How Kalief Browder's Death Could Spark Prison Reform

By WILL ROSELIEF

A satellite image of Rikers Island, the correctional facility where Kalief Browder was held for over 1,000 days. Browder was eventually released, but committed suicide in early June.

Credit Wikimedia Commons

Jennifer Gonnerman on BPR, 6/17/15.
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Credit: Wikimedia Commons

Jennifer Gonnerman on EPR, 6/17/15.

Jennifer Gonnerman is a staff writer for The New Yorker. In 2014 she profiled (http://www.newyorker.com/magazine/2014/10/06/before-the-ive) Kalief Browder, a Bronx man who had spent more than 1,000 days in Rikers Island penitentiary while awaiting trial for charges relating to a stolen backpack (https://en.wikipedia.org/wiki/Kalief_Browder).

The reasons for Browder's prolonged incarceration were difficult to articulate. While in prison, Browder was beaten both by fellow prisoners and a Rikers Island prison guard. He spent long stretches in solitary confinement. After Browder was released he returned to his family, earned his high school degree, and entered community college. He also grew increasingly paranoid. Earlier this month, Browder committed suicide (http://www.newyorker.com/news/news-desk/kalief-browder-1993-2015).

Gonnerman joined Boston Public Radio Wednesday to talk about Kalief Browder, Rikers
Island, and how Browder's case is a clarion call for prison reform.

Questions below are paraphrased, and Gonnerman's answers are edited where noted [...].

When Kalief Browder was awaiting trial on Rikers Island, his court-appointed attorney kept telling him to take a plea deal, including one that could've let him go free.

He said, 'No, I'm not doing it, I'm not pleading guilty.' And it was that insistence on a right to a trial, which we all have, that kept him in.

He believed he was innocent?

He had become a little bit of a symbol for the fight for bail reform. [...] He wasn't kept there for three years because he couldn't afford bail. [...] They also had a violation of probation on him (for another minor matter), so they kind of put a hold on his case and the judge withdrew the bail. [...] There was no bail for those almost three years that he spent locked up.

He was only 16 when he entered Rikers Island, yet he stayed locked up that long?

A lot of the aspects of this case make no sense. [...] New York state and also North Carolina are where 16- and 17-year-olds [can be tried as adults]. That's why Kalief ended up in the adult system, and why he ended up on Rikers Island.

The severity of crimes doesn't always factor into whether someone who is incarcerated gets placed in solitary confinement.

It's almost unfathomable, but in fact, when they make decisions about which inmates they put in solitary confinement it doesn't have to do with [the severity of the crime].

He was locked up in the adolescent jail on Rikers Island, which last fall was the subject of a blistering report. [...] We likened it to Lord of the Flies. [...] Either join the gang, or be pummeled by others. [...] Kalief always told me, 'I wasn't in a gang, I was always by myself. I didn't have any friends.'

When you found out he had committed suicide, how did that affect you?

Like everybody who knew him, I'm extremely upset. [...] After he got out of jail [the first time] he got his G.E.D., he was enrolled in Bronx Community College. [...] Here was a young man who was trying to do the right thing, he was trying to have a normal life and achieve his goals, yet all the psychological [trauma] was too much.

Do you think being incarcerated for so long had a debilitating psychological effect?

He was struggling all the time with the demons, and the nightmares, and the flashbacks, [...] and yet despite all that he managed to find his way into college, and to do well. [...] In his last semester he actually wrote a paper — somebody sent it to me — it was about solitary confinement.

Do you see signs that things are changing in New York, both on Rikers Island and more generally in terms of juvenile detention?

Mayor De Blasio has been taking a lot of a vicious criticism about Rikers Island and the conditions there. [...] It seems that Kalief is now at the center of [many] different policy debates.

Will Browder's death impact our debate on prisons, juvenile detention and solitary confinement?

I certainly see more conversation, debate, and more movement and potential action than we have had in many years. [...] Hillary Clinton did give a speech about mass
Researchers detail program to reduce racially biased policing in Minneapolis

By norfinn | JUNE 17, 2015 — 5:05PM

National researchers presented to the Minneapolis City Council on Wednesday more details about a three-year, multi-million-dollar, federal program to study and reduce racially biased policing within the city.

During a City Council committee of the whole meeting, organizers discussed the National Initiative for Building Community Trust & Justice, a project launched at police departments in six cities including Minneapolis to try to build trust between communities and law enforcement especially in the wake of several high-profile, fatal shootings of black men and other incidents across the country.

The Department of Justice is teaming up with national law enforcement experts from John Jay College of Criminal Justice, Yale Law School, the Center for Policing Equity at UCLA, and the Urban Institute for the program.

