



## TESTIMONY TO THE SENATE JUDICIAL COMMITTEE

### HB1311 - Higher Education – Student Financial Assistance for Incarcerated Individuals

**Position: Favorable**

**By: Linda T. Kohn, President**

**Date: April 1, 2026**

The League of Women Voters of Maryland (LWVMD), a nonpartisan organization, favors policies that provide an equitable and quality education for all. Accordingly, the LWVMD supports HB1311, which extends financial support for postsecondary education to the state’s incarcerated students.

HB1311 establishes that individuals who are incarcerated in Maryland are exempt, subject to certain conditions, from paying tuition at the state’s public higher education institutions. To be eligible, an incarcerated student must apply for available federal and state financial aid, excluding student loans. The bill’s exemption will cover the remaining tuition balance after other received financial aid is applied.

Incarcerated students are eligible for federal Pell Grants. This option took effect in July 2023 through the FAFSA Simplification Act, ending the nearly 30-year prohibition on need-based federal postsecondary financial aid for incarcerated people. According to the Act, the federal government allows eligible incarcerated students to receive Pell Grants as long as they are enrolled in a U.S. Department of Education-approved higher education prison program (HEP). Under the law, “confined or incarcerated” refers to an individual who is serving a criminal sentence in a federal, state or local penitentiary, prison, jail, reformatory, work farm, juvenile justice facility or other similar correctional facility.<sup>1</sup>

However, in practice, incarcerated students are ineligible to access state funding for student aid. Colleges and universities cover the cost of tuition and fees after Pell Grants are awarded, as these Grants do not cover the full cost, and incarcerated students cannot be charged for the award difference. This is a financial burden that colleges must fund through philanthropic grants or institutional support. Additionally, colleges that run HEP programs

---

<sup>1</sup>U.S. Department of Education. (2023, March 29; Updated 2024, September 30). *GEN-23-05: Eligibility of Confined or Incarcerated Individuals to Receive Pell Grants*. Federal Student Aid Knowledge Center. <https://fsapartners.ed.gov/knowledge-center/library/dear-colleague-letters/2023-03-29/eligibility-confined-or-incarcerated-individuals-receive-pell-grants-updated-sept-30-2024>

are required to secure funding for operational costs. While some colleges that operate Maryland HEP programs have been successful at sustaining their programs, others have been unable to do so. Lack of funding has been a barrier for any new college seeking to start up a HEP program.<sup>2</sup> In addition, the U.S. Congressional Budget Office has predicted a cumulative 10-year shortfall for the Pell Grants.<sup>3</sup>

Maryland provides some support for incarcerated students enrolled in some programs through a grant for regional education hubs, the Inmate Training and Job Pilot Program, and in the case of bachelor degrees, a partnership with the University of Maryland (USM) system.<sup>4</sup>

HB1311 expands access and affordability for prisoners' higher education through the tuition exemption. Educational programs have been shown to reduce recidivism and promote more successful transitions back into communities for adults returning from incarceration. Nevertheless, currently incarcerated students continue to face barriers to receiving high-quality postsecondary education. HB1311's tuition benefit is a necessary component for expanding access to higher education for those convicted of a crime.

For this reason, LWVMD supports a **Favorable** report on HB1311.

---

<sup>2</sup>Governor's Office of Crime Prevention and Policy. (June 30, 2025.) Prison Education Delivery Commission 2025 Report House Bill 877/Chapter 110, 2025. <https://gocpp.maryland.gov/wp-content/uploads/2025/06/2025-06-30-Prison-Education-Delivery-Reform-Commission-2025-Report.pdf>, p.10

<sup>3</sup>Committee for a Responsible Federal Budget. *Pell Grant Program Faces Serious and Immediate Shortfall*. (Feb. 20, 2026). <https://www.crfb.org/blogs/pell-grant-program-faces-serious-and-immediate-shortfall>

<sup>4</sup>University System of Maryland. (2025, October 31). *USM awarded \$4.1 million grant to support prison education programs*. <https://www.usmd.edu/newsroom/news/2517> <https://www.usmd.edu/newsroom/news/2517>