On the 9th day of November, 2021, the following meeting was held virtually, from 1:00 p.m. to 3:00 p.m., before Jamie Young, Shorthand Reporter in the state of New Jersey.
MR. WASHINGTON: The prison education program subcommittee. We're just going to dive back into the language. There were a few, well, first I'd like to welcome Dr. McTier back. I, I totally misinterpreted your email, Dr. McTier, I thought that you were going to be joining tomorrow, but I'm happy to see that you're joining that your able to join us today. And what I wanted to do was circle back to I did not take a temperature check on application requirements. I also didn't, we didn't discuss the report, and I wanted to provide a clarification on our OGC Rep. Steve Finley's recommendation in the limitation and termination of approval of a prison education program. Before we dive into the best interest piece. So if we could, Vanessa, if you could share your screen, can you go to 668.238 application requirements. Yeah. Thank you, so I just wanted to I know we have some blue comment bubbles that the Department needs to address. But here, Dr. McTier, just just as an update, we did, Vanessa, if you could scroll down a little bit, just, uh, yeah, we did add so based on your recommendation, we added back in the comment bubbles from the first session and also we responded to your your your comment about reentry counseling. And had some other recommendations made by
other subcommittee members to fix a few things, but I just want to take a temperature check on this section to see if where the subcommittee was with this section. Does the Department need to address anything other than what's in blue in the comment bubbles? And if you do, if you if you do if you have a thumbs down, remember that, just raise your hand and let us know why. I'll, pause there.

MS. MCARDLE: I, I see a hands up from Stan.

DR. ANDRISSE: So just to acknowledge my comment in the, in the bubble.

MS. MCARDLE: And Belinda?

MS. WHEELER: Thank you. Nothing additional just wanted to highlight the bubbles with attention to that, but that's it. Thank you.

MS. MCARDLE: And that seems to be it.

MR. WASHINGTON: Alright, so it sounds like, Vanessa, can you, she's already doing it. I'll give her a second. And, I skipped over reporting requirements before the.

MS. MCARDLE: One moment, Aaron. I see Belinda's hand is up again. Thank you.

MS. WHEELER: I sincerely apologize. I just wanted to double check. I think Vanessa might have accidentally when she went to put that new bubble in about the thumbs-down, it looked like the other bubble
that had the the big blue text actually accidentally got deleted. So I just wanted to make sure that, oh, there you are. okay, sorry my bad, Vanessa. Thank you.

MS. MCARDLE: okay, I think we can move on.

Aaron, I think you're on mute.

MR. WASHINGTON: Yeah, I am. Yeah. I think I inadvertently skipped over reporting requirements at 668.239. So we've separated, so here what we've done is we've separated the reporting requirements into two paragraphs and updated the language. There was no substantive change made. It was a technical edit for for clarity. So we're still we're still recommending that the that all of the reporting required the reporting required by statute be outlined in a Federal Register notice as published by the by the Secretary. Do we have any comments on here? I'd like to mention that we have Soren Lagaard as well from our general counsel's office that will be replacing Steve Finely for the remainder of the afternoon session.

MR. LAGAARD: Just until 2:00 p.m. but yeah.

MR. WASHINGTON: Oh okay, okay. Steve will be rejoining us? okay. And so, Sophia, do we have any comments on the reporting language?

MS. MCARDLE: Nothing at this moment.

MR. WASHINGTON: okay, can we take a
temperature check on that? Any thumbs down? I think we didn't have any thumbs down last time, I just I just wanted to make sure that we didn't need to revisit it. So just put your hand up if you have a thumbs down.

MS. MCARDLE: No, no thumbs.

MR. WASHINGTON: okay. And the, Vanessa if you can go down to the 668.240. So scroll down a little more. Oh, no, you're fine right there. Can you expand that comment bubble, Vanessa, where it says 11/19 Steve Finely? So I misinterpreted what Steve was saying, Steve was just saying to add initiates in between Secretary and limits. So the sentence, obviously we'll take this back and we'll propose it we'll finalize the language hopefully by tomorrow. But it would say if the Secretary initiates a limitation or termination of an institution's approval, then they would have to submit a teach-out plan. So that's just to clarify that. So I had said it needs to be a cross reference, but if he was, he was actually proposing to add initiates in there. So could we do a temperature check on that section? If there are any if there are any. I think that was the only that's the only comment in there, actually. So there are any thumbs down, please just raise your hand.

MS. MCARDLE: I don't see any hands.

MR. WASHINGTON: Alright, so before we jump
into best interest, we have one more section that I
wanted to look at and there were no thumbs down there,
but there were some changes, but just some technical
updates so I did want us to look at it, you know, so the
subcommittee to actually see it. And so it was, Vanessa
if you could scroll down past best interests. And right
there, I think we may need to make an additional update,
I think the best interest is 241 in this section it's
241. So this might this may need to be 242. But Vanessa,
can you put a comment bubble just a check? I'm not sure I
just I thought for some reason that the best interest was
241 as well. I could be wrong. Alright. The only thing
we've done here is updated the cross references. This
section was about the the wind down or we actually titled
the transition to a Prison Education Program because we
hope that institutions, postsecondary institutions
currently offering eligible programs at correctional
facilities will want to transition their programs to
prison education programs. And this will be the process
for the time frame for that transition process. And also,
you know, if consequently, a postsecondary institution
decides not to transition the program to a prison
education program, meaning they decide not to go through
the requirements that we're proposing here today, then
they would also have this time to win the program down.
And all we've done here is. Put a title in and updated the cross references.

MS. MCARDLE: Belinda?

MS. WHEELER: Thank you. I just had a super quick question, this goes back to a clarifying question that I sent this morning, and I understand that the subcommittee has not had a chance to, you know, review it or respond, so I definitely understand that. Just wanted to clarify when we're talking about the transition to prison education programs, does this include the Second Chance Pell round one, two, and the threes that will be joining next year? Or is this something completely different? Just wanted some clarification on because I understand with the Second Chance Pell they are experimental, they've kind of some of them have had their own deadlines, but I noticed in this text there's nothing with regards to the Second Chance Pell experimental sites, and I just wanted to check that I wasn't off base on that.

MS. MCARDLE: Aaron?

MR. WASHINGTON: Thank you for that, Belinda. We did discuss that and originally we did have actual regulatory language there. But the Second Chance Pell is not in regulation like we don't define that and we defined it through a, I believe, a Federal Register
notice or other regulatory guidance. And so we thought that it would be best to provide guidance on the three phases of the Second Chance Pell Experimental Site through a Federal Register notice or some other form of self regulatory guidance. We are open to hearing your thoughts, though, on, you know. How the Department should amend the federal like, you know, amend the the Second Chance Pell experiments, but we didn't recommend to actually regulate on that. So Belinda, if you had any comments that you know on that, we would we'd be willing to hear them as a subcommittee.

MS. MCARDLE: Belinda?

MS. WHEELER: Thank you. Let me just sit with that just for a minute, I want to check in on a few different things there. I totally yeah, I just thank you for that clarification because I was thinking that it probably wasn't regulated, but I just wanted to make sure. So I will definitely make sure that I will get back if I do have language by tonight so that we've definitely got that. But thank you for that. I appreciate the clarification.

MR. WASHINGTON: Yeah. So this section is really just in regards to, you know, a local jail or a juvenile justice facility that is currently offering an eligible program to those that are confined or
incarcerated in that correctional facility and the process through which that institution would have to either transition the program to being an approved prison education program or, wind the program down. If the program, if the institution did not want to, did not no longer wanted to participate in the Title IV programs.

MS. MCARDLE: No further comments.

MR. WASHINGTON: Okay, so I'd like to take a temperature check on that again, there were no thumbs down last time, but you know, if we could do a temperature check by raising your hand and letting us know why your thumbs down.

MS. MCARDLE: I see no hands.

MR. WASHINGTON: Okay. I think Vanessa will add a comment bubble. Okay, so if we could scroll back up to the best interest section, Vanessa, I think that we that the last remaining section is the best interest to discuss and what I've done here, I've tried to add Belinda's comments, the document that you sent last night at 6, 6:18 to the subcommittee I've gone through during lunch and I've tried to add all of your comments highlighted in blue if there is one missing, let us know, I have a document, Vanessa has the document, we can throw it in there in real time. The only one I wasn't sure if
it was yours was the "May" "Must". Vanessa, can you
scroll up a little bit? Is that yours Belinda, the "May"
"Must"? Okay, alright, okay, so before we dive in, I do
have something I wanted to say to the subcommittee. So we
discussed, we discussed during the last subcommittee
meeting and we have sought to clarify, define and measure
the specific requirements in the law related to how the
Departments of Corrections and the Bureau of Prison
assess whether a program is serving the best interests of
students. This is both because we know this will be a new
role for corrections officials who haven't typically been
required to measure all of the all of these metrics. And
because we share concern of many of the subcommittee
members about placing too much authority with the
Department of Corrections or Bureau of Prisons, whose
whose responsibilities go far beyond the educational
needs of incarcerated students. So we have a lot of
comment bubbles in the documents that that the Department
has put in for more feedback from the subcommittee. And I
think we should probably just kind of go indicator by
indicator and talk about each of them. So for the first
metrics we're talking about the enrollment post student's
enrollment post-release, and I think we have some comment
bubbles here, so for the subcommittee members, we
continue to invite research and input about these metrics
to ensure a floor that ensures a program is operating in
the best interests of students where research exists
about the typical outcomes of prison education programs
or appropriate levels of quality. And we would appreciate
submissions of the information from subcommittee members,
particularly as it relates to the metrics proposed to
allow the DOCs or the BOPs to define the stakeholder to
define with stakeholder input. So that was pretty, I know
we've already received some data. I think Dr. McTier
actually sent in some research about the benefits of
prison education programs, previously. And I think that
was posted to our website. And so for the first
indicator, we hope to remove the burden of calculating
this first indicator from institutions and instead
calculate it, the Department of Education would calculate
it and provide it back to institutions and
oversight entities. The Department proposes to allow
oversight entities in consultation with incarcerated
individuals and their advocates and accrediting agencies
to determine what the what an appropriate enrollment
level is to ensure the program meets the best interests
of students. And so I will pause there and open the floor
up for conversation on the first best interest indicator.
So that's, I think that's 1 now, so it's A 1.

