

Postsecondary education has been proven to reduce recidivism and promote more successful transitions back into communities for adults returning from incarceration.¹ 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 Virginia.



HOW ARE SERVICES FUNDED?

Correctional Agency Funding

- The Virginia legislature may appropriate state funds for college programs in state correctional facilities.² Postsecondary education is funded through state need-based financial aid; privately funded foundation grants; and federal sources, such as the Second Chance Pell Pilot Program.³
- Virginia is not using Carl D. Perkins Career and Technical Education Act and Workforce Innovation and Opportunity Act funds for postsecondary education.⁴

State Financial Aid

- Virginia financial aid programs do not have any statutory, regulatory, or policy restrictions that prevent people who are currently incarcerated from receiving aid.⁵



WHAT IS OFFERED INSIDE CORRECTIONAL FACILITIES?

Career and Technical Education and Certifications

- The Virginia Department of Corrections provides career and technical education in business software applications, communications arts and design, computer aided design, introduction to computers, and print production.⁶
- Certificates are provided through the federally funded Second Chance Pell Pilot program site at Danville Community College.⁷

Associate and Bachelor's Degrees

- Incarcerated students may participate in postsecondary correspondence courses offered through Adams State University and Colorado State University Pueblo through The Elizabeth Kates Foundation.⁸
- Associate degrees are offered through the Second Chance Pell Pilot program sites at Danville Community College and Rappahannock Community College.⁹
- Associate degrees are offered through Southside Virginia Community College.¹⁰
- Virginia does not provide bachelor's degrees.¹¹

Labor Market, Employer Feedback, and Outcome Data Alignment

- Virginia has not identified local labor market trend, 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.¹²



WHAT RESTRICTIONS OR BARRIERS ARE IMPOSED ON ACCESS AND PARTICIPATION?

Statutory or Administrative Requirements, Permissions, and Restrictions

- ➔ Participation in postsecondary education programs is based on behavior during incarceration—certain infractions will render the person ineligible for 6–12 months—and restricted for people convicted of certain types of offenses, such as criminal offenses against minors, sexually violent offenses, and murder.¹³
- ➔ Access to postsecondary services is prioritized based on an individual’s release date.¹⁴
- ➔ If withdrawn from an education program for disciplinary reasons, a participant will be eligible to reenroll six months to one year after their withdrawal.¹⁵

Use of Criminal History in State College and University Applications

- ➔ Virginia has 14 state universities, 9 of which used the 2019–2020 Common Application.¹⁶ All 9 of these colleges added questions asking applicants to disclose their criminal history: Christopher Newport University, College of William and Mary, George Mason University, Old Dominion University, Radford University, University of Mary Washington, University of Virginia, University of Virginia’s College at Wise, and Virginia Commonwealth University.
- ➔ The remaining five state colleges and universities that do not use the Common Application require students to disclose their criminal history: James Madison University, Longwood University, Norfolk State University, Virginia State University, and Virginia Tech (which used MyCoalition—another application portal).



WHAT INCENTIVES AND SUPPORTS EXIST TO ENCOURAGE ENROLLMENT AND COMPLETION?

Statutory or Administrative Benefits

- ➔ People who are incarcerated can receive “earned sentence credits”¹⁷ or “good time credits”¹⁸ to reduce their sentence by attending postsecondary education programs.
- ➔ Incentives for participating in postsecondary education programs include dedicated or specialized housing and compensation.¹⁹

Postsecondary Education as a Factor in Parole Decisions

- ➔ Parole has been abolished in Virginia, so only those convicted for crimes occurring prior to January 1, 1995 may be eligible for parole.²⁰
- ➔ The parole board is permitted to consider participation in postsecondary educational activities during incarceration as a factor when granting or denying parole.²¹

Support and Services in the Community

- ➔ The parole-granting agency provides occupational training, information on postsecondary education, postsecondary education advisors and coordinators, and vocational credential testing.²²

Coursework Transfer Policies

- ➔ The Virginia Department of Corrections has memoranda of agreement and memoranda of understanding with schools offering programming in its correctional facilities that state what credits can be transferred.²³

