

**P**ostsecondary education has been proven to reduce recidivism and promote more successful transitions back into communities for adults returning from incarceration.<sup>1</sup> However, currently incarcerated and reentering adults often face barriers to receiving high-quality postsecondary education. The Council of State Governments Justice Center, with support from Lumina Foundation, conducted an intensive 50-state scan and survey of the statutory, financial, and administrative policies and practices that impact the provision of postsecondary education for this population. This fact sheet outlines the research findings for North Dakota.



### HOW ARE SERVICES FUNDED?

#### Correctional Agency Funding

- The North Dakota legislature may appropriate state funds for postsecondary education programs in state correctional facilities.<sup>2</sup> Postsecondary education is funded through federal sources—such as the Carl D. Perkins Career and Technical Education Act and the Workforce Innovation and Opportunity Act—state need-based financial aid, and privately funded foundation grants.<sup>3</sup>
- North Dakota did not apply for/receive Second Chance Pell pilot funding.<sup>4</sup>

#### State Financial Aid

- North Dakota financial aid programs do not have any statutory, regulatory, or policy restrictions that prevent individuals who are currently incarcerated from receiving aid.<sup>5</sup>



### WHAT IS OFFERED INSIDE CORRECTIONAL FACILITIES?

#### Career and Technical Education and Certifications

- The North Dakota Department of Corrections and Rehabilitation (DOCR) provides career and technical education in flagging as well as programs leading to Occupational Safety and Health Administration (OSHA) 10 certification and ServSafe certification.<sup>6</sup>
- In partnership with DOCR, Bismarck State College provides career and technical education in automotive technology.<sup>7</sup>

#### Associate and Bachelor's Degrees

- Individuals may participate in postsecondary correspondence courses geared toward college credit at the student's own expense.<sup>8</sup> These courses may lead to associate and bachelor's degrees.<sup>9</sup>
- College courses through Dickinson State University are offered at Dakota Women's Correctional and Rehabilitation Center.<sup>10</sup>
- North Dakota does not provide associate and bachelor's degrees.<sup>11</sup>

#### Labor Market, Employer Feedback, and Outcome Data Alignment

- North Dakota has identified local labor market trends, employer feedback, and outcome data as the primary factors that determine the types of postsecondary education and CTE programming that are offered within the correctional facility.<sup>12</sup>



## WHAT RESTRICTIONS OR BARRIERS ARE IMPOSED ON ACCESS AND PARTICIPATION?

### Statutory or Administrative Requirements, Permissions, and Restrictions

- ➔ If withdrawn from an education program for disciplinary reasons, a participant will be eligible to reenroll within six months after their withdrawal.<sup>13</sup>

### Use of Criminal History in State College and University Applications

- ➔ The North Dakota State Board of Higher Education Procedure Manual requires all institutions to have applicants respond to the safety and security questions. These questions ask about felony convictions, misdemeanor crimes involving violence or the threat of violence in the last 10 years, sex offender status, and school disciplinary information. At their discretion, institutions determine whether a criminal history background check is required.<sup>14</sup>
- ➔ Of the six state universities, only University of North Dakota used the 2019-2020 Common Application.<sup>15</sup> All six of the state's public universities require applicants to disclose their criminal histories.



## WHAT INCENTIVES AND SUPPORTS EXIST TO ENCOURAGE ENROLLMENT AND COMPLETION?

### Statutory or Administrative Benefits

- ➔ Individuals can earn "sentence reduction" by participating in postsecondary education programs.<sup>16</sup>
- ➔ Incentives for participating in postsecondary education programs include access to technology for personal use.<sup>17</sup>

### Postsecondary Education as a Factor in Parole Decisions

- ➔ The parole board is permitted to, and does, consider participation in postsecondary education as a factor when granting or denying parole.<sup>18</sup>

### Parole Conditions Related to Postsecondary Education

- ➔ Post-release participation in postsecondary education can meet a parole requirement to seek or obtain employment.<sup>19</sup>

### Supports and Services in the Community

- ➔ The parole-granting agency does not provide occupational training, information on postsecondary education, postsecondary education advisors and coordinators, and vocational credential testing.<sup>20</sup>

### Coursework Transfer Policies

- ➔ DOCR does not have formalized articulation agreements with schools offering programming in correctional facilities to ensure that courses offered in correctional facilities are equivalent to those offered in the community and that credits fully transfer.<sup>21</sup>

1. Lois M. Davis et al., *Evaluating the Effectiveness of Correctional Education: A Meta-Analysis of Programs That Provide Education to Incarcerated Adults* (Santa Monica, CA: RAND Corporation, 2013), [https://www.rand.org/pubs/research\\_reports/RR266.html](https://www.rand.org/pubs/research_reports/RR266.html).
2. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
3. Ibid.
4. Ibid.
5. North Dakota State Grant, N.D. Cent. Code § 15-62.4-03; North Dakota Scholars Program, N.D. Cent. Code § 15-62.5-01; North Dakota Career and Technical Education Scholarship, N.D. Cent. Code § 15.1-21-02.4; North Dakota Academic Scholarship, N.D. Cent. Code § 15.1-21-02.5 and N.D. Cent. Code § 15.1-21-02.6.
6. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019; State of North Dakota Department of Corrections and Rehabilitation, *Facility Handbook* (Bismarck, ND: North Dakota Department of Corrections and Rehabilitation, 2018), 57, [https://www.docr.nd.gov/sites/www/files/documents/friends\\_family/INMATE%20HANDBOOK.pdf](https://www.docr.nd.gov/sites/www/files/documents/friends_family/INMATE%20HANDBOOK.pdf); "Accreditations," Bismarck State College, accessed June 7, 2019, <https://bismarckstate.edu/about/Accreditations/>; Email correspondence between CSG Justice Center and DOCR, December 2019.
7. "Accreditations," Bismarck State College, accessed June 7, 2019, <https://bismarckstate.edu/about/Accreditations/>.
8. State of North Dakota Department of Corrections and Rehabilitation, *Facility Handbook*, 57.
9. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
10. "Dakota Women's Correctional and Rehabilitation Center," Hettinger County, accessed June 7, 2019, <https://www.hettingercountynd.com/?SEC=2DAD3325-EC9E-4623-9C35-4978114F2E0B>.
11. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
12. Ibid.
13. Ibid.
14. "Procedure: 511 Student Criminal History Background Checks," in *Procedure Manual* (Bismarck, ND: North Dakota State Board of Higher Education, August 2019), 1, [https://ndusbpos.sharepoint.com/:s/NDUSPoliciesandProcedures/EbalFwU0UFBHjgfXCUfhUsEBSyp5eZR5v\\_zNB7vhIFnrCw?rttime=24ud6Evo1kg](https://ndusbpos.sharepoint.com/:s/NDUSPoliciesandProcedures/EbalFwU0UFBHjgfXCUfhUsEBSyp5eZR5v_zNB7vhIFnrCw?rttime=24ud6Evo1kg).
15. The Common Application, an undergraduate college application system, recently removed its required criminal history question, but maintains its questions on disciplinary infractions. However, colleges on the Common Application can add questions regarding criminal conviction or disciplinary information to their individualized applications.
16. N.D. Cent. Code § 12-54.1-01.
17. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
18. N.D. Cent. Code § 12-59-05; The Council of State Governments Justice Center electronic survey of state parole-granting agencies, July 12, 2019.
19. The Council of State Governments Justice Center electronic survey of state parole-granting agencies, July 12, 2019.
20. Ibid.
21. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.