MS. MCARDLE: I see no hands. Oh wait,
there's Stan, Stan?

    DR. ANDRISSE: Maybe I missed it, but was what was the comment on the “May” “Must”? So changing “Must” to “May”.

    MR. WASHINGTON: Yeah, sorry, I have two different screens open, I apologize, I didn't, I totally missed that, yes, “May”, “Must”. I missed that I, yeah. Thanks for bringing that up, Stan. So Belinda, would you be able to describe the “May” “Must” before we move on to enrollment post-release?

    MS. WHEELER: Thank you. This was more of a point of clarification here, looking at the FAFSA Simplification Act and all the, you know, requirements in the act it says “May” require, you know, things such as, you know, employment rates, recidivism and things of that nature in the FAFSA Simplification Act and then in the language that we have here as possible, amendatory language before these kind of sub points here we've got the the use of the word “Must” here as supposed to “May”.

And I just wanted clarification, you know, with regards to that because, you know, and I'm not a legal person, but it seems that “May” seems quite different than than the “Must”. And I just wanted kind of clarification on that before we even got to any of the other kind of bullet points there. Because to depending on the “May”
“Must” situation, it could potentially have further ramifications for those other kind of bullet points there. So just kind of want to clarify that place.

    MS. MCARDLE: Soren?

    MR. LAGAARD: Thank you so much, yeah, Belinda. You’re absolutely right, there is a big difference between “May” and “Must”. “May” is, you know, permissive optional, whereas “Must” is compulsory. And so our determination there would be that an oversight entity must include all of these things that we’ve listed there.

    MS. MCARDLE: Stan.

    DR. ANDRISSE: Yes, thank you for clarifying that, and That is exactly Why we want to remain with the language that was proposed in the bill, which was “May”. I think that would offer more opportunity to programs looking to start up if that were “May” as opposed to “Must”.

    MR. WASHINGTON: Vanessa, can you put a comment bubble into yeah say that there’s a recommendation to revert the “Must” to a “May”.

    MS. MCARDLE: Dr. McTier?

    DR. ANDRISSE: To revert back to “May”.

    MR. WASHINGTON: Yes.

    MS. MCARDLE: Dr. McTier?

    DR. MCTIER: Hey, yes, so I agree with Stan
in terms of the “May” “Must”. So this this might be
because I was not here earlier, but did we ever clarify
the oversight entity information? And so who's that
oversight entity that's going to be upholding this
particular section?

DR. ANDRISSE: It was said that we would get
back to that. Is is what we said at the beginning of the
meeting.

DR. MCTIER: So until we establish the
oversight entity, I think, that's going to dictate how
the rest of this plays out, and so I would like to have
that conversation about the oversight entity piece,
especially because we were all struggling with that, that
change yesterday with what we originally had and now it
was removed. And I'm still unclear on where that where we
stand on that component. So. And this is and I believe
this is one of the areas where we had a lot of pushback
for the Department of Education. So we really want I I
really want to make sure that's specified and cleared up
before we move on.

MS. MCARDLE: Stan? Stan, I think you're on
mute.

DR. ANDRISSE: Sorry about that. I was just
saying, yes, I would agree. This is where some of that
language was included. So if if added above and if we
have that discussion, you know there wouldn't need, there
wouldn't be the need to add it here because it would
already be added in the in the definition of oversight,
what the oversight entity was. So I would agree. I think
we need to have that conversation because it so heavily
weighs into all of the best interest conversation that
we're looking to get into.

MS. MCARDLE: Aaron?

MR. WASHINGTON: Stan, I received your
recommendation for the definition of oversight entity,
and I have put it into this, pasted it into this
document. I'd like to get feedback from the first, I want
to ask Belinda, I want to go back to the first part,
Belinda, are you, what was your position? Would you like
to Department to revert back to the “May”? Or how what
are your feelings about the “May” to a “Must”? Was it
just for clarification or did you want your name also
added to Stan and Dr. McTier's request to change the Must
to May?

MS. WHEELER: I think it has to. I support
the the “May” here. And if it goes to the “Must”, I'm not
sure, I'm not sure why would be why we would be going to
the “Must” when the, you know, I certainly understand.
Like again, if we're thinking of equity, inclusivity at
this point, I'm saying that yes, with with the “May”
going back to the “May” because I don't see an angle with how the “Must” would be more inclusive of students. But again, I reserve the right to change on that. But at this point, it seems a little unclear to me why we would be going with “Must”.

MR. WASHINGTON: Thank you. And I wanted to just get the entire committee's feedback on going back to the definition of an oversight entity. We do have until three o'clock to discuss the best interest piece. I was hoping that tomorrow we could kind of take the full day to go back through the entire package in order to try and get as few recommendations as possible, hopefully one. So I did want to get through, get through the best interest discussion by three o'clock today. But if, I wanted to get feedback from other subcommittee members on returning to the discussion of oversight entity before we before we move from the best interest piece because I know Belinda had a lot of, not a lot, but, you know, really, really pointed comments in this section that we've added and we want to make sure that we have enough time to hear Belinda's thoughts and people who assisted Belinda with this language, their thoughts on this. And so I will pause there and hear what the rest of the subcommittee I want to hear. I'd like to hear from other subcommittee members if we want to table this conversation and go back
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to talk more about the oversight entity definition.

MS. MCARDLE: Terrell.

MR. BLOUNT: Thank you. My question Aaron is the definition of oversight entity what it could be for PEPs or the definition that we create is what it needs to be or should yeah what it needs to be? Or is it what it could be?

MR. WASHINGTON: So we haven't had we haven't discussed well, I can't remember when I received Stanley's proposed definition Stan's sorry proposed definition of the addition to the definition of an oversight entity. But the Department hasn't had a chance to go back and discuss it internally at. And again, I know this is the subcommittee's recommendation, but I am here to hopefully let you all know the Department does have a vote at the main table and I am here to let you know what the Department can implement and within the statutory framework. So when the recommendation is made to the main committee, there is no hopefully there are very few surprises, at least from the federal negotiators perspective. So we haven't had a chance to talk about that decision yet, but we can discuss we can at least allow Stanley to explain it here and the rationale and add anything else he would like to add.

MR. BLOUNT: Okay, if I could really quickly
before it looks like Stan is next to speak, I think ideally as other subcommittee members have mentioned, the oversight entity should include directly impacted people, both incarcerated and formerly incarcerated. I think incarcerated students should have some input on the colleges or programs that they're being presented with, and that can kind of, you know, avoid any of the other protections that we're thinking about. And then also other stakeholder partners in the community that are working in the best interests of directly impacted people. I think when it's a more of a a group conversation, it will then alleviate the concern of many people, which is that the Department of Corrections will be the sole, you know, entity that's making those decisions. And I think just really quickly, currently, it that oversight entity, although people probably aren't using that terminology, I think it varies from state to state. I think some states the oversight entity is only the Department of Corrections, and they make the decisions on which colleges they, you know, quote unquote partner with or allowed to operate in the facilities. And then in other states, there's consortiums where they have MOUs in place, where the colleges that already teach in prison, along with correction, the correction education leadership make decisions on new programs that are
attempting to teach in those facilities so the oversight entity can be consortiums or, you know, other options, of course. But I just wanted to share that that last piece.

MR. WASHINGTON: If I could respond really quickly. The the oversight entity is, trying to find it in the statutory text, but the oversight entity is defined and we decided to say oversight entity only because it was shorthand for something that's already described in the statute. And so the statute says that it will be the state Departments of Corrections, the Bureau of Prisons or other entity that has oversight authority over the facility. And so that's really what we were saying it was we weren't changing the definition of who makes that determination. What we were trying to do is just provide shorthand so we didn't continue to repeat a very long sentence over and over again in the regulations. And I'll pause there. I see Soren's hand is up.

MR. LAGAARD: Thanks, Aaron. Yeah, and I think you've covered exactly what we were going to say that this was, you know, we were looking at the reg, we were trying to make the reg more accessible, having a repeated phrase that's twenty one words long come into very different parts of the reg was was a lot to read and
to understand. And so as part of our way of trying to make the reg more accessible, we just simply took the word for word definition from the statute and consolidated it down to the concept of oversight entity, which, you know, word for word the same. So really, all this was, this was part of our reorganization was just an attempt to make this this regulation more accessible and more understandable. And, you know, be a way that we can then get across our our point, our what, what our requirements are more clearly.

MS. MCARDLE: Stan.

