






Ineligible Anyway: Evidence on the Barriers to Pell Eligibility for Prisoners in the Second Chance Pell Pilot Program in Pennsylvania Prisons

Sarah Tahamont, Jordan Hyatt, Madeline Pheasant, Jennifer Lafferty, Nicolette Bell & Michele Sheets


To cite this article: Sarah Tahamont, Jordan Hyatt, Madeline Pheasant, Jennifer Lafferty, Nicolette Bell & Michele Sheets (2020): Ineligible Anyway: Evidence on the Barriers to Pell Eligibility for Prisoners in the Second Chance Pell Pilot Program in Pennsylvania Prisons, Justice Quarterly, DOI: [10.1080/07418825.2020.1853798](https://doi.org/10.1080/07418825.2020.1853798)

To link to this article: <https://doi.org/10.1080/07418825.2020.1853798>

 View supplementary material 

 Published online: 12 Dec 2020.

 Submit your article to this journal 

 Article views: 313

 View related articles 

 View Crossmark data 



Ineligible Anyway: Evidence on the Barriers to Pell Eligibility for Prisoners in the Second Chance Pell Pilot Program in Pennsylvania Prisons

Sarah Tahamont^a, Jordan Hyatt^b, Madeline Pheasant^a, Jennifer Lafferty^a,
Nicolette Bell^c and Michele Sheets^c

^aDepartment of Criminology and Criminal Justice, University of Maryland, College Park, MD, USA;

^bDepartment of Criminology and Justice Studies, Drexel University, Philadelphia, PA, USA;

^cPennsylvania Department of Corrections, Mechanicsburg, PA, USA

ABSTRACT

Since the mid-1990s scholars, practitioners and policy-makers have consistently identified the ban on Pell eligibility for prisoners as the primary cause for the decline of post-secondary education programs in prisons nationwide. In 2015, the Second Chance Pell (SCP) pilot program authorized reinstatement of Pell eligibility for prisoners with the goal of providing post-secondary educational opportunities in prisons. However, SCP programs used fewer than half of the available Pell grants in the first three years of the program. We analyze novel data from a sample of individuals in Pennsylvania prisons to estimate population-level eligibility for SCP. We find demand in excess and uptake far below availability, which is a consequence of multiple barriers to eligibility. In the absence of significant reforms designed to address collateral ineligibility for Pell grants among the population of incarcerated individuals, there will be systematically low utilization of Pell-funded higher education programming in prisons.

ARTICLE HISTORY

Received 7 October 2019

Accepted 11 November 2020


KEYWORDS

Corrections; prison education; population eligibility; Second Chance Pell

Introduction

The social and economic challenges associated with mass incarceration in the USA have reinvigorated the conversation about policy interventions designed to reduce recidivism and, as a result, reduce prison populations (Jonson & Cullen, 2015). Perhaps one of the most common refrains in this debate has been that increasing educational opportunities during incarceration is one of the most promising interventions for both reducing recidivism and improving post-release outcomes for incarcerated individuals (Chen, 2015; Hinton, 2018; New York Times, 2017).

In 2015, amid growing concerns about “warehousing” (Irwin, 2005; Scharf, 1983) and lack of constructive programming opportunities in overcrowded American prisons, the United States Department of Education (USED) initiated the Second Chance Pell

CONTACT Sarah Tahamont  tahamont@umd.edu

 Supplemental data for this article is available online at <https://doi.org/10.1080/07418825.2020.1853798>.

© 2020 Academy of Criminal Justice Sciences

(SCP) Pilot Program as an Experimental Sites Initiative (ESI).¹ This pilot program reversed a 22-year ban on access to federal student aid for incarcerated individuals, allowing reinstatement of Pell eligibility for incarcerated individuals only at participating institutions of higher education. The goal of the SCP pilot is to “test whether participation in high-quality educational opportunities increases after access to financial aid for incarcerated adults is expanded and examine how waiving the restriction on providing Pell Grants to individuals incarcerated in Federal or State penal institutions influences academic and life outcomes” (United States Department of Education, n.d., p. 1).

The beginning of the SCP program marked a sea change in the landscape of prison higher educational programming. Since the program launched, there has been a 236 percent increase in the number of students enrolled in college courses inside prisons, up from 1,504 individuals in the fall of 2016 (Vera Institute of Justice, 2018). However, despite the dramatic increase in participation relative to the prior status quo, SCP has enrolled fewer students than anticipated. As of Fall 2018, the sum total of students enrolled in SCP nationwide was just under 8,800 students; approximately 25 percent of the 36,000 Pell grants allocated in the first three years of the program (Government Accountability Office, 2019).²

The lower than expected enrollment in SCP programs likely comes as a surprise to both advocates and policy-makers, especially given the widespread belief that eliminating the Pell ban would drastically increase enrollment given the reasonable expectation that opportunities for educational programming in prison would be in high demand (Berman & Feinblatt, 2015; Phelps, 2011; Scales, 2018). It is unclear if the low program uptake rates were a function of the characteristics of SCP program implementation, a lack of interest among the incarcerated population, or the influence of other factors not accounted for in the SCP program design.

A necessary precursor to an examination of the potential effects of a program like SCP on individual outcomes is to understand the capacity of the program, as implemented, to expand access to higher education opportunities in prison. A recent report by the Georgetown Law Center on Poverty and Inequality and the Vera Institute of Justice estimates that reinstating Pell eligibility for prisoners could expand access to post-secondary educational opportunities for more than one-third of all state prisoners in the USA (Oakford et al., 2019). However, our analysis of overall eligibility among the prison population in one of the participating states paints a much bleaker portrait of SCP's capacity to expand access to higher education opportunities in prison as it is currently designed. In this paper, we leverage novel survey and administrative data from Pennsylvania to generate population-level estimates of Pell eligibility, providing insight into the capacity of the program to increase access to higher education opportunities in prison at scale.

¹For specifics about the SCP program see Appendix A in the online [supplemental materials](#).

²The SCP program allocates 12,000 Pell grants per year to incarcerated individuals in participating higher educational programs (Oakford, Brumfield, Tatum, diZerega, & Patrick, 2019). Under SCP, although the Pell grant funds are awarded to individual students, only certain higher educational institutions were granted approval to disburse Pell grants to incarcerated students under the SCP pilot program.

Understanding the barriers to Pell eligibility for incarcerated individuals is important for two primary reasons. First, it speaks directly to the capacity of the current SCP program to meet one of its key objectives: increasing enrollment in post-secondary educational programs in prison. Second, it informs, analytically, the subsequent debates on the efficacy of the SCP pilot program. It is essential to understand how participants are mechanically and systematically selected into the program via both eligibility criteria and application processes. This provides insight into the baseline population of SCP participants who have not only self-selected into higher educational programming while incarcerated but have also managed to overcome the multiple bureaucratic and operational hurdles required to access those higher educational opportunities.

Why does access to SCP matter?

Post-secondary education programs in prison are consistently championed as promising and politically palatable interventions to reduce recidivism after release from prison (New York Times, 2017; Oakford et al., 2019; Steurer, Linton, Nally, & Lockwood, 2010). Even in the absence of experimental evidence showing that participation in college-level educational programs during imprisonment reduces recidivism, there is still a general sense that there are both theoretical and empirical reasons to suspect that post-secondary educational programming will improve post-release outcomes for incarcerated individuals.

Education is a key feature of prison programming (Erisman & Contardo, 2005) with great potential for “what works” in terms of correctional interventions (MacKenzie, 2008). Prison programming is designed to address the specific needs of incarcerated individuals, improve post-release outcomes, and, ultimately, contribute to broad societal goals (Lawrence, Mears, Dubin, & Travis, 2002). A large body of scholarship finds that prison programming is associated with improved post-release outcomes (Bonta & Andrews, 2016; Cullen, 2013; Lipsey & Cullen, 2007). More specifically, studies have shown that incarcerated individuals who pursue post-secondary educational opportunities while in prison have lower recidivism rates (Gaes, 2008). In fact, scholars have pointed to prison education as an exception to critiques that prison programming is ineffective (Wilson, Gallagher, & MacKenzie, 2000).

Participating in educational programming during incarceration might counteract negative adjustments to the prison environment (Harer, 1995) by providing an opportunity to engage and commit to a social institution during incarceration (Sampson & Laub, 2003). Both participation in prison education and the credentials associated with obtaining a certificate or degree may combat the negative signaling associated with time in prison (Western, 2007). Consequently, there are theoretical reasons to suspect that prison educational programming may affect individual behavior in prison as well as post-release outcomes across several domains.

Empirically, there have been several meta-analytic evaluations of the relationship between prison education and individual outcomes (Aos, Miller, & Drake, 2006; Davis, Bozick, Steele, Saunders, & Miles, 2013; Wilson et al., 2000). The most recent comprehensive meta-analytic evaluation on the effect of prison education on individual outcomes was conducted by the RAND Corporation; it found that participation in prison

education programs was associated with a much lower odds of recidivism (Davis et al., 2013). The findings that focus on the more rigorous empirical studies indicate that the odds of recidivism were 43 percent lower among individuals in the treatment relative to the comparison; they also found providing correctional education programs to be cost-effective relative to the direct costs of re-incarceration.³

Subsequent to the RAND meta-analysis, there have been several evaluations of prison programs using propensity score methods. Duwe and colleagues (2015) found that participation in a Bible college program substantially reduced prison misconduct compared to a matched sample of individuals who applied but were not selected for the program. Most recently, Pompoco, Wooldredge, Lugo, Sullivan, and Latessa (2017) evaluated GED, vocational, and college courses separately and found that program completers had significantly lower rates of return to prison in each of the types of prison education programs analyzed. Observational studies show a consistent negative association between recidivism and higher educational programming during incarceration.

