



FORD SCHOOL OF PUBLIC POLICY  
**SCIENCE, TECHNOLOGY  
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## Ensuring Educational Technology Access for Incarcerated Students

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### EXECUTIVE SUMMARY

Increased access to Pell college funding for incarcerated students has driven an educational technology (ed tech) gold rush. Technology companies profit from incarcerated students through above-market pricing and exclusive contracts with departments of corrections. The prioritization of security concerns over educational goals prevents the deployment of ed tech comparable to college programs on the outside. This memo identifies barriers to providing high quality education to incarcerated students, highlighting the lack of access to technology, the increase in online-only instruction, and the predatory practices by technology companies. It also provides recommendations for educational programs that prioritize the best interests of incarcerated students and their families, ensuring their educational opportunities are equal to those available to non-incarcerated students.

### BACKGROUND

The coronavirus pandemic accelerated the use of remote learning technology such as video conferencing platforms, learning management systems (LMS), and cloud-based office software suites across all levels of education. The growing reliance on tech-mediated learning will further drive inequality in education access for a range of disadvantaged groups, especially incarcerated students.<sup>1</sup> Arguments for prison-based higher education tend to focus on its uses for job preparation and recidivism prevention, but it is also the case that education is a human right and has value for students independent of career outcomes. In 2021, Congress reinstated access to Pell grants for incarcerated individuals to cover higher education expenses, and in response, the U.S. Department of Education established standards for prison education programs to be eligible for Pell funds. In July 2023, incarcerated individuals could apply for these grants for the first time in 30 years. Together, the explosion of ed tech offerings and the

### Key Findings

1. The increasing reliance on technology in education exacerbates inequality for disadvantaged groups, particularly incarcerated students. Factors include security-driven restrictions in carceral institutions, profit motives of tech companies, data privacy concerns, and inadequate systemic oversight.
2. Ed tech in prisons should prioritize creating programs comparable to on-campus formats. Incarcerated students and their families must be integral to the planning and implementation process to ensure equitable outcomes.
3. To mitigate equity concerns, corrections decision-makers should prioritize in-person or hybrid higher education programs to foster equitable learning experiences. Online programs must include robust academic and social support tailored to the needs of incarcerated students.
4. Oversight bodies should adhere to ED (Department of Education) rules by thoroughly reviewing prison education programs, incorporating stakeholder feedback, and ensuring protections against financial exploitation and privacy violations. Programs must meet the

reinstatement of Pell grants elevate online learning in prisons as an urgent concern.

The impact of Pell funding on higher education access for incarcerated individuals is substantial. Historical trends highlight this; after the 1965 Higher Education Act extended Pell grants to low-income students, prison education programs thrived, and most states offered post-secondary options.<sup>2</sup> However, the 1994 Violent Crime Control and Law Enforcement Act disqualified incarcerated individuals from receiving Pell grants, leading to a sharp decline in prison college programs. A 1995 study showed college course offerings halved one

year after Pell grant disqualification.<sup>3</sup> The return of Pell grants for incarcerated students has driven an ed tech gold rush and requires intervention to ensure the quality of prison education programs and to protect incarcerated students from predatory practices. At the same time, several institutional factors endanger incarcerated students' success, such as the correctional over-focus on security, the near absence of prison oversight, and the tendency to think of the value of prison programming in narrow terms of employment and recidivism.

## **BARRIERS TO EQUITABLE ED TECH FOR INCARCERATED STUDENTS**

### **Security prioritization limits deployment of ed tech and training comparable to on-campus offerings**

Limited access to ed tech is a common trend in prisons across the U.S.<sup>4</sup> The prioritization of security over all other concerns results in a restrictive attitude towards tech adoption. Technologies that facilitate communication or might provide access to forbidden content are not permitted. Cell phones are forbidden on the grounds that they might enable illicit activities such as coordinating escape attempts or distributing drugs.<sup>5</sup> Laptops are not permitted due to similar concerns.

