

How States Can Improve

# EDUCATION PROGRAMS in PRISONS

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The Mackinac Center for Public Policy

# How States Can Improve Education Programs in Prisons

By Ben Stickle, Steven Sprick Schuster and Emerson Sprick

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## **Executive summary**

The United States holds the world's largest prison population, with billions spent annually by state, local and federal governments on incarceration. A small but growing portion of that spending is devoted to providing education programs for prisoners. Unfortunately, we know relatively little about how to most effectively use public dollars to administer education in prisons, resulting in large discrepancies across states in the availability of prison education.

This policy brief builds on recent research showing that prison education programs should be viewed as an investment rather than a cost. Expanding these programs can bring significant positive returns to the state via lower rates of recidivism and greater post-release employment rates and earnings for prisoners.\*

These relatively large returns likely stem in part from disproportionately low levels of literacy and education among prisoners. Prisoners are about 60% more likely than people who never go to prison to score at the lowest levels of literacy proficiency. They are about 50% more likely to have earned only a high school diploma or less. Expanding participation in prison education programs can greatly improve prisoners' readiness for life after release, providing substantial fiscal and social benefits.

Through an analysis of state law and research on the effects of various types of interventions, we have identified four specific actions that states can take to increase educational offerings and encourage prisoner participation.

1. Create a statewide school district or a separate office within the state's department of corrections or department of education dedicated to overseeing educational programs in prisons.
2. Automatically enroll prisoners in education programs based on their scores on a basic skills exam or current attainment level, such as whether they have a high school diploma.
3. Provide "earned-time credits" for completion of education programs, providing an incentive for prisoners to reduce their sentences.
4. Require regular reports be published evaluating prison education performance and prisoner outcomes.

These policy options form a basic toolkit that states can use to build a strong foundation for prison education. This investment can provide returns of \$2 to \$3 for every dollar spent, but the direct outlays are likely manageable. Prison education costs make up only around 1% to 3% of total corrections expenditures in most states, suggesting that states could significantly expand their educational offerings in prison without large increases to their correctional budgets.

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\* Ben Stickle and Steven Sprick Schuster, "Are Schools in Prison Worth It? The Effects and Economic Returns of Prison Education," *American Journal of Criminal Justice* 48, no. 6 (December 1, 2023): 1263–94, <https://doi.org/10.1007/s12103-023-09747-3>.

## **Introduction**

The U.S. incarceration rate began to skyrocket in the 1970s, driven primarily by increases in state prison populations.<sup>1</sup> Even after more than a decade of decline, it remains the fourth highest in the world on a per capita basis, with more than five of every 1,000 Americans behind bars.<sup>2</sup> More than one in every 20 U.S. residents (5.7%) — including one in every 10 males (9.9%) and one in every five Black males (21.1%) — can expect to be imprisoned in state or federal prisons at least once over the course of their lives.<sup>3</sup>

The prison population has strikingly low levels of literacy and education compared to the overall population. The rate of illiteracy in the U.S. for people with low education attainment is high compared to peer countries, and U.S. prisoners are more than 60% more likely than people who never go to prison to score at the lowest levels of literacy proficiency.<sup>4</sup> They are also nearly 50% more likely to have only a high school education or less than the U.S. adult population as a whole, with 94% of prisoners and only 64% of adults lacking a college degree in 2014 (the most recent year for which data is available).<sup>5</sup>

Mass incarceration is expensive. State and local governments spent about \$82.2 billion on incarceration in 2019, and federal spending on prisons adds \$8.4 billion more to the total.<sup>6</sup> Incarceration entails large indirect costs as well, from lower levels of social engagement and civic participation to lost earnings while incarcerated and decreased employment rates and wages after release.<sup>7</sup> This suggests a role for states to attenuate these costs by implementing policies and programs within jails and prisons that both shorten sentences (reducing the direct costs) and improve post-release outcomes (reducing the indirect costs).

Though the importance placed on prisoner rehabilitation and reentry into society has varied dramatically over the past century, recent years have seen this approach revitalized.<sup>8</sup>

Several recent national polls show that a large majority of Americans believe rehabilitation should play a larger role in American criminal justice.<sup>9</sup> In addition, the share of Americans who feel that the criminal justice system is not tough enough has dropped by 50% since 1992, while the share who believe that the system is too tough has increased 10-fold.<sup>10</sup>

One example of a renewed focus on rehabilitation and reentry is prison education. These services were victims of the “tough on crime” bills of the 1990s, especially college programs. The 1994 Crime Bill, for instance, eliminated the eligibility of Pell grants for prisoners, and the percentage of prisoners taking at least one college course dropped from 19% in 1991 to 10% in 2004.<sup>11</sup> While the number of college offerings has increased in the past decade, nearly half of prisoners housed in state prisons lack access to college courses.<sup>12</sup>

This suggests there is a significant opportunity for expanding prison education programs. The size of the educational disparity — and the 760,000 prisoners now eligible for Pell grants — heightens the urgency of identifying effective practices in prison education and job training.<sup>13</sup> To maximize the return for public dollars, it is important to identify the policies that can most effectively support prison education.

