

What Can be Taught in College in Prison? Reconciling Institutional Priorities in Clashes Over Incarcerated Students' Access to Instructional Materials

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Abstract: *This research was inspired by allegations of censorship of college curricula in an Illinois state penitentiary. This example highlights the confusion and controversy that may ensue when disagreements arise over what students in prison-based college programs are permitted to read and learn. Following this, my research considers these relevant questions: First, do many programs and prisons encounter disagreements over certain instructional materials? Next, to what extent are these rooted in clashing institutional values and priorities? And finally, what can be done to quell controversy, reduce confusion, and strengthen relationships between colleges and prisons? To shed light on these questions, I surveyed over forty practitioners from Higher Education in Prison (HEP) programs based in state penitentiaries across the United States. In particular, I asked about security clearance protocols for instructional materials, as well as institution-specific restrictions on modality and content. I report and discuss the findings and implications of this survey in the analysis that follows. As such, the intended audience for this report includes stakeholders in both academia and corrections, and others interested in strengthening relations between colleges and prisons that partner to educate incarcerated students.*

Keywords: *higher education, censorship, curricula, policy, administration*

Allegations of Censorship at an Illinois Prison

This research was inspired by allegations of censorship of books and other instructional materials used by the Education Justice Project (EJP) at an Illinois state penitentiary. According to reporting by multiple media outlets including *NPR Illinois*, the *New York Times*, and the *Chicago Tribune*, personnel at the Danville Correctional Center (DCC) removed hundreds of library books and instructional materials from the prison that they construed to be “controversial” and/or “racially motivated” (Gaines, 2019; Gaines & Herman, 2019; Kendall, 2019; Nickeas, 2019; Zaveri, 2019). The resulting controversy serves as a prime example of the often opaque and inconsistent policy environment in which college in prison programs operate. Furthermore, it calls attention to the importance of examining what can be taught in college in prison—as well as the practices, policies, and actors that dictate this.

Housed in the University of Illinois Urbana-Champaign’s (UIUC) College of Education, EJP has offered for-credit courses to incarcerated students at DCC, a men’s medium security prison located in Danville, Illinois, since 2009. EJP instructors selected from an applicant pool of predominantly UIUC faculty and PhD candidates have taught dozens of humanities, social sciences, and STEM courses to incarcerated men at DCC. In line with undergraduate courses in literature, history, sociology, ethnic studies, etc., taught on the UIUC campus, EJP’s offerings at the Danville prison frequently address political, religious, ethnic, and/or racial top-



ics.¹ Nonetheless, disputes between EJP and DCC staff over instructional materials have been historically rare, minor, and resolved with little fanfare.

This changed during the 2018-2019 school year, when DCC officials repeatedly clashed with EJP members over what could be taught and read inside the prison. In particular, books and articles with “race-related themes” were a focus of heightened scrutiny (Nickeas, 2019). For instance, of 25 books submitted for EJP’s Spring 2019 courses, prison security prevented four from being reviewed, including Pulitzer Prize winner, *The Color of Law: A Forgotten History of How Our Government Segregated America* (Rothstein, 2017). Of the remaining books that were screened, nine were denied, including *Uncle Tom’s Cabin* by Harriet Beecher Stowe (1852) and *Incidents in the Life of a Slave Girl* by Harriet Jacobs (1861), submitted for an American Literature course (Nickeas, 2019). Instructors were also asked to remove pages from course readers that contained visual or written depictions of racial content, although such materials had previously been approved through the security screening process (Nickeas, 2019). Additionally, security staff removed over 200 books on various subjects, particularly race and religion, from the library maintained by EJP within the prison. Titles included *Race Matters* (1994) by Cornell West and *Colored People: A Memoir* (1995) by Henry Louis Gates Jr. (Nickeas, 2019).

A corrections lieutenant reportedly told EJP program officials that such titles were problematic because they were “racial,” when explaining why particular reading materials had been removed from the library or denied for use in EJP classes (Nickeas, 2019). An email from this lieutenant to the DCC prison warden verified that they had removed books deemed “racially motivated” from the library (Nickeas, 2019). An additional email revealed that the prison warden had further directed prison staff to remove books of a “controversial nature” from the library (Nickeas, 2019). No advance notice, explanation, or appeals process was offered to EJP program staff regarding the book removal. National media outlets, including the *New York Times*, soon picked up the story, adding its details to a broader conversation on prison book bans across the United States (Zaveri, 2019).

Surrounding this media blitz, members of the Illinois General Assembly convened a public hearing on July 8, 2019 to discuss allegations of prison censorship with a panel of expert witnesses from the Education Justice Project, Illinois Department of Corrections (IDOC), and American Civil Liberties Union-Illinois (ACLU-IL). Consequently, IDOC Director Rob Jeffreys instructed authorities at the Danville Correctional Center to return all of the divisive books to the EJP prison library (Ramirez, 2019). Then, in an effort to prevent future clashes between Illinois state prisons and their college partners over contested instructional materials, IDOC revised an administrative directive to formalize a publication review process and establish a centralized appeal process to resolve disputes (Illinois Department of Corrections, 2019). At the time of writing, the effects of such policy changes are unknown.

Nonetheless, this example highlights the confusion and controversy that may ensue when disagreements arise over what students in prison-based college prisons are permitted to read and learn. Following this, my research considers these relevant questions: First, programs and prisons often disagree over appropriate and permissible instructional materials? Next, to what extent are these rooted in clashing institutional values and priorities? And finally, what can be done to quell controversy, reduce confusion, and strengthen relationships between colleges and prisons?