While post-secondary education programs in prison show great promise, the extent to which prison educational programming can be a “conduit for the delivery of evidence-based treatment” (Cullen, 2013, p. 306) depends crucially on the incarcerated individuals’ ability to access those treatments and there has been much less scholarly attention to this issue. We are aware of only one existing attempt to estimate population-level eligibility for Pell-funded higher education programming. Oakford et al. (2019) used data from the National Corrections Reporting Program, which consists of individual-level admissions, releases, and yearend custody populations for participating states, demographic information, information about sentence length, and commitment crime. However, except for high-school educational credential, the NCRP data do not contain the necessary data elements to estimate Pell eligibility. Instead, the authors condition on high-school diploma and two proxy criteria: age 18 to 54 and not serving a life sentence to generate their estimate that more than one-third of the prison population nationwide would be eligible for Pell-funded higher education under an expanded SCP regime. While the estimates in the Oakford et al.’s (2019) study are based on a reasonable set of assumptions using available data, they are not based on the complete set of Pell eligibility criteria. As a result, the effects of the specific eligibility criteria for Pell grants on access to Pell-funded higher educational programming are, at this point, unknown. Eligibility estimates that leverage the specific SCP eligibility criteria are valuable, because limitations on SCP eligibility for incarcerated individuals present critical design and implementation challenges for a policy that is intended to increase access to higher educational opportunities for incarcerated individuals.

Current study

Our goal is to generate an estimate of population eligibility for Pell-funded higher educational opportunities among incarcerated individuals using data that capture

³However, Davis et al. (2013, p. xviii) note the lack of methodological rigor of the existing empirical studies of the effect of prison education on post-release outcomes like recidivism, observing that they “found a number of methodological weaknesses in the current body of research that substantially limit one’s ability to inform the direction of policy and the design of effective programs.” With few exceptions (see Lattimore, Witte, & Baker, 1988, 1990), the methodological approaches in the extant literature have been unable to account for confounding due to unobserved differences between individuals who select into prison education programs and those who do not.

measures of individual-level eligibility for SCP. We begin by describing the data and the complete set of eligibility criteria for SCP participation in Pennsylvania. We then present descriptive estimates of population eligibility for SCP in Pennsylvania. Although our data are drawn from the prison population in one state and there is reason to anticipate some regional heterogeneity in the characteristics of the prison population, we believe these estimates can serve as a benchmark for understanding policy design and implementation issues for the SCP program nationwide. We then conduct a latent class analysis (LCA) to see how barriers to eligibility cluster in the population and to explore whether this distribution provides insight into the broad-based ineligibility for the SCP program. Finally, we use our eligibility estimates to forecast the effects of several potential policy interventions to provide a sense of how the SCP pilot could be modified to increase access to post-secondary education in prisons.

Data

One challenge to understanding the impact of Pell eligibility requirements is that standard prison administrative databases do not contain information on all the SCP eligibility criteria. While the relevant information is known for those individuals who apply, similar information is not available for the rest of the prison population. Therefore, for this analysis, we combine novel self-report data from a random sample of incarcerated individuals with administrative records to generate prevalence estimates of population-level eligibility for Pell-funded higher education programming.

The unique source of data for this project is a survey of population eligibility administered on paper by the PA DOC to a simple random sample of $N = 2,715$ from the complete population of individuals who were incarcerated in Pennsylvania prisons⁴ during the March 2018 round of SCP recruitment. The goal of this survey was to better understand the efficacy and completeness of the recruiting efforts and to gather data that could generate system-wide eligibility prevalence estimates for the SCP program. The survey instrument asked about awareness of and interest in the SCP program, and asked respondents to report eligibility information that could not be gleaned from PA DOC administrative records. Paper surveys were mailed to each of the State Correctional Institutions (SCIs), addressed to a particular, randomly-selected incarcerated person, and were distributed, collected, and returned to PA DOC headquarters by staff at each of the SCIs. In order to link to administrative records, survey responses were not anonymized. Of the random sample, $N = 2,573$ surveys were returned to headquarters by staff, meaning that approximately six percent of the missing surveys were not returned by staff.⁵ A number of the returned surveys were blank; as a result the final analytic sample for the population eligibility survey data consists of $N = 1,020$ respondents (37.5 percent response rate).⁶ Each of the survey responses was linked by a unique identifier to administrative records created and maintained by the PA DOC to create a complete SCP eligibility profile for each respondent. These records include information on criminal history, prior programming

⁴The sampling frame excludes individuals incarcerated on death-row.

⁵It is unknown whether they were non-responses from the surveyed individuals.

⁶It is difficult to benchmark this response rate in the context of other non-anonymous surveys in prison, but it is well within one standard deviation of the average response rate for surveys by mail (Baruch & Holtom, 2008).

participation, misconduct history, in-prison education records, and demographic characteristics.

As the full sample was randomly drawn from the total prison population in Pennsylvania, any differences in demographic characteristics between the population and the sample should be attributable to sampling variation.⁷ However, because participation was voluntary, we need to be mindful of substantial differences between respondents and non-respondents. An examination of the mean differences between respondents and non-respondents is encouraging (Appendix Table A1, online supplemental material), in large part because the observed differences between respondents and non-respondents are very small in magnitude. In terms of demographic characteristics, younger individuals and women were over-represented among respondents and individuals who identify as Hispanic were underrepresented. Respondents and non-respondents were also different in terms of prevalence of Type A misconduct and proportion convicted of a violent or a sex crime.

Eligibility criteria and the Pennsylvania context

In Table 1, we describe all of the eligibility criteria that incarcerated applicants must satisfy in order to access Pell grant funding under the SCP pilot program: (1) federal eligibility criteria set forth by USED, (2) department-specific criteria set forth by the relevant correctional authority, and (3) program-specific criteria set forth by the SCP-grantee education provider.⁸ While all SCP applicants nationwide must meet the same federal criteria, correctional authority and program-specific criteria vary across program sites.

Barriers to eligibility

The prevailing assumption is that the majority of incarcerated individuals who wish to pursue higher educational opportunities in prison would be eligible for a Pell grant. On the surface, this seems like a reasonable assumption given that Pell is a means-tested program and many incarcerated individuals have little to no income.⁹ However, the other, non-fiscal eligibility requirements for Pell, which many consider to be a bureaucratic, “box-checking” exercise (Kirkham, 2019; Powell & Kerr, 2019), are likely to

⁷Appendix B, Table A1 (online supplemental materials) presents overall sample demographics as well as comparisons between respondents and non-respondents for a number of key characteristics.

⁸Some SCP-grantee education providers have program requirements in addition to those imposed by the USED or the relevant correctional authority. In most cases, this takes the form of a college admissions/application process, where applicants are screened out on the basis of their prior academic record or other features of their application. In the case of the PA SCP providers analyzed here, there are no additional eligibility requirements apart from a basic application containing identifying information, meaning that all applicants who meet USED and DOC eligibility requirements would be eligible for the SCP programs in Pennsylvania.

⁹In order to estimate the proportion of the population that would be ineligible for Pell funding because their EFC would exceed the Pell-eligibility threshold, we would have had to collect all of the information required on a FAFSA application. As a proxy, among the several hundred individuals who have applied for the SCP program in PA, only two have been denied the Pell grant on the basis of having an EFC over the Pell threshold. In both cases, the income of the family members (parents or spouse) meant that the incarcerated individual had an EFC above the Pell eligible threshold. However, we might anticipate that there are a number of individuals who do not complete their applications because they know they would not be eligible. There have also been a number of other individuals who have not been able to clear verification because they have been unable to furnish the tax documentation required from their parents or spouse; those individuals may or may not have met the means test.

Table 1. Criteria for Pell eligibility and resolvability status.

Criteria	Description	Permanent
USED criteria		
EFC contribution	Must have an Expected Family Contribution (EFC) of no more than 90 percent of the maximum available Pell grant for a given year (e.g. less than or equal to \$5,486 in 2018–19 school year), determined by including spousal or parental income.	
Citizenship status	Must be a United States citizen or federally mandated exception (e.g. green card holders).	X
High-school diploma	Must have either a high-school diploma or recognized equivalent (e.g. GED).	
Selective service registration	Must have completed the selective service registration between ages 18 and 25 and be in good standing if the applicant is male.	
Student loan default	Must have no prior student loans in default or be in good standing on any previously defaulted loans (e.g. satisfied, repayment, deferral).	
Correctional authority criteria (PA DOC)		
Minimum release date	Must be within seven years of minimum eligible release date, the minimum sentence required before the Parole Board considers discretionary release calculated based on earliest release date.	X
TABE score	Must have Test of Adult Basic Education (TABE) score of at least 11, indicating an 11th grade equivalency in at least one dimension (reading or math). PA DOC staff have discretion for exceptions to the TABE threshold.	
Recent violent misconduct	Must have no recent record of serious or violent misconduct, as determined by PA DOC administrators on a case-by-case basis.	X
Life Sentence or Sex Crime Conviction	Must not have a life sentence or have been convicted of a sex crime.	X

Note: This table shows the criteria needed to be eligible for a Pell grant, and categorizes the criteria according to whether or not they are potentially resolvable or permanent. We classify a barrier as potentially resolvable if the individual may be able to resolve the barrier through individual action. Conversely, we classify barriers as permanent if they would require policy change to overcome. Please see Appendix C in the online [supplemental materials](#) an in-depth explanation of each criterion.

hinder, if not disqualify, many incarcerated individuals from accessing Pell-funded higher educational opportunities.