## The return on investment of prison education

Our previous research, a meta-analysis of nearly 80 research papers published between 1980 and 2023, shows that effective programs can directly reduce the costs of incarceration. Cost reductions occur in the short run through less time served by current prisoners and in the long run through lower recidivism rates. Education programs also reduce the indirect costs of imprisonment through higher post-release employment rates and earnings.<sup>14</sup>

The meta-analysis focused on basic literacy programs, like adult basic education, or ABE, secondary education, vocational training and college education. This study — the most comprehensive to date — provided key takeaways for policymakers. Specifically, it estimates that increasing access to prison education programs can:

- ♦ Reduce recidivism between 2.9 percentage points (for ABE programs) to 12.74 percentage points (for college).
- ♦ Increase post-release employment between 0.54 percentage points (for secondary education) and 4.68 percentage points (for college).
- ♦ Generate a positive return on investment for taxpayers for each of the four main types of prison education.

Graphic 1 summarizes the financial benefits of investing in prison education. The returns vary across education types, with vocational education featuring the highest return on investment of 205%, or \$3.05 dollars for each dollar spent. College programs were associated with the largest combined economic impact of \$16,908 per student, comprised of \$13,641 in cost savings to prisons from reduced recidivism and \$3,267 in increased earnings for each program participant. These numbers only consider the quantifiable outcomes of employment and recidivism. Reductions in crime also decrease victim, court and policing costs.

**Graphic 1: Average outcomes and return on investment of prison education programs**

Education Type	Cost	Effect on recidivism	Cost-savings recidivism	Effect on employment	Benefit: employment and wages	ROI
ABE	-\$1,987	-2.9	\$3,105	0.66	\$993.57	106.27%
Secondary	-\$1,987	-3.3	\$3,533	0.54	\$925.69	124.39%
Vocational	-\$2,126	-4.17	\$4,465	2.48	\$2,022	205.13%
College	-\$10,467	-12.74	\$13,641	4.68	\$3,267	61.15%

Source: Ben Stickle and Steven Sprick Schuster, "Are Schools in Prison Worth It? The Effects and Economic Returns of Prison Education," *American Journal of Criminal Justice* 48, no. 6 (December 1, 2023): 1263–94, <https://perma.cc/D4U9-2JGT>.

Despite the large benefits of prison education and low levels of educational attainment among the prisoner population, only one-fifth of state prisoners and one-third of federal prisoners reported participating in an educational program of any kind over the prior 12 months.<sup>15</sup> These rates of participation will do little to close the gap in education between those incarcerated and the public as a whole.

In a separate article that analyzes the current state of prison education, we show two important results regarding state-level impacts.<sup>16</sup> First, the single most important determinant of whether a prison offers educational programs is the state in which the prison is located. Prison characteristics such as security level, geographical location and prisoner demographics have little relationship to educational offerings. Second, states that offer educational programs at more facilities see higher rates of enrollment. This suggests that educational availability impacts prisoner participation rates. When states open more classrooms, more prisoners use them.

Those results suggest that state lawmakers should increase prisoner education opportunities through legislative action. Correctional budgets suggest that moderate expansions of prisoner education programs will not require large additional appropriations. Texas's Windham School District, for example, operates one of the most expansive prison education programs in the country yet only constitutes 2.5% of the state's correctional budget.\* South Carolina's Palmetto Unified School District is just 1.3% of the state's correctional budget.†

## Policy recommendations

Through an analysis of state law and research on the effects of various types of interventions, we have identified four actions that states can take to increase educational offerings and encourage prisoner participation. The remainder of this policy brief outlines these four policy options: central administration, automatic educational enrollment, prisoner incentives, and research and evaluation. These form a basic toolkit that state policymakers can use to build a strong foundation for prison education.

### **Central administration**

*Create a statewide school district or office within the state's department of corrections or department of education dedicated to overseeing educational programs in prisons.*

Prisons are one of the main providers of adult education, and a dedicated school district or office for prison education offers many advantages. It improves the likelihood that educational standards are being met statewide, that all prisoners have access to the same opportunities, that sufficient and qualified staff are employed, and that these staff and other resources are allocated across facilities efficiently and equitably.