This limited access to technology is harmful for incarcerated persons and their families. Students reentering society after long sentences are ill equipped to enter the workforce or communicate with others on screens. Incarcerated students are frustrated with technological limitations as they hinder student success in educational programs.<sup>6</sup> Even with available technologies, students still lack comparable access to information because many devices require regular syncing to the internet through a wired connection or docking station. Further, devices that incarcerated individuals are allowed to use are outdated, prone to breakdowns, or require students to pay for shared equipment like printers.<sup>7</sup>

### **Profit motive often drives online-only prison education**

Contracts with state DOCs permit corrections tech companies to profit from user fees charged to incarcerated people for both hardware and software. The corrections tech market is dominated by two companies—Aventiv and Viapath—that contract with DOCs in every state.<sup>8</sup> These companies' near-monopoly on communications within a given prison allows them to

exploit incarcerated users by charging exorbitant rates for phone or video calls; emails; money transfers; or music, movie, and book downloads. The average jail charges \$3 for a 15-minute phone call.<sup>9</sup>

The deployment of ed tech in prisons appears poised to follow the same profit-driven model. Pell reinstatement promises additional profits for the correctional tech industry in the form of a reliable federal funding stream, and existing companies are likely to have significant influence over the future of tech use in prison higher education.<sup>10</sup>

In addition to charging high fees to incarcerated students, ed tech companies may seek to profit from incarcerated students' ed tech use in the same ways they profit from "outside" student ed tech use: by collecting and selling student data. Ed tech companies harvest student data under the guise of monitoring students' online activity or personalizing learning.<sup>11</sup> Tech companies do not compensate users for harvested data, even though it is a valuable commodity. Ed tech companies mine data for personal information, use it to hone targeted advertising and addictive design, and sell it to third parties such as advertisers, data brokers, client-seeking businesses, and data analytics companies.<sup>12</sup>



Photo Credit: US Department of Justice, Bureau of Prisons, Public domain, via Wikimedia Commons

Incarcerated students are especially vulnerable to ed tech companies' exploiting their data, and the stakes are high; depending on what data is shared and who can access it, risks include lost employment, housing, or further entanglement with the criminal legal system. The unique characteristics of the prison population may make them an even more attractive target for data harvesting. Further, intense surveillance within correctional facilities



could potentially exacerbate data security risks for these students. DOCs might have a financial incentive to allow this data exploitation, as they can receive site commissions from profitable tech partnerships. This dynamic creates a conflict of interest that could compromise the privacy and security of incarcerated students' data.

### **Lack of systemic oversight creates inconsistent access and quality**

There is no single body ensuring that prison-based higher ed is designed well, meets students' needs, protects them from exploitation, and maintains the equipment. The fragmentary nature of the U.S. prison system means that policy is often made at the facility level by individual wardens and carried out (or not) by correctional officers on the ground.<sup>13</sup> Without oversight and transparency, educational programming in a given facility is at the mercy of the warden and staff. Under the Second Chance Pell program, the U.S. Department of Education will now serve some of those functions, but historically the needs and welfare of incarcerated students are a low priority and often neglected.<sup>14</sup> Furthermore, the distance between a federal agency and individual correctional facilities will continue to make ED oversight difficult or impossible.

## **RECOMMENDATIONS AND CONSIDERATIONS FOR EQUITABLE ED TECH IMPLEMENTATION**

### **Provide no-cost access to tech and training**

Providing incarcerated students with reliable ed tech access establishes equity between educational programs inside correctional facilities with those outside, mitigating incarcerated students' significant disadvantages and leveling the educational playing field. Regular and reliable tech access enables students to communicate with professors, type essays, conduct research, and navigate LMS resources efficiently. Tech literacy is a critical skill that helps prepare students for life on the outside and supports quality education while they are inside.

