

Prison Education Program – Best Interest Determination Form for Oversight Entities

This optional form is intended for use by Oversight Entities to make their Best Interest Determination (BID) of a Prison Education Program (PEP). Once completed, this form will be provided to the Institution of Higher Education (school).

Note: This form is NOT mandatory. Although an Oversight entity must conduct the Best Interest Determination and provide the results to the school to submit to the Department, Oversight entities may develop and implement their own process for conducting the Best Interest Determinations for Prison Education Programs and provide the results to the school to submit to the Department.

Instructions:

- A separate form should be completed for each Prison Education Program.
- If this form is used, Sections 1, 2, 3, and 6 should be completed.
- If the first box is checked in Section 6, the PEP does not need to meet the standards of all of the “required” assessments. The oversight entity should look at the totality of circumstances. If an assessment is failed but others are passed (including those in the “optional” section), the oversight entity can determine that the PEP is operating in the best interest of students.
- If the second box is checked in Section 6, the PEP does not need to meet the standards of all of the “required” assessments. The oversight entity should look at the totality of circumstances. If an assessment is failed but others are passed (including those in the “optional” section), the oversight entity can determine that the PEP is operating in the best interest of students.

Section 1: Institutional Information

Name of Educational Institution:

Name of Oversight Entity:

Name of Correctional Facility:

Name of Program:

Name(s) and title(s) of the individual(s) that ultimately made the BID and their contact information (email, phone number, address to office)

- This should identify who is ultimately in charge of the BID process and would serve as the point of contact if the US Department of Education (ED) has any follow up questions on the BID.

of current PEP Students:

of Years program has been operating as a PEP at this location:

Date Range BID Conducted (when did it begin and conclude?):

Section 2: Relevant Stakeholders

[Open Text]

Please provide the name, title, and affiliation from relevant stakeholders

These stakeholders must include:

- Representatives of confined or incarcerated individuals
- Organizations representing confined or incarcerated individuals
- State higher education executive offices
- Accrediting agencies and
- May include additional stakeholders as determined by the oversight entity

Also include optional stakeholders with which you choose to work:

- Any other stakeholders that provided feedback in the BID process

[Open Text]

Section 3: Required Assessment Areas

- **Instructor information.** The Oversight Entity must evaluate whether the experience, credentials, and rates of turnover or departure of instructors for the PEP are substantially similar to other programs at the institution, accounting for the unique geographic and other constraints of prison education programs.

* For this assessment the oversight entity will establish its own standards.

Summary of Assessment results (not to exceed 2 pages):

Suggested areas for improvement (if any):

Did Assessment meet standards that the oversight entity established? Y or N

- ☐ **Transferability of credits.** The Oversight Entity must evaluate whether the transferability of credits for courses available to confined or incarcerated individuals and the applicability of such credits toward related degree or certificate programs is substantially similar to those at other similar programs at the institution, accounting for the unique geographic and other constraints of prison education programs.

* For example, if a school offers an AA in General studies in a correctional facility and offers a similar AA in General studies on campus can the credits earned towards the AA both be transferred in the same way to other programs offered by the school on campus? If not, why?

Summary of Assessment results (not to exceed 2 pages):

Suggested areas for improvement (if any):

Did Assessment meet standards? Y or N

- ☐ **Academic and career advising.** The Oversight Entity must evaluate whether the PEP's offering of relevant academic and career advising services to participating confined or incarcerated individuals, while they are confined or incarcerated, in advance of re-entry, and upon release, is substantially similar to offerings to a student who is not a confined or incarcerated individual and who is enrolled in, and may be preparing to transfer from, the same institution, accounting for the unique geographic and other constraints of PEPs.

Summary of Assessment results (not to exceed 2 pages):

Suggested areas for improvement (if any):

Did Assessment meet standards that the oversight entity established? Y or N

- ☐ **Transfer of credits.** The Oversight Entity must evaluate whether the institution ensures that all formerly confined or incarcerated individuals are able to fully transfer their credits and continue their programs at any location of the institution that offers a comparable program, including by the same mode of instruction.

*For example, do 100% of the credits or clock-hours earned in the PEP transfer to an on-campus program, distance education program (not offered in the correctional facility), or correspondence program (not offered in the correctional facility)

Summary of Assessment results (not to exceed 2 pages):

Suggested areas for improvement (if any):

Did Assessment meet standards? Y or N

Section 4: *Optional* Assessment Areas

Note: The following areas are optional for an oversight entity to evaluate. However, if an oversight entity chooses to evaluate any of these areas, that evaluation must be used to determine if the PEP is operating in the best interest of students.

