

2023 Higher Education and Corrections Council Annual Report

The Higher Education and Corrections Council was created by [House Bill 226 \(2022\)](#), with Representative V. Lowry Snow as the sponsor and Senator Derrin R. Owens as the floor sponsor, “to advise the [Board of Higher Education], the Education Interim Committee, and the Higher Education Appropriations Subcommittee regarding the development and delivery of accredited higher education curriculum to incarcerated individuals in the state correctional system” ([UCA 53B-35-201\(1\)](#)). The council’s statutory charge is to coordinate, facilitate, and support education to prepare for integration and productive employment upon release ([UCA 53B-35-202\(1\)](#)). They are to explore and provide recommendations to the Utah Board of Higher Education and the Utah Department of Corrections (UDC) for the delivery of higher education, collection and analysis of data, and requests for legislative appropriations.

A roster of council members, appointed as set forth in [UCA 53B-35-201](#), is provided in Appendix A. The council is co-chaired by Senator Michael K. McKell and Representative Melissa G. Ballard and staffed by the Office of the Commissioner of Higher Education. The council held four meetings in April, June, September, and October 2023. This council report of programs, plans, and recommendations for higher education in corrections facilities is provided in accordance with [UCA 53B-35-202\(2\)](#).

Higher Education Programs in Correctional Facilities

Four Utah System of Higher Education institutions currently provide an accredited, state-funded higher education curriculum to UDC inmates. Reports summarizing budgets, programs, enrollment, and completion for each institution are provided in Appendix B.

Technical Education Certificate Programs:

(Contracted by UDC; funded by Prison Telephone Surcharge Account, student tuition, and UDC programming budget)

- Davis Technical College (at Utah State Correctional Facility, Salt Lake City, Utah)
- Snow College (at Central Utah Correctional Facility, Gunnison, Utah)
- Uintah Basin Technical College (at Duchesne County Jail, Duchesne, Utah)

Academic Education:

- Salt Lake Community College (at Utah State Correctional Facility)
(Funded by appropriation to SLCC E&G budget and by student tuition)

The University of Utah Prison Education Program also offers credit-bearing courses through the University of Utah and with partnering institutions.

Higher Education and Corrections Council Plans and Programs

The following are highlights of work related to higher education and corrections during 2023:

- ***Council Membership:*** Terms of office for all council members ended July 31, 2023. Senator McKell and Representative Ballard were appointed by the Senate President and the Speaker of the House, respectively, to replace the previous legislators and serve as council members and co-chairs. Governor Cox appointed a new former student. The two positions for members of the Board of Higher Education were eliminated when the Board was restructured under [Senate Bill 146, Higher Education Amendments](#). Apart from two members who were later replaced due to position changes, all other members were reappointed to the new two-year term.
- ***Davis Technical College:***
 - Opened three additional technical education certificate programs for the Salt Lake women's facility, matching the number of programs in the men's facility (see Appendix B).
 - Established an integrated training and education partnership with Salt Lake City School District, allowing adult high school diploma and GED seekers the opportunity to concurrently enroll.
 - Developed articulation between Davis Tech and Salt Lake Community College (Credit granted for some coursework).
 - Completed an agreement with the U.S. Department of Labor, with Davis Tech certificates counting towards apprenticeship hours.
 - Is hosting a career fair in December 2023.
 - Implemented a student retention plan with a goal of graduating 80% of enrollments.
- ***Salt Lake Community College*** served a record number of 220 students and 23 graduates and added seven degree/certificate programs (see Appendix B).
- ***Electronic Resources:*** UDC and Davis Technical College added the Canvas learning management system used by K-12 and higher education across the state, with modules supporting the current certificate programs. UDC has begun making tablets and technology centers available during lockdowns to provide continued access to education.
- ***Location Tracking:*** UDC is developing a location change request tracker to reduce interruptions caused by inmate relocations and promote education completion.