Incarcerated students should be supplied with laptops or comparable technology, along with additional necessary equipment such as calculators, printers, mice, headphones, and appropriate software. Comprehensive training and support are essential, as many incarcerated students may lack prior experience with these tools. Tech skills should be assessed during standard college entry evaluations, and students needing additional training should be enrolled in preparatory courses integrated

as one- or two-credit college courses within the larger higher education program.

Ed tech contracts must ensure timely maintenance to repair or replace broken equipment. Prompt resolution of tech issues is crucial to prevent late or missed assignments, which can negatively impact student confidence and persistence. Contracts should also account for technological advancements and upgrades, ensuring compatibility with evolving systems. Regular assessments of the technology's lifespan will help maintain functionality and provide students with up-to-date tech skills for post-reentry.

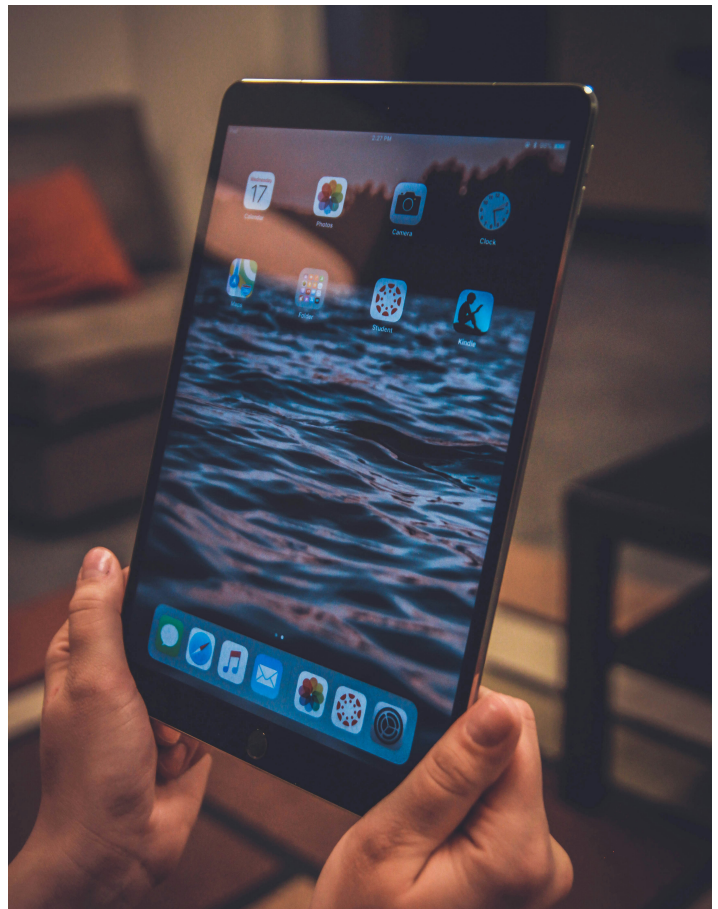


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### **Offer educational programs comparable to on-campus formats**

Corrections decision-makers should make every effort to offer a higher ed program that is delivered in person or has a significant in-person component.<sup>15</sup> This commitment should be explicitly stated at the state level,

accompanied by detailed policies outlining the standards for hybrid and online-only programs.

Although incarcerated students regularly request in-person education, and it is preferable, online education programs can eliminate travel expenses and logistical challenges associated with in-person programs. However, online programs must be tailored to meet the unique needs of incarcerated students, who often face higher rates of learning disabilities, lower literacy levels, fewer technical skills, and less academic preparedness.

To ensure consistency and quality comparable to non-incarcerated students' higher ed experience, state-level policies should be established. These policies should encompass:

- Robust student support services such as library access, academic advising, and professional development.
- Synchronous instruction with opportunities for student discussion.
- Availability of faculty outside of class through office hours and emails.
- Continuous instructor training and support, including sensitivity training.
- Qualified instructors with appropriate terminal degrees in their subjects.
- Diverse funding structures to ensure program stability and quality.
- Dedicated study spaces for minimal distractions.
- Data collection practices that protect student privacy, support program evaluation, and make performance metrics available to stakeholders.<sup>16</sup>

By implementing these policies, correctional higher education programs can strive to offer incarcerated students an educational experience on par with non-incarcerated students.