DR. ANDRISSE: Thank you, Soren and Aaron and Terrell. So, you know, I think we just asked the committee whether, you know, take a quick check on whether we want to go back. You know, for me, everything, I'm going to be thumbs down on all of this because we need to have that conversation about oversight. And so the addition that I proposed that I sent this morning shortly before the start of our session is does not change the statutory wording of the DOC and BOP being the entity. I mean, I would, as Dr. McTier mentioned, I think we need to go back to that conversation, and I can certainly explain just how you know what I was proposing is in addition to that definition. In that way, it would also shorten this text because you are adding in some of
the stuff that we are mentioning, like in that first point. You mentioned that, you know, to to to be in contact with stakeholders. If we go back and revisit and add the additions to the definition that I propose, then you know, we don't have to add that additional text. So you shorten the text and accomplish what Soren is mentioning. So I think that we should just take a check and see if the committee wants to go back and have that quick discussion.

MR. WASHINGTON: I agree, Stan. If anybody so, if there's any objection please raise your hand and we will continue on with the best interest discussion. If there's no objection we will go back to the oversight entity definition and allow Stan to further detail his proposal. I just want to tell everybody to keep in mind that we do have a lot of comments in the best interest section that we like to get to, not only from the Department, but also Belinda. So with that said, Sophia, do we see any there?

MS. MCARDLE: I see, I see Belinda. Belinda.

MS. WHEELER: It's the English major in me when we truncate things to it and then we then have the definition up there, we need to make sure that the definition and by by placing it there. I'm sorry, but it has to be, you know, and I'm not sorry. I shouldn't say
sorry, it has to go back. We need to clarify what this
“it” is. As colleagues have mentioned, I understand that
it's been truncated, but we've got to clarify that before
we then go further into the document.

MR. WASHINGTON: Okay, so you're proposing
to go back to the definition as well. Okay. Alright. Just
making sure. Okay, so Vanessa, if you wouldn't mind
scrolling up to let's see. Yes, six, sixty eight point. I
think, oh, there you go. Yeah, they are. Alright, so I
added, I'm sorry, I've added Stanley's, Stan's, I've
added Stan's recommendation here in the blue comment
bubble, and so I'll open up the floor to Stan to talk
more about it.

DR. ANDRISSE: So is it, I can't, is it
highlighted on the screen for others to see?

MR. WASHINGTON: It's in blue?

DR. ANDRISSE: It's not fully expanded on my
screen. Maybe that's just my screen.

MR. WASHINGTON: I don't think Vanessa can
zoom in anymore.

DR. ANDRISSE: Well, I can I can just read
it from what I had. I was just hoping for others to be
able to read it.

MR. WASHINGTON: Can people see, before you
go, the people see the blue? I feel I think Vanessa is
trying to do is actually keep the current definition in frame.

    DR. MCTIER: I can see the see it all the way from 11/9 and then it ends with “existing PEPs”.
    DR. ANDRISSE: Okay, now now I see it, so thank you. Sorry about that. So just to this, this particular text, you know, copying and pasted what to Dr. McTier had mentioned before with a few additions. So, you know, I propose to add a number three to the definition and for it to say, “The above mentioned entities in one and two will be advised by an advisory committee made up of at least one of each of the following higher education institutions accrediting institutions, Board of Regents, higher education in prison programs, formerly incarcerated individuals and or groups that represent them, and a community based organization focused on reentry.” And furthermore, I propose that, ”The advisory committee will provide expert advice and recommendations on decisions such as PEP approval, denial and appeals”. And I think to add a little bit of additional strength behind the advisory committee, I was additionally proposing that if the above entities in (1) or (2) make a decision that is outside of the recommendation of the advisory committee, that there should be some that
it may jeopardize the entity's ability for the Department to approve any of its existing PEPs. So to further talk a little bit more about that last piece, specifically, as Terrell mentioned, states such as New Jersey, New York, Kansas, Georgia have these coalitions in place that are higher ed in prison coalitions that kind of partner with each other. There are different colleges and universities that have prison education programs, and they bring they've brought together a number of different stakeholders at the table, and they help advise the DOC. As Terrell was mentioning, many of these have MOUs in place with the DOC, where the DOC is leaning on their expertise, since the DOC may not be as expert in some of these topics to help them make decisions. So I think with the way the text

MS. MCARDLE: Thirty seconds.

DR. ANDRISSE: is this this would just be an addition, that it's still the decision of the DOC or the BOP, but they're advised by this particular advisory committee on on the on the things that are mentioned in the in the text.

MR. WASHINGTON: And I think, you know what Stan, because this is your recommendation, I want you to I know we were doing a three minute thing, but I please continue if you if you know.
DR. ANDRISSE: That, I mean, I can answer questions or thoughts from that, but I can stop there.

MS. MCARDLE: Dave?

MR. MUSSER: So, Stan, I have just a few operational questions about how this would actually work in practice. So let's take an example of a case where a prison, a school wants to start a prison education program and they want to bring it to a correctional agency or the Federal Bureau of Prisons, whichever it may be. And your language includes a “must” that it must include at least one of the individuals from all of these groups. What happens if one of those groups can't be represented? Does that mean they simply can't apply for the program?

DR. ANDRISSE: Yes, so that is something that I am open to discussion about, and I agree that, you know, just just the same way we were discussing “May” or “Must” in the in the other part. You know, I think that, the different players that are asked to be involved are already involved. The only players that have not that are not involved already are formerly incarcerated people. So my concern with changing that would be if we add “May” the party that always gets left out will be the formerly incarcerated people.

MS. MCARDLE: Dr. McTier?
DR. MCTIER: So, Stan, I hear you and thinking about the logistical aspect based off what David just asked. I am also curious as to so what I do think that there needs to be a committee in place. Which is what you know, I recommended earlier on. And now I think, the issue that I will probably run into is, again, what David brought up is if one of those individuals choose not to participate, then there's no higher education being offered at all. And so for me, I would much rather have education at least be offered. And so I just don't want this to to really push out potential programs just because they can't mark or check all the boxes. And for me, that that is a concern, but then I hear the the other side of me here's the who will be left out, which would be the students, and it's often they are excluded. I feel like right now walking on that tightrope, I don't know exactly what to do. It's almost like damned if you do, damned if you don't. But again, saying that “must”, I feel a lot of programs are not going to apply and I don't know if I necessarily agree 100%. But I don't I don't disagree but I don't 100% agree, either.

DR. ANDRISSE: If I might add to that, I mean, would it be okay for me to?

MS. MCARDLE: Yes, go ahead. We did have Terrell, Terrell had something to say as well. I'm not
DR. ANDRISSE: Terrell, you can go.

MR. BLOUNT: Okay, thank you. Yeah. Just really briefly, I do think it is mandatory that directly impacted people are part of it. We cannot continue to make regulations and laws and decisions for a population and someone from that group not be a part of it like that cannot be so to the college who is in X state that may not have any college in prison programs already, there is a handful of them and they're entering this work for the very first time. You should be not just focused solely on creating your program, but seeking programs that have, you know, been, I guess, implementing best practices or promising practices, doing your research and literature because this is shaping to, for better or for worse being a field. And there's no excuse to not seek out or invite formerly incarcerated people, no matter if you don't have any in your state, there's organizations that exist where you can reach out to individuals. So it's not. I don't believe it's an excuse for a program to say, oh, we don't know anyone who has graduated from a college in prison program or has gone to prison and graduated, did all of that education on the outside, it's not an excuse to not include at least one person to be a part of that group.

DR. ANDRISSE: And if I might add to that, I
agree 100% with Terrell. You know this, you know, getting one formerly incarcerated person, if that's a challenge, then you may you may not that may say something else about.

MR. BLOUNT: You don't need to be in this work. You can't find one person who has been to prison and has graduated from college and is immersed in this work, not just anybody who graduated and they're not even involved in this work. We're talking about so many people that have come home and are doing justice and education work. It's not an excuse and those individuals who are doing the work, we will intentionally mentor and bring on individuals, create leaders that can fully participate in these spaces. But to those colleagues, I don't feel sorry if you are not making any attempts whatsoever to locate someone.

DR. ANDRISSE: And if I might add the other piece is that this is looking to be it's not necessarily it wouldn't be on you, Dr. McTier, to put this together. This is something that the DOC should put together. So the DOC needs to put together this advisory committee to help them with the decision making of you coming into their institution.

MS. MCARDLE: Marisa.

MS. BRITTON-BOSTWICK: So I think the
incarcerated individual is so important and being from a very small rural state off the top of my head, I can think of two incarcerated individuals that we would love to have on this advisory board, and I think it needs to be in there. And I think it motivates the incarcerated individuals that we already have in our facilities to do these programs and want to be part of it. And I think that's so crucial and I think it needs to be in there.

MS. MCARDLE: Dr. McTier.

DR. MCTIER: So so that's for the students, and so I think we understand and I do agree that I do believe the students need to be at the table. Thinking about all the other entities within that we're recommending or requesting be at that table. We're making it mandatory that those individuals also because I hear the student aspect and I 100% agree, but then I'm thinking about the higher education institutions, the accrediting agencies, board of regents, all of those particular individuals also weighing in. And then the DOC having to go get all of those, you know, connect those dots. Correct me, if I'm wrong, the DOC is not in education, and so I don't even know if they would know where to start to even make those connections for like accredited accrediting agencies, board of regents, et cetera. So I don't know. I'm just trying to I'm trying to
make sure that we are looking at it from all angles before we just say, yes, this is what we're going to do, “Must”. And so we I agree with the student aspect that they need to be at the table. I am on board with that. The other piece of that is you're saying “Must” and so we're listing all of these other agencies. That's the part where I'm also kind of like we're relying heavily on the DOC to do all of that and I'm a little shaky on it.

DR. ANDRISSE: So if I might.

MS. MCARDLE: I don't know if Marisa had something to add before you responded, Stan.