To shed light on these questions, I surveyed over forty practitioners from Higher Education in Prison (HEP) programs based in state penitentiaries across the United States. In particular, I asked about security clearance protocols for instructional materials, as well as

¹ EJP courses offered since 2009 include: *Social Movements of the 1960s*, *The Holocaust in Postwar Literature and Popular Media*, *A History of Race in the United States*, *Race and Place in 20th Century American Fiction*, *The Black Freedom Movement, 1955-75*, *The Regency and the Harlem Renaissance*, and *Language Varieties, Cultures and Learning*, (Education Justice Project, 2019).

institution-specific restrictions on modality and content. I report and discuss the findings and implications of this survey in the analysis that follows. As such, the intended audience for this report includes stakeholders in both academia and corrections, and anyone interested in supporting the expansion of quality higher education in prison.

Overlapping and Clashing Priorities

Among credit-bearing, prison-based higher education, there exists significant variation in the size, scope, and curricula of programs. Nonetheless, these programs share common values. According to the *Alliance for Higher Education in Prison*, a national network that supports the expansion of quality higher education in prison, the following guiding principles inform this work. First, a conviction that higher education is a public good and a right of citizenship. Secondly, a belief in fundamental human dignity for everyone, regardless of their background. And finally, a belief in and commitment to the transformative potential of higher education to improve the lives of incarcerated individuals, their families, and their communities (Alliance for Higher Education in Prison, n.d.).

American prisons are not bound by any formal commitment to higher education, since beyond Adult Basic Education, General Education Development, vocational, and technical training, no state or federal laws mandate that higher education be provided to incarcerated people (National Institute of Justice, 2015.) Rather, colleges and universities must court the approval of local wardens who perceive positive benefits to the partnership such as maintaining carceral order, reducing recidivism, or improving public relations. In line with this, an analysis of HEP programs in New York state found that corrections administrators valued their facilities' college in prison programs as "assets" (Jacobs & Weissman, 2019).

Therefore, when colleges and prisons partner to educate an incarcerated population, they maintain overlapping, yet potentially conflicting priorities. Presumably, their priorities overlap when prison personnel agree with the *Alliance* that higher education is a right of citizenship and a public good, and that extending incarcerated people's access to it benefits the facility, students, and society-at-large. Conversely, priorities may clash when providing educational opportunities is perceived as unfair, ineffective, or subversive to carceral order. When priorities are at odds, conflicts are likely to arise, especially if clashing institutional values manifest in restrictions or censorship of instructional materials.

The John Jay College of Criminal Justice's analysis of New York State's Postsecondary Correctional Education System offers some insight into this. According to their report, ideological differences between colleges and prisons present a clear barrier to collaboration:

One of the major challenges of higher education in prison is balancing of the mission of higher education and the realities of the corrections environment... DOCCS' [Department of Corrections and Community Supervision] emphasis on security and control is hard to align, and is sometimes incompatible, with the fundamental principles of higher education and academic freedom. (Jacobs & Weissman, 2019, p. 48)

This proves to be a delicate balancing act, with correctional facilities prioritizing order and security, while HEP programs strive for intellectual rigor and academic freedom.

Academic freedom means that faculty members and students can engage in intellectual debate without fear of censorship in materials used in coursework or fear of consequences for speech and writing associated with classes. In correctional institutions, some speech and writing might be construed as a risk to safety and security. (Jacobs & Weissman 2019, 48)

Moreover, when disagreements arise over the rank ordering of these priorities, college program staff lament that the burden of compromise usually falls upon them (Jacobs & Weissman, 2019; Craft et al., 2019.) Related to this, HEP instructors typically submit their instruc-

tional materials for approval through security clearance processes that have been characterized as ill-defined, loosely followed, or altered on short notice. A report by the *Rockefeller Institute* also notes that the rigorous process for getting physical materials into the prison is “taxing,” “time consuming,” and “constantly changing,” creating frustration and uncertainty among faculty. They must also capitulate to restrictions on course materials that are deemed threatening: “As higher education programs are essentially ‘guests’ in prisons, college programs must conform to DOCCS’ and facilities’ policies and practices” (Jacobs & Weissman, 2019, p. 48).

This capitulation may also manifest in instructors self-censoring their curriculum by modifying syllabi, altering course titles, and redirecting classroom discussions when they veer toward controversial issues like race or the criminal justice system. According to Cornell’s Prison Education Program director, Rob Scott, instructors might omit, “topics likely to incite unrest or anger in the student population, such as issues of racism, policing, or economic inequality” from their curriculum (Jacobs & Weissman, 2019, p. 48-49). Scott’s comments indicate that instructors self-censor in anticipation of institutional restrictions. The *John Jay College* report comports with this: “While this action was not required by DOCCS, it was an experience shared by the instructor with the researchers and is indicative of the uncertainty of what might be considered to violate DOCCS’ standards” (Jacobs & Weissman, 2019, p. 48-49).

Underlying this uncertainty are clashing institutional perspectives on the undertaking of higher education within a prison. Further, “While college staff express frustration over what they consider to be overly restrictive criteria regarding curricula and materials, DOCCS staff consider college program staff to lack awareness or respect for the safety measures required in the facility” (Jacobs & Weissman, 2019, pp. 48-49). In sum, while HEP college staff are invested in extending the transformative potential of higher education to the incarcerated, corrections personnel are vested with running safe and secure prisons. Moreover, decisions regarding what incarcerated students may read and learn rest largely on the shoulders of prison management, who make the rules, and prison staff, who implement them.

