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A Review of Corrections Education Policy  
for the Department of Health, Education  
and Welfare - Executive Summary

MetaMetrics, Inc, Washington, D C

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A REVIEW OF  
CORRECTIONS EDUCATION POLICY  
FOR THE  
DEPARTMENT OF HEALTH, EDUCATION &  
WELFARE  
FINAL REPORT

Submitted to

Department of Health, Education and Welfare  
Office of the Secretary  
Washington, D. C. 20201

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<p>A review of federal corrections education programs found HEW to be the major source of funds but HEW programs were characterized by a lack of coordination and clear policy guidance from the department. With few exceptions, HEW policy was guided by out dated philosophies of corrections education, resulting in programs working at cross purposes. Policy recommendations were made.</p>			
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## EXECUTIVE SUMMARY

"Poor education does not necessarily cause crime. We can say however, that the greater the problems of the people, including educational problems, the more likely it is that they would resort to crime, either out of frustration or because of economic needs. This is particularly true if people do not have skills to get secure jobs."

E. Herschler, "Education:  
Weapon Against Crime" -  
1976

Since the early 1970's, the U. S. Department of Health, Education & Welfare has officially subscribed to the position that corrections education, being a tool in rehabilitation, is the responsibility of the Law Enforcement Assistance Administration (LEAA). This position, adopted during the Nixon administration is out of step with current corrections thinking which emphasizes education for its own sake in meeting the severe levels of educational disadvantage in the corrections population and is also inconsistent with the Departmental overall objective of insuring educational equality for all Americans.

Although the Nixon-Ford Administration's policy was to concentrate all corrections activities in LEAA, laws and the nature of many HEW education programs made it impossible for HEW to completely withdraw from the field. HEW actually spends an estimated \$72 million of the total \$119 million spent by the Federal Government on corrections education. The lack of overall policy and administrative attention to corrections education has resulted in different HEW programs working at cross purposes. Several agencies within the Department are emphasizing de-institutionalization of delinquents while the Department's single biggest corrections education program, Title I of the Elementary and Secondary Education Act (Neglected and Delinquent) which expended \$30 million in corrections institutions can only fund programs within institutions.

The failure of high level leadership in HEW for corrections education was illustrated when the HEW Office of Public Affairs was asked for a list of HEW's corrections education programs. The request was referred to LEAA on the grounds that HEW did not operate corrections programs. The Public Affairs official, following the Nixon-Ford policy of concentrating corrections education programs in LEAA was unaware that some 22 different HEW programs spent 8 times as much money on corrections education as did LEAA.

Within HEW, the Office of Education, Office of Human Development and Office of Youth Development provide funding for corrections education through their regular programs. The Fund for the Improvement of Post-Secondary Education funded several demonstration projects and studies. Basic Education Opportunity Grants, Teacher Corps, Vocational Education, Adult Education and Library Services and Construction each expend more on corrections education than does LEAA through its discretionary grant program. HEW formal coordination of corrections education, however, was non-existent, HEW policy was never formulated, and program efforts, as a consequence, were frequently overlapping and even contradictory. Department level acquiescence to Nixon-Ford policy was dramatically emphasized when HEW withdrew from a program to be jointly sponsored by HEW, the Department of Labor, and LEAA called COPE (Comprehensive Offender Program Effort). COPE was subsequently initiated by Labor and LEAA without HEW participation.

Several factors indicate a growing need for an active HEW role in corrections education:

- o A number of bills have been introduced in Congress in recent years stressing the role of education in both prevention and rehabilitation of juvenile delinquents;
- o Congressional interest has also been manifested through several GAO studies within the past two years which have pointed out the deplorable state of corrections education;
- o A corrections education project currently underway at the Education Commission of the States has found rapidly increasing interest and concern with corrections education at the state level.

This growing interest in corrections education, when combined with the severe lack of educational attainment in offenders, HEW's historic policy emphasis on equality of education, and LEAA's demonstrated reluctance to get involved in corrections education indicate there will be an increasing demand on HEW in the immediate future to provide money, direction and research in corrections education. The Department of Health, Education & Welfare needs to recognize its de facto role and responsibilities in corrections education and develop appropriate policy and program coordination.