Every state has a unique population and way of administering its corrections department and programs. The optimal offerings and administration strategy likely differs slightly for each state. This makes a central administrative body even more important, as meeting a state population's

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\* In 2022, the entire Texas Department of Criminal Justice spent \$3,068,826,847. Windham School district spent \$76,349,466.

† "Operating Budget for Fiscal Year 2022" (Texas Board of Criminal Justice, December 1, 2021), <https://perma.cc/R9RK-MQJU>; "Budget and Salary Schedule: School Year 2021-2022" (Windham School District), <https://perma.cc/ZC6N-S2Q5>.

† SC DOC expenditures: \$555,217,398. School district expenditures: \$7,481,686. "School District FY23 Approved General Fund Budget" (Palmetto Unified School District), <https://perma.cc/EU6B-56WX>.



specific needs requires consistent support for and rigorous evaluation of programs and participants' outcomes.

Despite these benefits, only 19 states have dedicated school districts or educational offices covering adult education for their departments of correction. The evidence suggests that these states are more effective providers of prison education. As shown in Graphic 2, prisons in states without a central administration are four times less likely to have a literacy program (3.3% to 13.6%) and nearly four times less likely to have an ABE program (4.7% to 18.1%). In fact, prisoners in states without a central administration are less likely than prisoners in states with prison school districts to have access to special education, ESL, vocational, college and study release programs. The existence of a prison school district appears to be the single biggest policy predictor for whether a prison will offer a specific form of education.

**Graphic 2: Percentage of prisoners with access to educational programs, 2019**

	Central Administration	
	Yes	No
<b>Literacy training</b>	96.7%	86.4%
<b>Adult Basic Education</b>	94.3%	81.9%
<b>Secondary/GED</b>	95.8%	88.3%
<b>Special education</b>	62.2%	51.1%
<b>ESL</b>	48.0%	27.3%
<b>Vocational</b>	85.2%	74.9%
<b>College</b>	61.9%	41.9%
<b>Study release programs</b>	24.7%	3.5%
<b>Any program</b>	99.0%	96.1%
<b>Prisons/Prisoners</b>	435/507,101	598/574,930

*Source: 2019 Census of State and Federal Adult Correctional Facilities.*

The organization of this central administration differs across states. Some, like Texas and South Carolina, have broad, statewide school districts with a relatively large administrative body. Others, such as California or Arkansas, have offices within their departments of correction. We do not recommend one above the other. Rather, we recommend that states, at the very least, assign the administration of prison education to a specialized office with a designated director. Depending on the needs and administrative structure of a state's relevant regulatory bodies, it may be found useful to create a designated school district.

A centralized office or district can execute many important tasks: assigning and re-assigning teachers based on demand, gathering and reporting statistics to legislative bodies to evaluate performance, coordinating with outside educational support and training agencies and businesses and keeping student records. A well-functioning department can create several efficiencies and support students to make the programs more effective.

An administrative body can increase the availability of education for prisoners and also reduce a state's legal exposure and future court costs. Failing to provide certain types of education to prisoners could lead to lawsuits. In 2022, a federal court finalized a settlement stemming from a

class action lawsuit filed by state prisoners against the New Jersey Department of Corrections.<sup>17</sup> The plaintiffs argued that New Jersey (which lacks a central administrator for prison education) was not providing appropriate education to students with disabilities. The case was settled with substantial financial compensation for prisoners and the creation of a court-appointed external monitor. This monitor, which will oversee prisons for five years, will ensure the establishment of policies that would likely have fallen under the jurisdiction of a prison school district, if New Jersey had one.

### ***Automatic enrollment***

*Establish automatic enrollment rules with the following characteristics:*

- ♦ *The prisoner intake process will include administering a basic skills exam, such as the Test of Adult Basic Education.*
- ♦ *Each prisoner deemed nonproficient is automatically enrolled in a literacy program.*
- ♦ *Prisoners entering without a high school diploma or equivalent are automatically enrolled in a GED program.*

States should have a strong interest in increasing participation in prison education programs, and automatic enrollment in educational programs — at least for some prisoners — has a clear role to play in doing so. Prisons house many adults with low levels of educational attainment, an opportunity for states to fulfill their responsibility to provide comprehensive public education. The public also captures the fiscal, economic and societal benefits of prison education. If an adult enters a prison unable to read, for instance, it is likely the result of a past failure to provide the educational training that, as a society, we have deemed important, even necessary. Automatic enrollment can help fill these gaps.