MS. BRITTON-BOSTWICK: Sorry, Stan, I do have one thing to add. My main point before was that you can find incarcerated individuals. I mean, that's not even possible that you couldn't find them in a state, especially in a lower population state, so I just wanted to get that across. But also, I think that this does need to fall on Department of Corrections in some form and if it doesn't, it's going to be forgotten. And I think that could be very dangerous because I think people could really fall between the cracks. Thank you.

MS. MCARDLE: Stan.

DR. ANDRISSE: So thank you, I'm open to discussing some of those other players, particularly, of course, focusing that, as we mentioned, that formerly
incarcerated people be part of it. The players such as, you know, it goes back to a question that I asked Aaron, I think back in October is what did we envision would be this how one of these things would get started, right? So is it the DOC that’s starting it? Is it a university that's starting it, that comes and approaches the DOC? Is it a community organization that, who is the start of it, right? So let's say there's a state that doesn't have one started yet, and we regardless of who starts it? Right? The university needs to be in the conversation already because they're going to be in the conversation. If it's the first program, then they're in the conversation already. They are that first program. So, you know, once that conversation gets started, the university is already there. The accrediting agency is already part of this conversation. It already needs to be part of what accepts, you know, the program. Its inclusion in other parts of the language. So I mean, those players are there because they would be helpful to assisting the DOC in areas that they may not be familiar in and that we're asking the DOC to do, you know, the Board of Regents, that was something that is part of the list of states that I that I listed that have entities like this in place. They have representation from the Board of Regents on there. That's a new player that's not really already
part of it, but can come in and valuable in different
valuable places. The community based organization is
something that you know is lacking, and Terrell and
Belinda can maybe speak to this on how there's been so
many instances of people leaving prison education
programs and just being thrown out into the wild, per se,
and not being guided into how to get back into school.
So, I mean, just having those entities in place and I
mean, we're asking them to do other things as well. And
so I think this is will help in these other best practice
issues and just in a number of different places. But
again, I am open to thinking about, you know, you know,
some of those other stakeholders, but certainly the
formerly incarcerated stakeholders, you know, need to be
part of it.

MS. MCARDLE: Dr. McTier.

DR. MCTIER: Was Dr. Paccione, I saw her
hand first. So did she want to speak before I did?

MS. MCARDLE: I did not see her hand, but
yes, go ahead Dr. Paccione if you were first.

DR. PACCIONE: Yeah, thank you very much and
thank you, Dr. McTier. And I agree completely with what
Dr. McTier's intention making sure that we have the
formerly incarcerated. With the “Must” is also a little
bit tight for me. And then and then there's it feels like
there's a bit of redundancy if we're going to have the higher ed institutions and the Board of Regents. That could be a redundancy. In Colorado, we only have one Board of Regents, and that's where the University of Colorado system. I don't know if other states are similar, so board of trustees would be maybe more inclusive. So that would include other of our systems and perhaps we may want to even include or their designee. So our board of trustees, that's all volunteer and we we ask a lot of them already, so maybe their designee could be in there. And then just deciding whether there's a redundancy between having the institution and a board member. So those are the comments I want to make. Thank you.

MS. MCARDLE: Thank you. Now, Dr. McTier and then Marisa.

DR. MCTIER: So I wrote that same thing down about not every institution has or every state has a board of regents, but also with higher education in prison programs starting, not all Board of Regents and Board of Trustees actually agree with the establishment of higher education in prison programs. And so I think it's also important that that “Must” is very concerning for me because of those those nuances that exist. We don't know what relationships or partnerships exist
outside of the institution. Right. And many of the boards are made up of community members. And so I just want us to consider at that point. The other piece that I was going to add as I'm thinking through this now with this, this addition is, alright, say we add all of these elements. There's no time frame. So we know that sometimes the DOC moves extremely slow with things and so requiring them to get all of these entities in place. If I'm submitting an application and now I got to wait until they decide to move the ball and they can just say, hey, we reached out and we're still waiting. That could take months and possibly years for this program to get up and running. So again, my concern is with this, "Must" I hear that we do need students at the table. I think we're all in agreement with that. But again, some of these other key players now adding in this time frame and thinking about what David talked about is this process. I feel now we're going to we're just now we're getting into the weeds. And so I don't want to get into the weeds. I do think we need to recommend that, you know, these people be at the table. At what process, I don't know. And now I feel like now we're diving deeper and getting deeper than we necessarily need to be, but I do think that the DOC, we're giving all of this and placing all of this on the DOC to handle an application
when they might not even want the program to be there. I don't know.

MS. McARDLE: Marisa.

MS. BRITTON-BOSTWICK: I just have a couple of questions that I need people's expert advice on from the subcommittee. Can there be some of these entities that are "Must" and some that are "May"? And also in a small state like ours, and I mean, I have to tell you, Stan and Dr. McTier and Terrell, I'm so impressed because in smaller states, we don't have these robust community based organizations for reentry. And in some smaller states, they don't even really exist. And so that really concerns me who we build this bridge with on the way out, and I don't want it to be just something that's written down as a community based organization. If we could work on some wording on exactly what that would look like in smaller states where it's not so robust. Thank you.

MS. McARDLE: Stan.

DR. ANDRISSE: So thank you, Marisa, and Dr. McTier. I would I would be for, you know, working through what should be "May" and what should be "Must". Again, you know, pointing out that I think the formerly incarcerated person or groups should be a "Must". And you know, back to I mean, to to the I think, you know, the "May" or "Must" could solve that issue, but I think that
you personally, if you don't have that connection, it's going to cause issues to not have a reentry type of organization that are partnering and I mean, we could even expand it or put some type of language in that says that it doesn't have to be an entity from your state, particularly in that area. It can be a national organization that that works on that. And this is, you know, this is they're not going to be providing services per se. This is just to advise. So it's not saying that they're going to be providing services.

MS. MCARDLE: Belinda.

MS. WHEELER: Thank you very much. I'm just going to really briefly wear two hats here, if I can. In my past experience, if it wasn't for a community based partner and my brother, Jay Holder and Healthy Routines when I was at Claflin University, we never would have had the synergy that we had. Like Healthy Routines, the community partner brought my institution, Claflin University, to the table with Corrections and we had this three based, you know, kind of partnership. And Jay, my brother, you know, brought Stanley in and, you know, it worked beautifully. So I've had the advantage of seeing how an organic process has worked really well. So in a lot of ways, I see a lot of value to, you know, to what Stan is saying here, wearing my other hat with Vera where
I'm now, you know, very happily placed. I've seen a lot of this organic kind of side of things, and I've also seen some things that weren't, you know, as didn't go perhaps as well, whether it's, you know, current current educational institutions in the prison education space or those that are thinking of going into this space. I do definitely see myself aligning a little bit like definitely understanding that, yes, we need to define this, and I very much hope that maybe tonight we can go backwards and forwards via email, perhaps with the subcommittee to kind of get something down for like that recommendation for tomorrow. Perhaps I see myself perhaps a little bit more aligned with Dr. McTier and Angie with SHEEO in the sense of perhaps a hey "May" here again just for that more organic. But I can also see how, you know, some people would definitely I see merit in perhaps, you know, some "Must" there too. So I would definitely love the opportunity with my colleagues to kind of, you know, think a little bit more about this and perhaps we can in an email exchange if that's permissible to the subcommittee. Kind of go backwards and forwards on this and perhaps have something, you know for the morning where we've got a little bit this there. That's not to silence the conversations that we're having now. I think that these are really important. Yeah, that's it for me.
Thank you.

MS. MCARDLE: Soren.

MR. LAGAARD: And Belinda, exactly what you're saying now. I think you the Department really appreciates all this feedback that we're hearing, and I think we want to evaluate some of the legal and policy implications tonight. And then we would love to also get back to this this subcommittee tomorrow morning.

MS. MCARDLE: Angie, is your hands still up? Alright, Stan?

DR. ANDRISSE: I mean, it sounds like we are mostly I mean, I haven't heard an opposition to saying “Must” for the formerly incarcerated person or group. There has been some, you know, you know, consideration around saying “May” for the other groups. But I mean, it sounds like we are all in agreement with “Must” for formerly incarcerated persons or groups. So I mean, I would propose to change it to just say that is the one group that is “Must” and then the other groups could be “May”.

MS. MCARDLE: Dr. McTier.

DR. MCTIER: I would probably add that with the student, there needs to be maybe it established, maybe the higher education program would need to also be “Must”. So that way that there's that level of expertise
that exists with the application process and that
knowledge of the educational program that's going to be
established along with that student voice there. And so I
do think that while we bring the student to that “Must”,
we might need to bring the the higher education
institution to that table that “Must” as well. And then
the others could potentially be “May”, depending on if
their available available or if they're even in existence
at that the table or in that state.

MS. MCARDLE: Marisa?

MS. BRITTON-BOSTWICK: Okay, I could be
missing something here. But in the entity, the
corrections education would also be a “Must”, would that
be right?

MS. MCARDLE: Dr. McTier, I think that was
to you.

DR. MCTIER: Oh yeah, whoever the yeah. I
would say the definitely the the individual at the prison
is is.

MS. BRITTON-BOSTWICK: Or at the DOC level?

DR. MCTIER: Yeah, at the DOC level and then
the person, the institution that's putting in the
application, I think would need to be at that table as
well.

MS. BRITTON-BOSTWICK: Yeah.
MS. MCARDLE: Marisa, is your hand, oh, okay, Stan?

DR. ANDRISSE: I mean, I think I mean, there would need to be you know, I mean, the consideration of I mean, the way that I was thinking of it is that this will be a board of sort. I mean, we don't have to define a time that they meet and that nature. But you know, for instance, the prison education person is a higher education person. And so those kind of are both, you know, could satisfy both. But you know, I would just additionally add the thinking of if this were an advisory group, you know what would be the concern about the actual entity that may be applying or that is part of an appeal? You know, maybe that person would need to know if that would be a conflict of interest within within that within that process.

