



# Mapping the Landscape of Higher Education in New York State Prisons

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# Preface

It has been our privilege to have the opportunity to conduct this research. In doing so, we developed an even greater appreciation for the college-in-prison programs in New York State and for the initiative, vision, passion, and commitment of the many people responsible for the creation and operation of these programs. We also came to believe that New York is at a crossroads, and that effectively harnessing the growing interest and support for college-in-prison programs will require a deliberate planning process to create a more comprehensive, integrated, and sustainable system.

As detailed in this report, New York has an amazing portfolio of college programs that were developed after the elimination of Pell and TAP (Tuition Assistance Program) eligibility for incarcerated students. Both the Department of Corrections & Community Supervision (DOCCS) and the higher education community stepped up to mitigate the loss of so many programs. The result is an eclectic mix of 15 different college programs involving over 30 institutions of higher learning that are providing college programs in 25 prisons, or roughly half of the state's correctional facilities.

Of the participating colleges, roughly two-thirds are private institutions and one-third belong to the public university systems of SUNY and CUNY. All of the college programs detailed in the report grant credits for the courses they provide in prisons, although there are other colleges providing non-credit-bearing courses in some prisons as well. Some programs enable people to earn degrees while incarcerated, while others have a reentry focus and are designed to have people begin college in prison and complete their degree in the community.

Most programs are clustered around the city and only a few reside in upstate prisons. Each college program has determined which courses and how many credits to offer, and is responsible for creating its own library, establishing a computer lab, providing academic advisement, and, in some cases, assisting students in reentry planning and enrollment after release. There are significant differences among programs in their academic offerings, the credits and degrees that a student can earn, and the resources that support the program.

It is impressive that programs and correctional facilities have achieved so much in the years since Pell and TAP funding ended. Support for college-in-prison programs is strong and growing. The recent infusion of funding from the Criminal Justice Improvement Initiative of the District Attorney of New York (DANY) and Second Chance Pell pilot program has added badly needed resources to part of the system. There is also optimism that Washington may restore Pell eligibility for incarcerated students and that Albany might expand TAP eligibility to incarcerated students.

We need a plan if we are to ensure that the growing support for college in prison results in a better system of college in prison in New York State. Right now, the opportunity to participate in a college program depends largely on where an individual is incarcerated, whether the facility has a college program, whether that program has a slot, and whether the program aligns with the individual's interests and academic goals. As a matter of equity, college should be available throughout the entire state prison system and incarcerated people should have access to reasonably similar course offerings and academic supports.

College-in-prison programs in New York State are fully responsible for funding themselves and have relied upon philanthropic money and donated services to survive. This is a vulnerability. Foundations' funding interests change over time. And programs initiated by individual faculty may lack the real institutional commitment that will sustain them. Program existence can therefore be tenuous and there is no assurance that the programs on which the state relies will continue from year to year.

Importantly, the DANY Initiative focused on some systemic issues for the seven college programs it funds, including academic quality control, ensuring transferability of credits, and equipping the providers to assist their students

with reentry. Their efforts and the premises below provide a starting place for considering what it would mean to reframe individual programs into a system.

- Someone’s ability to pursue higher education while incarcerated should not depend on where they happen to be housed. Rather, everyone should have the opportunity to maximize their educational progress during the time that they are incarcerated. Therefore, the availability of educational programs in facilities should be considered when individuals are assessed and assigned to facilities and college programs should be instituted in the facilities that do not currently offer higher education.
- College-in-prison programs should meet minimum academic standards, including the number of credits that can be earned and possibility of earning a degree or degrees. There should also be minimum standards for the resources that support college study: libraries, computer labs, and areas appropriate for studying. Transferability of credits among college-in-prison programs and to SUNY and CUNY, and academic quality control are also system-wide issues.
- Lastly, education should be recognized as an important component of reentry and this should be reflected in pre-release information and services, as well as in available supports in communities to which people are returning.

New York has a unique and rich landscape of college-in-prison programs; we also have some gaps and vulnerabilities. To create a more comprehensive, integrated and sustainable system will require leadership and investment from the state. Planning should start now.