- **Financial Aid:** Federal rules this year opened eligibility for Pell grants for approved Prison Education Programs (PEPs). UDC is developing criteria and a process under which institutions will be able to apply for and be approved as PEPs. SLCC continues offering Pell as a previous Second Chance Pell experimental site during the transitional period.
- **Programming Plan:** The council developed a higher education programming and enrollment plan to guide the deployment of programs and enrollment of students, which is included in the recommendations of this report for consideration by the UDC and the Utah Board of Higher Education.
- **County Jails:** The council met with the Utah Sheriffs Association to consider needs and approaches to higher education in county jails that contract with UDC to house state inmates. The council recommendations are included in this report.
- **Legislation:** council members provided feedback on drafts of potential legislation related to the delivery and support of higher education in state correctional facilities.

Recommendations to the Board of Higher Education and Utah Department of Corrections

1. Budget Structure:

The council recommends that the Utah Board of Higher Education and UDC request the Legislature to:

- a) Appropriate all state funds used by institutions for postsecondary education in correctional facilities into ongoing line items for each institution;
- b) Eliminate the provisions established in [UCA 64-13-30.5](#) for payment to UDC by inmates for tuition;
- c) Establish a consistent, ongoing funding stream that considers the variability of and alternatives to the Prison Telephone Surcharge Account; and
- d) Establish institution accountability for education and UDC accountability for access to enrollment and completion of programs.

Funding prison education directly to institutions will provide benefits not available under UDC-funded contracts, including consistency within and between institutions, needed control and responsiveness of education by the institutions, normal student tuition management and resources consistent with non-incarcerated students, and eligibility for student financial aid.

2. Higher Education Programming and Enrollment Guidance

The council recommends that USHE institutions and UDC prioritize and deploy postsecondary education programs and student enrollment at correctional facilities in accordance with the guidance in Attachment C, “Higher Education Programming in UDC Facilities.”

3. *County Jails*

The council recommends that the Utah Board of Higher Education and UDC deploy postsecondary education programs at county jails in accordance with the guidance in Attachment C, “Higher Education Programming in UDC Facilities,” including that:

- a) Students be moved to and kept at locations where a program is available and accessible for their interests, aptitudes, and preparedness when appropriate for safety, security, and treatment;
- b) On-site postsecondary education programs be proven and at capacity at one UDC-managed or contracted facility before expanding to other county jails;
- c) Programs be deployed at county jails only if resources and facilities are available and the facility will have a sustainable number of students with interests, aptitudes, and preparedness for the selected program; and
- d) Courses optimal for remote delivery be extended to remote locations by electronic or other means where resources allow.

4. *Student Advisement*

- (a) The council recommends that the Utah Board of Higher Education require each institution offering postsecondary education at a correctional facility to provide student advisors at the facility:
 - In sufficient numbers for the institution’s programs and the facility’s population;
 - Consistent and integrated with the institution’s main campus advisement;
 - With duties that include guidance and assistance with financial aid, admissions, academic preparation, retention of students in programs, support through the education process, student surveys, and transition to re-entry after release; and
 - Funded by the institution’s prison education budget.
- (b) The council recommends that UDC review and adjust current policies and practices as needed to ensure that each inmate’s case manager will:
 - Ensure that an assessment of the education level, occupational interests, and aptitudes of the inmate has been completed;
 - Refer the inmate to higher education student advisors at institutions offering programs consistent with the inmate’s interests and aptitudes for advisement on educational preferences and plans;
 - Incorporate the inmate’s interests, aptitudes, and student advisement into an education plan consistent with the guidance in Attachment C, “Higher Education Programming in UDC Facilities,” as part of the inmate’s case action plan.
 - Refer the inmate to the student advisor at the institution called for in the case action plan for guidance and assistance with the education process.