MS. MCARDLE: Marisa?

MS. BRITTON-BOSTWICK: So one additional thing, I think this needs to be very streamlined and very clear because a lot of hands get in the cookie jar and then what then what we're really trying to do is lost. And that would be my main concern that we don't have so many people in there. And then when we do, if we do, it's very defined. That would be my main thing to say, so thank you.
MS. MCARDLE: I see no other hands, Aaron?

MR. WASHINGTON: Oh, yeah, I think we did
get a question. So Stan, can you just expand on how this
will work for the Bureau of Prisons? Like how this
framework will work for the Bureau of Prisons?

DR. ANDRISSE: So I think if we don't have
it be a restriction of that, the entity has to be in that
state. I mean, so for the Bureau of Prisons, they can
look nationally to meet these requirements.

MR. WASHINGTON: Okay.

MS. MCARDLE: I believe Dave was next, and
then Angie and then Marisa.

MR. MUSSER: Another sort of operational
question for you. Did you have in mind that the
Department would essentially check to be sure that the
that the institution identified the advisory committee
and expressed who was representing which roles? Is that
sort of what you had in mind for what what we would do to
approve a program on this basis?

DR. ANDRISSE: Yeah, so that the Department
would would ask that DOC have this in place. So when when
a program is looked to be approved to be let into a
correctional facility and and the DCO puts together the
application to send to the Department, the Department
would need to check off and say that do you have the
advisory was the advisory committee part of this
decision? And if they didn't have that, then that would,
you know, they would have to have an advisory committee
in place.

MR. MUSSER: Alright, thanks.

MS. MCARDLE: Angie?

DR. PACCIONE: Yeah, thanks, and you know, I
think it could be in the Department in consultation with
the SHEEO because we convene, we work with all of the
folks essentially that are on that list in terms of the
advisory committee. So to make it easier to actually
populate this advisory committee, you know, the SHEEO
works with the institutions of higher ed, we work with
the board of trustees, we work with the higher ed and
prison programs. And so so, you know, to make it easier
to actually populate this advisory committee, maybe we
say, you know, the Department of Corrections or the board
in consultation with the the SHEEO, forms this committee
something, something to that effect.

MS. MCARDLE: Marisa.

MS. BRITTON-BOSTWICK: So just to be clear,
I think Stan said this before, but if we couldn't find a
community based organization within a small rural state,
we could have someone national on there that we contract
with or they could be on our advisory board. It wouldn't
have to be. Not everyone on the “Must” or “May” list
would have to be in your state. Is that correct?

DR. ANDRISSE: I would say if it's not, I
mean, if we don't add into the language that it needs to
be state or, you know, if we don't have that to the
language, then yes, they would be free to do it. I think,
I mean, that goes back to that question of trying to add
additional clarification, sometimes add just more
complication. So I mean, not not saying it says that,
yes, you could you could look in your state or
nationally.

MS. MCARDLE: I see no other hands at the
moment. Aaron?

MR. WASHINGTON: Okay. I think I think we
can conclude this conversation and go back to the best
interest piece. I think we can still discuss the best
interest in in the context of the way the Department has
proposed now. Also, I mean, we, you know, in the context
of how Stan has it defined here, you know, like probably
just remove the, you know, input from relevant
stakeholders and just keep the keep with the definition
of oversight authorities, so at least we can talk about
each of the indicators. And people's thoughts on the
indicators just in general, you know, as opposed to
coming to a determination today, whether we're going to
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go with the oversight entity as it's defined in yellow or the oversight entity as defined in yellow and with a with addition to the blue. And I did hear that we're going to the subcommittee is going to be emailing back and forth tonight to really determine which are a “Must”, which are a “May” and provide a Department either tonight or tomorrow with, like the final proposal. So hopefully we can move to the best interest piece at least and talk about those. Alright, so for enrollment post-release, I wanted to open up the table to discussion on this. I think there is there's one, there's there's some there's there's a question that we did have, though. So if we were to define it as whether the rate of confinement corresponding to visible continuing their education post-release as determined by the percentage of students who reenrolled in higher education reported by the Department of Education. So we would report that to the Bureau of Prisons, the State Department of Corrections, or whatever oversight entity that we ultimately decide is how we define that meets the thresholds established by the oversight entity with input from relevant stakeholders, which must include incarcerated students, formerly incarcerated students, organizations representing incarcerated students and accrediting agencies. And the Department is currently exploring
feasibility of ensuring that the Department can calculate this data. And one challenge will be the need for additional reporting of data on Pell recipients who were later released from a facility. So we do invite feedback on that, specifically how your ideas on how the Department could get the release date of and confined or incarcerated individual that was enrolled in a prison education program.

MS. MCARDLE: Oh, Dave, I'm sorry, I was on mute. Dave?

MR. MUSSER: No problem. So, yeah, this this question is. I think it's directed both at Dr. McTier and Marisa, and it's it's really about do do you think it's possible for us to create a reporting mechanism given all of the the laws that are in place, which I personally am not familiar with privacy laws, other kinds of considerations for incarcerated individuals to for the for the correctional agency to provide to the Department information about whether a Pell recipient has been released over a particular time frame? Because that is what the Department would need in order to perform this calculation itself. We really, without having information about who is released, the what we would be able to report is of much less value because it's of the entire population of incarcerated individuals, including those
who don't have an opportunity to continue their education post-release.

MS. MCARDLE: Marisa.

MS. BRITTON-BOSTWICK: Would it only be data if they were released or if they moved into a career or if they moved into a postsecondary? I mean, it's easy to tell who's released, but it's hard to tell what happens if they're not on probation and parole after they're released.

MS. MCARDLE: Dave?

MR. MUSSER: So. I think having that additional layer of data would likely make it more accurate, but without that, we would simply be reporting on, of the individuals who were released, which of them ultimately continued their education because the Department does have that latter piece based on our FLDS data.

MS. MCARDLE: Marisa.

MS. BRITTON-BOSTWICK: So unfortunately, it is very hard to follow people once they're released. In the perfect world, we'd love to follow them and see all the amazing successes that they do. But unfortunately, what we usually see is when they come back and if they don't have any paper time or anything like that when they're released from a correctional facility, it is hard
to know if they went into a career or use their Pell funds to follow more postsecondary education. So that would be challenging.

MS. MCARDLE: Stan.

DR. ANDRISSE: I would agree. And just drop the point of why it is important, being a formerly incarcerated person, I didn't want anything to do with the DOC after after I left, so of course you couldn't get a hold of me. I was trying not for you to get a hold of me. So that's that's the importance of having formerly incarcerated people and community based organizations because you know, they can help in those types of situations and connecting. I mean that that's the only point that. Yes, I agree that it's hard to and it's because a lot of times it's intentional.

MS. MCARDLE: Dave?

MR. MUSSER: No, thank you for that, that's helpful, I think then that brings us back to the original question, which is that in order for us to make this a requirement and calculate the rate ourselves at the Department, I think we would need to as a condition of offering the prison education program, the Departments of Corrections would have to agree to provide the release data to the Department. Otherwise, we would have inconsistent data among different programs. So that's the
other piece I wanted to ask is that is that conceivable that we could get that kind of agreement from correctional agencies to obtain this information consistently?

MS. MCARDLE: Marisa.

MS. BRITTON-BOSTWICK: So and I might have missed this, but we would have to clarify what that release data is. What does that entail? And do we know that, did I miss that somewhere?

MR. MUSSER: No, no, we don't know it specifically yet. And that's I mean, that's probably a further conversation, but let me just throw out something to give at least something to talk about. So, for example, at the time that the reporting occurs, the Department would and this is kind of how it works for loan reporting, for enrollment, reporting for four students with who are loan recipients. We would say over time frame, we we are aware of these individuals who received Pell Grants that your institution who were who are at this facility. Can you can you tell us which of these individuals have been released? So it would be essentially a list of individuals that you would identify those who had been released over that time frame. And that and in that way, we could then start counting those individuals on our list of people who
potentially could obtain go into other education following release.

        MS. MCARDLE: Stan?

        DR. ANDRISSE: I'm sorry that was up from last time.

        MS. MCARDLE: I know Terrell, let me just check Terrell, is your hand still up or did you put it back down?

        MR. BLOUNT: I put it back down only because David, I believe, had clarified in his example, and I do believe if you're simply you simply are requesting release data in the sense of we know that X people X amount of people receive Pell Grants or draw draw down on Pell Grants at your institution within your PEP if you're looking at like what the date of release was for those individuals, then that is something not even I think that is something that of Corrections Departments can provide.

        MS. MCARDLE: And, Marisa.

        MS. BRITTON-BOSTWICK: So just so I have this clear. So all Corrections would have to provide is a release date and then after that, the Department would take over. I think that's very feasible. Anything really after release date, though, is is hard to guarantee. I would just reiterate that.

        MS. MCARDLE: Yes, Dave.
MR. MUSSER: Okay, I think I think that makes sense. And the other thing I wanted to clarify is it would be something that had to be reported and just check me if I have this wrong, by the Corrections agency, not by individual prisons, because of the possibility of transfer among among the state or among federal prisons, if it was the Bureau of Prisons, right?

MS. MCARDLE: Marisa?

MS. BRITTON-BOSTWICK: Well, speaking for Montana, and I could be wrong, but we sometimes ship all throughout the state, out of state, so it would have to come from where their DOC sentence originated. If I could be wrong, but that's who would have to report out the release data. But I can check on that.