Figure 1 displays the distribution of eligibility for each of the Pell eligibility criteria; Panel A lists the USED criteria, and Panel B shows the PA DOC criteria. The most substantial barrier to Pell eligibility among incarcerated individuals is not having registered for the selective service,¹⁰ which was self-reported by more than two-thirds of

¹⁰It should be noted that individuals are only *exempt* from registering for selective service on the basis of their incarceration if they were continuously incarcerated for the entire period from 30 days before their 18th birthday through age 25 with no period of release during that window of longer than 30 days (USED, 2018).

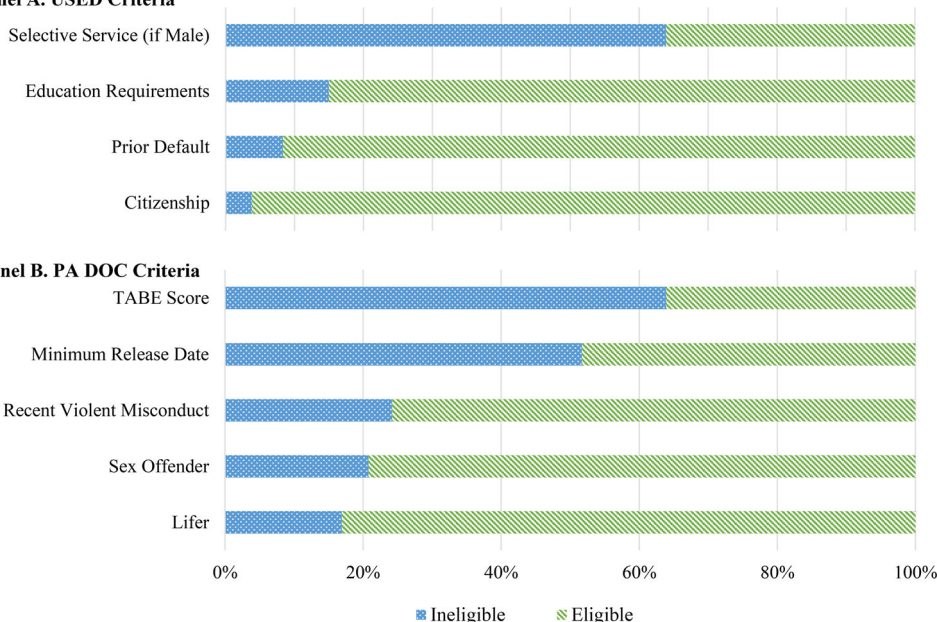
Panel A. USED Criteria

Figure 1. Second Chance Pell eligibility by criterion.

Note: This figure presents the proportion of individuals who meet each of the eligibility criteria for a Pell grant. Panel A presents eligibility for the federal criteria set for by USED as self-reported on responses to a survey administered by PA DOC ($N = 1,020$). The proportions in Panel B present eligibility for the PA DOC criteria and are drawn from individual PA DOC administrative records for the survey respondents. Since misconduct review is conducted on a case-by-case basis, we follow guidance from PA DOC staff to proxy for disqualifying misconduct history using Type A misconduct (the most serious type) within the past year.

male respondents (68.3 percent).¹¹ When we condition on whether the respondent is or might be interested in a higher education program, nearly three-quarters of male respondents (72.7 percent) reported not having registered for selective service. The leading disqualifying criterion for the PA DOC criteria is having a TABE score below the 11th grade proficiency threshold set forth by the department (63.9 percent). Overall, [Figure 1](#) demonstrates that barriers to eligibility are prevalent in the target population.

Prima facie population eligibility

When all the criteria are considered together, our analysis of the survey responses found that the majority of the prison population in PA would be ineligible for a Pell grant for multiple, simultaneous reasons and that more than 70 percent would be

¹¹The self-reported selective service registration rate that we observe among incarcerated individuals is dramatically lower than the reported compliance in the general population. According to the most recent statistics reported by the Selective Service System (SSS), national compliance with selective service registration is 91 percent compared to our finding that less than one-third (31.7 percent) of incarcerated males report registering for selective service (SSS, 2019). SSS conducted a state-by-state analysis of selective service compliance for males born in the 1993 and 1994 birth cohorts; the analysis found that Pennsylvania rates of selective service compliance tend to fall below the national average. Pennsylvania compliance with selective service registration was 81 percent and 79 percent in 2013 and 2014 compared to national averages of 89 percent and 88 percent, respectively (SSS, 2015). Taking into consideration the PA specific SSS compliance rates, our results show that selective service registration compliance in the prison population is quite a bit lower than in the general population.

ineligible for Pell based on failure to meet the federal eligibility requirements. When we include the PA DOC specific criteria, only 3.8 percent of the PA prison population would be *prima facie* eligible to participate in Pell-funded higher educational programming in prison.¹² We refer to the above as *prima facie* eligibility here for two reasons: (1) because, in some cases, applicants are selected for the verification process which requires them to submit documentation to the education provider to supplement their FAFSA applications; and (2) because it is possible, in limited circumstances, to resolve some of these barriers.

We categorize barriers to eligibility as “resolvable” if there is a possibility that they could be overcome through individual action during or before their application for SCP. We define barriers to Pell eligibility for incarcerated individuals as “permanent” if, under the current policy regime, it is not feasible via individual action to remove a particular barrier (Table 1).¹³ Less than one-quarter (21 percent) of the total barriers identified in the prison population are those that an applicant could *even potentially* resolve through individual action.¹⁴

Logistical challenges to overcoming barriers to eligibility

Even though some of the aforementioned barriers are potentially resolvable, the processes necessary to do so can be complex. The logistical constraints that imprisonment imposes further complicate matters. For example, with rare exception, incarcerated individuals do not have access to the unrestricted Internet, which means that they cannot search for relevant information about how to overcome barriers to eligibility, they cannot submit online forms or requests, and they are unable to make online payments (even if they have access to the financial resources to do so). Even when the interested applicants are aware of the forms they need to fill out, they are unlikely to have ready access to the office supplies (e.g. printer, fax machine) necessary to print and submit the relevant request forms. At any stage in the process, it may be unclear to an incarcerated individual how to proceed and there are limited, if any, on-site resources available to prospective applicants to SCP programs (particularly if they are not housed at an institution with an SCP program at the time they submit their application).

The logistical challenges of overcoming barriers to Pell eligibility present several problems with respect to increasing access to higher education in prison. First, even if individuals can summon the resources to overcome these barriers to eligibility, delays in conducting all of these processes on paper or by mail in a world that has transitioned to online processes may limit an individual’s ability to complete the SCP application and enrollment process on time. Second, it may simply not be possible for individuals to track down the relevant documentation necessary to overcome the barriers. Finally, it is also likely that the common logistical challenges encountered by

¹²Appendix G Figure A1, Panel A shows the distribution of barriers by type in the population (online [supplement](#)).

¹³Not all of the “permanent” barriers are truly permanent in the sense that some could be removed via federal policy reform or overcome with the passage of time.

¹⁴We present a detailed description of resolvable barriers to eligibility and their resolutions in online Appendix D.

incarcerated applicants may discourage potential applicants from continuing the process of applying for an SCP program (Kleven & Kopczuk, 2011).

The formidability of the process of overcoming barriers to eligibility is most evident when we consider that most inmates have multiple barriers to enrollment in SCP.¹⁵ Our estimates show that 85 percent of respondents had more than one barrier to eligibility and most respondents (56.7 percent) had three or more barriers to eligibility to overcome. Therefore, even if individuals can overcome some (or even most) of the individual barriers to their Pell eligibility, they are not able to enroll; an individual must meet *all* of the eligibility requirements to be potentially eligible to receive a Pell grant. Given the high logistical hurdles discussed above, this seems unlikely for many potential SCP applicants.

No one eligibility criterion is the lynchpin to increasing access. Furthermore, more than three-quarters of the individuals with barriers to SCP eligibility have at least one permanent barrier to Pell eligibility, in the sense that the barriers are only resolvable via policy change.¹⁶ That said, while some of the criteria may be candidates for removal under a policy design adjustment, others may be protective. For example, it does not seem sensible to lower the TABE threshold to increase access to higher educational programming if a low TABE score signals that the applicant may not be academically ready for college-level coursework.

Eligible? Maybe not: The verification process

As we have shown, multiple barriers to eligibility may substantially limit the prison population's access to Pell-funded higher educational programming. One reason we refer to individuals who appear to meet all of the eligibility criteria as *prima facie* eligible is that even if an individual appears to meet all of these eligibility criteria based on the information contained in his/her FAFSA application, Pell funding is not guaranteed. If an applicant's FAFSA application is marked for verification, the self-certification of tax information, identifying information, and high-school equivalency is insufficient; additional, third-party documentation will be required, much of which will be subject to the same logistical hurdles described above.