#### THE NEED FOR CORRECTIONS EDUCATION

Approximately 2.1 million persons are under supervision of corrections agencies. Roughly half are in institutions and half on parole or probation. About half are juveniles. Among the incarcerated, 45% are nonwhite. At the time of their arrest, 75% had incomes of less than \$2000. Although inmates are overwhelmingly young adults, their educational attainment is deplorable. Almost 90% of adult inmates lack a high school diploma. More than a third of the juveniles are functionally illiterate. Up to 65% of inmates have no marketable job skills. A third of Federal inmates cannot perform at the sixth grade level. Another third function above the sixth but below the 12th grade level.

It is important to note, given the very low level of educational attainment among inmates that their ability level is not below that of the general population. Indeed, 87% of Federal prisoners have an IQ of average or above. The conclusion is unavoidable: whether the fault of the individual or of society, the corrections population stands as a monumental educational failure. It is important to note that, compared to other educationally disadvantaged groups, the social and economic cost of the corrections population is extremely high. Institutions have been referred to as schools in crime and the annual cost of incarcerating an individual is approximately \$10,000 and can run as high as \$20,000.

The need for corrections education programs spans almost all HEW education program efforts. For adult offenders, vocational, GED, remedial and post-secondary programs are needed. For juveniles, in addition to the regular junior-senior high school level curriculum, vocational, compensatory and handicapped programs are required. (GAO has recently pointed out the high proportion of students with learning disabilities in juvenile institutions). Facility improvement and teacher training in special education and the unique problems of corrections education are also needed.

#### HEW IN RELATION TO OTHER FEDERAL AGENCY EFFORTS

HEW, the Department of Labor and the Department of Justice all have major roles in the Federal corrections education effort. To a considerable extent, the roles of these agencies overlap. This overlap, combined with philosophical and basic mission differences among the agencies has resulted in considerable confusion in interagency policy. Any effort to understand and develop corrections education policy for HEW must first consider HEW's role within the Federal establishment.

The most basic question which must be asked is whether HEW has a role in corrections education. The answer to this question depends on which of two philosophical approaches to corrections education one chooses. To over simplify somewhat, the issue is to what extent corrections education emphasizes corrections or education. It is clear that the corrections population is one of the most severely educationally disadvantaged groups in the nation. Given HEW's long standing policy to assist educationally disadvantaged groups attain educational equality, there is clearly a role for HEW in corrections education (unless one holds that being judged an offender is grounds for depriving him of a right to the education he might otherwise enjoy).

On the other hand, if one holds a perspective that corrections education is important only as a rehabilitative tool, then there are grounds for having correction agencies take the lead roles in corrections education. However, even then there is justification for an HEW role since the expertise of educators in providing education is necessary even if

the education is primarily directed towards corrections purposes. Recently the corrections world has been shaken by the argument that no rehabilitative efforts (including education) are successful in reducing recidivism. While the preponderance of the evidence suggests that education is indeed rehabilitative, this argument should have little bearing on HEW corrections education activities that are primarily justified on educational, not correctional grounds. The grounds, then, for a major HEW role in corrections education are:

- o to combat the severe level of educational deprivation found in the corrections population; and
- o to provide technical competence in carrying out rehabilitative educational programs.

In view of the rationale for HEW involvement in corrections education, it is instructive to examine HEW policy during the Nixon-Ford administration. Basically, high level HEW administration held that corrections education was primarily a rehabilitative tool and was therefore the responsibility of LEAA, not HEW. When it became clear that LEAA was not pursuing corrections education, HEW continued to neglect corrections education apparently as a result of the past administration's general reluctance to undertake any initiatives in education. In marked contrast to HEW's position that corrections education was a corrections problem was the growing trend among corrections experts, with the U. S. Bureau of Prisons in the lead, to see a basic need for education among the corrections population regardless of whether education is or is not rehabilitative. Consequently, the last few years have found corrections agencies to be ahead of the Office of Education in pushing for corrections education on the grounds of the educational needs of the corrections population. HEW, meanwhile, has continued to hold the view, long since abandoned by corrections, that corrections education is justified only as a rehabilitative program.



The Department of Labor, in contrast, has not felt constrained in being involved in training and employment development efforts for criminal offenders. Through the Comprehensive Employment and Training Act (CETA), more than \$25 million has been expended annually to assist the correctional population.

It is past time for HEW to bring its policies on corrections education into line with the mainstream of thought and to abandon positions that even jailers gave up years ago. HEW's policy on corrections education vs. the Department of Justice should be that the redress of educational inequity in the corrections population is primarily an HEW responsibility. While rehabilitative educational programs can be within the purview of LEAA, HEW with its technical expertise in education should not abandon this area either, as has been the case.

