

# Multiple Agency Fiscal Note Summary

<b>Bill Number:</b> 2299 S HB H-4240.2	<b>Title:</b> Prison to postsecondary ed.
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## Estimated Cash Receipts

NONE

Agency Name	2019-21		2021-23		2023-25	
	GF- State	Total	GF- State	Total	GF- State	Total
Local Gov. Courts						
Loc School dist-SPI						
Local Gov. Other	No fiscal impact					
Local Gov. Total						

## Estimated Operating Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Department of Corrections	2.5	986,000	986,000	3.0	760,000	760,000	3.0	760,000	760,000
Student Achievement Council	.1	16,000	16,000	.1	32,000	32,000	.1	32,000	32,000
The Evergreen State College	.0	0	0	.7	236,013	236,013	.1	46,191	46,191
Community and Technical College System	.9	421,000	421,000	1.3	692,000	692,000	1.3	692,000	692,000
<b>Total \$</b>	<b>3.5</b>	<b>1,423,000</b>	<b>1,423,000</b>	<b>5.1</b>	<b>1,720,013</b>	<b>1,720,013</b>	<b>4.5</b>	<b>1,530,191</b>	<b>1,530,191</b>

Agency Name	2019-21			2021-23			2023-25		
	FTEs	GF-State	Total	FTEs	GF-State	Total	FTEs	GF-State	Total
Local Gov. Total									
Local Gov. Courts									
Loc School dist-SPI									
Local Gov. Other	No fiscal impact								

## Estimated Capital Budget Expenditures

Agency Name	2019-21			2021-23			2023-25		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Department of Corrections	.0	0	0	.0	0	0	.0	0	0
Student Achievement Council	.0	0	0	.0	0	0	.0	0	0
The Evergreen State College	.0	0	0	.0	0	0	.0	0	0
Community and Technical College System	.0	0	0	.0	0	0	.0	0	0
<b>Total \$</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>	<b>0.0</b>	<b>0</b>	<b>0</b>

# Estimated Capital Budget Breakout

<b>Prepared by:</b> Cynthia Hollimon, OFM	<b>Phone:</b> (360) 902-0562	<b>Date Published:</b> Final 2/21/2020
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# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2299 S HB H-4240.2	<b>Title:</b> Prison to postsecondary ed.	<b>Agency:</b> 310-Department of Corrections
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.0	5.0	2.5	3.0	3.0
<b>Account</b>					
General Fund-State 001-1	60,000	926,000	986,000	760,000	760,000
<b>Total \$</b>	60,000	926,000	986,000	760,000	760,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Megan Mulvihill	Phone: 360-786-7304	Date: 02/05/2020
Agency Preparation: Dylan Fletcher	Phone: 360-725-8956	Date: 02/07/2020
Agency Approval: Michael Steenhout	Phone: 360-725-8270	Date: 02/07/2020
OFM Review: Cynthia Hollimon	Phone: (360) 902-0562	Date: 02/07/2020

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

The changes from 2299 HB include the following:

Section 5(1)(b) limits available programs to incarcerated individuals to not exceed a Bachelor's Degree and redacts the language specific to "workforce degree program."

Section 5(5) allows the Department of Corrections (DOC) staff to assist incarcerated individuals selected to participate in the aforementioned programs with filing a free application for federal student aid or Washington state financial aid.

Section 5(6) states any funds collected by DOC under Section 5 shall only be used for the creation, maintenance, or expansion of the postsecondary education degree programs.

Section 8(2)(g) includes a review of partnering nonprofit organizations that provide educational programs and Reentry services at state correctional facilities in the mandated report.

Section 9(1) establishes a pilot program for secure internet connection given sufficient appropriated funding. This will take place at up to three correctional institutions, which must be part of the federal Second Chance Pell program. The internet usage must comply with the listed stipulations in subsections.

Section 9(2) mandates DOC to supply a report of the pilot program to the Governor and respective legislative committees by December 1, 2021. The report will include the implementation, enrollment data, and effectiveness of the program.

The following amendments remain unchanged from the previous version:

Section 2 adds a new section requiring the Washington State Institute for Public Policy (WSIPP) to study recidivism rates and enrollment and completion rates of incarcerated persons in the postsecondary education system and outcomes post release. The DOC, the Washington Student Achievement Council (WSAC), and the State Board for Community and Technical Colleges (SBCTC) must provide the data necessary to complete the study. The study, which is due October 1, 2023, must include:

- (a) the effects of post release enrollment in the postsecondary education system by persons who, while incarcerated, completed some course work but did not earn a certificate or degree;
- (b) post release patterns of participation in postsecondary education of persons who, while incarcerated, participated in postsecondary education;
- (c) differential outcomes for persons participating in different types of postsecondary education courses and certificate and degree programs; and
- (d) an examination of recidivism outcomes after incarceration.