Ann Jacobs  
Marsha Weissman

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The execution of this project would not be possible without the contributions and insights of our peers and partners who believe that education is a fundamental tool for access to success. The full participation of every college-in-prison program in New York State is no small feat! It is a testament to our shared values, commitment to access to higher education for all, and to the potential for a more coordinated statewide effort to increase access and success for incarcerated students. Thank you: Bard Prison Initiative (BPI), Bennington College – Prison Education Initiative, CUNY – Prison-to-College Pipeline (P2CP), The Columbia University Prison Education Program, Cornell Prison Education Program (CPEP), Hudson Link for Higher Education in Prison, Marymount Manhattan College – Bedford Hills College Program, Medaille College, Mercy College, New York Theological Seminary, New York University Prison Education Program, North County Community College Second Chance Program, Nyack College, Rising Hope, St. Lawrence University Inside-Out Exchange Program, Siena College, SUNY Sullivan Community College, SUNY Genesee Community College, SUNY Jefferson Community College, Mohawk Valley Community College – College-in-Prison Program, SUNY Ulster Community College, and Vassar College: Inside-Out Program.

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# Executive Summary

## Introduction

New York State has long been a leader in education, both higher education and general education in prison, dating back to the 1800s. Following reforms implemented during the administration of Governor Franklin Roosevelt, New York State was later recognized as having the best prison education system in the country (Gehring 1997). At the heyday of higher education in prison, when incarcerated people were eligible for federal Pell and New York State Tuition Assistance Program (TAP) grants, there were 70 higher education programs in New York State prisons. The loss of financial aid eligibility for those programs created significant hurdles to college-in-prison programs, consequences of which still exist today. However, the creativity and ingenuity of college faculty and administrators, the commitment of New York State Department of Corrections and Community Supervision (DOCCS) officials and staff, support from private foundations, and the persistence and leadership by incarcerated people kept alive the vision of college programs in prison. There are now 15 college programs involving over 30 institutions of higher education operating in 25 DOCCS facilities. There is growing momentum to restore public funding for these programs as witnessed by the Federal Second Chance Pell Pilot and the funds provided by the District Attorney of New York Criminal Justice Investment Initiative (DANY CJII).

This report is intended to help state and local policymakers, institutions of higher education, DOCCS, advocates, and the general public understand the landscape of college education programs in prison, appreciate their value, and strategize about how to build on current success. The report describes the two systems – higher education and corrections – that are seemingly distinct, yet come together to provide access to college education for incarcerated people. We look at the challenges in meshing these two systems, how both corrections and college staff work to overcome problems, and what might be the next steps to build on the strong foundation of higher education in prison.

## Why it Matters

Higher education is essential in 21st-century America. The often-cited reasons are utilitarian in nature, relating to the development of human capital needed to advance economic growth. Much support for higher education in prisons is expressed in terms of a concern for public safety and the recognition that a college education reduces recidivism. This, in turn, can reduce spending on imprisonment, producing a saving for taxpayers. However, support for higher education does not just rest on a cost-benefit analysis. Rather, higher education has long been valued for its importance to preserving a democratic society – a deeply held tenet dating back to the foundation of the country. Higher education, whether for incarcerated students or students in the community, develops critical thinking skills that connect people to the world in expansive ways and help them become thoughtful, participatory citizens. Providing access to higher education to people in prison also positions them to be better parents and role models for their children even while incarcerated. Once released, formerly incarcerated people who attended college will be better situated to gain employment at higher wages, to encourage their children to achieve higher levels of education, and to be more informed parents with respect to the health and general well-being of their family.

There are also racial equity issues addressed by providing incarcerated people the opportunity to access higher education. The tragic, but undeniable, truth is that people of color are overrepresented in the criminal justice system and underrepresented in higher education. Black and Latino people are 36 percent of the total state population, 34 percent of the students enrolled in public colleges in the state (24% of SUNY students; 57% CUNY) but make up 73 percent of the prison population. Ensuring access to college in prison is a step toward greater inclusion of people of color in higher education. Making college possible in prison both leads to achievement of degrees for some students and increases prospects for enrollment in the community, particularly at SUNY and CUNY schools, whose missions include expanding access to higher education for marginalized populations.

## Method

We undertook this study through surveys of incarcerated college students, interviews with administrators of college-in-prison programs and DOCCS staff, and observations of many programs in operation. We also reviewed the literature on higher education in prison – its history and evidence of its effectiveness. The surveys, interviews, and observations are the backbone of this report.