#### FEDERAL POLICY, PROGRAM EFFORTS AND COORDINATION

"The point is that no one knew what the government as a whole was doing (in providing programs for criminal offenders). There was no coordination among these programs. We were spending close to \$200 million a year in such a totally uncoordinated manner that it took more than half a year just to find these programs. If a business were to operate this way, it would be bankrupt."

Senator Charles Percy  
July 28, 1972

In 1971, the General Accounting Office surveyed Federal programs providing training and education to convicted offenders. Although the GAO report identified eleven Federal agencies involving more than 70 different programs that provided assistance in the rehabilitation of offenders, GAO found that no single agency knew the extent of the total Federal effort. There was no coordination among these programs. Several programs were unable to say how much money they spend on corrections related projects.

The report also revealed that few programs were designed specifically to benefit offenders. MetaMetrics' analysis of the GAO findings reveals that of those programs identified, only 25% provided direct academic, vocational, recreational, or cultural training to inmates. Many of the social and economic programs had components which dealt with offenders at some point during their involvement with the criminal justice system. In a few programs, such as the Teacher Corps, the component was specifically authorized by law. However, it was usually the case that the components were carried out under the general legislative authority of the program. Nearly 20% of the programs were not able to identify the amount of funds expended for activities directly benefiting offenders.

Four years later, MetaMetrics found the situation, if anything, to be worse. Agency data collection has become less specific. Federal Office of Management and Budget data collecting and reporting procedures prevent accurate estimates of Federal allocations, number of clients in programs and other critical variables necessary for any substantive analysis of Federal involvement in corrections education.

For Fiscal Year 1975, MetaMetrics estimates that \$119 million of Federal funds were expended for corrections education and closely related programs. Approximately \$12 million of this amount was used for Federal prisoners. Of the remaining \$107 million, \$10 million or 9% was derived from the Law Enforcement Assistance Administration program. HEW accounted for \$72 million or 68% of the total and the Department of Labor provided \$25 million or 23%. A more detailed breakdown is shown in Table I-1.

There is no formally articulated agency policy regarding the allocation of funds or the role of corrections education at HEW or any other Federal agency. In the absence of formal policy, there do exist definite agency postures toward corrections education. Interviews with both staff and administrators indicated that while agencies are directly or indirectly funding corrections education related projects, no single agency has stepped forth as a leader in establishing objectives in corrections education and

corrections education policy. Corrections education projects are generally "side line" efforts of Federal agencies. Usually these projects have a sponsor within the agency. In many instances this is an official who has a personal or professional interest in corrections education and has successfully supported funding for such projects. It is on this level that policy, or what might be more appropriately defined as agency attitude, regarding corrections education is formulated.

### PROGRAM ISSUES

Corrections education, because of its dichotomous nature, will continue as a program area filled with difficult issues. The development of corrections education as a program within a complex correctional structure will severely test participating local, state and Federal agencies. Since Federal program funds are available through both criminal justice and education sources, improved interaction between corrections systems and education systems is imperative. Corrections education priorities and program emphasis should be addressed in the following areas:

- o Agency Responsibility: Assignment of Federal corrections education responsibility to the Department of Justice can preclude involvement of the larger community in addressing offender needs. This drift to formalizing corrections and downgrading programs was characteristic of the Nixon-Ford Administration.
- o Types of Corrections Education: Available corrections education resources can be allocated to basic education to the detriment of innovative programming and higher education courses. Effectiveness and relevance of various curricula should be addressed.
- o Approach: The existence of the Institute of Crime and Delinquency at the National Institute of Mental Health implies a pathology model for HEW policy in contrast to a functional education approach. While not necessarily contradictory, there are several models which can give direction to the Department's efforts and policy should clarify the relative emphasis on these models.

- o Implementation: Education programs in corrections settings are operated sometimes as extensions of educational agencies within the correctional institution staffed by "outside" teachers and sometimes as part of the corrections enterprise with teachers as part of the institution's staff. Which of these organizational approaches works best in what settings needs to be determined.
- o Institutional and Non-Institutional Programming: There are at least as many offenders serving sentences on probation and parole as in institutions. While institutions serve to easily identify the target client population, education needs of probationers and parolees are severe and may tend to be neglected. Emphasis of programs such as Title I, ESEA, specifically exclude non-institutionalized clients.
- o Juvenile and Adult Offenders: The legal requirement for mandatory attendance may satisfy a substantial part of the need for education programming for juveniles. Although quality of education may be increased for juveniles, the greater current need may be for adult and youthful offender education.
- o Community Schools: Schools contribute to the educational failures of offenders. Preventive and reintegrative programs for schools may be critical to criminal justice objectives in reducing crime.
- o Community Orientation: Corrections, in recent years, has turned to the community for program resources and other assistance for offender rehabilitation. The halfway house movement characterizes the gradual move away from massive institutions. Study release for inmates and utilization of community educational institutions are also important aspects. Corrections education programming may give further impetus to community corrections.

