-based vocational and life skills training for incarcerated, formerly incarcerated, or otherwise probation or parole-supervised adults in Nebraska.^{xcv} The programs focus on vocational and life skills training with a few providing soft skills training and only one providing postsecondary education for credit (MCC). NDCS received \$1.5 million from the Nebraska General Funds to cover operating costs to implement the fund, and another \$3.5 million was to be awarded in grants to community organizations.^{xcvi} Grants were then awarded to eight community organizations: Goodwill Industries – ReStart; Western Alternative Corrections, Inc.; Center For People in Need; Metropolitan Community College; Released an Restored, Inc.; Mental Health Association of Nebraska; Prairie Gold Homes; and ResCare Workforce Services.^{xcvii} The Vocational and Life Skills Training grant is a 17-month grant and would require reauthorization to continue beyond that time frame. Currently, no federal grants are being utilized by the State for this programming fund.

A key element of the new programs is a focus on initiating contact with potential program participants within the correctional facility, thereby allowing them to become familiar with the program before reentry. A significant incentive for individuals to participate in the programs is that potential to receive a certificate or college credit, which may be applied to a future degree. For

example, four programs offer experience and certifications for participants, depending on which career path they chose.^{xcviii} Two of the programs even supply classroom training before the experiential learning, thereby combining the basic soft skills training and some formal education with job skills training.^{xcix}

By providing the motivation to enroll in these programs before the individual is released, the transition out of the prison facility is that much easier for the individual with connections to the community and support. Once involved in one program, that program may also provide other referrals and connections for the participant. For example, Goodwill – Restart, Western Alternative Corrections, Inc., and the Center for People in Need recommend those who require or desire formal education to an affiliate community college.^c These models are similar to the wrap-around services that the U.S. Department of Education recommends in its model of correctional education.

As the majority of these programs are new there is little data at this time to show outcomes. However, Prairie Gold Homes has shown an average of a 3 percent recidivism rate with its state penitentiary program.^{ci} Prairie Gold Homes’ 3 percent recidivism rate in comparison to Nebraska’s statewide reported recidivism of 22.3 percent is encouraging because it is an 86.5 percent reduction. The level of participation and community partnerships are also very promising for all these programs.

Recommendations

Nebraska has started to invest in education and skill acquisition for individuals exiting corrections with the establishment of the Vocational and Life Skills Program Fund, but there is more that can be done to ensure that incarcerated individuals within the state’s correctional facilities acquire the much needed vocational training and education to reintegrate into the workforce upon release.

1. Track Effectiveness

Post-release outcome data within corrections typically covers recidivism, but it should also track education, training and employment trends in relation to pre-release outcomes like educational attainment. *The Nebraska Department of Correctional Services should begin tracking its pre-release outcomes in education and vocational training, in relation to recidivism and job retention rates, in order to evaluate which programs are the most effective and therefore which to prioritize with funding.* Nebraska currently does not track why individuals do not complete the programs in which they are enrolled. Where 43 percent of the enrolled individuals “separate” from the program before completion, there should be an understanding of how that number can be decreased. If it is similar to the issue in Florida, where the majority of individuals who did not complete their program had their progress disrupted by a transfer to another facility, Nebraska can take steps to alleviate this stressor by avoiding the transfer of students near completion of their program or create ways to complete despite transfer.

The Nebraska Department of Education, in cooperation with the Nebraska Department of Cor-

rectional Services should also begin to track the length of time needed for individuals to complete and the number of individuals that complete the ABE and ASE programs instead of just how many complete each level. This will help with transition and educational planning to ensure that incarcerated students have realistic and attainable pre-release education goals.

2. Increase Capacity and Resources of Current Education Programming

Nebraska's prisons are overcrowded and have limited space to hold inmates, let alone to set aside enough designated space for educational programs. The limited space means fewer students can participate and has resulted in waiting lists for adult education at three facilities. *NDCS should evaluate the feasibility of building expansions, like the one envisioned at NCCW, in partnership with community partners.* Additional physical space would ensure there is equal access to educational programming within the facilities and that physical space is not a limiting factor for incarcerated students' education.

