

U.S. DEPARTMENT OF EDUCATION
OFFICE OF VOCATIONAL AND ADULT EDUCATION
WASHINGTON, D.C.

**APPLICATION FOR GRANTS
UNDER THE
GRANTS TO STATES FOR WORKPLACE
AND COMMUNITY TRANSITION TRAINING
FOR INCARCERATED INDIVIDUALS
PROGRAM
(CFDA 84.331)**



OMB Control Number 1830-0563
2009 Application Package

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is **1830-0563**. The time required to complete this information collection is estimated to average **25** hours per response, including the time to review instructions, search existing data resources, gather the data needed, and complete and review the information collection. **If you have any comments concerning the accuracy of the time estimate(s) or suggestions for improving this form, please write to:** U.S. Department of Education, Washington, D.C. 20202-4651. **If you have comments or concerns regarding the status of your individual submission of this form, write directly to:** Office of Vocational and Adult Education, U.S. Department of Education, 400 Maryland Ave., S.W., Washington, D.C. 20202-7100.

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 grants to States for workplace and community transition training for incarcerated individuals (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. This package incorporates the new statutory requirements for State applications.

The State application is an important document that serves to provide —

1. the basis on which the State, through its SCEA, will qualify to participate in the Incarcerated Individuals program and to receive Federal allocations;
2. a comprehensive statement of the SCEA's goals, objectives, priorities, and methods under which the agency will administer the Incarcerated Individuals program;
3. a basis for common understanding among the SCEA, the U.S. Department of Education, and auditors; and
4. a basis for planning and evaluation.

Before preparing an application, the SCEA should carefully read this application package in its entirety; section 821 of the statute, and any relevant regulations.

SECTION I: PROGRAM DESCRIPTION

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.

An eligible student under the program is an incarcerated individual who has obtained a secondary school diploma or its recognized equivalent, is 35 years of age or younger, is incarcerated in a State prison (which may be a pre-release facility), is eligible for parole or release within seven years, and has not been convicted of a "criminal offense against a victim who is a minor" or a "sexually violent offense," as such terms are defined in the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 U.S.C. 14071 et seq.); or murder, as described in section 1111 of title 18, United States Code.

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 the evaluation methods they will use to measure incarcerated individual

outcomes consistent with the data elements and definitions provided by the Secretary. However, as the HEOA was not enacted until August 2008, the Department, 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 FYs 2010 – 2012 based on such determinations and guidance.

SECTION II: APPLICATION REQUIREMENTS, CERTIFICATIONS, AND ASSURANCES

The application must:

1. Identify the scope of the problem, including the number of eligible incarcerated individuals in need of postsecondary education and career and technical training.
2. List the accredited public or private educational institution or institutions that will provide postsecondary educational services.
3. List the cooperating agencies, public and private, or businesses that will provide related services, such as counseling in the areas of career development, substance abuse, health, and parenting skills, and describe the services to be provided.
4. Describe performance objectives and evaluation methods that the SCEA will use in carrying out its program. (See SECTION III: PERFORMANCE OBJECTIVES AND EVALUATION METHODS for additional information and guidance regarding this requirement.)
5. Describe how the proposed program will be integrated with existing State correctional education programs (such as adult education, graduate education degree programs, and career and technical education programs) and State industry programs.
6. Describe how the proposed program will deliver services and will use technology in doing so.
7. Describe how incarcerated individuals will be selected so that only eligible students will be provided services through the State's program. As described in Section I, in order to be eligible, an incarcerated individual must—
 - a. have obtained a secondary school diploma or its recognized equivalent,
 - b. be eligible for release within seven years (including eligible for parole in this time),