Who Controls What is Taught in Prison? Powerful Managers and Shirking Bureaucrats

The American prison system is decentralized under federalism, with state departments of corrections housing the vast majority of incarcerated adults in penitentiaries managed by on-site wardens who oversee daily operations (Sawyer & Wagner, 2019). Therefore, local prison authorities, their assistants, and subordinates wield significant control over the routine functioning of programs operating within their facilities. Further, prison management styles informed by views about social control and criminal offenders have shifted throughout American history. Presumably, such views inform decisions regarding permissible academic pursuits for incarcerated individuals.

For instance, Barak-Glantz (1981) observes four different models of prison management in the American penal landscape. In his schema, an “Authoritarian Model” of prison management dominated 19th-century carceral institutions. Its chief characteristics were centralized power and one-man rule, asserted through time-regimented movement, corporal punishment, and repressive social control. Under this model, “prisoners had virtually no rights beyond that of physical survival” (Barak-Glantz, 1981, p. 44). Treated minimally as human beings, incarcerated people were not regarded as citizens during this era.

Over time, the authoritarian model was supplanted by various prison management styles, including a “Bureaucratic Lawful Model,” which seeks to constrain would-be authoritarian wardens through formal chains of command, transparent, centralized policies, and enhanced oversight by state departments of corrections. Additionally, an “Inmate Control Model” in which prison gangs rule, and a “Shared Powers Model” exemplified by rehabilitative and democratic ideology, were identified (Barak-Glantz, 1981, pp. 44-45).

Today, American prisons run the gamut of management models. Pelican Bay State Pris-

on in California, for instance, remains notoriously controlled by gangs to exemplify Barak Glantz' Inmate Control Model (Wood, 2014). Other facilities are propped up as "models of rehabilitation," like San Quentin, also in California, which is featured in the popular *Ear Hustle* podcast and renowned for its relative peace, openness, and extracurricular offerings (Neumeier, 2019). Most state-run prisons, however, exemplify a combination of bureaucratic and authoritarian management styles, with state lawmakers seeking to enshrine the former and constrain the latter (Barak-Glantz, 1981).

Bureaucratic Lawful models of prison management, where they do prevail, may or may not clash throughout the implementation of a prison education program. According to the *Prisoner Reentry Institute*, there are several ways that state departments of corrections can promote higher education in their facilities. These include providing information to facilities on their benefits, promoting formalized agreements and rules for HEP operations, and building ground-level relationships between college programs and prison staff. Related to this, acknowledging the increased workload that HEP programs create for prison staff was deemed of particular importance:

Providing college in prison is "extra work" for correctional staff. In addition to supervising daily activities, enforcing prison rules and regulations, and maintaining order in the facility, correctional officers are told to set up classrooms, check for call outs, fingerprint students, and coordinate their movement to and from the school. (Craft et al., 2019, p.16)

The *Prisoner Reentry Institute* suggests including such responsibilities in correctional officers' job descriptions, making expectations for their contributions to HEP programs explicit, and acknowledging these in performance reviews (Craft et al., 2019).

Cultivating a bureaucratic environment in which corrections staff view facilitating the operations of HEP programs as part of their job, rather than an additional burden on their time and resources, seems of the utmost importance. This is informed by Lipsky's (1980) theory of the "street-level bureaucracy." In particular, so-called street-level bureaucrats are expected to exercise discretion over policy implementation for two core reasons. First, they possess relative autonomy in carrying out the daily functions of an organization, and secondly, they must manage expanding caseloads and paperwork with finite time and resources (Lipsky, 1980; Tummers & Bekkers, 2014). Resultantly, government employees possess the ability to engage in "bureaucratic shirking" by intentionally neglecting their duties or actively working against the goals of the organization (Brehm & Gates, 1997).

Scholars disagree, however, about the propensity of bureaucrats to shirk their duties (Pierre & Peters, 2017). This is because most government employees are socialized into an organizational culture and thereby "intrinsically motivated" to happily perform their duties (Bell & Cantarelli, 2015; Buelens, 2017). However, corrections staff positioned at the nexus of a partnership between a college and prison are presented with a conundrum when supporting the priorities of the former may undermine those of the latter. Prison staff may also hold punitive ideologies and fundamentally oppose incarcerated people receiving tuition-free college. Consequently, if prison staff willfully neglect tasks that support HEP programs through informal censorship, foot-dragging, or obstruction, they may be deemed shirking bureaucrats.

Further, any propensity to restrict questionable curricula is widely protected under federal law, since the US Supreme Court has ruled that authorities in corrections may restrict access to materials deemed (by them), "detrimental to the security, good order or discipline of the institution," or that "might facilitate criminal activity" (Blackmun, 1989). Research and reporting on book bans and censorship in US prisons examines formal policies and informal practices stemming from this authority.

Prison Books Bans and Relevant Policies

Conrad reviewed 25 states' policies on prison libraries and found that 20 of them included general warnings against materials that might threaten prison security. Additionally, restrictions on specific content were prevalent and included instructions for crafting bombs, weapons, or drugs, guides to criminality, prison escape, or rioting, and sexually explicit materials (Conrad, 2016, p. 35). The *New York Times* and *Dallas Morning News* have drawn further attention to "banned books" lists maintained by state departments of corrections (Haag, 2017; McGaughy, 2018). Some states, however, do not maintain such records because books are instead denied by correctional officers working in the mailroom on an ad hoc basis (PEN America, 2019).