Section 3(8)(ii) amends RCW 72.09.270 – DOC must also consider the incarcerated person's return to their county of origin to be inappropriate if the person is enrolled in an educational program that cannot be completed in their county of origin, unless there are victim safety concerns.

Section 4(4)(a) amends RCW 72.09.460 to modify DOC's educational goals for incarcerated individuals as follows:

- (i) achievement of basic skills through obtaining a high school diploma or the equivalent, including achievement of persons eligible for special education services pursuant to federal or state law.
- (ii) achievement of vocational skills necessary for work programs and to qualify for work upon release.
- (iii) additional work and education programs necessary to comply with an individual reentry plan, including special education services and postsecondary certificate or degree programs.
- (iv) other appropriate vocational, work, or educational programs not necessary for compliance with an individual reentry plan, including postsecondary certificate or degree programs.

Section 4(8) amends RCW 72.09.460 requiring DOC to establish a process for identifying and assessing incarcerated persons with learning disabilities, traumatic brain injuries, and other cognitive impairments to determine whether the person requires accommodations in order to effectively participate in educational programming, including GED tests and postsecondary education. The DOC must establish a process to provide accommodations to these persons.

Section 4(11) amends RCW 72.09.465 – Individuals sentenced to life without the possibility of release, sentenced to death, or subject to deportation may participate in a postsecondary education degree program if it is paid for by a third party.

Section 4(12) amends RCW 72.09.465 – The DOC is required to provide an incarcerated person that participated in postsecondary education programs with a copy of their unofficial transcript, at no cost to the person, any time the person completes a postsecondary education program, is transferred to a different facility, or is released.

Section 5 amends RCW 72.09.465 – DOC's authority to implement associate workforce degree programs at state correctional institutions is expanded to postsecondary certificate or degree programs. In addition, priority consideration may be given to incarcerated individuals within 10 years or less of release.

Section 6 is a new section added to RCW 72.68 – When determining whether to transfer an incarcerated person to a different in-state facility, DOC is required to consider whether the person is enrolled in a vocational or educational program, including programs operated by approved outside providers, which cannot be continued at the receiving facility.

Section 8 adds a new section to RCW 72.09 requiring DOC, SBCTC, WSAC, and Washington Statewide Reentry Council, in collaboration with an organization representing the presidents of the public four-year institutions of higher education, must report to the committees of the Legislature with oversight over higher education and correctional matters, by December 1, 2020, and annually thereafter, on the following:

- (a) the number of incarcerated persons served in DOC's postsecondary education system, the number of persons not served, the number of persons leaving DOC's custody after a minimum of one year without a high school equivalency certificate, and the number of persons released without any postsecondary education;
- (b) a review of DOC's identification and assessment of incarcerated persons with learning disabilities, traumatic brain injuries, and other cognitive impairments or disabilities that affect their ability to participate in educational programming, and an identification of the barriers to the identification and assessment of these persons with recommendations to improve;
- (c) identification of issues related to ensuring that credits earned in credit-bearing courses are transferable,

including the number of transferable credits awarded and nontransferable credits awarded;  
(d) a review of transfer policies, including identifying barriers or challenges, in order to create recommendations to ensure seamless transfer of incarcerated persons to postsecondary educational institutions;  
(e) the number of persons participating in correspondence courses and the completion rates; and  
(f) an examination of the collaboration between correctional facilities, educational programs, and the postsecondary educational institutions, with the goal of clearly defining roles and responsibilities.

Section 10(8)(b) amends RCW 28B.15.067 – Standard tuition fees charged at the public institutions of higher education do not apply to persons incarcerated under DOC who participate in credit-eligible postsecondary education courses and degree programs if the program expenses are funded by nontuition resources, such as grants, contracts, and donations.

Effective date is assumed to be 90 days after adjournment of session in which this bill is passed.

## **II. B - Cash receipts Impact**

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

None.