## Findings

The data we examined in the course of producing this report underscore that college in prison is one of the most reliably rehabilitative activities that can be offered. The information provided by incarcerated students speaks to the fundamental value of education, i.e., the opportunity to explore new ideas and new worlds, and to have consciousness-expanding, transformative experiences. One student wrote:

*The college program has made my life fuller and more rewarding ... Being in college has made me realize how much potential I threw away. It has also taught me about my capacity to change and made me realize how much I took from my victim when I took his life. I don't think most people consider these revelations when they talk/think about education in prison.*

Students also reported that their participation in college improved relationships among family members, particularly children, a benefit that goes beyond the prison walls. Corrections officials and students themselves report that higher education also contributes to an improved environment within the prison itself, as incarcerated students are positive role models for their peers.

The literature we reviewed and information provided by the college-in-prison programs themselves strongly supports the theory that participation in college/earning a college degree while incarcerated is a “producer” of public safety. Depending on the study and program, recidivism rates vary from as low as 2 percent to about 15 percent, with each measure significantly lower than the general recidivism rates. For example, one program reports that only four percent of students returned to prison for any reason (new crime or parole violation) within three years following release, compared to a 40 percent rate for the total DOCCS population.

The findings drawn from our observations, interviews, and surveys underscore the strengths of college-in-prison programs in New York State, as well as opportunities to strengthen these vital resources. The key findings are as follows:

- College programs are valued by DOCCS administrators as an asset to the prison environment, by college programs administrators and faculty as an opportunity to live up to the college mission and to provide an intellectually fulfilling classroom experience, and by incarcerated students as the most productive way to serve their sentence and a life-changing opportunity.
- College-in-prison programs in New York State have benefitted from the entrepreneurial spirit of their founders and offer a range of choices and options that engage a diversity of students within the DOCCS system.
- Yet, access to college-in-prison programs is heavily dependent on whether an individual is assigned to a prison with a college program, whether they meet the eligibility criteria of the particular program at that prison, and whether the program has available seats. As a result, enrolling in a college program while incarcerated is currently a function of chance instead of a prospective student's interest or ability.
- There are significant differences in the resources available to programs – including funding, staff support, space, and access to library materials and computers in facilities. There are also differences in the level and kind of support provided leadership – both in each prison and in each participating college – that affect the operation of college-in-prison programs.

## Opportunities for the Future

Based on the literature review, data, interviews, surveys, and observations conducted through our research, we considered how college programs in prisons might be strengthened and how more incarcerated students could take advantage of these programs. Our recommendations are intended to complement and build on the tremendous work done so far and the diversity of programs that exist. The suggestions are in fact built on the promising practices we have observed and offer ways to disseminate the policies, procedures, and practices that respond to the needs of students as well as of college administrators, faculty, and DOCCS. There are opportunities for growth within DOCCS and the college programs that depend on the collaboration of both. There is also a critical role for policymakers if higher education in prison is to be expanded.

## Opportunities for DOCCS

In 2006, the State Legislature amended Penal Law §1.05[6] in recognition that “the promotion of successful and productive reentry and reintegration into society” is a core goal of any sentence, including sentences that carry a term of incarceration. Under the amended law, increased significance is placed on breaking the cycle of recidivism by imposing sentences of a length and type that will promote successful reintegration and increase public safety. Facilitating college-in-prison programs is perhaps one of the most effective ways that DOCCS can contribute to this goal. There are a few key areas where DOCCS is uniquely positioned to realize their commitment to education and successful reentry:

**Assessment & Assignment:** Expand the educational assessments conducted by DOCCS during DOCCS intake to capture educational information including educational aspirations and, to the greatest extent possible, assign incarcerated people to prisons that have the appropriate educational services.

**Documentation & Data Collection:** Track the educational achievements of incarcerated people to document progress during incarceration and to document recidivism of people who earned college credits or college degrees during their incarceration. This information should regularly be made publicly available.

**Training and Support for Correctional Staff:** Include information about college programs in basic training and orientation of new employees, as well as in regular in-service training to staff. Engage DOCCS staff members who support higher education in prison to educate their co-workers; promote existing tuition reimbursement opportunities for DOCCS employees and provide college planning information that could be useful to staff with children; and acknowledge correctional staff for college graduations and other program achievements that take place in their facility.