Nebraska can do more to increase access to its current educational courses and individualized instruction in general as shown by the best practices in Maryland and Washington State. The use of peer mentors would increase the capacity of the programs by allowing more students to take courses with more individualized instruction. *NDCS should explore and develop a peer-tutor model to allow increased educational access for students.* Peer-tutoring is a less expensive way to satisfy the need for more instructors and less staff time would be needed to devote to working with individual students who have peer tutors. The peer tutors could also receive an incentive or credit/certification of some kind to promote volunteer participation.

Additionally, the use of technology would allow more individualized instruction for students and less staff time. *At a minimum, more technology, whether they be computers, interactive televisions, or tablets, should be added at each facility to increase access to correctional education.* Utilizing technology for these purposes will ensure individualized instruction – a best practice for any adult education program – and allow access to postsecondary education in an increasingly digital world where access to pen and paper college correspondence courses is rare. Security concerns need not be an issue either with the proper use of an advanced firewall and monitoring programs, like the Cybersource PrisonPC.

3. Make Postsecondary Education a Greater Priority

Nebraska's current focus on vocational and life skills training is merited, but there is great value in increasing access to postsecondary education as well. Furthermore, the educational opportunities available in corrections should not be dictated by which facility an individual is within, as is currently the case. *At a minimum, we should make a sufficient investment in the postsecondary education of incarcerated students to allow inmates at each facility to participate in some level of programming, including female inmates that currently cannot do so.* Nebraska can follow its neighbor's example and use creative methods of expansion like Kansas's interactive televisions and learning tablets to expand upon these programs and ensure that they are available in all facilities. Nebraska can also continue funding the pilot and life skills programs that have been started, and can invest in the exploration of using bridge programs designed for the corrections context.

Nebraska should provide incentives to community colleges to partner with NDCS to offer courses tuition free within institutions. The current pilot programs offering credit through community colleges are a good start but only provide limited access to a few participants. By providing incentives to community colleges, the goal would be expand upon the current pilot programs and draw more teachers who could, in turn, reach more students.

Nebraska should also explore the use of bridge programs specifically designed around corrections. The previously funded pilot bridge programs may provide an appropriate structure for this endeavor.

4. Utilize All Available Federal Funding

Nebraska currently does not invest all the federal funding that it can for correctional education. While WIA limited Nebraska to using not more than 10 percent of the funds received under that act for correctional education, Nebraska only used 6 percent of the funds last year. *Nebraska should invest the maximum amount available under WIOA now that the act has been reauthorized.*

Nebraska is also eligible for other federal funding, like Perkins Funds, which it is not currently receiving. *Nebraska should investigate and apply for this federal money as well as other federal grants for which Nebraska may be eligible.* Utilizing federal funding will aid Nebraska in decreasing state spending while ensuring these vital education programs are amply financed to meet the goals of correctional education and training programs.

5. Continue and Expand the Vocational and Life Skills Training Program

Nebraska's investment in the Vocational and Life Skills Training Program is yielding promising results already, though most of the programs have only been active since early this year. The new programs have already reported significant numbers of voluntary participants and, with Prairie Gold Homes, lower recidivism rates. The funds awarded are through June 2016 and it is unclear whether there are plans to reauthorize the grants or expand. *The Nebraska Legislature should expand the funding to ensure the programs are sustainable and can continue to serve more participants.* Goodwill - ReStart, for example, is on its way to surpassing its contracted duties despite being staffed by only three people (though it is feeling the stress of trying to match the demand with the limited supply.)^{cii} These programs, should have the opportunity to continue their current efforts and, with the clear demand for the program, have the capacity to expand. Increasing the capacity of these programs and strengthening the cooperation between these organizations and NDCS through the reauthorization of this grant will bring Nebraska more in line with the U.S. Department of Education's model for adult correctional education and ensure that incarcerated students are able to achieve their educational and career goals and eases the transition with reentry.