- **Recidivism.** The Oversight Entity may include an evaluation of whether the rates of recidivism, which do not include any recidivism by the student after a reasonable number of years of release and which only include new felony convictions, defined as each sentence of imprisonment exceeding one year and one month (see United States Sentencing Guideline [section 4A1.1\(a\)](#)), meet thresholds set by the oversight entity.)

Summary of Assessment results (not to exceed 2 pages):

Did Assessment meet standards that the oversight entity established? Y or N

Suggested areas for improvement:

- ☐ **Completion rates.** The Oversight Entity may include an evaluation of whether the rates of completion reported by the Department, which do not include any students who were transferred across facilities and which account for the status of part-time students, meet thresholds set by the oversight entity with input from relevant stakeholders.
* The oversight entity may utilize its own data to assess this area

Summary of Assessment results:

Did Assessment meet standards that the oversight entity established? Y or N

Suggested areas for improvement:

- ☐ **Continuing education post-release.** The Oversight Entity may evaluate whether the rate of confined or incarcerated individuals continuing their education post-release, as determined by the percentage of students who reenroll in higher education reported by the Department, meets thresholds established by the oversight entity with input from relevant stakeholders.

* Note that if ED does not or is unable to provide data, the oversight entity may utilize its own data to assess this area

Summary of Assessment results:

Did Assessment meet standards that the oversight entity established? Y or N

Suggested areas for improvement:

- ☐ **Job placement rates.** The Oversight Entity may evaluate whether job placement rates in the relevant field for such individuals meet any applicable standards required by the accrediting agency for the institution or program or a State where the institution is authorized. If no job placement rate standard applies to prison education programs offered by the institution, the oversight entity may define, and the institution may report, a job placement rate, with input from relevant stakeholders.

* Alternatively, this assessment could be a qualitative narrative of jobs that the oversight entity is aware of that graduates have obtained post release. You may wish to do surveys or interviews and provide a qualitative narrative.

Summary of Assessment results:

Did Assessment meet standards that the oversight entity established? Y or N

Suggested areas for improvement:

- ☐ **Earnings.** The Oversight Entity may evaluate whether earnings for such individuals, which could include measuring such earnings against a threshold established by the oversight entity.

Summary of Assessment results:

Did Assessment meet standards that the oversight entity established? Y or N

Suggested areas for improvement:

- ☐ **Other indicators.** The Oversight Entity may evaluate other indicators pertinent to program success as determined by the oversight entity.

Indicator Description:

Summary of Assessment results:

Did Assessment meet standards? Y or N

Suggested areas for improvement:

Indicator Description:

Summary of Assessment results:

Did Assessment meet standards? Y or N

Suggested areas for improvement:

Indicator Description:

Summary of Assessment results:

Did Assessment meet standards? Y or N

Suggested areas for improvement:

Indicator Description:

Summary of Assessment results:

Did Assessment meet standards? Y or N

Suggested areas for improvement:

Indicator Description:

Summary of Assessment results:

Did Assessment meet standards? Y or N

Suggested areas for improvement:

If more than five additional indicators were used, please attach a separate document to include a description of the indicator(s), the summary of assessment results, whether the assessment met standards and any suggested areas for improvement labelled Attachment 1 – Other indicators.

Section 5: Additional Information (Optional)

Provide any additional information or any comments regarding the Best Interest Determination process for the Prison Education Program identified in Section 1.

Section 6: Final Result and Certification.

Please select one of the following two options:

- ☐ **This PEP is operating in the Best Interest of Students**
- ☐ **This PEP is not operating in the Best Interest of Students**

Oversight Entity Certification:

To the best of my knowledge and belief, I certify that the Best Interest Determination made above and any additional representations made by me on behalf of the oversight entity in any supporting documentation is true and correct.

I further acknowledge that failure to submit true and correct information, failure to follow all PEP requirements, or failure to remain in compliance with the terms and conditions of the PEP program may result in liability under the False Claims Act, 31 U.S.C. § 3729, et seq.; OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement) in 2 C.F.R. part 180, as adopted and amended as regulations of the Department in 2 C.F.R. part 3485; and 18 U.S.C.

§ 1001, as appropriate, and/or other enforcement actions.

Name:

Signature:

Date:

Public 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 1845-NEW. Public reporting burden for this collection of information is estimated to average 12 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain benefit (34 CFR part 668 subpart P Prison Education Programs). If you have any comments concerning the accuracy of the time estimate, suggestions for improving this individual collection, or if you have comments or concerns regarding the status of your individual form, application or survey, please contact PEP@ed.gov directly.