

AMENDMENT TO H.R. 4137

OFFERED BY MR. DAVIS OF ILLINOIS, MR. SOUDER OF INDIANA, MR. SCOTT OF VIRGINIA, MS. CLARKE OF NEW YORK, AND MR. PAYNE OF NEW JERSEY

Page 689, beginning on line 7, strike section 941 and insert the following:

1 **SEC. 941. GRANTS FOR TRAINING FOR INCARCERATED IN-**
2 **DIVIDUALS.**

3 Part D of title VIII of the Higher Education Amend-
4 ments of 1998 (20 U.S.C. 1151) is amended to read as
5 follows:

6 **“PART D—GRANTS FOR TRAINING FOR**
7 **INCARCERATED INDIVIDUALS**

8 **“SEC. 821. GRANTS FOR IMPROVED WORKPLACE AND COM-**
9 **MUNITY TRANSITION TRAINING FOR INCAR-**
10 **CERATED INDIVIDUALS.”**

11 **“(a) DEFINITION.—In this section:**

12 **“(1) INCARCERATED INDIVIDUAL.—The term**
13 **‘incarcerated individual’ means a male or female of-**
14 **fender who is incarcerated in a State or Federal**
15 **prison, including a prerelease facility.**

1 “(2) SECRETARY.—The term ‘Secretary’ means
2 the Secretary of Education.

3 “(b) GRANT PROGRAM.—The Secretary—

4 “(1) shall establish a program in accordance
5 with this section to provide grants to the State cor-
6 rectional education agencies in the States, and to the
7 Federal Bureau of Prisons, to assist and encourage
8 incarcerated individuals to acquire educational and
9 job skills, through—

10 “(A) coursework to prepare students to
11 take college-level courses, such as remedial
12 math and English for postsecondary prepara-
13 tion;

14 “(B) the pursuit of a postsecondary edu-
15 cation certificate, or an associate or bachelor’s
16 degree, provided by a regionally or nationally
17 accredited body while in prison; and

18 “(C) employment counseling and other re-
19 lated services which start during incarceration
20 and end not later than 1 year after release from
21 confinement; and

22 “(2) may establish such performance objectives
23 and reporting requirements for State correctional
24 education agencies and the Federal Bureau of Pris-
25 ons receiving grants under this section as the Sec-

1 retary determines are necessary to assess the effec-
2 tiveness of the program under this section.

3 “(c) APPLICATION.—To be eligible for a grant under
4 this section, a State correctional education agency or the
5 Federal Bureau of Prisons shall submit to the Secretary
6 a proposal for an incarcerated individual program that—

7 “(1) identifies the scope of the problem, includ-
8 ing the number of incarcerated individuals in need
9 of postsecondary education and vocational training;

10 “(2) lists the accredited public or private edu-
11 cational institution or institutions with campuses es-
12 tablished outside the prison facility that will provide
13 postsecondary preparatory or postsecondary edu-
14 cational services;

15 “(3) lists the cooperating agencies, public and
16 private, or businesses that will provide related serv-
17 ices, such as counseling in the areas of career devel-
18 opment, substance abuse, health, and parenting
19 skills;

20 “(4) describes specific performance objectives
21 and evaluation methods (in addition to, and con-
22 sistent with, any objectives established by the Sec-
23 retary under subsection (b)(2)) that the State cor-
24 rectional education agency will use in carrying out
25 its proposal, including—

1 “(A) specific and quantified student out-
2 come measures that are referenced to outcomes
3 for non-program participants with similar de-
4 mographic characteristics; and

5 “(B) measures, consistent with the data
6 elements and definitions described in subsection
7 (d)(1)(A), of—

8 “(i) program completion, including an
9 explicit definition of what constitutes a
10 program completion within the proposal;

11 “(ii) knowledge and skill attainment,
12 including specification of instruments that
13 will measure knowledge and skill attain-
14 ment;

15 “(iii) attainment of employment both
16 prior to and subsequent to release;

17 “(iv) success in employment indicated
18 by job retention and advancement; and

19 “(v) recidivism, including such sub-
20 indicators as time before subsequent of-
21 fense and severity of offense;

22 “(5) describes how the proposed programs are
23 to be integrated with existing State and Federal cor-
24 rectional education programs (such as adult edu-
25 cation, graduate education degree programs, and vo-

1 cational training) and State and Federal prison in-
2 dustry programs; and

3 “(6) describes how the proposed programs will
4 have considered or will utilize technology to deliver
5 the services under this section.

6 “(d) PROGRAM REQUIREMENTS.—Each State correc-
7 tional education agency and Federal Bureau of Prisons
8 entity receiving a grant under this section shall—

9 “(1) annually report to the Secretary regard-
10 ing—

11 “(A) the results of the evaluations con-
12 ducted using data elements and definitions pro-
13 vided by the Secretary for the use of State cor-
14 rectional education programs and the Federal
15 Bureau of Prisons;

16 “(B) any objectives or requirements estab-
17 lished by the Secretary pursuant to subsection
18 (b)(2);

19 “(C) the additional performance objectives
20 and evaluation methods contained in the pro-
21 posal described in subsection (c)(4) as nec-
22 essary to document the attainment of project
23 performance objectives; and

24 “(D) how the funds provided under this
25 section are being allocated among postsec-

1 ondary preparatory education, postsecondary
2 academic, and vocational education programs;

3 “(2) provide to each State and the Federal Bu-
4 reau of Prisons for each student eligible under sub-
5 section (e) not more than—

6 “(A) \$3,000 annually for tuition, books,
7 and essential materials; and

8 “(B) \$300 annually for related services
9 such as career development, substance abuse
10 counseling, parenting skills training, and health
11 education.

12 “(e) EDUCATION DELIVERY SYSTEMS.—State correc-
13 tional education agencies, the Federal Bureau of Prisons,
14 and cooperating institutions shall, to the extent prac-
15 ticable, use high-tech applications in developing programs
16 to meet the requirements and goals of this section.

17 “(f) LENGTH OF PARTICIPATION.—Services carried
18 out with a grant under this section shall be available to
19 incarcerated individuals as follows:

20 “(1) Educational services shall start during the
21 period of incarceration or prerelease and shall end
22 upon release.

23 “(2) Related services shall start during the pe-
24 riod of incarceration or prerelease and may continue
25 for not more than one year after release.

1 “(g) FEDERAL BUREAU OF PRISONS GRANT ELIGI-
2 BILITY.—Notwithstanding any other provision of law, the
3 Federal Bureau of Prisons shall be eligible to apply for
4 and receive a grant under this section, provided that the
5 Federal Bureau of Prisons meets the application and pro-
6 gram requirements under this section.

7 “(h) ALLOCATION OF FUNDS.—

8 “(1) STATES.—From the funds appropriated
9 pursuant to subsection (g) for each fiscal year, the
10 Secretary shall allot to each State an amount that
11 bears the same ratio to such funds as the total num-
12 ber of incarcerated individuals in such State bears to
13 the total number of such incarcerated individuals in
14 all States.

15 “(2) FEDERAL BUREAU OF PRISONS FACILI-
16 TIES.—From the funds appropriated pursuant to
17 subsection (g) for each fiscal year, the Secretary
18 shall allot to each Federal Bureau of Prisons facility
19 an amount that bears the same ratio to such funds
20 as the total number of inmates in such facility bears
21 to the total number of inmates in all Bureau of Pris-
22 ons facilities.

23 “(i) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated to carry out this section

- 1 such sums as may be necessary for fiscal year 2009 and
- 2 each of the 4 succeeding fiscal years.