## **II. C - Expenditures**

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

This bill permits DOC to implement postsecondary certificate and degree programs at state correctional institutions, to not exceed a Bachelor's Degree. It modifies DOC's educational goals for incarcerated persons to include special education services and postsecondary education certificates or degrees. The bill also requires DOC to:

- Establish a process for identifying and assessing incarcerated individuals with learning disabilities, traumatic brain injuries, and cognitive impairments, in addition to providing accommodations for these individuals;
- Provide unofficial transcripts to incarcerated individuals who participated in postsecondary education programs any time the individual completes a program, is transferred to another facilities, or is released;
- Consider an incarcerated individuals educational programming when considering transfers to other facilities or when releasing an individual to their county of origin; and
- Establish a secure internet pilot program at up to three correctional facilities and provide a report comprising a myriad of components by December 1, 2021, given sufficient appropriated funding.

In addition, the bill requires WSIPP to study and report on enrollment, completion rates, and recidivism rates of incarcerated individuals in the postsecondary education system post release, by October 1, 2023. An annual report from DOC and other state agencies that includes a variety of data and information on incarcerated individuals and postsecondary education.

The DOC assumes additional staff resources would be required in order to dedicate qualified staff to identify and assess incarcerated individuals with learning disabilities, traumatic brain injuries, and other cognitive impairments, or disabilities that affect his or her ability to participate in educational programming. The staff will also identify the barriers of these individuals with recommendations to improve. The DOC assumes the necessary staff requires 2.0 full-time equivalent (FTE) Psychology Associates, assumed to cost \$251,000 annually.

In order to address the addition of special education services to be provided at each site, the Psychology Associates would be assigned to determine the need of the student population and collaborate with SBCTC to determine what additional contract resources are needed.

Section 5 amends the ability for DOC staff to assist incarcerated individuals selected for the program with filing for federal and state funding. This will allow staff to assist in the application process, which will be incremental work as it includes: applying for federal and state funding, data collection, tracking of students, and reporting for these three locations. The DOC will need 1.0 FTE Correction Specialist 3 to facilitate the assistance with applications. This position is assumed to cost approximately \$120,000 on a yearly basis, including all associated expenses.

It is not mandated DOC implement the pilot program listed in Section 9 for secure internet connection at up to three correctional facilities who are enrolled in the Second Chance Pell Program, unless it is feasible given the appropriated funding for this purpose. However, for illustration purposes, DOC has costed out the proposed pilot program.

Based on previous estimates, DOC would need to update the Information Technology (IT) infrastructure within the existing buildings eligible for the pilot program, contract with a web service provider for secure internet connections, and hire staff to oversee and maintain the networks at the facilities enrolled in the pilot program.

It is estimated to cost approximately \$30,000 to update IT infrastructure per eligible facility to allow for proper functionality. The aforementioned cost includes installing network hardware, fiber wiring, and network ports to classrooms. This would allow for the secure connectivity to web services for access to education material. The three facilities this would be implemented at would be Monroe Correctional Complex (MCC), Washington Corrections Center (WCC), and Washington Corrections Center for Women (WCCW) due to eligibility requirements. WCCW already has established secure internet, so they would be exempt from the IT infrastructure costs.

$\$30,000 \text{ IT infrastructure} \times \text{two correctional facilities} = \$60,000 \text{ one-time installation cost.}$  This work will occur in FY 2020.

The DOC currently educates 6,900+ students per year through a contract with SBCTC. Through these pilot programs, DOC assumes 500 students will need internet access between the three aforementioned facilities as the pilot program is taking place. Amazon Web Services (AWS) would create a secure internet connection to access educational material. The DOC would pay AWS a yearly fee per facility and per computer for students to have a trackable individual account that allows access to the network. AWS would contract with each of our three eligible facilities for \$47,208 for web services per year, as well as a thin-client lease cost of \$165.93 per computer for one year pilot. Internet service ongoing at the three facilities will cost an ongoing \$6,000 for the one year pilot. Each facility will also require Web Security Appliance (WSA) software, which costs \$8.14 per user as well a Logging and Auction Appliance (LAA).

$\$47,208 \text{ Amazon AWS service} \times \text{three correctional facilities} = \$141,624 \text{ for the one year pilot}$   
 $\$165.93 \text{ thin-client lease} \times 40 \text{ computers (For WCC and MCC facilities. WCCW already has computers in place)} = \$6,637 \text{ for the one year pilot}$   
 $\$6,000 \text{ internet service} \times \text{three correctional facilities} = \$18,000 \text{ for the one year pilot}$   
 $\$8.14 \text{ WSA} \times 500 \text{ assumed students} + \$4,682 \text{ LAA} = \$8,752 \text{ for the one year pilot}$

The web service providers do not monitor the networks, therefore DOC would require an additional IT staff to oversee the new networks at each of the correctional facilities. The unit would consist of 1.0 FTE to fix coding issues that arise from the myriad of programs offered, not to mention the additional opportunities proposed with the amendments to this bill. Currently, it takes 1.0 FTE to just manage the connection issues arising from limited education programs. With the expanded offerings and access, the incremental workload necessitates another FTE for this purpose along with their general duties overseeing the overall network. The necessary staff consists of 1.0 IT Security assumed to be filled at range 05IT, which will cost approximately \$145,000 annually, inclusive of salaries, benefits, goods/services, travel and equipment.