- c. be 35 years of age or younger, and
 - d. not have been convicted of a ‘criminal offense against a victim who is a minor’ or a ‘sexually violent offense’ as such terms are defined in the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 U.S.C. 14071 et seq.) or murder, as described in section 1111 of title 18, United States Code.
8. Include a budget and budget narrative, with estimates of the amounts of grant funds the SCEA would allocate to each of the following:
- a. State administration
 - b. Coursework in preparation for postsecondary education
 - c. Postsecondary education
 - d. Career and technical training
 - e. Related services
 - f. Performance measurement and evaluation
9. Include a written and signed certification, as required by EDGAR at 34 CFR 76.104, that the following conditions are met by the State:
- a. The application is submitted by the State agency that is eligible to submit the application. [34 CFR 76.104(a)(1)] The State agency has authority under State law to perform the functions of the State under the program. [34 CFR 76.104(a)(2)]
 - b. The State legally may carry out each provision of the application. [34 CFR 76.104(a)(3)]
 - c. All provisions of the application are consistent with State law. [34 CFR 76.104(a)(4)]
 - d. A State officer, specified by title in the certification, has authority under State law to receive, hold, and disburse Federal funds made available under the application. [34 CFR 76.104(a)(5)]
 - e. The State officer who submits the application, specified by title in the certification, has authority to submit the application. [34 CFR 76.104(a)(6)]
 - f. The agency that submits the application has adopted or otherwise formally approved the application. [34 CFR 76.104(a)(7)]
 - g. The application is the basis for State operation and administration of the program. [34 CFR 76.104(a)(8)]
10. Provide a complete and signed ED Form 80-0013 for certifications regarding lobbying and the Disclosure of Lobbying Activities Form SF LLL. Forms may be

downloaded at the following:

<http://www.ed.gov/fund/grant/apply/appforms/appforms.html>]

11. Provide a complete and signed Assurance for Non-Construction Programs Form. [See <http://www.ed.gov/fund/grant/apply/appforms/appforms.html>]
12. Intergovernmental Review. This program is subject to the requirements of Executive Order 12372 and the regulations in 34 CFR Part 79. One of the objectives of the Executive Order is to foster an intergovernmental partnership and a strengthened federalism. The Executive Order relies on processes developed by State and local governments for coordination and review of proposed federal financial assistance.

Applicants must contact the appropriate State Single Point of Contact to find out about, and to comply with, the State's process under Executive Order 12372. Applicants proposing to perform activities in more than one State should immediately contact the Single Point of Contact for each of those States and follow the procedures established in each State under the Executive Order. Note: A copy of the applicant's letter to the State Single Point of Contact must be included with the SCEA's application.

To view a list of States that participate in the intergovernmental review process, visit <http://www.whitehouse.gov/omb/grants/spoc.html>. States that are not listed have chosen not to participate in the intergovernmental review process and, therefore, do not have a State Single Point of Contact. If you are located within one of these States, you are exempt from this requirement.

In States that have not established a process or chosen a program for review, State, area-wide, regional, and local entities may submit comments directly to the Department.

Any State process recommendation and other comments submitted by a State Single Point of Contact and any comments from State, area-wide, regional, and local entities must be received by **June 5, 2009** at the following address:

The Secretary
EO 12372-CFDA #84.331
U.S. Department of Education
400 Maryland Avenue, SW
Room 7W300
Washington, DC 20202-0124

Recommendations or comments may be hand-delivered until 4:30 p.m. (Washington, DC Time) on June 5, 2009. Please do not send applications to this address.

SECTION III: PERFORMANCE OBJECTIVES AND EVALUATION METHODS

As noted in SECTION II, item 4, above, the statute at section 821(c)(4) requires that the application describe performance objectives and evaluation methods that the SCEA will use in carrying out its proposal. Performance measures should measure specific and quantifiable student outcomes that are referenced to outcomes for non-program participants with similar demographic characteristics. See section 821(c)(4)(A) of the statute. The SCEA should describe at least two student outcome measures in its State application that are referenced to the outcomes for non-program participants.

We anticipate that the measures selected by the SCEA to meet this requirement will be consistent with the measurement areas included in the statute at section 821(c)(4)(B) and described below. However, the SCEA may, after reviewing the available data within its State, identify other specific and quantified outcome measures that allow for the meaningful comparison of groups. For example, a comparison group might be established to evaluate student outcomes in employment or recidivism. Alternatively, an outcome rate from a carefully selected study might be identified and used as a reference benchmark, or the grantee might be able to identify an appropriate benchmark established and used by the research arm of the State criminal justice agency. The SCEA must describe in its application the outcome measures it will use for comparing student outcomes of program participants with those for non-program participants with similar demographic characteristics, and the methods the SCEA will use to evaluate the effectiveness of its program.