"We know that disparities exist in policing everywhere," said Deputy Chief Medaria Arradondo. "We want to make sure that once again that we can identify those ... But we need an extra set of eyes and ears and the National Initiative folks and their team will do that for us."

Attorney General Eric Holder named the participating cities chosen out of a pool of about 100 in March, six months after announcing the initiative in the aftermath of the Ferguson, Mo., police shooting that sparked protests nationwide. The other participating cities are Fort Worth, Texas; Gary, Ind.; Stockton, Calif.; Birmingham, Ala.; and Pittsburgh.

The nearly $5 million project, which is spread across the six cities, is built around three key concepts: procedural justice, the idea that how individuals regard the justice system is connected to the perceived fairness of the process rather than its ultimate outcome, implicit bias, unconscious attitudes about people that can affect behavior, and racial reconciliation, a process in which law enforcement and and the community can acknowledge past mistakes and move beyond them.

Mayor Betsy Hodges met with program representatives Wednesday.

"This week the City of Minneapolis has undertaken another critical step in our work to achieve One Minneapolis, a city where your success and your safety is not determined by your class, race, or zip code," said Hodges, in a statement.

During the pilot project, researchers will survey the department as well as the community and provide specialized training to police. As data is analyzed,
recommendations can be offered and possibly implemented and evaluated on an ongoing basis, said Phillip Goff, co-founder and president of the Center for Policing Equity.

During the meeting, City Council members were favorable of the program though several had questions about the project's timeline, specifics about what its results would be, and concerns about inclusion of community members.
Tough Tests for Teachers, With Question of Bias

By ELIZABETH A. HARRIS  JUNE 17, 2015

Students are not the only ones struggling to pass new standardized tests being rolled out around the country. So are those who want to be teachers.

Concerned that education schools were turning out too many middling graduates, states have been introducing more difficult teacher licensing exams. Perhaps not surprisingly, passing rates have fallen. But minority candidates have been doing especially poorly, jeopardizing a long-held goal of diversifying the teaching force so it more closely resembles the makeup of the country’s student body.

“This is very serious,” said David M. Steiner, dean of the School of Education at Hunter College and a former New York State education commissioner. “It reflects, of course, the tragic performance gap we see in just about every academic or aptitude test.”

On a common licensing exam called Praxis Core, a new test given in 31 states or jurisdictions that was created to be more rigorous than its predecessor, 55 percent of white candidates taking the test since October 2013 passed the math portion on their first try, according to the preliminary data from the Educational Testing Service, which designed the exam. The passing rate for first-time African-American test takers was 21.5 percent, and for Hispanic test takers, 35 percent. A similar gap was seen on the reading and writing portions.
In New York, which now has four separate licensing tests that candidates must pass, an analysis last year of the most difficult exam found that during a six-month period, only 41 percent of black and 46 percent of Hispanic candidates passed the test their first time, compared with 64 percent of their white counterparts.

A federal judge is now weighing whether the test is discriminatory. Because of complaints from education schools that students have not had enough time to adjust, as well as concern about the impact on minorities, at least two states — New York and Illinois — have already postponed or loosened some of their new requirements.

Israel Ramos, who graduated from the education school at Lehman College in the Bronx, failed New York’s toughest exam three times, once, he said, by just a few points. While working as a substitute, Mr. Ramos said, he was asked if he would be interested in staying on for at least six permanent teaching positions.

“And on all those occasions, I had to turn them down because I lacked certification,” he said.

On the fourth try, he passed the test, and he is interviewing for several teaching positions.

Racial disparities have been seen on teacher licensing exams for years. They have become more pressing as states add tests or make them harder to pass, part of a national effort to weed out the least able candidates, who often wind up teaching the poorest students.

“Teachers who are not themselves well educated are not going to go on to educate their future students to the levels that we need,” said Kate Walsh, the president of the National Council on Teacher Quality.

But while the number of minority teachers has doubled since the late 1980s, according to an analysis of federal data by Richard M. Ingersoll, a professor of education and sociology at the University of Pennsylvania, the teaching force remains almost monochromatic: The federal Education Department has said that more than 80 percent of public school teachers are white.
For the first time, minorities accounted for more than 50 percent of the nation’s public school student population this academic year, according to government estimates. Though evidence is still sparse, some studies suggest that having a teacher of the same race may be beneficial for students.

Thomas S. Dee, a professor of education at Stanford who has studied the issue, said such advantages might come because students perceived teachers who looked like themselves, or who came from their own communities, as role models. There may also be unintentional racial bias at play in how teachers perceive students who are different from themselves, Dr. Dee said.