MR. MUSSER: And yeah, I think that's the key factor for me is that the Department also has to know who to ask so that we have the right or the correctional agency has to sort of field that for us to get the to get the right data. So that's the other piece I would ask about feasibility on.

MS. BRITTON-BOSTWICK: Okay, I will look into that. Thank you.

MS. MCARDLE: Terrell?

MR. BLOUNT: Yes, I know it seems it may seem minuscule. And I know you didn't mean any harm in
it, Marisa. Can we use “transfer” instead of “ship” since we are talking about people and not cargo or goods?

MS. BRITTON-BOSTWICK: Yes, and I have learned so much during this, so thank you so much, I I appreciate it and that will we just say certain words and yes, that will be changed. Thank you.

MS. MCARDLE: Is your hand still up, Marisa?
Okay. I see no more hands at this point. Aaron?

MR. WASHINGTON: Yeah. David, did you have anything else on this or should we move to job placement?

MR. MUSSER: Nothing else on this one?

MR. WASHINGTON: Alright, thank you.
Alright.

MS. MCARDLE: We see Belinda.

MS. WHEELER: Sorry, Aaron. There was a bullet point, yes, that I just had there, which didn't collate with what David was saying. So I wanted to make sure that I give voice to it before we go to job placement rate. Just to ask for the subcommittee's consideration for this, that if indeed this data point is going to be collected, you know, by the Department in order to determine operating in best interests of students. One of the things that I asked for the subcommittee to consider is that we include racial/ethnic, gender, and disability data for
enrollments, completions, and outcomes to ensure that there's indeed equity and inclusion in the prison education programs and post-release programming. So I just put that as a as a potential recommendation, if possible, for the subcommittee's consideration. Thank you.

    MS. MCARDLE: We have Stan and then Marisa. Stan.

    DR. ANDRISSE: Yes. So. So I just not quite understanding this one. And also, we didn't really so so what is being required? We're saying that all the deals, all that needs to be required is the exact release date and then the Department of Education will do what? And I have more to my question, so.

    MS. MCARDLE: Okay, shall we go to Dave first to clarify?

    MR. MUSSER: Sure, thanks. Yeah, it's a good question, Stan. So the idea at least and we're still working on feasibility on our side as well is that we know who the Pell recipients are so we can give that list to the Departments of Corrections so that they can tell us who of those have been released. We know then through enrollment reporting that all institutions are required to perform for Title IV recipients, who is enrolled at eligible institutions following the time frame where they received Pell as an incarcerated individual. We would
then put that into our annual report that we're required to to make by Congress and or and this is this is another thing that we're still working on about how this would work, provide it to the entities that are involved in making the determinations about the best interests of students. So either they would consult the annual report or they'd have this data point upon request or some, some very some variety of those things. But we would find a way to get it to the entity that makes that decision.

DR. ANDRISSE: Okay and so you from that data, you have the means to calculate whether a student who's been released from a PEP is still in or not in a program of higher education, right? And so you can determine some rate for that particular program of how many of those students are still in. So then my my follow up, the additional question is to the the the ending part of this particular one where it's saying, you know, the meets threshold established by oversight entity, which essentially are the stakeholders that we are in conversation about from just our conversation a moment ago. But my question is, what is this what is what threshold what is the value of adding that? And what are you thinking about in that?

MR. WASHINGTON: I, you know, I can Dave, I don't know if he wanted to weigh in there, Dave, I can.
MR. MUSSER: I'll defer to Aaron on this part.

MR. WASHINGTON: I think the threshold will be established by, you know, we have that, we have our current definition of oversight entity, you know, that, you know, keep in mind Stan it doesn't include your blue language, but as currently defined, it would be the threshold would be established by the Bureau of Prisons, State Department of Corrections or other oversight or other entity that was had oversight authority over the over the correctional facility, whether that be a juvenile justice facility or some other local jail or a work farm or reformatory. So they that entity, as currently written, would be responsible for establishing the threshold.

DR. ANDRISSE: So conceivably then thresholds could be different state by state, depending on what the entity decided they wanted to be their threshold?

MR. WASHINGTON: Here it looks, here, the Department was trying to provide the flexibility to the oversight entity to establish a threshold. And then and then, as David mentioned, it would be all of this would be reported to the Department of Education through an annual report. And in fact, I think there's another part
of the regulation that requires the terminations to be to be reported to the Department within we'll see, we'll see it, we'll see it soon but I think it's within 30 days. Yeah, it has to be submitted to the Secretary no later than 30 days following the completion of the evaluation. So we'll have annual reporting, we'll have reporting from the DOC, BOP when they make the determination. So there'll be reports to the Department about the thresholds that were utilized.

DR. ANDRISSE: And you know, I think to Belinda's point about inclusion of racial, ethnic, gender disability groups, I think, you know, Terrell and Belinda possibly could speak you know, there's it's known that one of the complications in these programs often is that despite corrections being made up of 70 to 80 percent people of color, a lot of times these prison education programs are primarily white people who are in the program. And I think that's, you know, an importance of including those relevant stakeholder groups to be part of that acceptance of the program. I just don't, I mean, it just seems I'm not sure what the I still don't really know what the value of saying threshold is. I mean, you know, if it's going to be different from other groups and I think also I just wanted to point that, will this be so once, David, you know, something is calculated, is the
idea to then say that certain group certain programs
don't meet a threshold and thus they are in jeopardy of
their program not continuing? And I would be against
that.

MS. MCARDLE: Okay, we have Angie that's
been waiting and then maybe we can go to David for a
response.

DR. PACCIONE: Yeah, thank you. I just
wanted to support Belinda's recommendation about
disaggregating the data, and I'm not sure if that's
already being done in any of the reports that are coming
out, but I think that's that's critical for higher ed to
know what the success is of the programs and and to
ensure equity. So I just wanted to really support that.

MS. MCARDLE: Dave and then, Marisa.

MR. MUSSER: So. Yeah, I don't want to speak
for for Aaron, on the threshold component. From from our
perspective at FSA, we want to be sure that the
information is available and if we're able to
calculate this rate, I think the other consideration is
we'd want to be sure that the it's publicly available
given our statutory obligation to publish that annual
report by program. So I will leave it to Aaron on the on
the threshold component. And really my part of this is to
ensure that we we can we can allow a correctional agency
to create a threshold, whether we require them to or not, is a policy consideration that you guys should talk through. I did want to talk for a moment about Belinda's recommendation here and that, so everything that I've discussed so far presumes that the only kind of reporting that we would need into in addition to what we're already collecting through administrative data to calculate this rate is that release date. To disaggregate this information, we would also have to collect some of this information in addition to what we normally collect through our various systems of reporting disbursement, amounts and enrollment, et cetera. Some of these things are not things that we normally collect, and we would have to do again looking at feasibility for some of them to ensure that we are able to obtain them. For example, would we need to seek the students consent to obtain some of this? How much are we are going to be able to do with these? So I just want to I certainly support the idea, and I would like to see a report that includes as much disaggregation as we can. There may be some, some challenges to doing that that we still have to look at. And and the other thing is, normally our source of information on these items is schools. So I would flag that schools are the ones likely that would have to provide all this information to us. And some of these
data points can be challenging to collect in certain circumstances. So anyway, that's my that's my spiel on that and I just want to I would like to do some more talking about this particular idea as we go along.

MS. MCARDLE: Marisa and then Stan.

MS. BRITTON-BOSTWICK: So just for the record, thank you, Belinda. I think that is so critical to have the demographics, especially with, other things that large Native American populations that we see and maybe a pathway and into tribal colleges, I think that it's just really crucial to have those demographics. Thank you.

MS. MCARDLE: Stan.

DR. ANDRISSE: I, you know, this, two things to I agree with what Marisa just mentioned and of course, I agree with what Belinda mentioned. And I would add again to the that is one of the value to having that advisory committee, as they could potentially advise as how to reach out to tribal communities and schools as they would be comprised of stakeholders that may have more knowledge than a DOC would have in reaching that type of population. David, I would, what, you know, do you have in mind, which ones are more difficult to get and which ones are easy for you to get?

MR. MUSSER: Another good question. I'm not
a privacy law expert, but, we I think we are trying to think of the challenges that we've come up against with some of these things. Disability information can be challenging to collect, we'd have to, I'm not sure exactly how we would collect that consistently, we could potentially. There are a variety of challenges associated with reporting gender that I don't want to get into here, but that we that maybe we could overcome. And I, you know, generally we the best way to collect a lot of this information is to get it from the individuals, which may create its own challenges here because we wouldn't collect a lot of this on the FAFSA that's our normal connection with individuals is when they apply on the FAFSA, we obtain a lot of information about their background. Now some of this we would be able to collect potentially once this is all up and running after the FAFSA Simplification takes effect in a few years. So we may be obtaining information about race on the FAFSA. But the other two components gender and disability, yeah, those might be the ones that were a little bit more challenging. But it's it is it's possible I think we just need to look at how how many privacy considerations there are and sort of do we need consent from everybody, do we have to ask the individual to give consent when starting the program? Is that something we have to
require schools to obtain? If not, that makes it a lot easier. But those are the things that I'm thinking about as we're talking about this, this option.

MS. MCARDLE: Stan?

DR. ANDRISSE: Yes, I mean, again, to the I think that would be a strong consideration for the Advisory Committee to look at in terms of the racial, ethnic makeup of programing. And I think that that could be one of the values again to that type of entity. But I mean, we we know that there is because the challenges that you know of what disability and gender, less information is known within the higher education prison field about the disparities there. But it is pretty well documented the disparities in racial, ethnic makeup of these prison education programs. So I mean, for us to know that and then not do something intentionally to address it, is problematic to me. So I think that's why, you know, that would that piece would be very important to include.