Undergirding this, Arford (2013) found that in prison libraries, informal censorship prevails. This includes correctional officers removing items from prison library shelves for any reason, including personal opposition or distaste. Prison librarians also reported engaging in extensive "self-censorship" to avoid clashes with security personnel (Arford, 2013). With such latitude to restrict publications containing questionable content, clear patterns emerge. In particular, prison wardens and custodial staff tend to restrict the following: sexually explicit and/or obscene materials, depictions or encouragement of violence and criminal activity, encouragement of anti-authority attitudes or rioting, and materials deemed to promote racial animus or hatred of particular groups. While such restrictions arguably align with correctional priorities, proponents of intellectual freedom note that they preclude incarcerated persons from engaging in deeper learning about important issues:

Perhaps most controversially, prisons systems frequently place bans on literature that discusses civil rights, historical abuses within America's prisons, or criticisms of the prison system itself, often on the grounds that such titles advocate disruption of the prison's social order. (PEN America, 2019, p. 5)

Clearly, various formal and informal processes dictate what imprisoned people can read and learn. Nonetheless, there have been few systematic examinations of how these impact instructional materials used in HEP programs, although they are sometimes cursorily mentioned. For instance, a comprehensive study of North Carolina's prison education system notes that instructors were irritated by, "procedures for approval to bring in course materials," but does not enumerate these procedures (Davis & Tolbert, 2019, p. 30). The report also describes instructors frequently making, "mistakes in terms of knowing what they could and could not bring into a prison and what classroom materials were appropriate for prison-based students" (Davis & Tolbert, 2019, p. 30). Similarly, another study noted that instructors experience obstacles, "Even bringing analog research materials [like books and journal articles] into the prison...since all resources are subject to extensive security screening protocols" (Wilson et al., 2019). Again, the security screening procedures are not described, leaving the reader to wonder who performs them, how long they take, and what constitutes them as "extensive" compared to routine front gate checks that all civilians undergo when they enter a correctional facility (Wilson et al., 2019).

To gain insight on the various policies, practices, and lines of authority that dictate what instructional materials college in prison programs are permitted to use, I asked practitioners from HEP programs to report and reflect upon their experiences with prison security clearance procedures.

Survey Methodology and Descriptive Statistics

Potential HEP program members were identified using the all-conference attendee email list from the 2018 annual conference organized by the *Alliance for Higher Education in Prison*. Attendees were invited to participate in the survey, which I created and disseminated using Qualtrics. Because the conference was open to various HEP stakeholders situated outside

of college programs (like formerly incarcerated students, scholars, activists, vendors, and corrections staff), I first asked respondents to affirm their affiliation as an HEP program member and willingness to participate in the survey. Of roughly 300 email invitations, I received a response rate of 13%. While a higher response rate would have been ideal, I attribute this to my initial pool including a large number of ineligible persons who did not meet the HEP program affiliate criteria.

In sum, 41 respondents including 21 self-identified HEP program directors, eight administrators, eight instructors, and four unspecified “others” participated in the survey. Programs from 19 states were represented, plus the District of Columbia.² Respondents reported serving in their roles from five months to over 20 years, with an average tenure approaching four years. Participants were first asked descriptive questions about their higher education institution, correctional facility partner(s), and academic programming (See Table 1 and Figure 1).

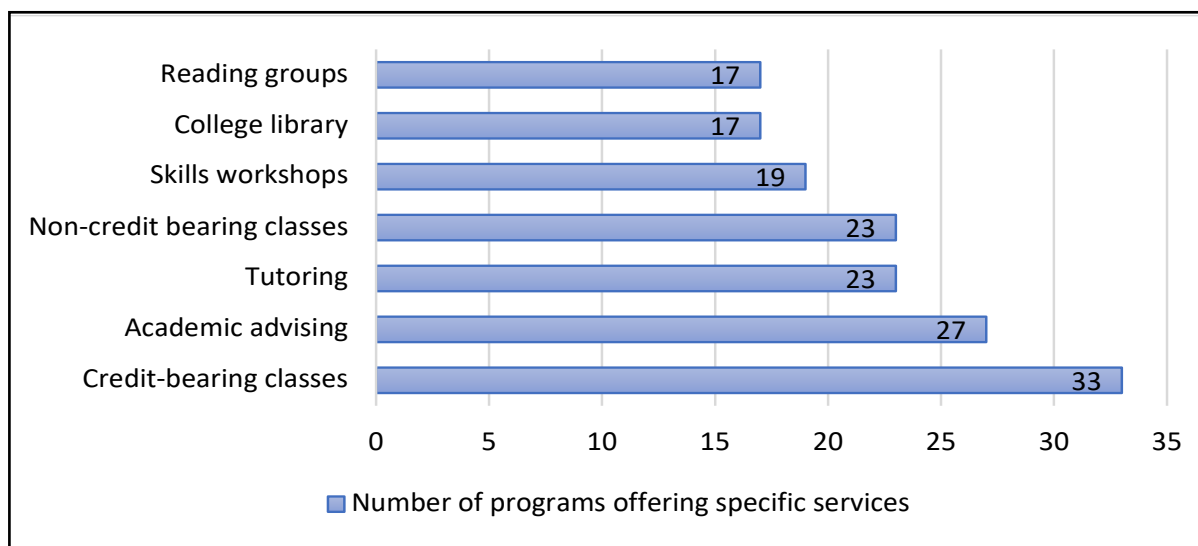
Table 1

HEP Program Characteristics by Numbers of Programs Reporting

College Type	Facility Type	Security Level	Census Region	Gen. Population	HEP Participants
Priv. 4 yr 17	State 38	Min. 4	Midwest 12	1 to 1000 10	0-50 13
Pub. 4 yr 11	Federal 0	Med. 23	Northeast 4	1001 to 1500 7	56-100 13
Priv. 2 y 2	Local 3	Max. 12	South 13	1501 to 2000 13	100-300 8
Pub. 2 yr 10		N/A 2	West 8	2001 to 5000 11	Over 300 6
Unsp. ³ 1			Unsp 4		Unsp. 1
Total Responses: 41					

Figure 1

Academic Activities Supported by College in Prison Programs



I next asked respondents to report and reflect upon the security screening protocols and content rules set forth by their local prison or state department of corrections (DOCs) for instructional materials used by their programs.