Most importantly, *the continuation of these programs should also require the cooperation of those working with the community programs and those facilitating the release of the incarcerated individuals.* Regular face-to-face meetings, or bimonthly progress reports that allow both community and corrections facilitators an opportunity to stay updated on each programs' offer-

ings, struggles, and successes, will promote a more cohesive effort in rehabilitating ex-offenders. When program coordinators are familiar with one another, they will know who to recommend an ex-offender to with a particular need and be able to collaborate and track the effectiveness of the correctional adult education programs with the sharing of post-release data too. Once released, individuals are facing an entirely different community and more coordination and assistance from those running the programs will help ensure that the individuals in need of the programs can make contact and participate fully.

Conclusion

Over 90 percent of Nebraska's current prison population will reenter the outside community and will need jobs to ensure they can reintegrate and not recidivate. Increasing access to ABE, ASE, postsecondary education, and vocational and life skills training can help them acquire the necessary prerequisites for the jobs they will need upon release. Nebraska must continue to invest in its current programs and expand its educational offerings to meet this need. Without this investment, the prisons will be a revolving door and the Nebraska workforce and economy will suffer without more individuals with the education and skills needed to fill jobs.

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and we take our work wherever we believe we can do the most good, whether that's at the courthouse, in the statehouse, or in the community. We would like to thank the Working Poor Families Project for its support, which allowed this project to happen.