Federal law already requires education services be provided for state prisoners under the age of 22 who have special education needs, but prison education requirements at the state level are a patchwork, at best. Only 16 states automatically enroll students in courses or make education mandatory for prisoners below a literacy or attainment level. These states typically require prisoners who score below a certain level on the Test of Adult Basic Education to enroll in literacy or ABE classes or require prisoners without a high school diploma to enroll in a GED course.

We recommend enforcing these automatic enrollment programs with clear and precise requirements in state statute. These should address both the duties of prisoners and the state's prison system. This will help ensure that states provide suitable provisions of education services and prisoners are assigned to appropriate programs. One example can be found in Arizona's statute, which is summarized here:

All persons remanded to [the corrections department's] custody are tested upon arrival at the Reception Center using the Test for Adult Basic Education. Any offender who does not receive a minimum 8th grade score in reading, language or math on the TABE must attend Functional Literacy classes. Offenders in the Functional Literacy Program are provided basic instruction to bring their scores up to at least the 8th grade level.

[A state statute] mandates that a prisoner who fails to achieve functional literacy at the 8th grade level will not be released to begin the prisoner's term of community supervision until either the prisoner achieves an 8th grade functional literacy level or the prisoner serves the full term of imprisonment imposed by the court, whichever occurs first.<sup>18</sup>

Without precise and coordinated statutory controls, some prisoners may wind up in prisons that do not offer the educational programs that state laws require them to take. In fact, at least seven states — Arkansas, Florida, Michigan, Missouri, North Carolina, Oregon and Texas — mandate certain types of education while maintaining facilities that appear not to offer those programs. The reasons behind this are likely multifaceted, though one straightforward explanation is simply that state corrections departments often face significant budgetary constraints.<sup>19</sup>

Studies have found that education is effective in improving academic and post-release outcomes even when prisoners were placed in those programs via automatic enrollment. Researchers Ryan and McCabe found that prisoners who were required to participate in education programs achieved similar academic improvements to those who voluntarily participated, leading to positive post-release outcomes.<sup>20</sup> Duwe and Clark found Minnesota's mandatory GED programs to be effective at reducing recidivism and increasing employment.<sup>21</sup> Studies of the effect of required education outside of prison support these findings as well. The most famous study, Angrist and Krueger's seminal 1991 paper, found that people who were required to stay in school for longer had higher levels of education and earnings.<sup>22</sup>

One concern about automatic enrollment is the increased cost, but these appear to be relatively low. Literacy and GED programs are among the lowest-cost programs to implement, and anecdotal evidence suggests that expanding classroom access decreases per-pupil expenditures. Given that many of the costs of prison education go towards facility costs (which are more fixed), larger education programs in prisons experience the benefits of economies of scale.<sup>23</sup>

**Prisoner incentives**

*Issue “earned-time credits” that would reduce the sentences of prisoners who complete educational programs. We recommend:*

- ♦ *Automatically decrease the prison sentence for successful completion of an educational program.*
- ♦ *Allow prisoners to stack earned-time rewards, providing additional sentence reductions for prisoners completing more than one program.*

Our previous research shows that participation in prison education causes lower rates of recidivism and higher rates of post-incarceration employment. Even if one doubts the strength of this causal relationship between education programs and positive outcomes, earned-time policies are effective.

We know that prisoners who participate in educational programs are less likely to recidivate, and research has consistently shown that longer sentences are largely ineffective at reducing repeat offenders.<sup>24</sup> So, it does not matter when considering the impact of earned-time credits whether education programs reduce recidivism through the selection bias of the prisoners they serve or an effect of the programs themselves. Prisoners who participate in education programs are less likely to return to prison, so reducing their sentences is a clear policy win, reducing the costs of incarceration to the state, the individual and the community, without compromising public safety.

Earned-time policies incentivize and reward behavior that reduces the risk of recidivism and serves to identify the prisoners who are least likely to recidivate in the first place. This policy is the one that has been most widely adopted, with 41 states authorizing earned-time credits of some kind. Twenty-six states have explicit sentence reductions for participation in education programs, while other states have more broadly defined eligibility criteria or sentence reduction, for which education may apply.<sup>25</sup> Notably, this policy is associated with increased educational participation. According to data from the 2016 Survey of Prison Inmates, prisoners in states with these credits are 14.4% more likely to participate in prison education than prisoners in states without such credits.<sup>26</sup>

The length of earned-time sentence reductions is not uniform across states, nor are the programs for which these credits reward participation. Some laws are written in a way that leaves significant discretion to prison officials by enabling them to determine any length of sentence reduction up to a maximum limit.