Survey Results

First, I asked respondents if their program’s instructional materials were required to undergo a security screening process before being permitted inside their partner prison facility.

² States represented: Alabama, California, Florida, Georgia, Illinois, Maryland, Massachusetts, Michigan, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oregon, Tennessee, Utah, Virginia, Washington, plus the District of Columbia.

³ Some respondents did not provide answers for every question, so blank responses are reported as “unspecified” or “Unsp.”

I also asked respondents to estimate the length of time it typically takes to receive decisions (if applicable). I report responses to these questions in Table 2.

Table 2

Security Screening Procedures, Revisions, and Wait Times for Instructional Materials

Screening required		Overseen by		Frequency of changes		Avg. approval times	
Yes	27	Wardens	27	Never	11	< 1 week	8
No	8	Security Staff	12	Once	8	1-2 weeks	2
DK	4	State DOC	10	2x or more	20	2-3 weeks	12
		Review Board	4			4-5 weeks	7
						> 6 weeks	0
						DK or N/A	10
Total Responses:39							

The vast majority of programs submit materials for security screening, with prison management and staff most frequently overseeing this process. Notably, state departments of corrections were four times less likely to be involved with security screening than prison personnel, while independent review boards only rarely participated. This comports with the expectation that local prison authorities wield the greatest day-to-day influence over which HEP program materials are approved, as well as the timeline for decisions. Security clearance processes were also often altered, lending support to the observation that procedures are “constantly changing” (Craft et al., 2019). Additionally, the modal wait time for security clearance of instructional materials was two-to-three weeks, but almost as many (seven) programs expected to wait a month or longer for materials to be cleared as those (eight) that could expect decisions within a week. This finding raises questions regarding the source of such variance across facilities and how it might affect program quality and implementation.

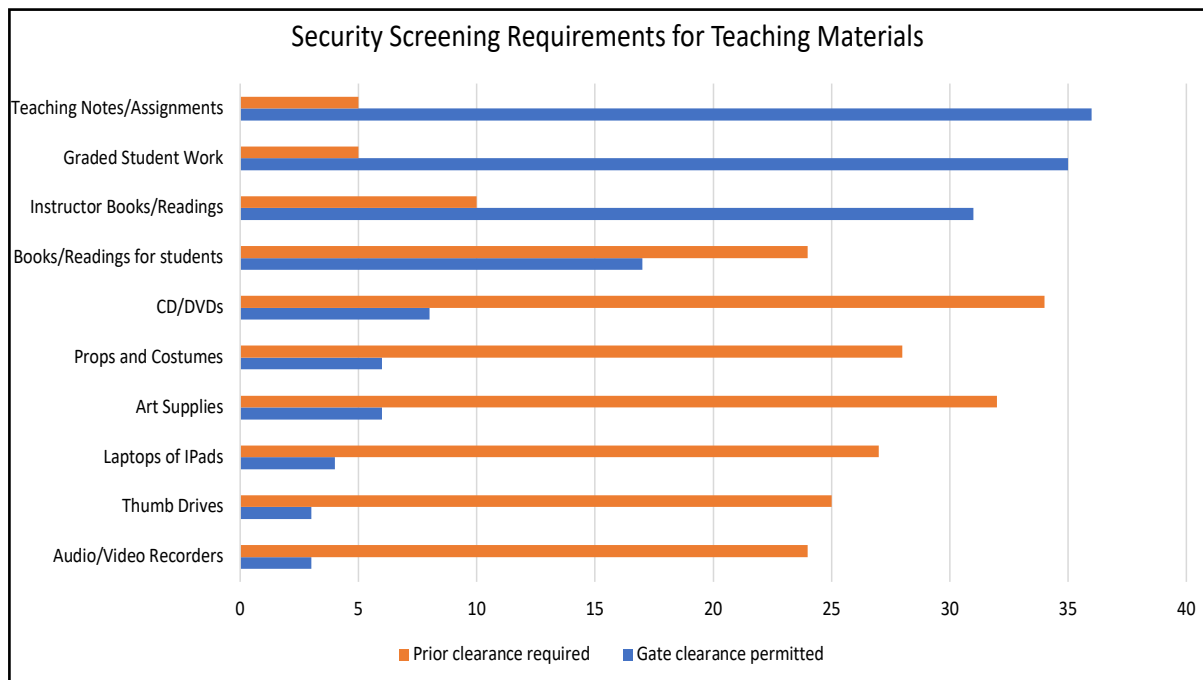
To explore how the functioning of a college program might be impacted by these procedures and wait times, I next asked respondents to list which materials were permitted, both with prior security approval (through the process described above), or through a routine “gate check” by staff at the entrance of the prison (See Figure 2). According to respondents, frequently utilized materials like graded student work, assignments, teaching notes, and instructor copies of readings are almost always reviewed at the facility entrance. This should enable a conventional academic workflow in which instructors distribute materials to students with regularity, and teach lessons using instructor notes and readings cleared at the front gate.