End Notes

- i) See, e.g., Dana Mitra, *Pennsylvania's Best Investment: The Social and Economic Benefits of Public Education*, Education Law Center (2011), available at <http://www.elc-pa.org/resource/pennsylvanias-best-investment-the-social-and-economic-benefits-of-public-education/>.
- ii) Lois M. Davis, Jennifer L. Steele, Robert Bozick, Malcolm V. Williams, Susan Turner, Jeremy N. V. Miles, Jessica Saunders & Paul Steinberg, *How Effective is Correctional Education, and Where Do We Go from Here?: The Results of a Comprehensive Evaluation 1* (RAND Corporation 2014) [hereinafter "RAND Study"].
- iii) Thom Gehring, Marilyn McShane & Carolyn Eggleston, *Then and now: approaches to correctional education in the United States*, in EDUCATION BEHIND BARS: INTERNATIONAL COMPARISONS 147, 154 (William Forster ed., 1998).
- iv) Nebraska Appleseed and this work are not affiliated with or endorsed by ACE or GED Testing Service LLC. Any reference to "GED" in the title or body of this work is not intended to imply an affiliation with, or sponsorship by, ACE, GED Testing Service LLC, or any other entity authorized to provide GED® branded goods or services.
- v) RAND Study, *supra* note ii, at 5.
- vi) *Id.* "Correctional education (and other rehabilitative) programs experienced deep budget cuts in a number of states, resulting in some dramatic reductions in the number of programs offered, the size of classes, and in the number of inmates who participate in these programs..."
- vii) *Id.* The federal administration, however, is now questioning this prohibition of Pell eligibility and a Second Chance Pell Pilot Program has launched this year as a study of effects of restoring Pell eligibility for all incarcerated individuals. See Press Release, U.S. DEPT. OF ED., *U.S. Department of Education Launches Second Chance Pell Pilot Program for Incarcerated Individuals* (July 31, 2015), available at <https://www.ed.gov/news/press-releases/us-department-education-launches-second-chance-pell-pilot-program-incarcerated-individuals>.
- viii) RAND Study, *supra* note ii, at 5.
- ix) *Id.*, at 14. The RAND Study also found, in just comparing the most rigorous studies that those who participated in correctional education programs had a 43 percent lower odds of recidivating than those who did not.
- x) Nebraska Department of Correctional Services, March 31, 2015 Datasheet, available at <http://www.corrections.nebraska.gov/pdf/datasheets/2015/datasheetMar15.pdf>.
- xi) Anthony B. Carnevale, Nicole Smith & Jeff Strohl, *Recovery: Job Growth and Education Requirements through 2020*, 15, GEORGETOWN PUBLIC POLICY INSTITUTE (June 2013) [hereinafter Recovery] ("By 2020, 65 percent of all jobs will require postsecondary education and training, up from 28 percent in 1973.").
- xii) Working Poor Families Project, generated by the Population Reference Bureau, American Community Survey, 2015.
- xiii) Edgar R. Haulard, *Adult Education: A Must for Our Incarcerated Population*, 52 J. CORRECTIONAL ED. 157 (December 2001).
- xiv) *Recovery*, *supra* note xi at 15. ("Over time, it is progressively difficult to increase the supply of workers with postsecondary education. Students from lower socioeconomic backgrounds, minority students, adult learners, and nontraditional students often face practical obstacles to getting an education and are harder to train using conventional teaching techniques. The result is an increasing labor shortage caused by the slowing pace of postsecondary attainment and the quickening pace of educational demand.").
- xv) Haulard, *supra* note xiii, at 158.
- xvi) *Id.*
- xvii) *Id.*
- xviii) Though there is no research to specifically confirm this with correctional adult education, other studies have found that ABE dropouts will provide as a reason for dropping out: "problems with the pace of the program, lack of course relevance, perceived conflict with the instructor and frustration with course content... [as well as] inadequate attention from their instructors." Gus Yetman, *The Attrition Problem in Adult Basic Education: A Literature Review*, Master of Arts - Integrated Studies 25 (April 2010), available at <http://dtp.r.lib.athabasca.ca/action/download.php?filename=mais/701%20term%20paper%20-%20final%20draft.pdf>.
- xix) Steve Steurer, *Best Practices: The Correctional Education Program*, Maryland State Department of Education, 51 J. CORRECTIONAL ED. 165, 167 (March 2000).
- xx) *Id.*, at 166.
- xxi) *Id.*, at 167. Up to fifteen student-tutor pairings meet up to three times a day allowing for a larger number of students to participate in educational programming each day.
- xxii) *Id.*
- xxiii) Patricia Franklin, "Read to Succeed": An Inmate to Inmate Literacy Program in Washington State, 51 J. CORRECTIONAL ED. 286 (September 2000).
- xxiv) Justice Action, *Computers in Cells: Maintaining community ties and reducing recidivism*, available at https://www.prisonlegalnews.org/media/publications/justice_action_computers_in_cells_maintaining_community_ties_and_reducing_recidivism_feb_2011.pdf.
- xxv) *Id.*
- xxvi) E.g., Clyde A. Winters, *Promising Practices in Adult Correctional Education*, 51 J. CORRECTIONAL ED. 312 (December 2000).
- xxvii) *Id.*, at 312-13.
- xxviii) Wendy Erisman, *Reentry Education Model Implementation Study: Promoting Reentry Success Through Continuity of Educational Opportunities*, U.S. DEPT. OF ED. 17 (June 2005) [hereinafter "Reentry Model"].
- xxix) *Id.*
- xxx) Anne Roder, *Strengthening Correctional Education for Adults*, The Working Poor Families Project Policy Brief 4 (Summer 2009) [hereinafter "WFPF Policy Brief"].
- xxxi) *Id.*, at 7.
- xxxii) Workforce Innovation and Opportunity Act, Pub. L. 113-128,

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sec. 2(1) (2014).

xxxiii) *Id.*, at sec. 222(a)(1).

xxxiv) WPPF Policy Brief, *supra* note xxx.

xxxv) *Id.*, at 7.

xxxvi) Stephen J. Meyer, Linda Fredericks, Cindy M. Borden & Penny L. Richardson, *Implementing Postsecondary Academic Programs in State Prisons: Challenges and Opportunities*, 61 J. CORRECTIONAL ED. 148, 150 (June 2010). The comparative recidivism rates for those incarcerated individuals who completed GED and participated in vocational training also shows that they have a lower recidivism rate if they complete both academic and vocational training instead of one or the other. Howard R. D. Gordon & Bracie Weldon, *The Impact of Career and Technical Education Programs on Adult Offenders: Learning Behind Bars*, 54 J. CORRECTIONAL ED. 200, 204 (December 2003).

xxxvii) Gordon & Weldon, *supra* note xxxvi.