Typically, incremental IT staff would be required at all of the locations implementing these programs, but due to the locations selected, only 1.0 incremental FTE is needed. MCC will need 1.0 FTE IT Project Management for overseeing the network, connectivity, account management/administration, and computer imaging. This position is assumed cost \$184,000 per year, including all associated expenses. WCCW does not need additional support as they receive IT support from Tacoma Community College through their program, and WCC has sufficient IT staff to absorb the incremental work currently.

A report outlining the implementation, effectiveness, burdens to the program and enrollment data of this program is to be presented to the Governor and appropriate legislative committees by December 1, 2021. A Management Analyst selected through the Department of Enterprise Services 2-Tier Master Contracts is required to ensure the proper resources are available to provide a full comprehensive report by the due date.

The DES 2-Tier contractor compensation rate will match the average Tier-2 rate currently at DOC (\$75.00 per hour) would need an estimated 200 hours to complete the report required in Section 8 and 100 hours to complete the report required by Section 9.

\$75 per hour X 200 hours = \$15,000 to complete the report required in Section 8 each fiscal year.

\$75 per hour X 100 hours = \$7,500 to complete the report required in Section 9.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	60,000	926,000	986,000	760,000	760,000
<b>Total \$</b>			60,000	926,000	986,000	760,000	760,000



### III. B - Expenditures by Object Or Purpose

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		5.0	2.5	3.0	3.0
A-Salaries and Wages		462,000	462,000	470,000	470,000
B-Employee Benefits		166,000	166,000	190,000	190,000
C-Professional Service Contracts					
E-Goods and Other Services		38,000	38,000	26,000	26,000
G-Travel		36,000	36,000	42,000	42,000
J-Capital Outlays		26,000	26,000	2,000	2,000
M-Inter Agency/Fund Transfers	60,000	198,000	258,000	30,000	30,000
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	60,000	926,000	986,000	760,000	760,000

**III. C - Operating FTE Detail:** List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2020	FY 2021	2019-21	2021-23	2023-25
Correction Specialist 3	72,432		1.0	0.5	1.0	1.0
IT Project Management	126,072		1.0	0.5		
IT Security - Journey	94,068		1.0	0.5		
Psychology Associate	77,952		2.0	1.0	2.0	2.0
<b>Total FTEs</b>			5.0	2.5	3.0	3.0

### III. D - Expenditures By Program (optional)

Program	FY 2020	FY 2021	2019-21	2021-23	2023-25
Interagency Payments (600)		12,000	12,000	14,000	14,000
Offender Change (700)	60,000	914,000	974,000	746,000	746,000
<b>Total \$</b>	60,000	926,000	986,000	760,000	760,000

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

None.

## Part V: New Rule Making Required

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2299 S HB H-4240.2	<b>Title:</b> Prison to postsecondary ed.	<b>Agency:</b> 340-Student Achievement Council
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.0	0.1	0.1	0.1	0.1
<b>Account</b>					
General Fund-State 001-1	0	16,000	16,000	32,000	32,000
<b>Total \$</b>	0	16,000	16,000	32,000	32,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Megan Mulvihill	Phone: 360-786-7304	Date: 02/05/2020
Agency Preparation: Ellen Matheny	Phone: 360-753-7824	Date: 02/07/2020
Agency Approval: Don Bennett	Phone: 360-753-7810	Date: 02/07/2020
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/07/2020

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

SHB 2299 (H-4240.2) Section 2 - Washington State Institute for Public Policy (WSIPP) will conduct study on enrollment and completion rates of inmates in the postsecondary education system post release, as well as related recidivism rates, and report its findings to the Legislature by October 1, 2023. Washington Student Achievement Council (WSAC), Washington State Department of Corrections (DOC), and State Board for Community and Technical College (SBCTC) will provide data to conduct this study.

Note: WSAC maintains data on state need-based financial information; Education Research and Data Center maintains enrollment data relevant to this study.

Section 8 - DOC will write an annual report, with the first report due December 1, 2020, on various measures of educational offerings and achievement in the inmate population in collaboration with SBCTC, WSAC, Washington Statewide Reentry Council, and the Council of Presidents.

