

January 12, 2009

Dear Authorized Official:

This is the application package for the *Grants to States for Workplace and Community Transition Training for Incarcerated Individuals* program (the Incarcerated Individuals program), previously titled the *Grants to States for Workplace and Community Transition Training for Incarcerated Youth Offenders* program. The Higher Education Opportunity Act (Public Law 110-315) (HEOA), enacted on August 14, 2008, amended section 821 of the Higher Education Amendments of 1998 (the statute), which authorizes the Incarcerated Individuals program. Section 821 of the statute continues to require State correctional education agencies (SCEAs) to submit to the Secretary an application in order to receive a grant. The attached package incorporates the new statutory requirements for State applications.

The Incarcerated Individuals program provides grants to SCEAs for activities that assist and encourage incarcerated individuals who have obtained a secondary school diploma or its recognized equivalent to acquire educational and job skills, through: (1) coursework in preparation for postsecondary education; (2) the pursuit of a postsecondary education certificate, an associate's degree, or a bachelor's degree while in prison; and (3) employment counseling and other related services that start during incarceration and end not later than two years after release from incarceration.

While previously the Department has requested three-year applications for the predecessor to this program, the Department is requesting that SCEAs submit one-year applications for FY 2009 funds as we begin implementation of the new statute. A new provision in section 821(c)(4)(B) of the statute requires, among other things, that SCEAs describe in their applications the evaluation methods they will use to measure incarcerated individuals' outcomes consistent with the data elements and definitions provided by the Secretary. However, as the HEOA was not enacted until August 2008, the Department will not determine these data elements and definitions prior to the submission of applications for FY 2009. Consequently, the Department is requesting that SCEAs submit one-year applications for 2009 funds only. The Department will provide SCEAs with additional guidance when the Secretary makes a fuller determination as to the data elements and definitions for this program. The Department will then invite SCEAs to submit three-year applications for FY 2010 - FY 2012 based on such determinations and guidance.

SCEAs must submit their one-year applications to the Department per the directions provided in the attached application package. Applications must be postmarked on or before March 20, 2009, or received in the Office of Vocational and Adult Education by 4:30:00 pm Washington, DC Time on March 20, 2009. We are sending an identical application package to the SCEA head and to the individual designated as the program

contact person. An electronic copy of this application is available on OVAE's Web site at [INSERT], or you may e-mail your request to me at john.linton@ed.gov.

To assist SCEAs in completing their applications and to provide additional information regarding changes in the program statute, we will be scheduling a technical assistance meeting. We strongly encourage participation by those persons directly involved in application development and in program implementation. We can make awards on July 1, 2009, only to those SCEAs that have submitted applications that conform to the new statutory requirements. These requirements will be discussed in detail in the technical assistance meeting. Furthermore, awards for the Incarcerated Individuals program are contingent on Congress appropriating funds for this program for FY 2009.

Current Youth Offender programs will transition to the Incarcerated Individuals programs between July 1, 2009, and October 1, 2009. Any remaining Youth Offender program funds awarded on July 1, 2007, will expire on September 30, 2009, and may only be spent under the prior program provisions and in accord with the current State application. Youth Offender program funds awarded on July 1, 2008, will expire on September 30, 2010. Until September 30, 2009, these funds must be spent in conformity with the prior program provisions and in accord with the current (previously approved) application. On October 1, 2009, any remaining funds from the 2008 award will become "carryover funds" and must then be spent in conformity with the new program provisions and a new application. Funds awarded on July 1, 2009, will be awarded as Incarcerated Individuals program funds and may only be spent under the new provisions and in accord with the new application.

Also included in this package is an Eligible Population Data Request form. The Department must obtain a count of eligible persons in the participating SCEA's potential service population in order to compute the funding amounts for each State. This form is similar to the annual census form used for this program in prior years, but includes changes necessitated by the revised definition of "eligible student" in section 821(e) of the statute. Please submit the Eligible Population Data Request form to this office by April 24, 2009, observing the transmittal instructions printed on the form. Please note this due date. It is not the same due date as the application.

Please feel free to contact me (john.linton@ed.gov; 202-245-6592) or Zina Watkins (zina.watkins@ed.gov; 202-245-6197) if you have any questions.

Sincerely,

John Linton

Enclosures:

Eligible Population Data Request Form
2009 Application
Annual report information page
Form 424, Application for Federal Education Assistance
Notice to All Applicants (GEPA)
Disclosure of Lobbying Activities (Standard Form - LLL)
Assurances, Non Construction-Programs (Standard Form 424B)
Certification Regarding Debarment (Form ED 80-0014)
Certification Regarding Lobbying (Form ED 80-0013)
Authorizing legislation