- o Offenders as a Disadvantaged Population: There is a recent tendency in juvenile justice not to label clients as juvenile delinquents and to divert as many as possible from the formal criminal justice system. Nevertheless, incarcerated and convicted persons may constitute a disadvantaged population requiring special education programming emphasis.
- o Education Effectiveness: Studies have indicated success of corrections education projects in achieving educational objectives. The degree of success and the relevance of various types of educational programming in achieving rehabilitation objectives is less understood.
- o State-of-the-Art: The relationship of learning theory and technological development to corrections education has yet to be explored. Corrections education standards have not been defined. A national clearinghouse or reference service for corrections education is needed and a technical assistance program would be of help in structuring and improving projects.
- o Innovative Programming: Alternative approaches and funding methods to providing training and education to offenders should be evaluated. Impact of the corrections system-wide school district should be understood for possible general replication. A survey of program models and organizational arrangements is needed to indicate the existing array of program structures.

## RECOMMENDATIONS

Corrections education is a program area that crosses all levels of government, involves corrections and educational personnel and deals with several distinct student populations. Federal policy in corrections education has had several false starts and related legislation has yet to be passed. Unsuccessful bills include a Corrections Organization Act and a Correctional Manpower and Employment Act. A Federal role should be defined according to both national educational objectives (HEW) and national criminal justice objectives (LEAA).

### Corrections Education Responsibilities

Corrections education, like education per se, is primarily a local and state responsibility. Wide variation exists, state by state, in the amount of resources used, emphasis on corrections education and implementation structures. These jurisdictions have little knowledge of the range of Federal programs available in corrections education. When Federal funds have been utilized, results have been difficult to determine. Basic information such as number of offenders participating in programs have not been maintained or reported.

The Bureau of Prisons has a substantial corrections education program in contrast to most state and local systems. The Bureau, usually seen as a barometer of correctional thinking, has developed its educational programs largely apart from expectations of rehabilitative results from the program. State criminal justice planning agencies have increased the allocation of LEAA corrections funding into education while LEAA itself has done little to stimulate corrections education. HEW can play a vital role in assisting state and local jurisdictions to improve corrections education programming.

MetaMetrics recommends that national policy encourage corrections education programming at the state and local levels. The LEAA criminal justice state planning process can encourage the recognition and need and planning, funding and implementation of corrections education projects. Similarly, HEW can stipulate a

corrections education component in plans submitted by State Education Agencies for ESEA funds. Identifying specific state and local involvement in corrections education could aid in the collection of program data and in identifying accountability.

#### Role of Department of Health, Education & Welfare

The trend towards recognizing the community's responsibility for rehabilitation is shifting the focus from the reform school to regular school systems. Dealing with juveniles and youthful offenders in their own school and community setting is a means of minimizing contact with the formal criminal justice system and permits utilization of existing community resources for education. This shift, to the extent it is acknowledged as a national concern, makes feasible a more positive involvement of the Department of Health, Education & Welfare in corrections education.

In addition, HEW should take the lead for providing necessary program funding and stimulation of corrections education to better equalize educational opportunities between states. While LEAA can encourage states to shift corrections funding from other categories to corrections education, HEW is in a position to assist Congress in drafting enabling legislation that directly addresses corrections education.

HEW should serve as an education oriented voice for clients and for education professionals. A community versus institutional viewpoint would also be stimulated by HEW's involvement in corrections education. HEW is more involved in corrections education programs than any other Federal department and there is no reason to believe this effort will disappear or diminish significantly. MetaMetrics recommends that the Office of the Secretary, HEW, take positive steps to clarify the departmental position on corrections education. These steps include outlining objectives in corrections education, obtaining improved data on corrections clientele served by HEW programs, coordination of HEW program efforts and coordination with other agencies. As a first step in affirming HEW interest, MetaMetrics recommends that HEW join with LEAA and the Department of Labor in the Comprehensive Offender Program Effort (COPE).

