



General Assembly

January Session, 2021

Committee Bill No. 6228

LCO No. 3786



Referred to Committee on HIGHER EDUCATION AND
EMPLOYMENT ADVANCEMENT

Introduced by:
(HED)

***AN ACT PROHIBITING INSTITUTIONS OF HIGHER EDUCATION
FROM INQUIRING ABOUT A PROSPECTIVE STUDENT'S CRIMINAL
HISTORY DURING THE ADMISSIONS PROCESS AND ESTABLISHING
A PRISON EDUCATION PROGRAM OFFICE.***

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2021*) Unless otherwise required by
2 an applicable state or federal law, no institution of higher education in
3 the state shall (1) inquire about a prospective student's prior arrests,
4 criminal charges or convictions (A) on an application for admission to
5 such institution, or (B) for enrollment in any program of study offered
6 by such institution, or (2) consider a student's prior arrests, criminal
7 charges or convictions in (A) the admissions process for such student,
8 or (B) determining the eligibility of such student for any form of
9 financial aid, grant or scholarship program, including, but not limited
10 to, institutional financial aid.

11 Sec. 2. (NEW) (*Effective July 1, 2021*) (a) As used in this section, "prison
12 education program" means a program of study offered by institutions
13 of higher education that provides course credit to inmates in
14 correctional facilities.

15 (b) There is established a Prison Education Program Office within the
16 Department of Correction. The duties and responsibilities of the office
17 shall include, but need not be limited to, (1) on or before July 1, 2023,
18 providing institutions of higher education approval to operate prison
19 education programs at correctional facilities in the state, (2)
20 coordinating the facilitation of prison education programs in
21 partnership with approved institutions of higher education, and (3)
22 providing equitable access to resources required for the successful
23 completion of prison education programs, including, but not limited to,
24 classrooms, study areas and any necessary electronic devices.

25 (c) The Prison Education Program Office shall approve an institution
26 of higher education to operate prison education programs pursuant to
27 subsection (b) of this section upon the determination that such
28 institution operates such programs in the best interest of students. Such
29 determination shall be based on (1) the factors for making such
30 determination set forth in the Consolidated Appropriations Act, 2021,
31 P.L. 116-260, Sec. 701(n)(1)(A)(iv), as amended from time to time, (2) the
32 institution establishing an academic and student service plan for the
33 implementation of a prison education program, including a student
34 application process, (3) the institution employing financial aid and
35 academic advisors who are trained to advise students in correctional
36 facilities, including, but not limited to, advising on the completion of the
37 Free Application for Federal Student Aid, (4) the institution providing
38 educational accommodations to students with disabilities who enroll in
39 a prison education program, (5) the institution providing reentry
40 services for a student, including, but not limited to, continued
41 enrollment in such institution for the completion of any program of
42 study initiated in a prison education program and guidance on
43 transferring credits after release from a correctional facility, and (6) the
44 institution providing a process for students enrolled in a prison
45 education program to register a complaint or grievance against the
46 program, an advisor or the institution and notifying students of such
47 process upon enrollment.

48 (d) The Prison Education Program Office shall prioritize the approval
49 of institutions of higher education in the state that can provide in-person
50 prison education programs and may not approve institutions providing
51 asynchronous prison education programs, unless such programs are
52 necessary and cannot be provided in person for any reason.

53 (e) The Prison Education Program Office shall establish a process for
54 addressing complaints by (1) students enrolled in a prison education
55 program regarding (A) the institution of higher education providing
56 such program, or (B) any Department of Correction policies or
57 employees impeding such student's access to resources necessary for the
58 completion of such program, and (2) institutions of higher education
59 providing prison education programs regarding any problems in the
60 implementation of a prison education program that may be resolved by
61 the office or the department.

62 (f) The Prison Education Program Office shall not interfere with an
63 approved institution of higher education in the selection of curricula or
64 materials used in prison education programs, unless necessary for the
65 safety and security of the correctional facility.

66 (g) Each institution of higher education providing a prison education
67 program shall provide uniform financial aid information to every
68 prospective student who has been accepted for enrollment in such
69 program. Each institution shall provide such information at least forty-
70 five days prior to such institution's prison education program
71 enrollment deadline for the purpose of providing each prospective
72 student with sufficient time to make an informed decision about
73 enrollment. Each institution shall use the college financing plan
74 template developed by the Consumer Financial Protection Bureau and
75 the United States Department of Education pursuant to the Higher
76 Education Opportunity Act, P.L. 110-315, to provide such information.

77 (h) If the Prison Education Program Office or any institution of higher
78 education providing prison education programs engages in an
79 assessment or evaluation of a prison education program, one or more

80 students enrolled in such program shall participate in such assessment
81 or evaluation.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2021</i>	New section
Sec. 2	<i>July 1, 2021</i>	New section

Statement of Purpose:

To prohibit institutions of higher education from inquiring about a prospective student's criminal history during the admissions process and to establish a Prison Education Program Office to facilitate prison education programs at correctional facilities.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: REP. PORTER, 94th Dist.; REP. HUGHES, 135th Dist.
 REP. MICHEL, 146th Dist.

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