**Supervise and Facilitate Access to College Programs:** Designate appropriate, accessible classroom, study, computer, and library space for college programs; ensure that staff facilitate student movement to classes; and establish a system-wide, rather than facility-based, designation of college programs that are accessible to all interested individuals;

**Rejuvenate Educational Release** as a meaningful temporary release program.

## Opportunities for Colleges

The engagement of colleges and universities in prison-based programs is aligned with the mission and purpose of higher education, that is, to make this valuable opportunity available to people from all walks of life. This is particularly central to public institutions. Through college-in-prison initiatives, college institutions enhance diversity and inclusion so critical to higher education.

**SUNY-Specific:** Given the relative geographic proximity of SUNY institutions to DOCCS facilities, SUNY should be encouraged to establish college programs in prisons that currently lack them.

**Administrative & Resource Support:** Provide adequate administrative support to prison-based staff, faculty, and students, including assistance in matters related to financial aid, registration, and obtaining transcripts for students. Enrich libraries and academic advisement. Offer tuition waivers to DOCCS employees who play instrumental roles in facilitating access to higher education in prison. A similar practice exists for staff within some human service organizations that accept and supervise interns.

**Academic Support:** Offer developmental or college readiness education courses to prepare people for college. Provide pre-release education planning that makes it more likely for people to attend college in the community after release.

**Reentry Support:** Work on efforts to make their campuses welcoming environments for people returning to the community after incarceration.

## Shared Opportunities for DOCCS and Colleges

DOCCS and college-in-prison programs have already built strong partnerships that have bridged institutional divides and allowed incarcerated people in 25 prisons across New York State to access higher education. Further collaboration can preserve the vibrancy of approaches while ensuring that promising practices are shared across programs and facilities for the benefit of incarcerated students.

### **Networking/Learning Communities:**

- Engage in cross training – provide information regularly and in a variety of formats (training sessions, manuals, meetings, etc.) so that both correctional and college staff members understand the institutional demands on and practices of the other system;
- Explore ways to provide and/or expand student access to electronic academic resources, such as calculators, computers, and lab equipment, which are available to campus-based students;
- Offer informational sessions for correctional staff to inform them about college opportunities, including financial aid for themselves and/or children;
- Develop an understanding among college providers about the needs of reentering students so that reentry-focused educational planning can be aligned with the requirements and challenges faced by newly released people.

**College Program – DOCCS Agreements:** Establish formal agreements between DOCCS and the college providers that address the following:

- Resources to be provided by the college;
- Resources to be provided by the DOCCS facility;
- Agreement to offer credit-bearing courses taught by qualified faculty and at a level consistent with the expectations of students in the community;
- Agreement on transfer of college credits among and between college-in-prison programs; and
- Agreement to accept academically qualified students to home campus upon release such as existed in and around 1981 as part of the Unified College Program.

**Documentation & Data Collection:** Standardize data collection and reporting to DOCCS that covers key information about the number and progress of incarcerated students participating in college programs.

**Course & Program Offerings:** Work to diversify course offerings that are responsive to (a) security concerns regarding equipment needed for math, science, and business courses; and (b) affords students a well-rounded education and access to different majors of study. Ensure that all incarcerated students have access to college programs regardless of time to release by allowing and sustaining different program models, i.e.,



reentry model programs that target people closer to release and degree-granting models that offer opportunities for people serving longer sentences.

### **Opportunities for Policymakers**

Policymakers, particularly elected officials, are in the best position to support and expand higher education in prison. In doing so, elected officials have a chance to forward a set of agendas important to all residents of New York State: development of social and human capital, ensuring all people have the opportunity to further their education, and strengthening democracy and public safety. Policymakers can play a leadership role in building public support for college-in-prison programs in several ways, including supporting public funding for higher education programs in prison, specifically restoration of TAP eligibility to incarcerated students. If not politically viable in the immediate term, they can: explore alternative public funding options; join with national efforts urging the restoration of federal Pell grants to formerly incarcerated students; bring together multiple legislative committees and executive departments concerned with health, employment, economic development, and education; convene and participate in public forums that educate New York State residents about the value of a college education in prison; and expand/build a network of educational reentry supports in the community.