Linda Darling-Hammond, who is also a professor of education at Stanford, said that in devising new tests, “we need to be clear about what skills are necessary, rather than just trying to eliminate people from the pool.” Dr. Darling-Hammond helped design a new performance-based test for teachers, called the edTPA, which requires a portfolio of work including a video of the candidate in front of a classroom, but she is skeptical of the increase in testing over all.

“We’re kind of in a testing era in the United States,” she said. “If you have a problem, throw a test at it.”

The edTPA is one of the tests that teaching candidates in New York must now pass. Another one, the Academic Literacy Skills Test, or ALST, is being scrutinized in court. That test was designed to evaluate reading and evidence-based writing, to show the “teacher is capable of proficient, close, and critical reading that reflects wide, deep and thoughtful engagement with a range of high-quality, complex informational and literary texts,” preparation materials say. It was developed to ensure teachers can master the new Common Core standards for English; sample questions provided on a testing website include passages about energy policy and Gertrude Stein’s life in Paris.

Licensing tests have been challenged in the last couple of decades in several states, with varying degrees of success. In the New York case, Judge Kimba M. Wood of Federal District Court in Manhattan has already ruled
that two exams previously used in the state were discriminatory. The central question in these cases is whether the skills measured by the test are so crucial to the job of being a teacher that they outweigh the disparate impact on minority candidates.

But many public education officials view rigorous entrance requirements as crucial to improving student performance and ensuring a qualified teaching force in the face of uneven preparation programs. In a court document, an expert defending the ALST on behalf of the state is quoted as saying, “The purpose of a teacher licensure test is to protect the public from incompetent teachers.”

Leslie T. Fenwick, the dean of the Howard University School of Education, says that while she supports licensure assessments, she makes a case in her coming book, “Jim Crow’s Pink Slip,” that they have a sinister history. She says that certification exams, particularly in the Southeast, were part of a tool kit used to force black teachers out of the profession after the Brown v. Board of Education decision mandated desegregated schools.

Versions of licensing tests have, in fact, been around for better than a century. The education historian Diane Ravitch said New York City began teacher examinations in the early 20th century. As part of those tests, she said, an oral exam was included, in part, to weed out speakers with accents.

Students at the education school Mr. Ramos attended, at Lehman College, have not fared well on the new tests.

Harriet R. Fayne, the dean of Lehman’s School of Education, noted that English is not the first language of many Lehman students, who often come from less rigorous high schools with a high poverty rate — the kinds of schools that are difficult to staff, and where Lehman-educated teachers themselves often end up.

Dr. Fayne said that though the school was providing increased coaching and advising, “students are still asking themselves the question — and I think particularly students from underrepresented groups in the teaching profession — is this a path that I can take that’s likely to lead to success?”
Essay on death of Kalief Browder, a student at Bronx Community College

Submitted by Eduardo J. Marti on June 18, 2015 - 3:00am

Kalief Browder – one of my college’s students -- died June 6, 2015.

He took his own life.

Sadly, he never recovered from the experience of being imprisoned without bail for three years beginning at the age of 16, at Rikers Island, a New York City jail. He awaited a trial that never was because the charges were eventually dropped. Released at age of 19 and deeply scarred emotionally, he came to Bronx Community College of the City University of New York with the intention of becoming a productive member of our society. Enrolled in Future Now, a program for previously incarcerated students, he obtained a high school equivalency diploma and started as a liberal arts major last fall. Kalief completed 11 credits. While he struggled at first, he was doing much better this spring, when he finished the semester with eight credits and term grade point average of 3.562.

He was 22 years of age when he died. For Kalief we represented hope. Our campus served as an intellectual oasis for this fragile mind; his prospects of a good life were becoming defined and real.

Bronx Community College is located in the 15th Congressional District. It currently holds the distinction of being the poorest congressional district in the United States. The correlation between poverty and crime is well-known. The majority of our students are from this district and this neighborhood. They are different and unique from the students at four-year institutions and those at many other community colleges nationwide. If BCC is an emblem of hope in the Bronx, Rikers, as another city-run operation, is an emblem of despair. As a society, we must find a way to help these young people rather than letting them rot in jail until they are so damaged that nothing we do can save them.

Our hearts are broken today for Kalief. He represented who we are as a college, a place where many people who are wounded by the vicissitudes of life eventually find their way. We do save lives. But Kalief’s death reminds us that we may not always be able to resolve the internal struggles that members of our community are facing. We never know what demons lurk within our students’ minds.