MS. MCARDLE: Marisa.

MS. BRITTON-BOSTWICK: I agree, Stan, and I think we just cannot forget any people in this process, no matter who they are and what their backgrounds are. The thing is about the demographic information is that, doesn't don't Department of Corrections get that
information upon intake? Wouldn't that be very easy to compile? And also state education offices when you sign them up into an education program require that demographic information. I mean, they can choose, choose not to answer, but that's very rare when I go through any paperwork anymore. So I'm just wondering. I think it's very feasible.

MS. MCARDLE: Dave.

MR. MUSSER: So and this is where this is not my area of expertise, so I do want to I I appreciate that that you think that it might be more feasible. What we what limited information we've heard is that there are occasions where the Departments of Corrections have told us, we can't divulge that information to you. We have it in some cases, but there are laws, either state laws or federal laws, et cetera, again, that I'm not as familiar with that prevents us from providing this information more broadly for research purposes or for other purposes. So I think that's the piece that I'm I'm not sure about, and that is a crucial part of the feasibility of collecting all of this. If if the correctional agencies have it, that's one whole hurdle that we've gotten past, I think then the next question is, is there a patchwork of laws that may or may not prevent it? Is there, are there federal laws that prevent
some of these things from being released without consent across the board? That that's the level of detail that we would need to have in order to know whether we could do this consistently.

MS. MCARDLE: Stan.

DR. ANDRISSE: Sorry, I left it up from last time, sorry.

MS. MCARDLE: Okay. In that case, I see no other hands, Aaron.

MR. WASHINGTON: Alright, thank you. So I think, you know, we hopefully we're trying to get through the remainder of the indicators today. I don't want to rush the conversation. I think it's been really great conversation for the last hour, actually. So I will move to job placement rates, next. And we did have a comment bubble there for you to consider. So we're just saying that, you know, we know the job placement rates are particularly hard to calculate and so the Department does not have good data on the field of study of graduates. Thus, we proposed to instead rely on a definition by accrediting agencies and states, if applicable, state DOCs may find an institution may find an institution to be operating in the best interests of students if the institution meets those accreditor state standards, if no accreditor, there's no accreditor or state job placement
rate exists, the oversight entity, meaning the Bureau of
Prisons or State Department of Corrections, may wish to
establish a job placement rate requirement in
consultation with incarcerated individuals and other
advocates and in their advocates and accrediting
agencies. So again, I'll open it up for conversation.

MS. MCARDLE: Belinda?

MS. WHEELER: Yes, thank you. I just wanted
to say I appreciated how we went from the original
language of these different metrics on the first day in
October, and now we're getting to some of the revised,
you know, taking into consideration what colleagues have
said, you know, between the first time that we met to
today because I'm really seeing how a lot of this
language is definitely opening up. So I just wanted to
make sure that I, you know, mention that and say that I
appreciate that we're continuing to kind of expand these
these definitions, like the Department had asked at the
very beginning. I just bring up and again, this may be a
bit of a bit of a tracking nightmare for the Department
or whatever entity as we're moving here, but again,
trying to push the envelope, trying to make sure that you
know, these these programs are really again serving the
best interests of students. I put in with the
recommendation to colleagues via email last night, and I
see the Department has put it in here that in addition to
just like the general overall job placement rates, I
wonder if we could please also note in-demand careers,
you know, also being recorded to provide stronger
benchmarks for programing. Again, I'm not sure if that's
a logistical nightmare, but it seems to it would seem to
me, you know, to add value to to those programs and to
kind of help both the students as they're looking to
evaluate different programs and kind of determine which
program they might want to be a part of but then also,
you know, for other stakeholders in that as well. So
thank you for considering that.

MR. WASHINGTON: Thank you, Belinda. Can you
expand on in-demand careers? Is that defined or you have
a definition for that?

MS. WHEELER: Yes, thank you. Yeah, I should
put that in there, but I was really just saying something
like, you know, beyond a livable wage like, you know,
some kind of, you know, like not just and nothing
against, you know, someone who has a full time job at a
McDonald's or something like that but if we're if we're
looking at like someone having a baccalaureate degree in
something, you know that that it really is perhaps a more
matched kind of career matched with their degree program,
for example. So maybe rather than even just in-demand,
you know, like a a career that matches their credential?
Again, I'm not sure if I'm muddying the waters for the
Department or whoever else you know does this, but I
think, you know, you know, again, as someone who used to
wear the other hat, you know, in the educational field,
that was one area that we always looked at with
accreditation. You know, if a student does indeed have a,
you know, a degree or certification in this particular
field, are they actually working, you know, applying that
certificate or credential to that actual job that they
wanted? So I hope that provides a little bit more
context, and I apologize I probably should have just said
career matched with credential kind of thing. So thank
you.

MR. WASHINGTON: Thank you for the
clarification.

MS. MCARDLE: Terrell, did you mean to put
your hand down?

MR. BLOUNT: Yeah I'm still trying to figure
out if my hand raises need to stay up or is it just like
a flag to let you know? But it seems like it's been
working, so I'll continue to do that, but I don't think.

MS. MCARDLE: Keep it up keep it up.

MR. BLOUNT: Keep it up? Okay.

MS. MCARDLE: Just checking though.
MR. BLOUNT: I don't think the in-demand piece. I think the in-demand piece would be necessary for those programs that lead with this PEP that they're presenting to to lead toward like increases in employment. That's not something that I normally hear from liberal arts and humanities and, you know, other other areas, but you know, those programs that are introduced into the prison as something that is going to create more jobs for directly impacted people, if that's what they're going to lead with and why this program should be accepted, I don't see anything wrong with them having to kind of follow up and provide, you know, outcomes based on their program.

MS. MCARDLE: Marisa.

MS. BRITTON-BOSTWICK: So, Belinda, one of the main things that we're hearing all the time is this in-demand career, it's a buzzword right now. And it's really important that that's in there because we want things that are sustainable income to fill employment gaps. We don't want any more women leaving our facilities and just going into housekeeping or just going into food service because that's what has always been done. And with the males too, we want, for correctional education for me is sustainable income. And that they and like you said before Stan, thinks that like breaking that ceiling.
And I think this is so important to have in there. I'm not sure if it's the right words and maybe Stan and Terrell you can help with that but that's powerful right there. Thank you.

MS. MCARDLE: Stan.

DR. ANDRISSE: So thank you, and I am also for the inclusion of in-demand. I I I wanted to just point out also that a couple of things I think this is again where the “May” or “Must” comes into such strong relevance. These, you know, if it's the “May”, you know, a program could choose to include the in demand or choose you know, you know, not potentially not include that. And it would be up to the advisory committee that is made up of these stakeholders to help that particular state do what is best for that state. I think that it's also, you know, I agree with Belinda, I like the additions that were made that state that it is the stakeholder entities. And I mean, in this language, it it includes the incarcerated individuals as a “Must” and accrediting agencies as a “Must”, you know, I think that it's important if we have that advisory committee piece, when we get to things like this, they can define what is the threshold, what is maybe the threshold because of the difficulties is set, you know, accordingly, you know, to what what that that committee advises, you know, and
is not set to individuals who are not that have not been impacted by the system. You know, I think that is the the having the advisory committee is the guardrail to potentially setting a threshold that is that makes this exclusive. By having the advisory committee, we can assure that this threshold is not exclusive and that it remains inclusive and doesn't keep programs out. I think both the changing to "May" will help do that, as well as having the advisory committee will help keep this inclusive as opposed to exclusive as opposed to and that was my question earlier to David and Aaron about what are you intending to use threshold for? Are you intending to use this to exclude programs? But if it's on the advisory committee to make that decision, then you know, I think, you know, it would be, you know, I would be in favor of that.

MR. WASHINGTON: Yeah, I think the threshold, I'm sorry, Marisa, I mean, can I answer that, Marisa?

MS. BRITTON-BOSTWICK: Yes.

MR. WASHINGTON: I think the threshold is really to ensure that the programs are operating and continue to operate in the best interest of students, and so the law says rates, I mean, the statutory text is deleted in red line. So we do have, you know, the
Congress did say that the Bureau Prisons or the Department of Corrections would have to take into account the rates of job placement rates or rates of confinement incarcerated individuals. So if you have a rate, you know, if the entity is oversight, it is looking at a rate, then a threshold is a natural outcome of setting a threshold for that rate is a natural outcome I think of the statutory text. So that's why we're but we're still providing the flexibility of here, the accrediting agency or the or the actually or the the Bureau of Prisons, the Department of Corrections to establish those establish those those rates.

MS. MCARDLE: Marisa and then Stan.

MS. BRITTON-BOSTWICK: I think I'm good, I just want to make sure that this piece is in there for the record, that I think it should be in there and that we need to work on the in-demand. I don't, I this is where the hands in the cookie jar come in, and I think we really need to be thinking about the students and how they can sustain a livelihood and raise their children and move on once they're released. So I think this could use some finesse, but it's so important to me and I just want that on the record.

MR. WASHINGTON: And just something, I'm sorry.
MS. MCARDLE: I just wanted to see if Stan intended to put his hand down or?

DR. ANDRISSE: I was just going to acknowledge that I understand Aaron's comment and explanation of threshold.