Schools that award federal student aid are required to flag at least 30 percent of their FAFSA applications to undergo targeted verification. The selection process educational providers use to identify the FAFSA applications to be verified is non-random; FAFSA applicants who would be eligible for Pell grant funding are much more likely to be selected for verification (Smith, 2018). The contrast is even starker for incarcerated applicants. Among SCP applications, more than three-quarters were selected for verification in year one of the pilots and close to 60 percent were selected for verification in year two, compared to approximately half of non-incarcerated Pell-eligible applicants selected for verification (Office, U. S. G. A., 2019).¹⁷ While the elements of

¹⁵Online appendix G, Figure A1 shows the distribution of accumulated barriers to eligibility (Panel A).

¹⁶While it is impossible for an individual to take action to resolve the barrier of being too far from his/her minimum release date, it is technically possible to resolve this barrier to eligibility if the applicant waits to apply. Five percent of the population in Pennsylvania is more than three years away from the seven-year threshold, making this barrier effectively prohibitive.

¹⁷We present a detailed discussion of verification by type in Appendix E (online [supplement](#)).

the FAFSA application that must be verified are defined by federal rules, educational providers set their own standards for what they will accept as documentation sufficient to satisfy the verification requirements. While verification policies apply to all financial aid applications for a given educational provider, incarcerated or otherwise, they can vary quite substantially between different education providers. The verification process is arduous and a barrier to accessing federal student aid in general. Approximately 25 percent of students who would ostensibly be eligible for a Pell grant do not receive federal aid because they do not complete the verification process, a phenomenon called “verification melt” (DeBaun, 2018).

In addition to the challenges of obtaining and providing acceptable financial documentation, incarcerated applicants also face unique challenges establishing proof of identity. One type of verification requires applicants to provide an unexpired passport, driver’s license, or another state-issued identification card to establish proof of their identity (USED, 2018). Crucially, prison identification cards are generally not sufficient to complete the identity portion of the verification process. This is likely to be problematic because estimates suggest that nearly half of incarcerated individuals do not have a current, valid form of government-issued identification (Rindels, 2019). The process of obtaining government-issued identification while incarcerated can be challenging and, in some cases, cost-prohibitive.¹⁸

In sum, there are many barriers to eligibility, assessed at multiple levels, which are likely to eliminate or impede access to Pell-funded higher education programming in prison for a substantial portion of the population. Even presumptively eligible individuals may not be able to secure Pell grant funding if, after being selected for verification, they are unable to furnish the necessary documentation.

One and done: How barriers to eligibility cluster in the population?

As we have shown, the vast majority of the prison population does not meet the requisite criteria to access Pell-funded higher educational opportunities in prison. The principal difficulty is that each criterion is disqualifying on its own, and the vast majority of the population (85 percent) has more than one barrier to overcome. To understand how policy intervention can increase eligibility, it is helpful to understand how the barriers to eligibility cluster together within the population. With nine different disqualifying criteria, there are myriad possible combinations of accumulated ineligibility for Pell grants. LCA is capable of modeling the clusters of accumulated ineligibility in a manner similar to factor analysis, but for a latent categorical variable as opposed to a latent continuous variable (Vermunt & Magidson, 2004; Yan, 2017).

Methodological details of the latent class analysis

We conduct an LCA to identify whether the barriers to Pell eligibility cluster together in ways that might be informative for the development of policy reform. Specifically, if

¹⁸While the consequences of leaving prison without valid, state-issued identification are fairly well established in both the academic literature (Visser, 2004; Visser & Travis, 2011) and in policy conversations on prisoner reentry and reintegration (DOJ, 2016), there is little detailed empirical evidence about the extent of the problem across criminal justice systems or what leads to such a high prevalence of individuals in prison without valid government-issued identification.

the barriers cluster together within an individual, then we might be able to identify strategic policy interventions that could increase access to Pell funding by targeting the disqualifying criteria as they cluster in the population.

The idea behind LCA is that there are subgroups in a population, which constitute the categories of an unobserved variable. The classes are inferred from a group of L observed categorical variables, known as manifest variables. The value of a variable Y_l is denoted by y_l (in this case, y_l equals 1 if a barrier is present and zero if the barrier is absent), and the vector notation \mathbf{Y} is used to represent a complete response pattern of Y_l . The task of LCA is to divide the subjects into a total of T classes based on the latent variable X . The probability of obtaining a particular response pattern $y(Y = y|y_1, y_2, \dots, y_l)$ is a weighted average of the class-specific conditional probabilities $\Pr(Y = y|X = x)$:

$$\Pr(Y = y) = \sum_{x=1}^T \Pr(X = x) \Pr(Y = y|X = x) \quad (1)$$

The manifest variables are assumed to be conditionally independent of the latent categorical variable, X . For the purposes of our analysis, this means that we cannot include having a life sentence as a barrier in the LCA because all of these individuals are more than seven years from their minimum eligible release date (as they do not have such a date).

$$\Pr(Y = y|X = x) = \prod_{l=1}^L \Pr(Y_l = y_l|X = x) \quad (2)$$

Combining [Equations \(1\) and \(2\)](#), we get

$$\Pr(Y = y) = \sum_{x=1}^T \Pr(X = x) \prod_{l=1}^L \Pr(Y_l = y_l|X = x) \quad (3)$$

There are multiple parameters of interest in the LCA. First is the set of latent class probabilities, which indicate the relative size of each class. Second, the conditional probabilities, which indicate the probability that an individual being in class x has manifest variables at a given level. The conditional probabilities determine the characteristics of each class. Finally, in addition to these two group-level parameters, there is a set of individual posterior probabilities of membership in class x . For each total number of classes T , we estimate all the parameters of the LCA using an expectation-maximization (EM) algorithm. The value of T can be determined by theory and by fit. In our case, there was no theory to inform the number of underlying clusters of barriers in the population. In the process of estimation, we started with a one-class model and gradually increased until the model no longer converged, which happened when the number of classes equaled three. We selected the two-class model based on smaller values of Akaike's information criterion (AIC) and the Bayesian information criterion (BIC; Nagin, 2005; Schwarz, 1978).¹⁹

¹⁹Appendix F Table A2 compares the AIC and BIC from the one class and two class models and shows that the two class models are preferred, because of smaller values of both AIC and BIC (Nagin, 2005).

LCA identified only two clusters of barriers.²⁰ The first, which (for narrative purposes) we will call the Fewer Barriers group (42.7 percent), differentiated those individuals who overwhelmingly met the high-school equivalency and citizenship requirements, were substantially more likely to have a prior student loan in default, were notably less likely to have a disqualifying record of misconduct, and were less likely to be disqualified for failing to register for selective service. The second group, which we will call the “Many Barriers” group (57.3 percent), had a higher likelihood of disqualification across all barriers except that they were less likely to have been incarcerated for a sex crime. The proportion of the clusters that were disqualified based on distance from their minimum eligible release date was relatively balanced across both groups.

The results in Table 2 show that the LCA distinguishes a group of individuals who are US citizens who meet the high-school equivalency requirement from the rest of the population. However, although the mean ineligibility is, by and large, lower among the “Fewer Barriers” cluster, average ineligibility is, nevertheless, between 14.9 and 50 percent on every indicator except for high-school equivalency and US citizenship. Ineligibility among the “Many Barriers” group is even more prevalent. While the “Many Barriers” group is less likely to have a prior student loan in default (0.7 percent), this may be because this group is much less likely to meet the high-school equivalency requirements (27.1 percent), which means that fewer of them would have had access to higher educational opportunities and, therefore, associated student loan debts. Average ineligibility for the “Many Barriers” group is between 15.6 and 84.7 percent on all of the indicators except for US citizenship (5.6 percent) and prior student loan default. The objective of the LCA was to explore whether there were particular combinations of barriers to ineligibility that, if resolved together via policy change, might increase eligibility for a subset of the population.

The key takeaway from the LCA is that there is no single “low hanging” barrier which, if eliminated, could quickly increase Pell eligibility for a large portion of the prison population. Even in the “Fewer Barriers” class, more than one-third of the individuals were ineligible because of failure to register for selective service, close to half had a low TABE score, and more than half had at least seven years until their minimum eligible release date. Increasing eligibility for Pell grants among incarcerated individuals will, therefore, require policy intervention across multiple dimensions.

Forecasting the effects of policy interventions to increase access to pell-funded higher education in prison

The substantial limitations on Pell eligibility for incarcerated individuals present a critical design and implementation challenge for a policy that is intended to increase access to higher educational opportunities for incarcerated individuals. In this section, we forecast the effects of pragmatic policy interventions to aim at increasing access to already allotted SCP funds. In our view, there is little use in prognosticating about

²⁰In order to understand how the prison population sorts into two groups, we use posterior probabilities of group membership to assign each observation to the more likely of the two clusters, then we summarize descriptive characteristics of the two clusters along several dimensions (Table 2, see also Appendix F).

Table 2. Results of latent class analysis to estimate clusters of barriers to Pell eligibility.