Section 9 - (Added in the substitute bill) - DOC is to implement a secure internet pilot program at three correctional institutions, and specifies that DOC may assist incarcerated persons with filing a Free Application for Federal Student Aid (FAFSA) or Washington Application for State Financial Aid (WASFA).

Changes from the original bill do not change the fiscal impact for WSAC.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

Section 2 - WSAC will provide data to conduct this study, as requested by WSIPP, in support of its report to the Legislature due October 1, 2023. Note: WSAC maintains data on state need-based financial aid; Education Research and Data Center maintains enrollment data relevant to this study.

Section 8 - WSAC staff will attend quarterly meetings convened by DOC to review and provide feedback on the combined report. DOC will write and submit the annual report to legislative committees.

WSAC duties specified in the bill would require 0.10 FTE Assistant Director to provide data and contribute to the combined report. Staff will attend quarterly meetings convened by DOC, read, review and provide feedback on the two reports, provide needed data resources, if available, and other support as requested.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	0	16,000	16,000	32,000	32,000
Total \$			0	16,000	16,000	32,000	32,000

**III. B - Expenditures by Object Or Purpose**

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		0.1	0.1	0.1	0.1
A-Salaries and Wages		9,000	9,000	18,000	18,000
B-Employee Benefits		2,000	2,000	4,000	4,000
C-Professional Service Contracts					
E-Goods and Other Services		4,000	4,000	8,000	8,000
G-Travel		1,000	1,000	2,000	2,000
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	16,000	16,000	32,000	32,000

**III. C - Operating FTE Detail:** *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2020	FY 2021	2019-21	2021-23	2023-25
Assistant Director	87,000		0.1	0.1	0.1	0.1
<b>Total FTEs</b>			0.1	0.1	0.1	0.1

**III. D - Expenditures By Program (optional)**

Program	FY 2020	FY 2021	2019-21	2021-23	2023-25
Policy Coordination & Administration (010)		16,000	16,000	32,000	32,000
<b>Total \$</b>		16,000	16,000	32,000	32,000

**Part IV: Capital Budget Impact****IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

*Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods*

NONE

**Part V: New Rule Making Required**

# Individual State Agency Fiscal Note

Revised

<b>Bill Number:</b> 2299 S HB H-4240.2	<b>Title:</b> Prison to postsecondary ed.	<b>Agency:</b> 376-The Evergreen State College
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.0	0.0	0.0	0.7	0.1
<b>Account</b>					
General Fund-State 001-1	0	0	0	236,013	46,191
<b>Total \$</b>	0	0	0	236,013	46,191

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Megan Mulvihill	Phone: 360-786-7304	Date: 02/05/2020
Agency Preparation: Catherine Nicolai	Phone: (360) 664-9087	Date: 02/18/2020
Agency Approval: Holly Joseph	Phone: 360-867-6652	Date: 02/18/2020
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/21/2020

## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

Sec. 2 of SHB 2299 directs the Washington State Institute for Public Policy (WSIPP) to conduct a study on enrollment and completion rates of inmates in the postsecondary education system post release, as well as recidivism rates. At a minimum, WSIPP must:

- (a) Study the effects of post release enrollment in the postsecondary education system by individuals who, while incarcerated, completed some course work but did not earn a degree or certificate;
- (b) Study post release patterns of participation in postsecondary education of individuals who, while incarcerated, participated in postsecondary education programs;
- (c) Identify differential outcomes for individuals participating in different types of postsecondary education courses and degree and certificate programs; and
- (d) Examine recidivism outcomes beyond incarceration.

The report is due to the legislature by October 1, 2023.

### II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

### II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

WSIPP assumes that the data necessary to complete this study are available and free of cost.

In order to complete the assignment outlined in Sec 2 of SHB 2299, WSIPP would assign the following resources:

FY 22:

- 0.40 FTE Researcher to develop a study plan, scope the study, submit data requests, and submit the Washington State Institutional Review Board (WSIRB) application.
- 0.06 FTE Methods Review to develop a study plan.
- Assumes \$750 in WSIRB fees.

FY 23:

- 0.80 FTE Researcher for data analysis and report writing.
- 0.06 FTE Methods Review for methodological review.

FY 24:

- 0.20 FTE Researcher for report writing.
- 0.06 FTE Editing/Publication for publication.
- Assumes \$500 in WSIRB fees.

\*Goods and other services include 13% for office expenses and 12% indirect rate for The Evergreen State College.