Recommendations to the Utah Department of Corrections

1. *Student Housing and Mobility*

As a follow-up to the top 2022 HECC recommendation, the council recommends that UDC continue to review and consider changes in policy and practices within current staff and facility resources that would enable students to be assigned together in housing units when appropriate for safety, security, and treatment.

- Some individuals are allowed to be together during schooling or on a job but are not allowed to live together based on current policy.

2. *Data Collection and Reporting*

The council recommends that UDC review and update their data systems, measurement, and reporting:

- a) For accuracy and reliability;
- b) To identify education levels and readiness of all inmates;
- c) To track and minimize interruptions and relocations of active students; and
- d) To align post-release measurements on recidivism with other states.

Issues for Coordination or Further Study by the Council

The Higher Education and Corrections Council has identified the following issues it will assign to working groups to study further during the interim between 2023 and 2024 and consider for recommendations during 2024.

1. ***Information Technology:*** Assess, coordinate, and provide recommendations for current and needed computers, tablets, network, internet, other technology, and associated funding for UDC and USHE institutions to support existing and expected postsecondary education programs, including consideration of potential institutional and adult education shared resources.
2. ***Certificate Articulation:*** Review and provide recommendations for meaningful associate degrees that will articulate with currently available certificates.
 - Students who complete technical education certificates currently do not have access while still incarcerated to associate degree programs that build on completed coursework, as recommended in “Higher Education Programming in UDC Facilities.”
3. ***Documentation of High School Completion:*** Coordinate or recommend ways to document prior high school or GED completion necessary for postsecondary enrollment.
 - Some inmates who report that they have completed high school or GED prior to incarceration perceive that they are being required to repeat because their completion is not adequately documented. SLCC has indicated that they have found ways of tracking down documentation that may be helpful.

- 4. *Reintegration:*** Review and provide recommendations on creating a unified authority for reintegration guidance that involves but is not driven by UDC and includes collaboration with community councils so education and employment opportunities for individuals can be facilitated.

 - The colleges involved may benefit from an entity helping to transition students out of prison and to continue education where appropriate.
- 5. *Student Mentors:*** Review and provide recommendations for engaging qualified incarcerated individuals as mentors for students enrolled in higher education programs.
- 6. *Retention:*** Review causes of student non-completion and provide recommendations to increase retention in and completion of programs.
- 7. *Time Cuts for Associate Degrees:*** Consider research and provide recommendations for longer incarceration time reductions for associate degrees.

 - UDC already provides time cuts for technical certificates; with the introduction of Pell grants, it may be time to consider longer time cuts for associate degrees.

Appendix A:

Higher Education and Corrections Council

Council Members ([UCA 53B-35-201\(2\)](#)):

- a) *House of Representatives, Co-Chair*** (appointed by Speaker):
 - Representative Melissa Ballard
- b) *Senate, Co-Chair*** (appointed by President):
 - Senator Michael McKell
- c) *Commissioner of Higher Education or Designee:***
 - Jared Haines (designee), Senior Advisor to the Commissioner
- d) *Institution Employees (two)*** engaged in prison education, with transfer articulation expertise (appointed by Commissioner of Higher Education):
 - **Technical College:**
 - Dan Powers, Davis Technical College, Director of Rehabilitative Programs
 - **Degree-Granting Institution:**
 - David Bokovoy, Salt Lake Community College, Prison Education Director
- e) *Governor appointments:***
 - **Researcher** who actively researches higher education delivered in a corrections setting using evidence-based practices:
 - Christopher Hodson, Associate Professor of History, Brigham Young University
 - **Former Student** who participated in postsecondary educational programs while incarcerated:
 - Matthew Holman, University of Utah Graduate
- f) *Member of the Board of Pardons and Parole*** (appointed by BPP Chair):
 - Scott Stephenson, Chair, Board of Pardons and Parole
- g) *Utah Department of Corrections Executive Director or Designee:***
 - Maria Shirey (designee), Assistant Deputy Executive Director
- h) *Utah Department of Corrections Employee*** with education expertise (appointed by Executive Director):
 - Brian Fauver, Education Specialist
- i) *Department of Workforce Services Executive Director or Designee:***
 - Helen Hanson (designee), Economic Service Area Director, Northern Utah