Panel A. Results of latent class analysis to estimate clusters of barriers to Pell eligibility				
Ineligibility indicators	Class 1: "Fewer Barriers"		Class 2: "Many Barriers"	
Selective service registration	.368	[.056]	.847	[.026]
High-school equivalency	5.51 e-08	[.000]	.271	[.032]
Prior student loan in default	.183	[.025]	.007	[.010]
Citizenship	.009	[.009]	.058	[.011]
Minimum TABE score	.450	[.037]	.781	[.030]
Minimum release date	.500	[.032]	.531	[.025]
Violent misconduct within past year	.149	[.031]	.312	[.024]
Conviction of sex crime	.273	[.029]	.156	[.019]
Proportion of class membership	.427	[.057]	.573	[.057]
Panel B: Descriptive statistics by latent class				
Variables	Class 1: "Fewer Barriers"		Class 2: "Many Barriers"	
Interest in SCP program	0.824		0.775	
Male	0.895		0.971	
Race/ethnicity				
White	0.598		0.266	
Black	0.356		0.617	
Hispanic	0.0465		0.108	
Age	43.37	(12.59)	39.06	(12.04)
Marital status				
Single	0.653		0.793	
Married	0.179		0.131	
Divorced	0.0953		0.0424	
Separated	0.0512		0.0186	
Highest grade completed	11.72	(1.479)	10.73	(1.943)
High-school diploma	0.419		0.190	
Count of prior incarcerations	2.309	(3.171)	2.532	(3.225)
TABE score	10.38	(3.048)	6.853	(3.256)
Type A misconducts	0.420		0.675	
Time served (years)	7.915	(9.003)	7.525	(8.403)
Commitment crime type				
Violent	0.517		0.572	
Property	0.0886		0.100	
Drug	0.0723		0.0662	
Public order	0.0699		0.0883	
Sex crime	0.252		0.173	

Note: Columns 1 and 2 of Panel A display the marginal means of the barriers to Pell eligibility. Standard errors are in brackets and were calculated using the delta method. Estimates are from a latent class analysis estimated on a random sample of individuals incarcerated in Pennsylvania prisons ($N = 1,020$). Panel B displays the means and standard deviations of demographic characteristics for the two estimated groups.

policy interventions, which would require a paradigm shift in the distribution of federal student aid. We also omit policy interventions that would require the removal of any exclusionary criteria that are substantively related to the educational programming in question. For example, we see little benefit in considering the removal of a minimum TABE score requirement for participation in higher educational programming, because eliminating such a requirement might lead to the enrollment of students who are not academically prepared for postsecondary education. Likewise, correctional administrators may have practical reasons to exclude individuals from certain programming opportunities based on their record of prior misconduct behaviors or other negative behaviors. Accordingly, we analyze three potential policy intervention scenarios, which we consider in turn.

Register all 18- to 25-year-olds for selective service

US males who do not register for selective service forego eligibility for a range of federal benefits, including federal student aid. In many cases, individuals fail to register because they are unaware of their obligation to register or the consequences of failure to register. Over the last three years, approximately 20 percent of male admissions to PA DOC custody have been between 18 and 25 years old. Based on our analysis, approximately 16 percent of the 18- to 25-year olds in the sample had already registered for selective service before incarceration. If we assume that to be a reasonable projection for the proportion of male prison admissions who are already registered for selective service in that age range, this would suggest that registering age-eligible individuals for selective service at or close to admission to prison would remove the selective service barrier for 24 percent of the population.²¹ This single action would increase eligibility by one and a half percent overall, and by nearly three percent among 18- to 25-year-olds. Among the approximately one-quarter of participants with two disqualifying criteria, 16.7 percent move to a single reason for ineligibility when this one is cleared, thereby increasing the proportion of the distribution with a single binding constraint to 18.7 percent.

USED guidance on acceptable documentation for clearing selective service code

According to federal law, individuals should not be denied federal benefits based on failure to register for selective service unless the failure to register was “knowing and willful” (Selective Service Registration, 20 U.S.C. 1091 34 C.F.R. § 668.37, 1996). Education providers set internal policies about the types of documentation FAFSA applicants must provide to clear a selective service code; the extent of the documentation necessary to satisfy this requirement varies considerably. In some cases, the provider will accept a status information letter from the SSS along with a signed letter from the applicant attesting to the fact that he did not “knowingly or willfully” fail to register for the selective service.

USED guidance indicating the sufficiency of a Status Information Letter along with a self-signed letter about the circumstances of the failure to register could substantially facilitate Pell eligibility among incarcerated individuals 26 and older.²² Issuing federal guidance about the type of documentation allowable to overcome a failure to register for selective service would not be relaxing the core requirement. Indeed, many schools already accept a self-signed letter explaining the failure to register. Instead, the federal guidance would signal to schools that such documentation is sufficient to meet Title IV requirements and accepting it would not place them in any jeopardy during subsequent audits.

A clear impediment to this policy alternative is that it requires actions from multiple stakeholders to reduce barriers to Pell eligibility. First, USED would have to issue the

²¹This proposed policy intervention was suggested by PA DOC staff (N. Bell, Personal Communication, September 18, 2018).

²²Over the last three years, more than 80 percent of male prison admissions to PA DOC custody and more than 90 percent of the PA prison population have been outside the age range during which selective service registration is required. Nearly half of individuals age 26 and older have not registered for selective service and are now too old to register.

relevant guidance, then schools with stringent documentation requirements would have to change their internal policies. However, if schools were to accept a self-signed letter along with the status information letter from the selective service system, the selective service barrier to eligibility would be effectively neutralized. *Prima facie* eligibility could as much as double and the proportion of individuals with zero or only one barrier would go from 18.3 percent to 31.2 percent along with a substantial shift in the distribution of accumulated barriers (see Appendix [Figure A1](#), Panel B).

It is worth noting that there is a trade-off between the apparent feasibility of implementation and gains from the policy intervention. While there is a relatively clear path to implementation of registering 18- to 25-year-olds for selective service because correctional administrators can implement this change locally, the gains would be relatively modest. On the other hand, USED guidance on adequate documentation for failure to register for selective service could effectively neutralize the selective service barrier to Pell eligibility nationwide, but it requires action on the part of the federal bureaucracy and on the part of participating educational providers.

Remove state restrictions on participation by crime type and time to release

With respect to changing the eligibility criteria directly, the greatest potential for policy intervention along this dimension is at the state agency level. In the case of Pennsylvania, removing the restrictions on access to Pell programming for those individuals convicted of a sex crime could immediately increase access for an additional 2.18 percent of the prison population who are only ineligible because of their conviction crime. There does not appear to be an evidence-based reason that individuals convicted of sex crimes would be any less likely to benefit from higher educational programming than other incarcerated individuals. Indeed, while rates of recidivism among individuals convicted of sex crimes are, on the whole, lower than in the general prison population, rates of general (non-sex crime) recidivism among individuals convicted of a sex crime are *higher* than the sex crime-specific recidivism (Hanson & Morton-Bourgon, 2005), which suggests that programming with a general focus could improve recidivism outcomes for individuals convicted of sex crimes.²³ Increasing opportunities to participate in programs not specifically targeted at individuals convicted of a sex crime may also represent a ripe opportunity for intervention with this population. Findings have generally shown insufficient evidence to conclude that targeted treatment protocols are effective at reducing sex crime-specific or general recidivism among individuals convicted of sex crimes (Hanson et al., 2002; Marques et al., 2005).

Removing the restriction on time to release would increase access to Pell funding for an additional 2.99 percent of the prison population who are only ineligible because they are more than seven years from their minimum eligible release date. Based on the current, albeit limited, evidence, there is little reason to suspect that the

²³Much of the prior literature on interventions for individuals convicted of sex crimes is focused on targeted programming, which often includes incarceration in a programming specific unit which is separated from the general prison population either in a specific unit (Duwe & Goldman, 2009) or in a separate facility (Marques et al., 2005) as opposed to examining individual-level outcomes for individuals convicted of sex crimes who participate only in programming available to the general prison population.