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.
2. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019; U.S. Department of Education, "12,000 Incarcerated Students to Enroll in Postsecondary Educational and Training Programs through Education Department's New Second Chance Pell Pilot Program," news release, June 24, 2016, <https://www.ed.gov/news/press-releases/12000-incarcerated-students-enroll-postsecondary-educational-and-training-programs-through-education-departments-new-second-chance-pell-pilot-program>.
3. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019; U.S. Department of Education, "12,000 Incarcerated Students to Enroll in Postsecondary Educational and Training Programs through Education Department's New Second Chance Pell Pilot Program," news release, June 24, 2016, <https://www.ed.gov/news/press-releases/12000-incarcerated-students-enroll-postsecondary-educational-and-training-programs-through-education-departments-new-second-chance-pell-pilot-program>.
4. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
5. Virginia Commonwealth Award, Va. Code Ann. §23.1-600; See also 8 Va. Admin Code §40-132-80; Virginia Guaranteed Assistance Program, Va. Code Ann. §23.1-638; Two-Year College Transfer Grant, Va. Code Ann. §23.1-624; New Economy Workforce Credential Grant, Va. Admin Code § 23.1-627.2; "Fact Sheet: Virginia Part-Time Assistance Program," State Council of Higher Education Virginia (SCHEV), accessed August 27, 2019, <https://www.schev.edu/docs/default-source/tuition-aid-section/financial-aid/ptap-fact-sheet.pdf?targetText=The%20purpose%20of%20the%20Virginia,each%20of%20Virginia's%20community%20colleges>.
6. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
7. U.S. Department of Education, "12,000 Incarcerated Students to Enroll in Postsecondary Educational and Training Programs through Education Department's New Second Chance Pell Pilot Program," news release, June 24, 2016, <https://www.ed.gov/news/press-releases/12000-incarcerated-students-enroll-postsecondary-educational-and-training-programs-through-education-departments-new-second-chance-pell-pilot-program>.
8. "Programs," The Elizabeth Kates Foundation, accessed June 19, 2019, <https://theelizabethkatesfoundation.org/programs/>.
9. U.S. Department of Education, "12,000 Incarcerated Students to Enroll."
10. Campus Within Walls," Southside Virginia Community College, accessed June 19, 2019, <http://southside.edu/campus-within-walls/>; "Campus Within Walls," Prison Studies Project, accessed June 19, 2019, <http://prisonstudiesproject.org/2011/08/campus-within-walls/>.
11. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
12. Ibid.
13. Ibid.
14. Virginia Department of Corrections Operating Procedure 601.2.IV.E.3.d, <https://vadoc.virginia.gov/about/procedures/documents/600/601-2.pdf>.
15. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
16. 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.
17. Va. Code Ann. § 53.1-202.2; Va. Code Ann. § 53.1-32.1.
18. Virginia Department of Corrections Operating Procedure 830.3.V.C.2.a, <https://vadoc.virginia.gov/about/procedures/documents/800/830-3.pdf>; Virginia Department of Corrections Operating Procedure 830.3.V.D.3, <https://vadoc.virginia.gov/about/procedures/documents/800/830-3.pdf>; Virginia Department of Corrections Operating Procedure 830.3.V.F.10, <https://vadoc.virginia.gov/about/procedures/documents/800/830-3.pdf>.
19. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.
20. "About the Parole Board," Virginia Parole Board, accessed June 19, 2019, <https://vpb.virginia.gov/about-the-parole-board/>.
21. Virginia Parole Board, Policy Manual (2006), I.H. and I.J., <https://vpb.virginia.gov/files/1107/vpb-policy-manual.pdf>; The Council of State Governments Justice Center electronic survey of state parole-granting agencies, July 12, 2019.
22. The Council of State Governments Justice Center electronic survey of parole-granting agencies, July 12, 2019.
23. The Council of State Governments Justice Center electronic survey of state correctional education directors, July 12, 2019.