### **Provide appropriate academic, social, and technical supports**

Incarcerated students require enhanced academic and social support, in both in-person and online programs. Face-to-face instruction is ideal because of its social and rehabilitative benefits. The classroom serves as a crucial socialization space, providing opportunities for incarcerated individuals to form meaningful relationships and receive positive feedback from peers and authority figures. These interactions have significant healing and humanizing effects, making the classroom's value extend beyond academics.

If a facility is unable to offer in-person programming, online programming must provide the enhanced academic and social support that incarcerated students need. Online programs should incorporate in-person elements such as periodic advising, office hours, and student-led events to facilitate meaningful interactions. Policies should specify conditions for transitioning to online-only instruction, such as health crises or extreme weather, and outline procedures for decision-making and appeals.



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### **Set standards for tech contracts to prevent predatory terms**

Incarcerated individuals and their families must be shielded from financial exploitation and predatory practices, particularly from the tech companies providing services within correctional settings. These protections should be established at the state and federal level, with built-in continual reassessment to adapt to evolving technological trends and correctional culture.

Contracts with tech companies must include fair pricing structures for services to mitigate financial burdens on incarcerated individuals. Contracts should offer robust protections against data extraction and collection that could adversely impact individuals post-release, such as in securing employment or housing. Compliance with the Family Educational Rights and Privacy Act (FERPA) is essential. Clear data retention plans must outline timelines and steps for deletion after specific milestones, such as a user's release from prison. There should be tight restrictions on third-party data access, and contracts must prohibit the selling of data or its use for

marketing purposes and require individual user consent before data collection or usage.

### **Create oversight bodies that protect incarcerated students' interests**

Department of Education rules require that oversight bodies such as DOCs review prison education programs and gather feedback from stakeholders, including incarcerated people. These oversight bodies should also ensure protection from financial exploitation and privacy violations and that the quality of education matches the standards of external higher education institutions. Incarcerated individuals and their representatives must be involved not only in providing feedback, but in developing guidelines and ongoing oversight to ensure fairness and comprehensive protections. This inclusive approach will provide invaluable insights into the practical implications of these policies and help tailor more effective protections.

Implementing oversight will help ensure educational fairness and equity, fostering a more rehabilitative environment that meets students' needs for both education and human connection. Establishing and enforcing high standards for prison educational programs will support students' successful reintegration into society. Relevant stakeholders, including incarcerated individuals and their families, must be involved in developing guidelines and oversight to ensure that the policies are comprehensive and practically effective, resulting in a more equitable and rehabilitative correctional education system.

This memo is based on the research in Educational Technologies for Incarcerated Students: Challenges and Recommendations by Mandy Mitchell, <https://stpp.fordschool.umich.edu/research/white-paper/educational-technologies-incarcerated-students-challenges-and-recommendations>.



**ENDNOTES**

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13. Michael Lipsky, *Street-Level Bureaucracy, 30th Anniversary Edition : Dilemmas of the Individual in Public Service*, (New York: Russell Sage Foundation, 2010) 13–26.

14. Gaskill, Castro, and Aguilar Padilla, “‘It’s Useless, to Put It Politely’: Experiences with Technology Among Incarcerated Students Receiving Second Chance Pell at Four Institutions”
15. There are a number of resources for DOCs and colleges that wish to provide incarcerated students with access to high-quality in-person programs, both in the form of model programs such as Bard, and in the form of literature identifying the essential elements of such programs. Since the focus of this guide is on technology policy, we will not reproduce these here, but will point to some in the Appendix.
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