xxxviii) David Skorton & Glenn Alschuler, *College Behind Bars: How Educating Prisoners Pays Off*, FORBES (3/25/2013), available at <http://www.forbes.com/sites/collegeprose/2013/03/25/college-behind-bars-how-educating-prisoners-pays-off/>. The program is supported by an \$180,000 annual grant from the Sunshine Lady Foundation and it is estimated that the cost per CPEP student is \$1800. This cost is slight in light of the estimate that each inmate who does not return to the correctional system saves state taxpayers about \$25,000 a year.

xxxix) Press Release, *Governor Cuomo Launches Initiative to Provide College Classes in New York Prison* (February 16, 2014), available at <https://www.governor.ny.gov/news/governor-cuomo-launches-initiative-provide-college-classes-new-york-prison>. (The governor is quoted as considering the investment cheaper for the state and more effective saying, "New York State currently spends \$60,000 per year on every prisoner in our system, and those who leave have a 40 percent chance of ending up back behind bars. Existing programs show that providing a college education in our prisons is much cheaper for the state and delivers far better results.")

xl) Editorial, *In Support of College Education in Prisons*, THE CORNELL DAILY SUN (February 25, 2014), available at <http://cornellsun.com/blog/2014/02/25/editorial-in-support-of-college-education-in-prisons/>.

xli) WPPF Policy Brief, *supra* note xxx, at 7.

xlii) For example, Washington State's I-BEST program participants are three times more likely to earn college credits, and nine times more likely to earn a workforce credential. See I-BEST "Fact Sheet," available at <http://www.sbctc.ctc.edu/college/abe/I-BESTFactSheet.pdf>.

xliii) Reentry Model, *supra* note xxviii, at 7.

xliv) *Id.* The implementation study here refers to the Kansas Department of Corrections and affiliate Barton Community College partnership within the state prison that seeks to start education program participation as early as possible so incarcerated students may obtain a GED and go on to postsecondary education or earn vocational training certificates. The main grant that requires prioritization by

release date is the federal WIOA grant for adult education programs but other correctional facilities may also make it an institutional policy to prioritize participants by release date.

xlvi) *Id.*, at 8.

xlvi) *Id.*

xlvi) *Id.*, at 14-15.

xlvi) Eric Lichtenberger & J. Todd Ogle, *The Collection of Post-Release Outcome Data for the Evaluation of Correctional Education Programs*, 57 J. CORRECTIONAL ED. 230 (September 2006).

xlvi) *Id.*, at 231.

l) *Id.*, at 233.

li) *Id.*, at 234.

lii) *Id.*, at 236.

liii) *Id.* See also WPPF Policy Brief, *supra* note xxx, at 9.

liv) Florida Legislature, Office of Program Policy Analysis & Government Accountability Report No. 07-14, *Corrections Rehabilitative Programs Effective, But Serve Only a Portion of the Eligible Population 1, 4* (February 2007), available at <http://www.oppaga.state.fl.us/reports/pdf/0714rpt.pdf>.

lv) *Id.*

lvi) *Id.*, at 5.

lvii) *Id.*

lviii) Mark Wentz, NDCS Adult Education Director, Personal interview (June 2015). The Diagnostic & Evaluation Center is the one exception to this because it only serves as an intake facility and therefore offers limited programming.

lix) Nebraska Department of Correctional Services, Diagnostic & Evaluation Center, <http://www.corrections.nebraska.gov/dec.html> (last visited July 20, 2015).

lx) The process is the same with the exception that the women are not then transferred to a permanent correctional facility because the only maximum security facility for women in Nebraska is NCCW.

lxi) Wentz, Email correspondence (September 2015).

lxii) *Id.*

lxiii) Wentz, Email correspondence (August 2015). See also Neb. Dept. Correctional Servs. Admin. Reg. 106.01 (rev. Sept. 30, 2015).

lxiv) Wentz, Email correspondence (August 2015).

lxv) Wentz, Email correspondence (September 2015).

lxvi) Wentz, Email correspondence (August 2015).

lxvii) Nebraska Dept. of Education, Educational Gains and Attendance by Educational Functioning Level (9-4-2015) (available upon request).

lxviii) Nebraska Department of Correctional Services, Complete Budget Request Document 29 (9/15/2014) (available upon request).

lxix) Bart Moore, NDCS Grant Coordinator, Email correspondence (August 2015).