Appendix B:

Higher Education in Utah Correctional Facilities (Fiscal Year Ending on June 30, 2023)

State-Funded Totals

FY 2023	Davis	Snow	UBTech	SLCC	Total
Distinct Headcount	211	40	45	220	516
Student FTE	87.4	20.0	9.4	77.5	194.3
Graduates	50	0	27	23	100
Total FY24 Budget	\$1,928,978	\$347,151	\$131,648	\$617,000	\$3,024,777

**Technical Education budgets (Davis, Snow, Uintah Basin) are funded by UDC under contract.*

**Academic education (SLCC) is funded by appropriation (\$339K Prison Education, \$188K E&G) & institution funds (\$90K)*

Prev. Years	Distinct Headcount	FTE	Graduates	Budget Detail	FY 2023	FY 2024
FY2023	516	194.3	100	UDC Contract	\$2,407,777	\$2,407,777
FY2022	428	116.0	133	Prison Ed. Approp.	\$339,000	\$339,000
FY2021	282	72.0	78	Institutional E&G	\$188,000	\$188,000
FY2020	456	110.0	98	Inst. Funds III	\$90,000	\$90,000
FY2019	522	140.0	101	Total	\$3,024,777	\$3,024,777

Davis Technical College – Utah State Correctional Facility (Salt Lake)

FY23 & FY24 Programs	FY 2023			Budget	FY 2024
	Distinct Headcount	FTE	Graduates	UDC Contract	\$1,928,978
Automation/Robotics (Female) <i>NEW</i>	0	0.0	0		
Automotive Technology (Male)	35	6.9	5		
Advanced Automotive Technology (Male)	5	1.4	1		
Business Administrative Services (Female)	30	12.0	6		
Business Administrative Services (Male)	37	18.5	10		
Culinary Arts (Female)	50	17.9	17		
Culinary Arts (Male)	41	16.9	11		
Information Technology (Female) <i>NEW</i>	0	0.0	0		
CNC Machining (Male) <i>NEW</i>	4	0.3	0		
Web & Graphic Design (Female) <i>NEW</i>	0	0.0	0		
Welding Technology (Male) (<i>new cohort</i>)	35	13.5	0		
FY2023 Total	211	87.4	50		
FY2022 Total	200	81.0	71		
FY2021 Total	146	44.0	32		
FY2020 Total	314	85.0	58		
FY2019 Total	348	117.0	65		

Source: Davis Technical College

Snow College – Central Utah Correctional Facility (Gunnison)

FY23 & FY24 Programs	FY 2023			Budget	FY 2024
	Distinct Headcount	FTE	Graduates	UDC Contract	\$347,151
Construction Management	18	9.0	NA		
Culinary Arts	22	11.0	NA		
FY2023 Total	40	20.0	0		

**FTE not available; estimates based on 2 semesters half-time per student.*

FY2022 Total	36	18.0	18
FY2021 Total	36	18.0	18
FY2020 Total	36	18.0	18
FY2019 Total	36	18.0	18

**Prior yrs. not available; est. 18 students per prog., 1/2-time 2 semesters.*

Source: Snow College

Uintah Basin Technical College – Duchesne County Jail

FY23 & FY24 Programs	FY 2023			Budget	FY 2024
	Distinct Headcount	FTE	Graduates	UDC Contract	\$131,648
Residential Construction	45	9.4	27		
FY2022 Total	38	12.0	30		
FY2021 Total	38	10.0	27		
FY2020 Total	40	7.0	18		
FY2019 Total	28	5.0	17		

Source: Uintah Basin Technical College

Salt Lake Community College – Utah State Correctional Facility (Salt Lake)