Conversely, when such items must be previously cleared through security screening, excessive wait times may interrupt the pacing of an academic course. For instance, when instructors are required to submit teaching notes and/or graded student work for a formal review before bringing them into the facility, they must tack on the additional time it takes for these materials to be approved into their instructional workflow. This may potentially cause delays in students receiving feedback on tests or assignments, or additional prep work for an instructor who must plan their lessons out multiple weeks or more in advance. Or, as observed in the *Rockefeller Institute* report, “Failure to plan ahead or communicate changes in instructional materials well in advance to prison officials can result in faculty being turned away or classes being cancelled,” (Craft et al., 2019, p. 12). In light of these observations, the academic workflow is presumably least impacted when certain materials are permitted to be approved at the gate.

Moreover, the HEP program administrator suggests that security screening protocols indicate the potential threat level associated with various instructional materials. For instance, students’ books are among the most closely monitored items, with 95% of prisons requiring prior security approval, compared to just one-quarter for instructors’ books. (See Figure 2).

Figure 2

Programs Reporting Items Requiring Prior Security Approval Versus “Gate Clearance”



This aligns with research on prison book bans and library censorship suggesting that books available to incarcerated people tend to draw the most scrutiny. The results of the survey also indicate that while modality and school supply bans exist, content restrictions are far more prevalent, with half of respondents saying that content bans existed. (See Table 3).

Table 3

Policies Dictating Permissible Modality and Subject Matter

Modality Restrictions		Content Restrictions		School Supplies Banned	
Yes	12	Yes	19	Yes	12
No	25	No	19	No	25
Unspecified	1	Unspecified	0	Unspecified	1
Total Responses: 38					

Then, when asked to explain what types of content were restricted, three respondents noted that books including sexual, abusive, and/or violent content were disallowed, seven mentioned that a state law/DOC decides what is permitted, and four explicitly mentioned a state-maintained banned books list. When asked to elaborate, one respondent commented that, “all sorts of things” were not permitted, while another noted that an entire course on “peace and justice studies” was not permitted. Then, one described the review process as such, “The warden alone approves or rejects. The process appears to be surface-level,” while another observed:

The state has asked that our program refrain from discussing capital punishment in our coursework. However, there is no formal approval process for the content the program brings into the prison in our courses. There is an approval process for the types of materials (no hardcovers or spiral notebooks, etc.), but the content is not reviewed.

On the subject of banned content, one respondent remarked, “There is a list of books that are not permitted, or so I’ve been told, but I’m not sure that it actually exists.” They provided the example of the book, *Between the World and Me* by Ta-Nehisi Coates (2015) being initially banned by local prison authorities, but then permitted upon appeal.

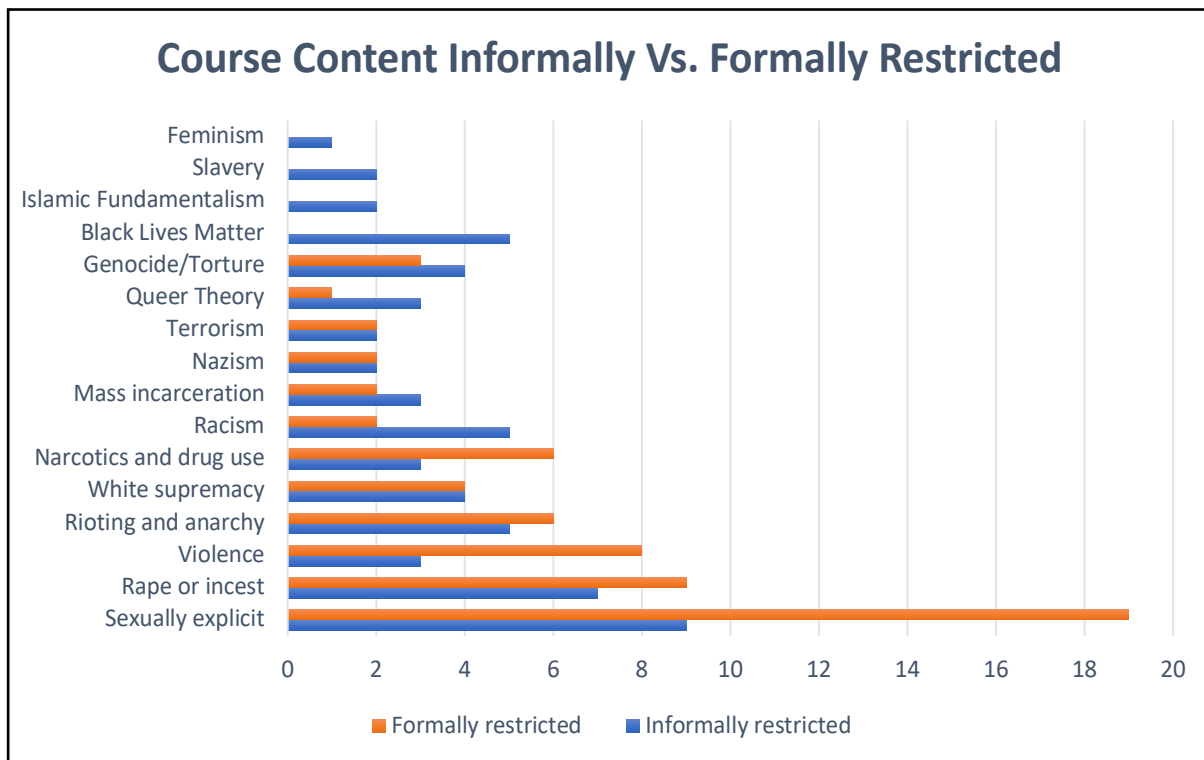
Such findings indicate that a patchwork of policies, practices, and correctional actors, especially wardens and prison security staff, dictate permissible content of HEP program curricula. While respondents commonly acknowledged that sexual and violent content are generally disallowed, and that in some cases lists of banned material exist, they expressed limited knowledge of what is formally banned. Moreover, several comments highlight informal restrictions by prison authorities in the form of being told not to address a particular topic (capital punishment) or having a specific book denied security clearance (*Between the World and Me*). Such observations raise questions about how decisions regarding acceptable versus inappropriate content are made.