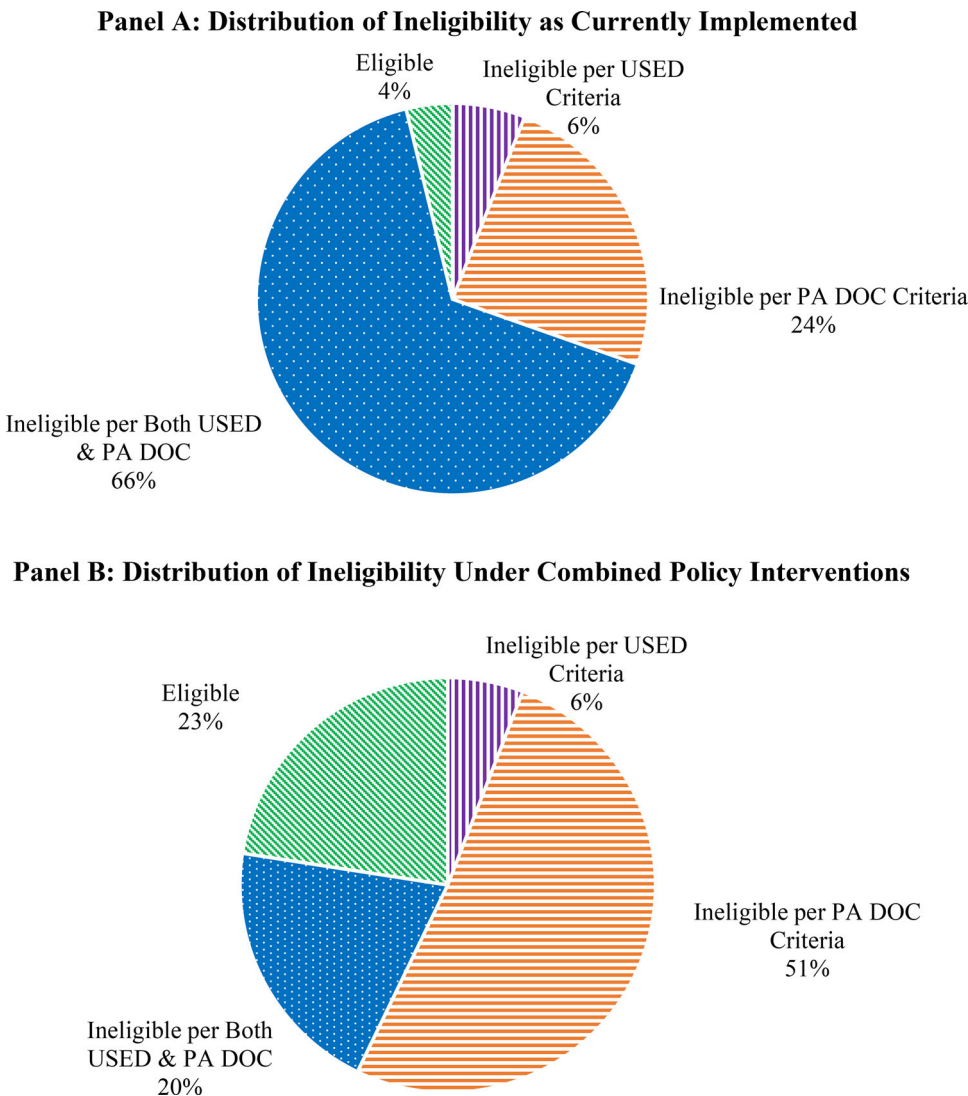


Figure 2. Distribution of ineligibility for Second Chance Pell by barrier type comparison.

Note: This figure presents the distribution of ineligibility for Pell grants by barrier type as currently implemented and under all policy interventions (i.e. selective service neutralization, minimum release date neutralization, lift of sex crime restriction, and lift of lifer restriction). USED criteria here include individuals who do not meet requirements for high-school equivalency, US citizenship, and prior student loan default. PA DOC criteria here include individuals who do not meet the minimum TABE score or have a violent misconduct within the past year. Data are drawn from respondents to a survey of individuals incarcerated in PA DOC facilities during recruitment for the Second Chance Pell pilot program, survey responses were linked to individual administrative data for each individual. Information on USED eligibility is drawn from self-reported survey responses and information on PA DOC eligibility is drawn from administrative records ($N = 1,020$).

potential benefits of participating in college programming would dissipate over the years prior to release, so barring individuals who are relatively far from their release date may not be beneficial. By that same logic, if the PA DOC was to lift the restriction

on minimum eligible release date *and* lift the restriction on lifer eligibility for Pell to exclude only those without the possibility of parole,²⁴ then an additional two percent of the prison population would immediately become eligible for Pell funding. *Prima facie* Pell eligibility in Pennsylvania would more than triple to include more than 10 percent of the population and it would change the distribution of accumulated barriers to eligibility. This, in turn, would reduce the proportion of individuals with more than one barrier to eligibility to 61.7 percent (down from 85 percent) and cut the proportion of individuals with three or more barriers by more than half to 24.6 percent (down from 56.7 percent). That being said, without any change to the distribution of federal eligibility even under these expanded eligibility parameters at the state level, the proportion of individuals with resolvable barriers would not change drastically, hovering around one-quarter (23.4 percent).

Combined effects of potential policy interventions

Thus far, we have considered the effects of specific policy interventions that might reduce barriers to Pell eligibility and increase access to higher education in prison under the SCP program separately. Since the vast majority of the prison population faces multiple barriers to Pell eligibility, it is important to consider the combined effect of these potential policy interventions. If all the interventions were implemented, *prima facie* eligibility for Pell grants in the prison population would increase to 23 percent from the current rate of 3.8 percent (Figure 2).²⁵ Furthermore, under the combined effects of the potential policy interventions, fully half of the remaining barriers to eligibility would be “resolvable” via individual action (i.e. increasing TABE scores, obtaining a high-school equivalency, or resolving prior student loan default).

Discussion

Our analysis shows that the disqualifying criteria, which are not captured in correctional administrative records, have an outsized effect on population-level eligibility. If we consider federal criteria only, we estimate that approximately 28 percent of the population is potentially Pell-eligible. However, in this case, the state-specific estimates are likely most germane to policy. While a state-by-state analysis is outside the scope of this paper, it is worth emphasizing that – as we see reflected in these Pennsylvania data – context-specific criteria not available in national (or other) administrative databases can have meaningful effects on SCP eligibility. For example, while Oakford et al. (2019) estimate Pell eligibility in Pennsylvania at 34 percent of the prison population, the context-specific data show estimated eligibility to be less than 4 percent.

We also demonstrate that in addition to limitations to baseline eligibility based on individual characteristics, the USED verification process further limits access to Pell-

²⁴We mention these exclusion criteria here, because individuals sentenced to life without the possibility of parole (LWOP) are not eligible to participate in SCP because of federal requirements specified by the SCP ESI.

²⁵Figure 2 compares the estimated population eligibility for SCP as currently implemented (Panel A) with the distribution of eligibility conditional on the implementation of all of the recommended policies (Panel B).

funded higher education programs in prison. It stands to reason that logistical barriers may prevent otherwise eligible individuals from completing the process of applying for federal student aid. The transaction costs associated with assembling, filing, revising, and submitting necessary documentation may dissuade interested individuals from SCP.²⁶

In addition to the transaction costs imposed by the verification process, the FAFSA application process is arduous in and of itself.²⁷ Dynarski and Scott-Clayton (2006) show that the FAFSA is four times longer than the simplest tax form (i.e. IRS 1040EZ). This is particularly problematic for many incarcerated individuals, for whom “document-literacy” is a larger barrier than it is in the non-incarcerated population (Greenberg et al, 2007). Evidence from a randomized evaluation of FAFSA assistance showed that help with the FAFSA (including a streamlined process) increased both form submission and the likelihood of college attendance, persistence, and aid receipt (Bettinger, Long, Oreopoulos, & Sanbonmatsu, 2012). While there is much discussion about streamlining and simplifying the FAFSA application (Walter & Fredman, 2019), the goal of the intervention in Bettinger et al. (2012) was to intervene and improve outcomes within the existing process by capitalizing on integrating tax information provided for tax preparation directly into the FAFSA application. Importantly, in the context of SCP, many of the commonly available resources designed to help applicants complete the FAFSA application and verification process are not available to incarcerated applicants.

While we have suggested a number of policy changes that would increase eligibility, there is further work to be done to increase uptake within the existing process. While there has been quite a bit of discussion about the role of motivation in differentiating the individuals who choose to pursue higher educational opportunities in prison as compared to those who do not, considerably less attention has focused on the way that transaction costs may determine who *can* participate in higher education programming (e.g. who is motivated enough to persist) irrespective of interest. We hope that future studies can examine the influence of transaction costs and motivation in the context of prison education.

Of course, the data collected for this paper are not without limitation. We are relying on self-reported information for measures that have an administrative counterpart. For example, we are asking individuals to report whether they registered for selective service as opposed to relying on the official registration data from the Selective Service System. To the extent that individuals misreport (regardless of the reason) their status on these eligibility criteria, it would be problematic for our eligibility estimates. For example, the SSS reports that their “research and anecdotal evidence indicates that most incarcerated men who fail to register either didn’t know they were required to, thought that because they had a prison record they did not have to, or that because they didn’t register on time, they might make more trouble for themselves if

²⁶To the extent that verification screens out individuals who do not actually meet the requirements to receive federal student aid generally, and Pell funding specifically, it may improve the efficiency of the program in targeting its funding.

²⁷This is consistent with evidence from Kleven and Kopczuk (2011) who show that the arduous process attendant to screening generates high transaction costs for applicants and induces incomplete take-up of social programs.

they register late” (Selective Service System, 2019). If individuals in our sample believe that they are not required to register for selective service because of their incarcerated status, they may misreport their status on the survey.

Furthermore, issues of recall may be present; these are likely to be most problematic for older individuals or those with substance abuse histories or other medical conditions that could affect their recollection of certain life events. Additionally, individuals may not understand the technical parameters of their eligibility. For example, understanding student loan default status, especially for old loans, may have been difficult for some respondents. To the extent that individuals do not report ineligibility because of one or more barriers, our estimates constitute a lower bound of ineligibility for SCP. More than 80 percent of the individuals with barriers to SCP eligibility have more than one barrier. It would have to be the case that there was substantial measurement error to dramatically affect our estimates of overall eligibility.

It is also the case that there are some demographic differences between respondents and non-respondents to the survey. Women were overrepresented among respondents. Since women in prison are more likely on average to have a higher level of educational attainment (Harlow, 2003), they may have been more likely to have a student loan in default; thus, our estimates may overstate ineligibility along that dimension. On the other hand, it may underestimate ineligibility in terms of high-school equivalency or TABE score.²⁸ For some factors, we can benchmark survey estimates against the relevant population parameters (estimated from population-level administrative data). Individuals serving life sentences, convicted of sex crimes, and those with recent violent misconduct are overrepresented among survey respondents. As a result, the survey responses overrepresent ineligibility for DOC criteria by as much as 4 percentage points (Appendix H Table A3). That said, if we account for potential ineligibility due to federal criteria, our estimates of *prima facie* eligibility would range from 3.8 percent to 7.93 percent.²⁹ Our most conservative estimate suggests that more than 92 percent of the prison population would be ineligible for SCP.