FY23 & FY24 Programs	FY 2023			Budget	FY 2024
	Distinct Headcount	FTE	Graduates		
<i>Total Enrollment</i>	220	77.5		Prison Ed. E&G Approp.	\$339,000
General Studies			15	Institutional E&G	\$188,000
General Education			7	Institutional Funds III	\$90,000
English			1	Total	\$617,000
Anthropology*					
Business*					
Criminal Justice*					
History*					
Philosophy & Religious Studies*					
Paralegal Studies*					
Professional Sales*					
FY2023 Total	220	77.5	23		
FY2022 Total	154	5.0	14		
FY2021 Total	62	NA	1		
FY2020 Total	66	NA	4		
FY2019 Total	110	NA	1		

*New programs FY23 or FY24

Source: Salt Lake Community College

Appendix C:

Higher Education Programming in UDC Facilities

Objective

For the post-release employment and integration of the current and future inmate population, what higher education programming is recommended in terms of:

1. Types of credentials
2. Fields of study
3. Number/size of programs
4. Institutional roles
5. Geographic locations (including county jails)
6. Pathways/articulation

HECC's [statutory duties](#): Prepare for integration and productive employment upon release, emphasize sustainable occupations and timely completion during incarceration, and encourage personal and civic development.

Higher Education Program Criteria

Higher education programs to be offered utilizing state resources specified for education in correctional facilities should be prioritized with consideration of the following criteria unless the resources are otherwise specified for other programs:

1. High-yield status (leading to high wage and high demand 4- and 5-star jobs, as classified for USHE performance metrics), and likely to employ individuals with a criminal record.
2. High program graduation and employment rates (at the prison for continuing programs; at the main campus or forecasted for proposed programs).
3. Feasibility for delivery and access (facilities, accessibility, timing, security, can be completed during incarceration, online/in-person, provision of supplies, resource availability, etc.).
4. Sufficient student demand to sustain the program.
5. Full credentialed program is provided (vs. partial or non-certificate).

Other programs may be offered at an institution's discretion utilizing other funds (institutional funds not specified for prison education, grants, donated funds, pro bono services, etc.) according to interests, aptitudes, employability, priorities, deliverability, and resources.

Deployment (Salt Lake, Gunnison, County Jails): Deploy each program at a facility with a sustainable cohort of students and an institution available in and ready for that program. While some programs can be easily adapted at multiple sites with minimal additional resources, others may be difficult and not advisable to duplicate. When possible, the reach of courses should be extended by

electronic means (online, tablets, server-based, etc.). For needed programs that are not optimal for duplication or remote delivery, transfer students to facilities based on the program of interest.

Student Enrollment Criteria

Students should be considered for higher education programs at correctional facilities as follows:

1. High School Completion

- **Target Audience:** An inmate without a high school diploma or GED should generally be first enrolled in and complete high school education before enrolling in a postsecondary education program. Most postsecondary programs require high school equivalency.
- **Concurrent Postsecondary Education:** As determined by an institution's program requirements, for some postsecondary programs, a student who qualifies may enroll concurrently while working on high school completion. Generally, students should focus their full available time and efforts on completing high school prior to postsecondary education. Concurrent education should be considered for postsecondary courses that satisfy high school completion requirements after careful advisement regarding future impacts on financial aid eligibility and college transcripts or for technical education certificate programs for students who are within three years of release from incarceration who will thereby be advantaged with an employment-specific credential.
- **Optional High School:** For a postsecondary program that does not require it, high school completion may not be necessary before enrollment, although it might still be recommended for the student's development and preparation.