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	0	0	0	236,013	46,191
Total \$			0	0	0	236,013	46,191

### III. B - Expenditures by Object Or Purpose

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years				0.7	0.1
A-Salaries and Wages				145,227	27,865
B-Employee Benefits				40,664	8,237
C-Professional Service Contracts					
E-Goods and Other Services				49,372	9,589
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-WSIRB fees				750	500
Total \$	0	0	0	236,013	46,191

### III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2020	FY 2021	2019-21	2021-23	2023-25
Editing/Publication	83,364					0.0
Methods Review	111,660				0.1	
Researcher	103,320				0.6	0.1
Total FTEs					0.7	0.1

### III. D - Expenditures By Program (optional)

NONE

## Part IV: Capital Budget Impact

### IV. A - Capital Budget Expenditures

NONE

### IV. B - Expenditures by Object Or Purpose

NONE

### IV. C - Capital Budget Breakout

*Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods*

NONE

## Part V: New Rule Making Required

# Individual State Agency Fiscal Note

<b>Bill Number:</b> 2299 S HB H-4240.2	<b>Title:</b> Prison to postsecondary ed.	<b>Agency:</b> 699-Community and Technical College System
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## Part I: Estimates

☐ No Fiscal Impact

### Estimated Cash Receipts to:

NONE

### Estimated Operating Expenditures from:

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years	0.0	1.9	0.9	1.3	1.3
<b>Account</b>					
General Fund-State 001-1	0	421,000	421,000	692,000	692,000
<b>Total \$</b>	0	421,000	421,000	692,000	692,000

### Estimated Capital Budget Impact:

NONE

*The cash receipts and expenditure estimates on this page represent the most likely fiscal impact. Factors impacting the precision of these estimates, and alternate ranges (if appropriate), are explained in Part II.*

Check applicable boxes and follow corresponding instructions:

- ☒ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia, complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Megan Mulvihill	Phone: 360-786-7304	Date: 02/05/2020
Agency Preparation: Brian Myhre	Phone: 360-704-4413	Date: 02/07/2020
Agency Approval: Cherie Berthon	Phone: 360-704-1023	Date: 02/07/2020
OFM Review: Breann Boggs	Phone: (360) 902-0659	Date: 02/07/2020



## Part II: Narrative Explanation

### II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

*Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.*

The substitute bill differs from the original in the following ways:

- Specifies that postsecondary degree programs at correctional institutions are limited to no more than a Bachelor's Degree
- Adds elements to a report required to be submitted by the State Board for Community and Technical Colleges, Washington Student Achievement Council and the Department of Corrections, to the legislature
- Allows the Department of Corrections (DOC) to assist inmates in filing out Federal and Washington state financial aid applications
- Directs DOC to conduct a pilot program, subject to amounts appropriated, for secure internet connections used for Adult Basic Education, postsecondary education and training and for financial aid applications.

Participating in the implementation of the secure internet connection pilot program will result in staff cost for the community and technical college system. Therefore, fiscal impacts for the substitute are greater than in the original bill.

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This bill would expand postsecondary education degree opportunities and training to incarcerated adults through partnerships with postsecondary institutions and the department of corrections.

#### Section 2

Subject to amounts appropriated, the Washington Institute for Public Policy (WSIPP) is directed to conduct a study on enrollment and completion rates of inmates in the postsecondary education system post release, as well as recidivism rates. The study is to be submitted to the legislature by October 1, 2023.

The State Board for Community and Technical Colleges, Washington Student Achievement Council and the Department of Corrections is required to submit the data necessary to conduct the study.

#### Section 8

By December 1, 2020, and annually thereafter, the State Board for Community and Technical Colleges, Washington Student Achievement Council and the Department of Corrections, in collaboration with an organization representing four-year institutions of higher education, are required to submit a combined report to the legislature. The report must include; the number of inmates served and not served in postsecondary education system, an identification of issues related to ensuring that credits earned in credit-bearing courses are transferable, a review of policies on transfer, an examination of the collaboration between correctional facilities, the educational programs, and institutions of higher education and a review of the partnerships with nonprofit organizations a correctional facilities that provide accredited certificate and degree granting programs and reentry services in support of educational programs.

#### Section 9

Subject to amounts appropriated, DOC is to conduct a pilot program for secure internet connections at up to three correctional institutions that participate in the federal Second Chance Pell Program and report to the Governor and Legislature regarding implementation of the pilot program. The report is due by December 1, 2021.

## II. B - Cash receipts Impact

*Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.*

No cash receipts impact.

## II. C - Expenditures

*Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.*

This bill would have the following expenditure impacts.