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lxx) *Id.*

lxxi) Sandy Sostad, Fiscal Analyst, Nebraska Legislative Fiscal Office, Email correspondence (October 2015)

lxxii) Moore, Email correspondence (August 2015).

lxxiii) Wentz, Email correspondence (August 2015).

lxxiv) Vicki Bauer, Director of Nebraska Adult Education, Personal interview (June 2015).

lxxv) Wentz, Personal interview (June 2015).

lxxvi) *Id.*

lxxvii) Wentz, Email correspondence (August 2015) Pursuant to an administrative regulation, programs through GED are available at no cost to inmates. Neb. Dept. Correctional Servs. Admin. Reg. 106.01 (rev. September 30, 2015). NDCS also pays for all testing and materials, including diplomas and transcripts. Wentz, Email correspondence (October 2015).

lxxviii) Wentz, Email correspondence (August 2015).

lxxix) *Id.*

lxxx) Bauer, Phone interview (September 2015).

lxxxi) *Id.* (noting that this outcome is slightly lower than previous years due to the need at the beginning of the fiscal year to implement the new GED-testing requirements on computers).

lxxxii) This data is current as of 9-4-2015 and was generated by Vicki Bauer using the AIMS Reports program. A copy is available upon request.

lxxxiii) *Id.* The separation statistic does not include those who transfer from one secure facility to another because they are able to complete the program at the new facility and are not deemed as having left the program. 33 of those students counted as separated before completion were in the highest level of instruction available - ASE High - and therefore had no level in which to advance and no test available for which they could test out of the level as a result.

lxxxiv) Wentz, Personal interview (June 2015).

lxxxv) *Id.* This last year, 3 individuals went on to complete their programming after release. Wentz, Email correspondence (October 2015).

lxxxvi) Wentz, Personal interview (June 2015).

lxxxvii) Dr. K. L. Zupancic, Ph.D., Southeast Community College, Email correspondence (October 2015). Dr. Zupancic was one of the SCC professors to teach classes at the Nebraska State Penitentiary.

lxxxviii) Wentz, Personal interview (June 2015).

lxxxix) Dr. Zupancic, Email correspondence (October 2015).

xc) *Id.* Funding was provided by Interchurch Ministries, Building Strong Families, First Lutheran Church, and Southeast Community College and students paid \$25 per class. The original funding source no longer exists.

xc) Wentz, Personal interview (June 2015).

xcii) *Id.*

xciii) Information provided by the Nebraska Department of Education, available on request.

xciv) *Id.*

xcv) Neb. Rev. Stat. § 83-904 (2014) (“program shall provide funding to aid in the establishment and provision of community-based vocational training and life skills training for adults who are incarcerated, formerly incarcerated, or serving a period of supervision on either probation or parole.”)

xcvi) LB907 Fiscal Note, Revision 03 (April 8, 2014).

xcvii) Nebraska Department of Correctional Services, Vocational & Life Skills Program Quarterly Report (April 1, 2015), *available at* http://nebraskalegislature.gov/FloorDocs/104/PDF/Agencies/Correctional_Services__Department_of/490_20150401-150229.pdf.

xcviii) Western Alternative Corrections, Center for People in Need, Metropolitan Community College, and Prairie Gold Homes, Inc.

xcix) Center for People in Need, Prairie Gold Homes, Inc., and Western Alternative Corrections, Inc.

c) Jana Dye, ReStart Program Coordinator, Personal interview (June 2015); Deb Daley, Center for People in Need Director of Operations, Personal interview (July 2015); Michelle Hultine, President of Western Alternative Corrections, Inc., Email correspondence (November 2015).

ci) Rene Bauer, Executive Director Prairie Gold Homes, Inc., Phone interview (July 2015).

cii) Dye, *supra* note c.