MetaMetrics recommends the establishment of a Representative of Corrections Education within the Office of the Secretary with the function of representing the interests of the corrections clientele similar to the representation provided other minority and disadvantaged groups. This special office should be provided with the responsibilities, resources, and powers required to collect, store and distribute information on corrections education programs and to accomplish the coordinated development of program rationale, planning implementation and evaluation.

To ensure that HEW agencies would cooperate in the corrections education efforts, MetaMetrics recommends that the Representative of Corrections Education form and direct a Task Force or committee charged with providing a coherent HEW policy direction. The Task Force, comprised of HEW agency officials involved in corrections education, could collect information, serve initially as a clearinghouse, provide an environment conducive to discussion of corrections education problems, solicit interest group input, and shape policy and coordinate activities of the various HEW agencies. To increase the effectiveness of a Task Force, the following conditions should be assured:

- o The Representative of Corrections Education should have sufficient resources to accomplish Task Force objectives;
- o Task Force members should be selected from the highest levels to facilitate policy development and program planning and implementation;
- o The Office of the Secretary should provide the Task Force with a clear cut mandate and set of objectives.

An important first step if HEW chooses to rationalize its correctional education programs is to identify the range of programmatic discretion in the existing programs. For example, the ESEA Title I is restricted by law to funding only institutional programs. The Department would have to seek a legislative change to enable this



program to expand its efforts into programs for smoothing the transition from the institution back into the public schools or to develop programs for non-institutionalized delinquents. It must be determined to what extent the establishment of a coordinated HEW policy in corrections education would require policy enunciation, regulation change or legislative initiatives.

The Department of Labor will continue its development of corrections related training and employment opportunities for disadvantaged persons including offenders. The Law Enforcement Assistance Administration through discretionary and block grants will continue to impact on corrections education. The Department of Health, Education & Welfare, through a strengthened corrections education orientation, will be prepared to coordinate more effectively with these Federal corrections education efforts.

TABLE I-I

## FEDERAL OBLIGATIONS FOR CORRECTIONS EDUCATION PROGRAMS

(Estimated for Fiscal Year 1975, actual amounts used when available)

<u>AGENCY</u>	<u>AMOUNTS</u>
<u>Dept. of Health, Education &amp; Welfare</u>	
Office of Education	
ESEA Title I	\$ 29,575,000
ESEA Title II	
ESEA Title III	574,000
Education Innovation and Support (Title IV)	90,000
HEA Title I	107,000
HEA Title II	135,000
FIPSE	325,998
SEOG	N.A.
BEOG	2,890,000
Teacher Corps (Title V)	1,381,305
Adult Education	5,200,000
Vocational Education	6,000,000
Library Services and Construction	1,200,283
Subtotal, OE	\$ 47,498,303
Office of Human Development	
Basic State Grants	17,000,000
Expansion Grants	N.A.
Rehabilitation, Research and Demonstration	N.A.
Subtotal, RSA	(\$ 17,000,000)
Office of Youth Development	
Youth Service Systems	5,000,000
Subtotal, OYD	(\$ 5,000,000)
Subtotal, OHD	\$ 22,000,000
Office of Upward Mobility (Personnel)	
Project Start	103,000

Alcohol, Drug Abuse, and Mental Health  
Administration  
National Institute of Mental Health  
National Institute on Drug Abuse  
National Institute on Alcoholism  
Alcohol Abuse

2,636,000

Subtotal, ADAMHA

2,636,000

TOTAL: DEPARTMENT OF HEALTH,  
EDUCATION & WELFARE

\$ 72,237,306

Department of Labor

CETA Title I - Comprehensive Manpower Service

3,000,000

CETA Title II - Public Employment Programs

13,000,000

CETA Title III - National Programs for Selected  
Population Segments

1,337,906

CETA Title VI

Emergency Public Employment  
Employment and Training Research and  
Development

6,000,000

National Apprenticeship Act of 1937  
Apprenticeship Training Program

TOTAL: DEPARTMENT OF LABOR

\$ 25,337,906

Department of Justice

LEAA

Block  
Discretionary

8,600,000

800,000

Subtotal, LEAA

9,400,000

Bureau of Prisons

11,500,000

TOTAL: DEPARTMENT OF JUSTICE

\$ 20,900,000

National Endowment of the Arts

200,000

TOTAL: CORRECTIONS EDUCATION

\$ 118,675,212



**END**