### Section 2

The Washington Institute for Public Policy is directed to conduct a study on enrollment and completion rates of inmates in the postsecondary education system post release, as well as recidivism rates. The study is to be submitted to the legislature by October 1, 2023.

The State Board for Community and Technical Colleges (SBCTC), among others, is required to submit data necessary to conduct the study. Data needed for the study would include information on; incarcerated individuals that participated in postsecondary education programs, identify the types of postsecondary education courses taken by individuals and the types of degrees and certificates earned, and identify those who completed some course work but did not earn a degree or certificate.

The data needed to complete the study will include personally identifiable information. While the bill directs that data be provided to WSIPP, under the federal Family Educational Rights and Privacy Act (FERPA), the SBCTC is not authorized to provide personally identifying information, such as social security numbers, to a non-educational entity. This means SBCTC cannot provide a large, multi-year data set directly from our data warehouse with the detail needed for WSIPP's purposes. Typically, an assignment that requires educational data to be linked longitudinally would be carried out by the Education Research and Data Center at OFM. If the SBCTC is to work directly with WSIPP, significantly more resources and staff time will be needed to ensure that the data provided to WSIPP is analyzed and managed to be in compliance with FERPA. The most likely path would be to create a data sharing agreement between SBCTC and the Department of Corrections to combine, link individuals longitudinally, and anonymize the data for WSIPP's purposes.

For these reasons, it is estimated that it will take .5 FTE SBCTC Policy Research Associate and .1 FTE SBCTC Research Director to provide the information needed for the study. These costs are one-time costs occurring in FY 2021.

.5 FTE SBCTC Policy Research Associate  
\$120,000 Salary & Benefits X .5 FTE = \$60,000

.1 FTE SBCTC Research Director  
\$150,000 Salary & Benefits X .1 FTE = \$15,000

Total Salary & Benefits  
\$60,000 + \$15,000 = \$75,000 one-time costs

## Section 8

By December 1, 2020, and annually thereafter, the State Board for Community and Technical Colleges, Washington Student Achievement Council and the Department of Corrections, in collaboration with an organization representing four-year institutions of higher education, are required to submit a combined report to the legislature. The report must include; the number of inmates served and not served in postsecondary education system, an identification of issues related to ensuring that credits earned in credit-bearing courses are transferable, a review of policies on transfer, and an examination of the collaboration between correctional facilities, the educational programs, and institutions of higher education.

It is estimated that it will take .25 FTE SBCTC Program Specialist 3 to help gather and analyze the data listed above and work on the report required in this section. These costs are ongoing costs starting in FY 2021.

.25 FTE SBCTC Program Specialist 3

\$64,000 Salary & Benefits X .25 FTE = \$16,000 on-going costs

## Section 9

DOC is to conduct a pilot program for secure internet connections at up to three correctional institutions that participate in the federal Second Chance Pell Program. It is estimated that 1 FTE of a college IT Specialist 4 will be required on site at each of the three correctional facilities in the pilot program to help administer and maintain the secure internet connections.

\$110,000 Salary and Benefits – IT Specialist 4

\$110,000 X 3 correctional facilities = \$330,000

Since the bill does not specify an end date for the pilot program, staffing costs for this section of the bill are considered ongoing from FY 2021 onward.

### TOTAL COSTS

FY 2021 - \$16,000 + \$330,000 + \$75,000 = \$421,000

FY 2022 - \$16,000 + \$330,000 = \$346,000

FY 2023 - \$16,000 + \$330,000 = \$346,000

FY 2024 - \$16,000 + \$330,000 = \$346,000

FY 2025 - \$16,000 + \$330,000 = \$346,000

## Part III: Expenditure Detail

### III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2020	FY 2021	2019-21	2021-23	2023-25
001-1	General Fund	State	0	421,000	421,000	692,000	692,000
Total \$			0	421,000	421,000	692,000	692,000

**III. B - Expenditures by Object Or Purpose**

	FY 2020	FY 2021	2019-21	2021-23	2023-25
FTE Staff Years		1.9	0.9	1.3	1.3
A-Salaries and Wages		315,000	315,000	516,000	516,000
B-Employee Benefits		106,000	106,000	176,000	176,000
C-Professional Service Contracts					
E-Goods and Other Services					
G-Travel					
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
<b>Total \$</b>	0	421,000	421,000	692,000	692,000

**III. C - Operating FTE Detail:** List FTEs by classification and corresponding annual compensation. Totals need to agree with total FTEs in Part I and Part IIIA