To explore this, I asked administrators to identify subject matter that had been either formally restricted through a categorical ban, state law, administrative directive, or banned book list, or informally restricted through security screening denials, removals, redactions, or other ad hoc restraints. I provided respondents a closed set of topics and invited them to select all that applied. I derived this list from research and reporting on prison books bans and library censorship (Arford, 2013; Craft et al., 2019; Nickeas, 2019). I report my findings in Figure 3.

The most noteworthy finding is that while many programs reported the expected bans on content related to violence, sex, and drugs, respondents also reported informal restrictions imposed on content related to mass incarceration, rioting, racism, and gender and sexuality. The prevalence of informal restrictions on topics directly related to race like Black Lives Matter, slavery, and racism was especially noteworthy and aligns with an observation by Rob Scott, director of Cornell's Prison Education Program, quoted in the *Rockefeller Institute* report:

They [prison officials] don't want us to come in and rile people up to start fighting back against the basic operation of day-to-day life in the prison...a book that raises issues of the searing legacy of racial discrimination in America might be taken as provocative of ... resistance in a given prison. (Craft et al., 2019, p.12)

Moreover, overall, there were simply more subjects that were informally restricted compared to those that were formally banned. This suggests that prison managers are less heavy-handed in their policy and more reliant upon "street-level bureaucrats" to implement policy, and that prison staff may informally restrict particular materials from being taught in prison, even if there are no stated policies barring such material from being used. (See Figure 3.)

Figure 3*Subject Matter Historically Restricted through Policy or Practice***Discussion: Reconciling Clashing Institutional Priorities to Strengthen Partnerships**

My study highlights variation, as well as noteworthy patterns, in the experiences of HEP programs situated across the United States. These are valuable contributions, especially as more American colleges and prisons form partnerships to deliver higher education to incarcerated persons. Disagreements over what can be taught in college in prison are a potential locus of conflict that warrants the attention of scholars, practitioners, and other HEP stakeholders. Establishing and maintaining such partnerships therefore requires actors from corrections and higher education to reconcile their overlapping, yet potentially clashing priorities.

In particular, the survey sheds light on the subject matter that draws heightened scrutiny from prison personnel. Materials engaging topics related to race, criminal justice, and gender and sexuality were more often subject to informal restriction, while sexually explicit, violent, or drug-related materials were more frequently banned by a formal policy. Such findings comport with previous accounts of disagreements over and censorship of library materials and college curricula about racism, civil rights, Black history, and Black thought (Arford, 2013; Gaines, 2019; Gaines & Herman, 2019; Kendall, 2019; Nickeas, 2019; Zaveri, 2019).

By expanding the scope of analysis to a larger subset of HEP programs, rather than concentrating on a single program or allegation of censorship, I have shown that informal interference with curricula often happens in a patterned way. However, some HEP administrators describe highly restrictive environments in which prison authorities are perpetually leery of their curricula, while others describe relatively permissive environments where course materials are expeditiously approved. Given this, what explains such variation in experiences?

One might look to formal policy differences, since prisons follow facility rules or state laws restricting books about drugs, sex, and violence. However, the central conflict illuminated by the survey, then, is not a preponderance of overly burdensome, unreasonable content bans. Rather, it is the prevalence with which such restrictions occur outside the bounds of formal policy. This is evidenced by the frequency of HEP programs reporting informal restrictions over

their curricula. In particular, institutional priorities and values apparently clash when prisons seek to restrict HEP curricula engaging questions of race and racism. Understanding the apprehensions that guide such decisions is essential to the proper functioning of HEP programs. For instance, why might classic American Literature texts like Stowe's (1852) *Uncle Tom's Cabin* and Twain's (1885) *Adventures of Huckleberry Finn* raise security concerns at one prison, but not another? Prison authorities are sanctioned to restrict access to materials deemed "detrimental to the security, good order or discipline of the institution" (Blackmun, 1989). Does this explain why books about slavery and racism are sometimes locked out of the curriculum, because prison staff worry this might encourage insubordination, subversion, and/or violence among the general population? And if so, what beliefs about incarcerated persons, criminal justice, and higher education undergird such concerns?

I conjecture that such beliefs have enormous potential to inform decisions made by prison authorities regarding what incarcerated students should be permitted to study. This is informed by Lipsky's (1980) observations about policy implementation in bureaucracies. The beliefs of so-called "street-level bureaucrats" may influence the implementation of security policy in the prison bureaucracy setting in the following ways. First, prison wardens and security staff exercise considerable autonomy from their state Department of Corrections in carrying out the daily functions of the prison, which are centered around maintaining carceral order and security. Next, when an HEP program is introduced into the bureaucracy, prison staff bear the additional responsibility of carrying out HEP program functions, including but not limited to security screening of curricula. Finally, street-level bureaucrats are expected to find creative ways to manage their expanding workloads in a context of finite time and resources (Tummers & Bekkers, 2014).

When an increased workload arises from assisting a higher education program, I argue that the likelihood that prison staff will engage in "bureaucratic shirking," i.e., willfully neglecting their duties or working against the goals of the HEP program, is related to how prison staff feel about the endeavor (Brehm & Gates, 1997). There are good reasons to expect some prison staff to feel ambivalence, if not outright hostility, toward the presence of an HEP program in their midst. The endeavor of extending higher education access to incarcerated persons has been hotly contested in American society, politics, and public policy for decades. For instance, Federal Pell Grant eligibility rules illustrate fickle political support for the expansion or retrenchment of prison-based higher education.