MR. WASHINGTON: Wow, thanks, I appreciate that I thought it was going to be like, but wait a minute. Yeah, and I wanted to talk about “May” or “Must” as well. So I think what we wanted to avoid is a situation in which an oversight entity, however, that ends up being defined, it says, well, we're only going to look at transferability of credit and nothing else. You know, so there's a “May” there and you know, I mean, all these wonderful ideas that we've had in blue and all this language that we're trying to develop, what if, what if the oversight entity, you know, is like, well, actually, we're only going to look at transferability of credit, you know, and as long as it transfers to one institution in the state, then we're good. We're not looking at earnings, we're not looking at education post-release, we're not looking at, you know, academic and career counseling, career services upon reentry, we're just going to look at one of the indicators.

MS. MCARDLE: Stan.

DR. ANDRISSE: Again, I would reiterate that
that that's the value of having that advisory committee
to assure that you have a whole group of stakeholders
that each of them are coming with their, you know, you
have the accrediting agencies, you have the higher
education institutions, you have the formerly
incarcerated people, so they're going to come with what
they believe needs to be part of and important to the
program. So having them as part of that oversight will
ensure that they meet the best interests of the student.
Particularly, again for my particular constituency, I
think, and as Terrell and many have mentioned, like it's
important that formerly incarcerated people, you know, be
part of that. So if the table comes and says, well, you
know, you should be meeting the job placement of, you
know, this college student that came from this, the
program you're in, you're at Harvard, like Harvard people
go here, right? And you know, there would be someone at
the table to explain that I am a formerly incarcerated
person. I can't get the same jobs that you get, even
though I'm, you know, have education from Harvard. So I
think that would put the checks and balances in place
that would make it okay to have “May” there because, you
know, the correct stakeholders would would speak their
their particular interest as is needed within that state
within those programs.
MS. MCARDLE: I see no other hands at this time.

MR. WASHINGTON: Alright, well, let's move to earnings. I think the last one we'll probably be able to talk to today with our remaining time is earnings, and I don't want to say that we should rush the conversation. We probably should try and wrap up that conversation in about seven or eight minutes, but we can always return to it in the morning. But for our next indicator, the Department, so we have a comment bubble there that you see on your screens, the Department does have the ability to calculate earnings of program graduates program graduates using College Scorecard report data. For instance, the College Scorecard reports data on program earnings by field of study and credential level. Similarly, the Department has historically calculated and published via the Scorecard the percentage of graduates earned above the typical earnings of a high school graduate to measure how consistently the education pays off for the students. So we propose to provide these earnings back to institutions and oversight entities to inform the decision of whether the program is operating in the best interest in the students' best interests, rather than relying on a measure as it pertains to prison education programs, rather than rather than only relying
on the measure as it pertains to prisoner education programs. Institutions may provide metrics on similar programs at the institutions, demonstrate their ability to provide the program in the best interest of students. And so here uh, yeah, so so I will pause there for conversation. And Belinda, did you have, I think Belinda may have because you have something for this section?

MS. MCARDLE: And I see no comments at this point.

MR. WASHINGTON: I'm wondering, I don't know, Belinda, I believe I don't think you had anything for this section. Okay.

MS. MCARDLE: Still no comments.

MS. WHEELER: Surprise, my friend. Enjoy that there was no recommendation, my friend.

MS. MCARDLE: And still no other comments.

MR. WASHINGTON: Okay, maybe we need to move to the next one. So for the next one, I think we took a comment bubble from the Department as well. Let's see, do we have one? Yeah. So recidivism rates are particularly hard to calculate in the Department does not have good data on the field of study for graduates. Thus, we propose to instead allow over the oversight entity to establish a recidivism rate requirement in consultation with incarcerated individuals and their advocates in
accrediting agencies. We also explicitly disallow certain
types of students from being included in the calculations
to ensure that institutions are not unfairly judged by
poorly designed recidivism rates.

DR. ANDRISSE: I don't see it on my screen, is my screen just frozen?

MR. WASHINGTON: It might be frozen, it looks like on my screen, Vanessa does have the comment box open. So, Stan, can you see the definition there?

DR. ANDRISSE: Not now, I see it, now I see. Yeah, there must be a delay somehow.

MR. WASHINGTON: So for this, for the recidivism rate, the the here we have the oversight entity establishing a rate of recidivism and we took into account, I think that there were some comments made last time that said, you know, do not think I have, let's see, I think I added it, Belinda and Stan said do not consider recidivism rates recidivism rates within three, five, or seven years and only include those with a new felony convictions. So you see the new felony conviction language in here and also instead of saying three, five, or seven, we added “a reasonable number of years”. And that was because we didn't want to set a a year in the regulation. And, you know, we did know we realize that the Department of Corrections may all have different
definitions of recidivism, so we didn't want to conflict with any definition of recidivism that was out there. So the oversight entity would, you know, establish what that reasonable, reasonable number of years was in collaboration with other other relevant stakeholders.

MS. MCARDLE: Belinda.

MS. WHEELER: Thank you very much. This is the the comments, I can't speak for my colleague Stan I want to make sure that he has a chance to. But I know at least when when I was making this recommendation along with Stan in October, we were working within the confines of this being “Must” language. You know, with “May” being put to the table here speaking again, only for myself this is an area where I would prefer to see for a prison education program, recidivism cut. You know, as someone who used to wear the prison education program director hat and just as a regular educator, I would have never thought that this would be something that I would track doing the work with Vera, you know, with Second Chance Pell sites and things of that nature. You know, I know that other entities across the country already track recidivism rates for whatever reasons that they need to do. And again, for that prison education program, if we can, you know, utilize the “May”, I would actually recommend my bubble would be a strong recommendation to
cut this completely. I just don't see any value on how the quality of an educational program, whether it's a really amazing good quality program or even one that's not necessarily that correlation with someone recidivate, whether it's a brand new felony conviction, whether you know, I just. So I will stop there. Stan, I see your hand is raised I want to thank you.

MR. WASHINGTON: Vanessa, can you add that quickly to the Belinda recommends to if the determination is, well, Belinda recommends to not take into account recidivism in the best interest determination.

DR. ANDRISSE: Yeah, I mean, if that is I mean, I would also recommend the same thing. You know, we I think several people mentioned that last time as well, to to that, they would be for not including recidivism. But I also I was also going to mention that that it, you know, the the the revision that I appreciate, you know, taking our thoughts into the revision.

MS. MCARDLE: Marisa.

MS. BRITTON-BOSTWICK: So, Belinda and I spoke about this and it recidivism is always really a buzzword, also, it's the first thing that comes up. What's the recidivism rate? So how would you move forward when people ask you that about these prison education programs? That's the first question we always get asked
in corrections, what's the recidivism rate? So I think we just really need to think about this and how we move forward with other data that would support funding and staffing. Because this really is a word that comes up right away. And I just, I'd like to think through that a little bit.

    MS. MCARDLE: Terrell.

    MR. BLOUNT: Thank you. I think to Marisa's question really quickly, and this I guess this isn't more so of an answer, but just a I guess a thought that I'd share, which is, you know, I know a lot of the times correction, Departments approve programs that you know, don't necessarily lead to people staying home and thriving on the outside that and they aren't education programs a lot of the time. So, you know, programs like Thinking For a Change or Focusing On The Victim and things of that nature, those programs are green lit and allowed to come inside of the facilities. And they hardly ever, if ever have I heard someone say that they stay at home and they're doing great out here because of programs like that. And I don't think they're held with the same type of scrutiny that higher education in prison programs are, or in this case, PEPs. So again, that's just a thought that I wanted to kind of add to that discussion not necessarily an answer to your question. But I also
wanted to point out that in regard to recidivism, I don't think it is a metric that should be used to come up or judge the quality of a prison education program. But I do want to share with my colleagues that in the in the wildly rare situation where a prison education program you look at, there's students that participated and if 80% of them just the random number, but you know, a majority of them are returning or indeed they're graduating from the programs and are returning back to prison on new violations or parole violations. I think that is telling whether I think it's more so about that best interests of the student piece and also to the much larger point that Stan and the rest of the group continues to stress, which is that having multiple stakeholders involved, it removes the accountability from just one or two actors, which is the education institution and the Department of Corrections and involves and encompasses a much larger group which is peer support networks through formerly incarcerated people that have gone home already, and are doing well and can give tips and strategies to those coming home. Those stakeholder groups that are community based organizations so again, recidivism shouldn't be judged, shouldn't be used to judge the quality of a program. However, in the case of best interests, if a program is
operating in the best interest of students, I would look
for if I saw data that indicated a lot of people who are
returning from your program, I would have questions about
what that program is or not doing for their students.

MS. MCARDLE: Aaron, it is 3:00, actually
3:01.

MR. WASHINGTON: 3:01, I think we still have
one more comment from Stan, let's let him comment please.

DR. ANDRISSE: Thank you for letting me
share my comments. To Marisa, I think, you know,
corrections does often ask for recidivism when they ask
for that because we get asked that in the work that we
do, we tell them our graduation rates and our persistence
rates, the rates of people returning to college and an
additional year, we tell them our GPA, which in our
program is like a 3.75, we tell them their success in
reconnecting with their family. So there is, I mean,
there's we and, you know, graduation, persistent GPA,
those are just the academic metrics that you would use
for an academic program. So I mean, we share those
instead of recidivism.

MR. WASHINGTON: With that, it's 3:02 now,
and I think we should adjourn for the day tomorrow will
come back and finish up the best interest piece and then
go back through the entire regulation only in areas that
obviously we didn't get obtain a positive temperature
check in and clean up the language and hopefully it comes
out one recommendation. So we'll see you all at 10 a.m.
tomorrow morning, Eastern Time. Thank you all.