Additionally, section 821(c)(4)(B) of the statute requires the SCEA to include in its application the performance measures that the State will employ (and the evaluation methods that it will use in measuring progress against those measures) in the following areas:

- a. Program completion, including an explicit definition of what constitutes a program completion.
- b. Knowledge and skill attainment, including specification of the instruments that will be used to measure knowledge and skill attainment.
- c. Attainment of employment both prior to and subsequent to release.
- d. Success in employment as indicated by job retention and advancement.
- e. Recidivism, including such sub-indicators as time before subsequent offense and severity of offense.

Further, the SCEA's performance measures must be consistent with data elements and definitions provided by the Secretary for the use of SCEAs. See section 821(c)(4)(B) of the statute. The SCEA must include in its one-year application a description of the performance objectives and evaluation methods that it would use to evaluate the State's progress against the proposed elements and definitions and any additional comments the SCEA may like to make regarding these proposed definitions. The Department will consider the SCEAs' submissions in this area when making final decisions on data elements and definitions.

The Secretary is currently considering the following data elements and definitions:

- Program completion is:

Attainment of a degree or credential by participants, defined as the percentage of participants earning an industry-recognized credential, postsecondary certificate, or postsecondary degree.

- Knowledge and skill attainment is:

For those students in a non-credit occupational program, attainment of an employment-related threshold level of knowledge and skills as measured using technical skill assessment instruments aligned with industry-recognized standards (when available and appropriate.)

For those students enrolled in coursework in preparation for postsecondary education in a credit or non-credit occupational postsecondary education program, attainment of a threshold level of knowledge and skills sufficient for advancement to the postsecondary education program.

Note – the Department is not currently considering providing a data element or definition of knowledge and skill attainment for students enrolled in credit-bearing postsecondary programs. Grantees could at their option provide a measure or measures of knowledge and skill attainment for this population. Possible measures might include courses completed, grades attained in courses completed, credits earned, and performance on skill assessment instruments.

- Attainment of employment is:

Before release from prison, employment within the first full calendar quarter after program completion.

After release from prison, employment within the first full calendar quarter after the quarter of exit from incarceration for those who completed the program.

- Success in employment is:

After release from incarceration, employment persistence over time for program completers, reflected in earnings during each of the first, second, and third full calendar quarters after the quarter of release from incarceration.

After release from incarceration, employment advancement over time as indicated by increases in quarterly earnings through the first three full calendar quarters after the quarter of release from prison.

- Recidivism is:

Post-release criminal justice system involvement (arrest, re-conviction, violation of parole conditions, or return to incarceration) by program completers within one year of release. (Desired direction is downward.)

Survival time prior to new criminal justice system involvement (defined as re-arrest, reconviction, a violation of parole conditions, or a return to incarceration) by program completers within the first year after release. (Desired direction is upward.)

Seriousness of any post-release criminal activity, as indicated by patterns of reduced severity of crime by those released program completers who do recidivate. (Desired direction is upward.)

SECTION IV: SUBMITTING AN APPLICATION

To receive FY 2009 funds, an SCEA should submit its one-year application soon after receiving an application package. The Department will process each application as it is received. **Applications must be postmarked on or before [insert date] or received in the Office of Vocational and Adult Education by 4:30:00 pm Washington, DC Time on [insert date].** After that time, any funds that have not been requested may be reallocated to SCEAs with approved applications.

SCEAs must submit an application with an ink signature of the authorized official on all forms, certifications, and assurances. No grant may be awarded unless a completed application has been received.

Your application may be submitted by (1) emailing to john.linton@ed.gov, (2) mailing application to the address listed below, or (3) hand delivered to the address listed below. Be sure to indicate, within the completed application, contact information (i.e. name, address, phone number, email) of a contact person that can answer any questions concerning this application. An electronic copy of this application is available on OVAE's Web site at **[INSERT]** or you may send an e-mail request to John Linton at john.linton@ed.gov. SCEAs submitting applications electronically must also submit an original application with ink signatures on all forms, certifications, and assurances.

Applications should be mailed to:

Mr. John Linton

Director of Correctional Education
Office of Vocational and Adult Education
U.S. Department of Education
400 Maryland Ave., SW
Washington, DC 20202-7240

Or hand delivered to:

Mr. John Linton
Director of Correctional Education
Office of Vocational and Adult Education
U.S. Department of Education
Potomac Center Plaza, room 11053
550 12th Street, SW
Washington, DC 20202-7240