Conclusion

Understanding the challenges to accessing Pell funding among incarcerated individuals is a crucial component of the policy conversation about expanding access to higher education in prisons. Our analysis shows that SCP, as currently implemented, will have limited ability to expand access to higher education opportunities for incarcerated individuals.

We find that nearly three-quarters of the respondents failed to meet at least one USED eligibility criterion. We also briefly document the challenges that being incarcerated at the time of application imposes on individuals who are presumptively eligible for federal student aid and then are selected for verification. Given that the USED

²⁸ Respondents were also younger on average and more likely to self-identify as Hispanic, although it is less clear how that overrepresentation would systematically affect the estimates for which we do not have an administrative data equivalent.

²⁹ We benchmark the sample against population-level data and discuss our “back of the envelope” calculations in detail in Appendix H.

criteria apply to all applicants for federal student aid, this finding is suggestive of the nature and distribution of challenges to Pell eligibility for incarcerated individuals nationwide.

The pervasiveness of some of these barriers to eligibility has had a profound impact, although largely unseen, on the availability and nature of prison-based educational programming available under SCP. Given the scale of failure to register for selective service, for example, those institutions with the most stringent requirements to override a failure to register will struggle to identify Pell-eligible students. For those programs that use Pell funding to supplement already robust funding streams, the inability to use Pell funds to support students may not be consequential. However, SCP programs that rely predominately on Pell funding to sustain their core operations will find it hard to subsist under the constrained financial conditions that result from limited Pell eligibility and subsequently lower enrollment rates. Ultimately, these constraints will continue to shape the landscape of postsecondary educational opportunities in prison.

That said, we have identified several potential policy interventions that could have quite a dramatic effect on increasing eligibility for Pell grants among incarcerated individuals. Crucially, in order to actually affect eligibility, our findings indicate that policy intervention will have to span multiple dimensions due to the accumulation of barriers to eligibility in the prison population.³⁰

There is substantial qualitative and associational evidence that higher education programs in prison are transformative and suggest considerable potential for reducing future involvement with the criminal justice system (Bozick, Steele, Davis, & Turner, 2018; Davis et al., 2013). Whether there is a causal link between prison higher education and recidivism reduction or increased employment opportunities remains to be seen. Scholars have long been concerned that individual differences in motivation and persistence are substantial contributors to the observed differences in individual outcomes that we observe between individuals who seek out the small number of higher educational opportunities available in prison and those who do not (Davis et al, 2013; Lawrence et al, 2008). Even analytic methods that can address problems of internal validity and generate valid comparisons between those who participate in prison higher educational programs and those who do not, must also attend to questions about generalizability. Understanding how eligibility for SCP *mechanically* selects individuals into Pell-funded programs is an essential part of building the evidence base about the effect of higher education in prison on individual outcomes. If, indeed, higher educational opportunities in prison represent an important step toward changing individual lives along multiple dimensions, then it will be essential to refine the policy in a manner that actually unlocks those opportunities for a wider proportion of incarcerated individuals.

³⁰Our findings are relatively timely, as Congress draws closer to removing the ban on Pell grants for all incarcerated individuals. At the end of July 2020, the House passed an appropriations bill that (if approved by the Senate) would restore Pell eligibility for incarcerated individuals nationwide. Senate approval is not out of the question given that there has been consistent bi-partisan support of SCP, including the Trump administration.

Disclosure statement

No potential conflict of interest was reported by the authors.

Funding

This study was financially supported by Arnold Ventures.

Notes on contributors

Sarah Tahamont is an Assistant Professor in the Department of Criminology and Criminal Justice at the University of Maryland. Broadly, her research interests include corrections, causal inference, longitudinal patterns of criminal justice contact, and methodological advances in Criminology and Criminal Justice. One of the major concentrations in her research portfolio is to examine the ways that prison policy shapes individual outcomes both during incarceration and after release. She is co-principal investigator on an Arnold Ventures grant to conduct the first experimental evaluation of the Second Chance Pell program.

Jordan M. Hyatt is an Associate Professor in the Department of Criminology and Justice Studies and Director of the Center for Public Policy at Drexel University. Hyatt's research in corrections and reentry focuses on the evaluation of innovative criminal justice interventions with an emphasis on randomized experiments. He is co-principal investigator on an Arnold Ventures grant to conduct the first experimental evaluation of the Second Chance Pell program.

Madeline Pheasant is a Ph.D. candidate in the University of Maryland's Criminology and Criminal Justice Program. Her research interests include peer influence and collective behavior, decision making processes, and methodological advancements within Criminology and Criminal Justice.

Jennifer Lafferty is a Research Analyst on CNA's Institute for Public Research Safety and Security Team and a Ph.D. candidate in the University of Maryland's Criminology and Criminal Justice Program. Her research interests include criminal justice reform, courts, sentencing, and corrections.

Nicolette Bell is Director of Administration for the Pennsylvania Department of Corrections.

Michele Sheets is the Chief of Research & Evaluation for the Pennsylvania Department of Corrections within the Bureau of Planning, Research, and Statistics. Her work includes program evaluation, quantitative, and qualitative research with a focus on successful community reentry and promoting evidence-based decision making.

References

- Aos, S., Miller, M., & Drake, E. (2006). Evidence-based public policy options to reduce future prison construction, criminal justice costs, and crime rates. *Fed. Sent. R.*, 19, 275. https://www.wsipp.wa.gov/ReportFile/952/Wsipp_Evidence-Based-Public-Policy-Options-to-Reduce-Future-Prison-Construction-Criminal-Justice-Costs-and-Crime-Rates_Full-Report.pdf
- Baruch, Y., & Holtom, B. C. (2008). Survey response rate levels and trends in organizational research. *Human Relations*, 61(8), 1139–1160. doi:10.1177/0018726708094863
- Berman, G., & Feinblatt, J. (2015). *Good courts: The case for problem-solving justice* (Vol. 8). New Orleans, LA: Quid Pro Books.
- Bettinger, E. P., Long, B. T., Oreopoulos, P., & Sanbonmatsu, L. (2012). The role of application assistance and information in college decisions: Results from the H&R Block FAFSA experiment. *The Quarterly Journal of Economics*, 127(3), 1205–1242. doi:10.1093/qje/qjs017
- Bonta, J., & Andrews, D. A. (2016). *The psychology of criminal conduct*. New York, NY: Routledge.

- Bozick, R., Steele, J., Davis, L., & Turner, S. (2018). Does providing inmates with education improve postrelease outcomes? A meta-analysis of correctional education programs in the United States. *Journal of Experimental Criminology*, 14(3), 389–428. doi:10.1007/s11292-018-9334-6
- Chen, M. (2015). Prison education reduces recidivism by over 40 percent. Why aren't we funding more of it? *The Nation*. Retrieved from <https://www.thenation.com/article/prison-education-reduces-recidivism-by-over-40-percent-why-arent-we-funding-more-of-it/>
- Cost of Attendance, 20 U.S.C. § 1087II(6) 20 U.S.C. § 1087II(6) (2019).
- Crime Control and Law Enforcement Act, Pub. L. No. Pub. L. No. 103-322 (1994).
- Cullen, F. T. (2013). Rehabilitation: Beyond nothing works. *Crime and Justice*, 42(1), 299–376. doi: 10.1086/670395
- Davis, L. M., Bozick, R., Steele, J. L., Saunders, J., & Miles, J. N. V. (2013). *Evaluating the effectiveness of correctional education: a meta-analysis of programs that provide education to incarcerated adults*. Santa Monica, CA: Rand Corporation.
- DeBaun, B. (2018). Verification melt rate ticks up to 25 percent—national college access network. *National College Access Network*. Retrieved from <https://collegeaccess.org/news/456084/Verification-Melt-Rate-Ticks-Up-to-25-Percent.htm>
- DOJ (2016). *Roadmap to Reentry*. United States Department of Justice.
- Duwe, G., & Goldman, R. A. (2009). The impact of prison-based treatment on sex offender recidivism: Evidence from Minnesota. *Sexual Abuse: A Journal of Research and Treatment*, 21(3), 279–307. doi:10.1177/1079063209338490
- Duwe, G., Hallett, M., Hays, J., Jang, S. J., & Johnson, B. R. (2015). Bible college participation and prison misconduct: A preliminary analysis. *Journal of Offender Rehabilitation*, 54(5), 371–390.
- Dynarski, S. M., & Scott-Clayton, J. E. (2006). *The cost of complexity in federal student aid: Lessons from optimal tax theory and behavioral economics* (Working Paper No. 12227). National Bureau of Economic Research.
- Erisman, W., & Contardo, J. B. (2005). Learning to reduce recidivism: A 50-state analysis of post-secondary correctional education policy. Institute for Higher Education Policy. Retrieved from <https://eric.ed.gov/?id=ED558210>
- Gaes, G. G. (2008). The impact of prison education programs on post-release outcomes. Reentry Roundtable on Education, John Jay College of Criminal Justice, New York, March, 31.
- Government Accountability Office (2019). Federal Student Aid: Actions Needed to Evaluate Pell Grant Pilot for Incarcerated Students. Report to Congressional Requesters. GAO-19-130. US Government Accountability Office.
- Greenberg, E., Dunleavy, E., & Kutner, M. (2007). Literacy Behind Bars: Results from the 2003 National Assessment of Adult Literacy Prison Survey. NCES 2007-473. *National Center for Education Statistics*.
- Hanson, R. K., Gordon, A., Harris, A. J. R., Marques, J. K., Murphy, W., Quinsey, V. L., & Seto, M. C. (2002). First report of the collaborative outcome data project on the effectiveness of psychological treatment for sex offenders. *Sexual Abuse: A Journal of Research and Treatment*, 14(2), 169–194. doi:10.1177/107906320201400207
- Hanson, R. K., & Morton-Bourgon, K. E. (2005). The characteristics of persistent sexual offenders: a meta-analysis of recidivism studies. *Journal of Consulting and Clinical Psychology*, 73(6), 1154–1163. doi:10.1037/0022-006X.73.6.1154
- Harer, M. D. (1995). Recidivism among federal prisoners released in 1987. *Journal of Correctional Education*, 46(3), 98–128. Retrieved from <https://www.jstor.org/stable/23291861>
- Harlow, C. W. (2003). Education and correctional populations. *Bureau of Justice Statistics*. Retrieved from <https://www.bjs.gov/content/pub/pdf/ecp.pdf>
- Hinton, E. (2018). Turn prisons into colleges. *The New York Times*. Retrieved from <https://www.nytimes.com/2018/03/06/opinion/prisons-colleges-education.html>
- Irwin, J. (2005). *The warehouse prison: Disposal of the new dangerous class*. Los Angeles, CA: Roxbury Press.
- Jonson, C. L., & Cullen, F. T. (2015). Prisoner reentry programs. *Crime and Justice*, 44(1), 517–575. doi:10.1086/681554