When the federal Pell Grant was established in 1972 as a need-based college aid program, incarcerated people who met the income qualifications were eligible to receive the grant. Such monies were used to establish college in prison programs in prisons across the United States. For roughly two decades, these programs flourished. In the 1990s, however, the national political climate took a punitive turn. Primetime television news programs *60 Minutes* and *Dateline NBC* aired sensational segments, *Prison U* and *Society's Debt?* which served to inform (and enrage) the American public about the countless "criminals" receiving a taxpayer funded college education from prison (Page, 2004).

Congressional Republicans quickly demanded that people in prison lose their Pell Grant eligibility, and made adding this provision a sticking point in their support for the omnibus Violent Crime Control and Law Enforcement Act of 1994. According to Page's analysis of Congressional debate on this issue, members of Congress offered five core rationales to justify barring people in prison from receiving the Pell grant:

- (1) Convicted felons diverted federal educational dollars from the people that the politicians believed the grant program was designed to serve.
- (2) Most prisoners were incapable of rehabilitation and were cheats.
- (3) The Government already funded enough rehabilitation programs.
- (4) [G]iving convicts a free education increased crime, for it made prison a

viable alternative to the streets for potential criminals.

(5) The “rewarding” of prisoners with a college education was unfair to crime victims and their families. (Page, 2004, pp. 363-366)

In the immediate aftermath of passing the 1994 Crime Control Bill, including the Pell reform, most HEP programs were shuttered because they had been funded through Pell. Resultantly, enrollment in postsecondary education in prison programs decreased 44% in 1995 to just over 21,000 incarcerated students, and by 2004 only 7% of incarcerated persons in US prisons took college courses, down from a high of 14% in 1991 (Tewksbury et al., 2000). This was the intended outcome, as lawmakers sought to bring federal policy in line with the public’s hostile attitudes toward “prisoners” receiving free college.

Rationales similar to those made by lawmakers who supported restricting the Pell Grant could easily be proffered by prison staff to justify restricting certain HEP program curricula. Moreover, skepticism about the usefulness of college courses generally, and certain topics specifically, is arguably rooted in beliefs about the capacity of incarcerated persons for rehabilitation, critical thinking, and emotional maturity. Related to this exist concerns that certain ideas might create agitation, violence, or unrest. In other words: *What are they going to do with these ideas...And what are these ideas going to make them do?*

I contend that security clearance policies for HEP program curricula—and their implementation—are unavoidably influenced by the attitudes of street-level bureaucrats, i.e., the prison personnel making such decisions. Following this, future studies of security clearance processes and disputes over instructional materials should examine how societal and individual attitudes about criminal offenders, criminal justice, and higher education factor into such policies and their implementation. Examining national policy changes is a good starting place to locate such attitudes.

For example, changing sentiments toward college for people in prison began to materialize in federal policy in 2015, when the Obama administration initiated the *Second Chance Pell Grant*, a pilot program that reinstated Pell for incarcerated people at select prison sites, and then again in 2018, when the Trump administration reauthorized the pilot. Then, in December of 2020, a provision to broadly reinstate Pell eligibility for people serving sentences in state and federal prisons was quietly folded into a \$900 billion Covid-19 stimulus package. At the time of writing, hopes for the expansion of federally-supported, prison-based higher education have been bolstered by the restoration of Pell eligibility.

In the meantime, I contend that understanding and countering any attitudes that compel some prison managers and staff to subject particular books or ideas to informal restrictions is important to the flourishing of higher education in prison programs. Being socialized into an organizational culture that motivates staff to fulfill their duties has been identified as key to preventing bureaucratic shirking (Bellé, 2015; Buelens, 2017). Corrections staff at the nexus of a partnership between a college and prison may feel conflicted if asked to carry out functions that support the former while undermining the latter. They may also harbor punitive ideologies that lead them to oppose the benefits of college being extended to incarcerated people. Such views may also inform their security clearance decisions. Recognizing the role of street-level bureaucrats in policy implementation is therefore essential to the success of the project.

HEP programs and their correctional partners share overlapping, yet potentially conflicting priorities. Given the inordinate discretion that prison authorities exercise over security screening protocols for HEP program curricula, ideological clashes between college and prison staff present a potential barrier to collaboration in the endeavor of providing high quality HEP. To sustain support for college in prison programs, the project must be undergirded by a shared set of beliefs regarding the humanity of incarcerated people, their intellectual capabilities, and their capacities for ethical behavior and critical thinking when confronted with complex, controversial—even “threatening” ideas in the classroom. In acknowledgment of this, as well as

the observation that most exercises of censorship occur informally rather than through outright bans, prison education stakeholders should advocate for higher education as a public good with transformative potential. Educating the broader public (and prison staff) with success stories arising out of HEP programs is an important starting place. Books, documentaries, interviews, and promotional materials that humanize incarcerated and formerly incarcerated persons are one way to demonstrate the importance (and relative harmlessness) of incarcerated people being able to study the same complicated, controversial topics as college students at traditional campuses.

In the absence of a widespread shift in attitudes, some prison managers and staff will continue to censor books and instructional materials with impunity. The proponents of higher education in prison must identify and challenge arbitrary exercises of power, while advocating for fair and transparent procedures. Nonetheless, even when policies are enshrined, street-level bureaucrats are responsible for implementing them, and they take their cues on higher education in prison from the broader society. Shoring up public support is therefore essential to minimizing conflict, strengthening partnerships, and expanding the set of shared institutional priorities so that college in prison programs may flourish.

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