

“(t) CONFINED OR INCARCERATED INDIVIDUALS.—“(1) DEFINITIONS.—In this subsection:

“(A) CONFINED OR INCARCERATED INDIVIDUAL.—The term ‘confined or incarcerated individual’—

“(i) means an individual who is serving a criminal sentence in a Federal, State, or local penal institution, prison, jail, reformatory, work farm, or other similar correctional institution; and “(ii) does not include an individual who is in a halfway house or home detention or is sentenced to serve only weekends.

“(B) PRISON EDUCATION PROGRAM.—The term ‘prison education program’ means an education or training program that—“(i) is an eligible program under this title offered by an institution of higher education (as defined in section 101 or 102(a)(1)(B));

“(ii) is offered by an institution that has been approved to operate in a correctional facility by the appropriate State department of corrections or other entity that is responsible for overseeing correctional facilities, or by the Bureau of Prisons;

“(iii) has been determined by the appropriate State department of corrections or other entity that is responsible for overseeing correctional facilities, or by the Bureau of Prisons, to be operating in the best interest of students, the determination of which shall be made by the State department of corrections or other entity or by the Bureau of Prisons, respectively, and may be based on—

“(I) rates of confined or incarcerated individuals continuing their education post-release;

“(II) job placement rates for such individuals;

“(III) earnings for such individuals;

“(IV) rates of recidivism for such individuals;

“(V) the experience, credentials, and rates of turnover or departure of instructors;

“(VI) the transferability of credits for courses available to confined or incarcerated individuals and the applicability of such credits toward related degree or certificate programs; or

“(VII) offering relevant academic and career advising services to participating confined or incarcerated individuals while they are confined or incarcerated, in advance of reentry, and upon release;

“(iv) offers transferability of credits to at least 1 institution of higher education (as defined in section 101 or 102(a)(1)(B)) in the State in which the correctional facility is located, or, in the case of a Federal correctional facility, in the State in which most of the individuals confined or incarcerated in such facility will reside upon release;

“(v) is offered by an institution that has not been subject, during the 5 years preceding the date of the determination, to—

“(I) any suspension, emergency action, or termination of programs under this title;

“(II) any adverse action by the institution’s accrediting agency or association; or

“(III) any action by the State to revoke a license or other authority to operate;

“(vi) satisfies any applicable educational requirements for professional licensure or certification, including licensure or certification examinations needed to practice or find employment in the sectors or occupations for which the program prepares the individual, in the State in which the correctional facility is located or, in the case of a Federal correctional facility, in the State in which most of the individuals confined or incarcerated in such facility will reside upon release; and

“(vii) does not offer education that is designed to lead to licensure or employment for a specific job or occupation in the State if such job or occupation typically involves prohibitions on the licensure or employment of formerly incarcerated individuals in the State in which the correctional facility is located, or, in the case of a Federal correctional facility, in the State in which most of the individuals confined or incarcerated in such facility will reside upon release.

“(2) TECHNICAL ASSISTANCE.—The Secretary, in collaboration with the Attorney General, shall provide technical assistance and guidance to the Bureau of Prisons, State departments of corrections, and other entities that are responsible for overseeing correctional facilities in making determinations under paragraph (1)(B)(iii).

“(3) FEDERAL PELL GRANT ELIGIBILITY.—Notwithstanding subsection (a), in order for a confined or incarcerated individual who otherwise meets the eligibility requirements of this title to be eligible to receive a Federal Pell Grant under section 401, the individual shall be enrolled or accepted for enrollment in a prison education program.

“(4) EVALUATION.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the FAFSA Simplification Act, in order to evaluate and improve the impact of activities supported under this subsection, the Secretary, in partnership with the Director of the Institute of Education Sciences, shall award 1 or more grants or contracts to, or enter into cooperative agreements with, experienced public and private institutions and organizations to enable the institutions and organizations to conduct an external evaluation that shall—

“(i) assess the ability of confined or incarcerated individuals to access and complete the Free Application for Federal Student Aid;

“(ii) examine in-custody outcomes and post-release outcomes related to providing Federal Pell Grants to confined or incarcerated individuals, including—

“(I) attainment of a postsecondary degree or credential;

“(II) safety in penal institutions with prison education programs;

“(III) the size of waiting lists for prison education programs;

“(IV) the extent to which such individuals continue their education post-release;

“(V) employment and earnings outcomes for such individuals; and

“(VI) rates of recidivism for such individuals;

“(iii) track individuals who received Federal Pell Grants under subpart 1 of part A at 1, 3, and 5 years after the individuals’ release from confinement or incarceration; and

“(iv) examine the extent to which institutions provide re-entry or relevant career services to participating confined or incarcerated individuals as part of the prison education program and the efficacy of such services, if offered.

“(B) REPORT.—Beginning not later than 1 year after the Secretary awards the grant, contract, or cooperative agreement described in subparagraph (A) and annually thereafter, each institution of higher education operating a prison education program under this subsection shall submit a report to the Secretary on activities assisted and students served under this subsection, which shall include the information, as applicable, contained in clauses (i) through (iv) of subparagraph (A).

“(5) REPORT.—Not later than 1 year after the date of enactment of the FAFSA Simplification Act and on at least an annual basis thereafter, the Secretary shall submit to the authorizing committees, and make publicly available on the website of the Department, a report on the—

“(A) impact of this subsection which shall include, at a minimum—

“(i) the names and types of institutions of higher education offering prison education programs at which confined or incarcerated individuals are enrolled and receiving Federal Pell Grants;

“(ii) the number of confined or incarcerated individuals receiving Federal Pell Grants through each prison education program;

“(iii) the amount of Federal Pell Grant expenditures for each prison education program;

“(iv) the average amount of Federal Pell Grant expenditures per full-time equivalent students in a prison education program compared to the average amount of Federal Pell Grant expenditures per fulltime equivalent students not in prison education programs;

“(v) the demographics of confined or incarcerated individuals receiving Federal Pell Grants; “(vi) the cost of attendance for such individuals;

“(vii) the mode of instruction (such as distance education, in-person instruction, or a combination of such modes) for each prison education program;

“(viii) information on the academic outcomes of such individuals (such as credits attempted and earned, and credential and degree completion) and any information available from student satisfaction surveys conducted by the applicable institution or correctional facility;

“(ix) information on post-release outcomes of such individuals, including, to the extent practicable, continued postsecondary enrollment, earnings, credit transfer, and job placement;

“(x) rates of recidivism for confined or incarcerated individuals receiving Federal Pell Grants;

“(xi) information on transfers of confined or incarcerated individuals between prison education programs;

“(xii) the most common programs and courses offered in prison education programs; and

“(xiii) rates of instructor turnover or departure for courses offered in prison education programs;

“(B) results of each prison education program at each institution of higher education, including the information described in clauses (ii) through (xiii) of subparagraph (A); and

“(C) findings regarding best practices with respect to prison education programs.”.

(B) CONFORMING AMENDMENT.—Section 428B(f)(2) of the Higher Education Act of 1965 (20 U.S.C. 1078–2(f)(2)) is amended by striking “section 484(p)” and inserting “section 484(o)”.

(C) INSTITUTIONAL AND FINANCIAL ASSISTANCE INFORMATION FOR STUDENTS.—Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is amended by repealing subsection (k).