- Kirkham, E. (2019). 4 important eligibility requirements to qualify for financial aid. *Student Loan Hero*. Retrieved from <https://studentloanhero.com/featured/do-i-qualify-for-financial-aid-eligibility-requirements/>
- Kleven, H. J., & Kopczuk, W. (2011). Transfer program complexity and the take-up of social benefits. *American Economic Journal: Economic Policy*, 3(1), 54–90. doi:10.1257/pol.3.1.54
- Lattimore, P. K., Witte, A. D., & Baker, J. R. (1988). Sandhills vocational delivery system experiment: An examination of correctional program implementation and effectiveness. Washington, DC: National Institute of Justice.
- Lattimore, P. K., Witte, A. D., & Baker, J. R. (1990). Experimental assessment of the effect of vocational training on youthful property offenders. *Evaluation Review*, 14(2), 115–133. doi:10.1177/0193841X9001400201
- Lawrence, S., Mears, D. P., Dubin, G., & Travis, J. (2002). The practice and promise of prison programming. Urban Institute. Retrieved from <https://eric.ed.gov/?id=ED467044>
- Lipsey, M. W., & Cullen, F. T. (2007). The effectiveness of correctional rehabilitation: A review of systematic reviews. *Annual Review of Law and Social Science*, 3(1), 297–320. doi:10.1146/annurev.lawsocsci.3.081806.112833
- MacKenzie, D. L. (2008). Structure and components of successful educational programs. Reentry Roundtable on Education, John Jay College of Criminal Justice, New York, March 31.
- Marques, J. K., Wiederanders, M., Day, D. M., Nelson, C., & van Ommeren, A. (2005). Effects of a relapse prevention program on sexual recidivism: Final results from California's sex offender treatment and evaluation project (SOTEP). *Sexual Abuse: A Journal of Research and Treatment*, 17(1), 79–107. doi:10.1177/107906320501700108
- Nagin, D. S. (2005). *Group-based modeling of development*. Cambridge, MA: Harvard University Press.
- New York Times (2017). Let prisoners learn while they serve. *The New York Times*. Retrieved from <https://www.nytimes.com/2017/08/16/opinion/prison-education-programs.html>
- Oakford, P., Brumfield, C., Tatum, L., diZerega, M., & Patrick, F. (2019). Investing in futures: Economic and fiscal benefits of postsecondary education in prisons. Vera Institute of Justice.
- Office, U. S. G. A. (2019). Federal student aid: Actions needed to evaluate Pell grant pilot for incarcerated students. GAO-19-130. Retrieved from <https://www.gao.gov/products/GAO-19-130>
- Phelps, M. S. (2011). Rehabilitation in the punitive era: The gap between rhetoric and reality in U.S. prison programs. *Law & Society Review*, 45(1), 33–68. doi:10.1111/j.1540-5893.2011.00427.x
- Pompoco, A., Wooldredge, J., Lugo, M., Sullivan, C., & Latessa, E. J. (2017). Reducing inmate misconduct and prison returns with facility education programs. *Criminology & Public Policy*, 16(2), 515–547. doi:10.1111/1745-9133.12290
- Powell, F., & Kerr, E. (2019). Completing the FAFSA: Everything you should know. *US News & World Report*. Retrieved from <https://www.usnews.com/education/best-colleges/paying-for-college/articles/completing-the-fafsa>
- Rindels, M. (2019). Prisons director: More than half of inmates have no identification upon release. Retrieved from <https://thenevadaindependent.com/article/prisons-director-more-than-half-of-inmates-have-no-identification-upon-release-likely-face-major-barriers-in-community>
- Saint Louis University (2018). Prison program. Saint Louis University Prison Program. Retrieved from <https://www.slu.edu/arts-and-sciences/prison-program/index.php>
- Sampson, R. J., & Laub, J. H. (2003). Life-course desisters? Trajectories of crime among delinquent boys followed to age 70. *Criminology*, 41(3), 555–592. doi:10.1111/j.1745-9125.2003.tb00997.x
- Scales, M. (2018). Congress should support more prison education programs. *Inside Higher Ed*. Retrieved from <https://www.insidehighered.com/views/2018/12/19/congress-should-support-more-prison-education-programs-opinion>
- Scharf, P. (1983). Empty bars: Violence and the crisis of meaning in the prison. *The Prison Journal*, 63(1), 114–124. doi:10.1177/003288558306300111
- Schwarz, G. (1978). Estimating the dimension of a model. *The Annals of Statistics*, 6(2), 461–464. doi:10.1214/aos/1176344136
- Selective Service Registration, 20 U.S.C. 1091 34 C.F.R. § 668.37 (1996).

- Smith, A. (2018). College officials concerned about high number of low-income students selected for federal aid verification. *Insidehighered.Com*. Retrieved from <https://www.inside-highered.com/news/2018/10/12/college-officials-concerned-about-high-number-low-income-students-selected-federal>
- SSS (2015). Compliance charts 2015. Selective Service Systems.
- Selective Service System. (2019). Annual Report. Report to Congressional Requesters. US Selective Service System.
- Steurer, S., Linton, J., Nally, J., & Lockwood, S. (2010). The top-nine reasons to increase correctional education programs. *Corrections Today*, 72(4), 40–43. <http://www.rifuture.org/wp-content/uploads/top-nine-reasons-to-increase-corr-ed-programs.pdf>
- Student Eligibility, 28 U.S.C. 3201(e) 34 C.F.R. § 668.32 (2010).
- USED (2018). *Federal student aid handbook*. United States Department of Education. Washington, D.C.
- Vera Institute of Justice (2018). *Second Chance Pell Experimental Sites Initiative update*. Vera Institute of Justice. New York, NY.
- Vermunt, J. K., & Magidson, J. (2004). Latent class analysis. *The Sage Encyclopedia of Social Sciences Research Methods*, 2, 549–553. <https://www.statisticalinnovations.com/wp-content/uploads/Vermunt2002.pdf>
- Visher, C. (2004). Returning home: Understanding the challenges of prisoner reentry: Maryland Pilot Study: Findings from Baltimore. Retrieved from <http://webarchive.urban.org/publications/410974.html>
- Visher, C. A., & Travis, J. (2011). Life on the outside: Returning home after incarceration. *The Prison Journal*, 91(3_suppl), 1025–1195. doi:10.1177/0032885511415228
- Walter, M., & Fredman, J. (2019). Bipartisan Senate bill simplifies the FAFSA, restructures Pell grant eligibility. National Association of Student Financial Aid Admissions. Retrieved from https://www.nasfaa.org/news-item/19836/Bipartisan_Senate_Bill_Simplifies_the_FAFSA_Restructures_Pell_Grant_Eligibility
- Western, B. (2007). Mass imprisonment and economic inequality. *Social Research: An International Quarterly*, 74(2), 509–532. Retrieved from <https://www.muse.jhu.edu/article/527528>
- Wilson, D. B., Gallagher, C. A., & MacKenzie, D. L. (2000). A meta-analysis of corrections-based education, vocation, and work programs for adult offenders. *Journal of Research in Crime and Delinquency*, 37(4), 347–368. doi:10.1177/0022427800037004001
- Yan, S. (2017). Search for the hidden punishments: An alternative approach to studying alternative sanctions. *Journal of Quantitative Criminology*, 33(1), 21–44. doi:10.1007/s10940-015-9275-4