2. Technical Education Certificates

- **Target Audience:** Prioritized for students who are within three years of release and *have an interest in and aptitude* for an occupation associated with an available technical education certificate program. (Students who are not within three years of release may enroll in degree-granting programs based on admissions eligibility or in technical education programs when space is available.)
- **Current technical education deployment:**
 - Salt Lake – Men (Davis Tech): Automotive Technology, Computer Applications, Culinary Arts, Machining Technician, Welding Technology
 - Salt Lake – Women (Davis Tech): Automation/Robotics, Computer Applications, Culinary Arts, Information Technology, Web/Graphic Design
 - Gunnison (Snow): Building Construction, Culinary Arts
 - Duchesne County Jail (UBTech): Building Construction

3. Associate Degrees/General Education

- **Target Audience:** Associate degrees and general education for incarcerated students should be prioritized according to the following hierarchy:

1. **Degrees Articulated from Technical Education Certificates:** Coursework that builds on a previously completed or available technical education certificate to a high-yield associate degree. Degree coursework can be provided upon completion of or concurrently with the technical education certificate.
 2. **General Education Certificates:** For students who are prepared for and interested in postsecondary.
 3. degrees that are not available in prison. The intent is to prepare these students to continue with other programs after release.
 4. **High-Yield Degrees:** Giving hierarchical preference to:
 - a) **Occupational Degrees:** Stand-alone associate degrees (not tied to a certificate) that prepare for specific occupations at the associate degree level, usually but not limited to Associate of Applied Science degrees.
 - b) **General Degrees:** Other associate degrees (A.S., A.A., etc.) not tied to a specific occupation that are proven through data to correlate with employment in high-wage/high-demand jobs at levels consistent with or exceeding occupational degrees.
 5. **Transfer Degrees:** Other associate degrees that satisfy the first two years of a bachelor's degree may be considered according to interests, aptitudes, employability, priorities, deliverability, and resources.
 6. **Lower Division Coursework:** A lower division course necessary for a bachelor's degree provided by another institution in the facility that is not otherwise available in the associate degree offerings may be considered according to priorities, deliverability, and resources if there is a sustainable cohort for the course.
 7. **Stand-Alone Coursework:** Qualified interested individuals who are not enrolled in a full credentialed program may enroll in or audit individual courses when space is available after consideration and advisement to preserve full Pell eligibility and accrue meaningful credits for future education. The intent is to fill courses and provide educational opportunities that may benefit students through longer periods of incarceration, develop skills that may help them obtain and sustain employment, prepare them for additional education as they come closer to release and employment, and provide cultural and behavioral benefits for the prison environment.
- **Current associate degree education deployment:**
(Salt Lake Correctional Facility, Salt Lake Community College)
 - Certificate Articulations (with Davis Tech): Pending
 - Occupational Degrees (A.A.S.): Paralegal Studies
 - Occupational Certificate: Professional Sales
 - Transfer Degrees (A.A./A.S.): Anthropology, Business, Criminal Justice, General Studies, History, Philosophy & Religious Studies

- General Education Certificate

4. Bachelor's Degrees

- **Target Audience:** For students who have completed a transferable associate degree or lower division coursework prior to or during incarceration, meet institution/program admissions requirements, and have interest in and aptitude for occupations associated with an available bachelor's degree program.
- **High-Yield Degrees:** In lieu of "high-yield" status for a specific occupation, a bachelor's program should be proven through data to correlate with high levels of employment in high-wage/high-demand jobs.
- **General Education and Lower Division:** Lower division and general education coursework should generally be provided by a community college in transfer associate degrees when available for a given bachelor's degree program. An institution offering a bachelor's degree may provide general education and lower division courses at students' discretion if resources permit or if the course is not otherwise available.
- **Stand-Alone Coursework:** Interested and qualified individuals who have not completed lower division requirements or matriculated in the bachelor's program may enroll in or audit individual upper division courses and programs when space is available after consideration and advisement to preserve full Pell eligibility and accrue meaningful transcript credits for future education. The intent is to fill courses and provide educational experiences that may benefit students during and after incarceration.
- **Current Bachelor's Degree Education Deployment:** Pending identification or preparation of a high-yield degree program and sustainable student demand.