Job Classification	Salary	FY 2020	FY 2021	2019-21	2021-23	2023-25
IT Specialist 4	82,000		1.0	0.5	1.0	1.0
SBCTC Policy Research Associate	90,000		0.5	0.3		
SBCTC Policy Research Director	115,000		0.1	0.1		
SBCTC Program Specialist 3	48,000		0.3	0.1	0.3	0.3
<b>Total FTEs</b>			1.9	0.9	1.3	1.3

**III. D - Expenditures By Program (optional)**

NONE

**Part IV: Capital Budget Impact****IV. A - Capital Budget Expenditures**

NONE

**IV. B - Expenditures by Object Or Purpose**

NONE

**IV. C - Capital Budget Breakout**

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

**Part V: New Rule Making Required**

# LOCAL GOVERNMENT FISCAL NOTE

Department of Commerce

<b>Bill Number:</b> 2299 S HB H-4240.2	<b>Title:</b> Prison to postsecondary ed.
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## Part I: Jurisdiction-Location, type or status of political subdivision defines range of fiscal impacts.

### Legislation Impacts:

- ☐ Cities:
- ☐ Counties:
- ☐ Special Districts:
- ☐ Specific jurisdictions only:
- ☐ Variance occurs due to:

## Part II: Estimates

- ☒ No fiscal impacts.
- ☐ Expenditures represent one-time costs:
- ☐ Legislation provides local option:
- ☐ Key variables cannot be estimated with certainty at this time:

### Estimated revenue impacts to:

None

### Estimated expenditure impacts to:

None

## Part III: Preparation and Approval

Fiscal Note Analyst: Rebecca Duncan	Phone: 360-725-5040	Date: 02/11/2020
Leg. Committee Contact: Megan Mulvihill	Phone: 360-786-7304	Date: 02/05/2020
Agency Approval: Alice Zillah	Phone: 360-725-5035	Date: 02/11/2020
OFM Review: Cynthia Hollimon	Phone: (360) 902-0562	Date: 02/11/2020

## **Part IV: Analysis**

### **A. SUMMARY OF BILL**

*Provide a clear, succinct description of the bill with an emphasis on how it impacts local government.*

#### **CHANGES FROM PREVIOUS BILL VERSION:**

The changes in the substitute version do not create any new fiscal impacts to local governments.

#### **SUMMARY OF CURRENT BILL VERSION:**

This bill would permit the Department of Corrections (DOC) to implement postsecondary certificate and degree programs at state correctional institutions. To accomplish this, the bill would modify DOC goals, add particular requirements for the DOC, and require the Washington State Institute for Public Policy to study and report on enrollment and completion rates of incarcerated persons in the postsecondary education system post release.

Section 3 would amend current statute regarding individual reentry plans for every offender who is committed to the jurisdiction of the DOC. This amendment would require the DOC to consider an incarcerated person's return to their county of origin to be inappropriate if the person is enrolled in an educational program that cannot be completed in their county of origin, unless there are victim safety concerns.

### **B. SUMMARY OF EXPENDITURE IMPACTS**

*Briefly describe and quantify the expenditure impacts of the legislation on local governments, identifying the expenditure provisions by section number, and when appropriate, the detail of expenditures. Delineate between city, county and special district impacts.*

This bill would have no fiscal impact on local governments.

Section 3 of the bill would change which county an offender is released to when the DOC discharges a person released to community custody. With this bill, if an offender is enrolled in an educational program that cannot be completed in their county of origin, the DOC must consider the incarcerated person's return to their county of origin to be inappropriate. Therefore, some offenders enrolled in an educational program would not be released to their county of origin, but would be released in the county in which they are able to complete their educational program. This would shift associated costs from some counties to others, but the net impact to local governments would be zero.

### **C. SUMMARY OF REVENUE IMPACTS**

*Briefly describe and quantify the revenue impacts of the legislation on local governments, identifying the revenue provisions by section number, and when appropriate, the detail of revenue sources. Delineate between city, county and special district impacts.*

This bill would have no fiscal impact on local governments.

Section 3 of the bill would change which county an offender is released to when the DOC discharges a person released to community custody. With this bill, if an offender is enrolled in an educational program that cannot be completed in their county of origin, the DOC must consider the incarcerated person's return to their county of origin to be inappropriate. Therefore, some offenders enrolled in an educational program would not be released to their county of origin, but would be released in the county in which they are able to complete their educational program. This would shift associated costs from some counties to others, but the net impact to local governments would be zero.

#### **SOURCES:**

Washington State Association of Counties  
Department of Corrections