This lack of specificity raises two issues. First, research shows that the completion of educational programs is associated with larger decreases in recidivism than simple program participation. Second, a vague earned-time policy is a weak incentive for prisoners compared to a statutory guarantee of a sentence reduction upon completion of a program. For example, a law that provides explicit sentence reductions for participating in noneducational activities, such as a work program, could steer prisoners away from educational programs, with all their positive benefits.

Vagueness also feeds a primary criticism of earned-time rules — that they provide prison wardens with too much discretion. The concern is that wardens could abuse the programs to reinforce their authority and self-interest.<sup>27</sup> Under poorly designed earned-time policies, prison officials exercise discretion in two primary ways: by determining what activities count as earned time and by determining how much to award for such activities.

Some states also curtail the ability of earned-time credits to promote rehabilitative behavior by capping sentence reductions. Tennessee, for example, provides a credit of 60 days to a qualifying prisoner who receives a GED or high school diploma, two- or four-year college degree or certification in applied sciences, or vocational certificate. But each prisoner can receive only one 60-day credit, whether they attain one degree or multiple.<sup>28</sup>

Our previous research shows that the effectiveness of prisoner education is larger at higher levels of education.<sup>29</sup> Therefore, an earned-time policy that is capped will fail to incentivize prisoners to take college or vocational courses if they have already received credit for lower-level coursework. Moreover, removing the incentive to engage in a productive activity only increases the probability that prisoners will occupy their time in more disruptive ways, especially in states where prisoners quickly reach the cap of earned-time credit.

### ***Research and evaluation***

*Require regular reports to legislators that evaluate prison education performance and prisoner outcomes.*

The goal of prison education is to improve a set of outcomes — recidivism, employment, civic engagement, etc. — for prisoners and the public during and after incarceration. These involve complex dynamics that are difficult to isolate and study. There is still much to learn about how to best achieve those aims. Differences among states complicate the matter further; what works well in one state might not work in another, with different demographics, policy regimes and even cultural norms.

Regular program evaluations should play an integral role in the policymaking process. They can explain successes and failures, improve cost effectiveness, accountability, and transparency, and inform future decision-making.<sup>30</sup> States committed to improving outcomes through expanded prison education should commit to collecting comprehensive data on their programs, partnering with researchers and making that data available, and investing in rigorous evaluation.

There has been a gradual increase in the number of prison education programs in recent years, and they are consuming a larger portion of state budgets. Regular evaluations of these programs can help ensure these public funds are spent wisely and elucidate the benefits of prison education to the taxpaying public. A model for this kind of reporting already exists in Texas, where 2005 legislation mandated biennial reports from the Windham School District.<sup>31</sup>

Independent researchers (most recently a research team at the University of Kentucky) produce these reports every two years, providing disciplinary records, educational program completion rates, re-arrest rates and other data. These reports provide a wealth of information to lawmakers

on where the money provided to the system is going and give a robust set of outcomes by which to evaluate the program's performance. Moreover, the researchers compare the outcomes of participants to observationally similar nonparticipants in order to draw conclusions about the causal effect of educational programs.<sup>32</sup>

This model is just one example of an effective reporting and evaluation regime, and states should tailor their requirements to their needs and capacity. Full evaluation of the effectiveness of prison education will require the compilation of a rich dataset and rigorous measurement of post-release outcomes. This can be done annually, biennially or less frequently. States could even use randomized control trials to isolate the causal effect of education programs. But even simple data on participation and completion rates, such as Connecticut collects for its prison-based school system (Unified School District #1), can be valuable and can be published on an annual basis.<sup>33</sup>

## **Conclusion**

The payoff of prison education is clear. The best available research shows that these programs, on average, decrease recidivism rates and thereby increase public safety. They also boost the post-incarceration employment and income rates of participants, creating positive economic effects. It's no surprise that these programs also pass the taxpayers' cost-benefit analysis — they produce more economic benefits for the public, on average, than they cost in taxes.

The fact that most prisoners have low levels of educational attainment presents both a challenge and an opportunity. Some states are meeting this challenge better than others and generating tangible benefits for former prisoners, the public's safety and their economies. With prison education's clear track record of improving prisoner outcomes both during and after incarceration, all states should consider expanding these programs.

The four most important actions that lawmakers can take to improve educational offerings in prisons is to: 1) create or charge an existing state department or statewide school district to oversee these programs; 2) encourage prisoners to participate with automatic enrollments; 3) provide earned-time incentives to prisoners that reduce overall costs; and 4) regularly evaluate and publish data about the performance of these programs.

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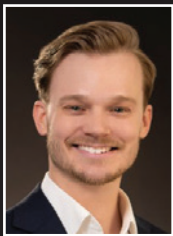
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