Last year, the World Health Organization reported that 800,000 people die as a result of suicide worldwide every year. Forty-one thousand of those suicides occurred in the United States, a number that WHO indicates may be low due to underreporting and misclassification. WHO also reports that
there are indications that for each adult who dies of suicide, there are likely to be more than 20 others attempting suicide. It remains the second leading cause of death among 15- to 29-year-olds. Suicides of college students get much attention in the media, but most of the articles are about those at residential, four-year colleges.

Community college students are vulnerable. Many come to us with emotional burdens created by difficult situations. Students who did not do well in high school come to the community college expecting to have a reprieve from the mistakes they made in high school. They believe that coming to a community college is a second chance at doing what they, their parents and perhaps even society expect of them.

Some come believing that they don't belong but hope that, somehow, something great will happen to them. Suddenly, a light will turn on, and their lives will be changed forever. Others come understanding that they have the ability but that their study habits need to improve. Others come because people in their lives made them attend -- parents, family members or even a court order. Yet others come to save money so that they can afford to finish at their school of first choice. Many, usually adult students, come to be trained for a well-paying job after recognizing that their present lot in life is a dead end. Many students who themselves are children have children. Many are working one or two jobs and attempting to attend college on a full-time basis.

Some, like Kalief, were previously incarcerated. Others are undocumented and afraid. At Bronx Community College, just as is the case at other community colleges, we welcome all who are willing to work for a better life. They are real heroes in our present-day society, for in spite of all the problems they face, their grit, their determination, their willingness to make sacrifices so as to have a better life for themselves and their children drive them to succeed. The American Dream may be lost for some but it is alive and well for this population of students.

The current emphasis on outcomes rather than enrollments at the community colleges is yielding results. People are paying attention to providing effective academic and student support services for these students. The successes of programs such as CUNY's ASAP, LaGuardia Community College's learning communities, Queensborough Community College's Academies and many others have created a flurry of attention on the type of pedagogy needed to move these students more effectively through the curriculum. And, little by little, we are winning the battle against ignorance. Graduation rates are inching up, retention rates are improving.

Concomitantly, when we accept students under our open admissions policy, we accept the responsibility to address their educational and emotional needs. If we are to improve our graduation rates, we must put in place effective programs that address the myriad of problems affecting our students. We must attend to the fragile minds of damaged students. We must turn the academic and student support services upside down. The traditional model works well for selective colleges but not for community colleges. We must spend time and treasure diagnosing students' problems upon admission and we must create a "prescription" to address them as they progress through the curriculum. The term in loco parentis takes a different meaning at the community colleges.

Private philanthropy is answering the call. Kalief was part of Future Now, a program for previously incarcerated students that helped him get a high school diploma and provided peer mentoring, internships and individual tutoring. For 15 years, with the generous support of foundations and individuals, we have been helping students between the ages of 17 and 21. This program is a lifeline. But we need more. We must make the case for adequate support to help our students.

May Kalief rest in peace.

Eduardo J. Marti is interim president of Bronx Community College of the City University of New York.
The Watchdogs of College Education Rarely Bite

Accreditors keep hundreds of schools with low graduation rates or high loan defaults alive

Rachel Williams dropped out of Kentucky State University after piling up about $34,000 in federally backed loans. PHOTO: TAYLOR GLASCOCK FOR THE WALL STREET JOURNAL

By ANDREA FULLER and DOUGLAS BELKIN
June 17, 2015 10:30 p.m. ET

Most colleges can’t keep their doors open without an accreditor’s seal of approval, which is needed to get students access to federal loans and grants. But accreditors hardly ever kick out the worst-performing colleges and lack uniform standards for assessing graduation rates and loan defaults.

Those problems are blamed by critics for deepening the student-debt crisis as college costs soared during the past decade. Last year alone, the U.S. government sent $16 billion in aid to students at four-year colleges that graduated less than one-third of their students within six years, according to an analysis by The Wall Street Journal of the
latest available federal data.

Nearly 350 out of more than 1,500 four-year colleges now accredited by one of six regional commissions have a lower graduation rate or higher student-loan default rate than the average among the colleges that were banished by the same accreditors since 2000, the Journal’s analysis shows.

“They told me I could build a future there,” says Rachel Williams, 24 years old, who dropped out of Kentucky State University in Frankfort in 2013 because her family couldn’t afford the college anymore and she was losing faith in it. She amassed about $34,000 in federally backed loans.

Kentucky State has a graduation rate of just 18%, and nearly 30% of students who began repaying their loans in fiscal 2011 had defaulted within three years.

The Southern Association of Colleges and Schools Commission on Colleges reaffirmed Kentucky State’s accreditation in 2009. A preliminary report by the reviewers made no mention of loan defaults and praised Kentucky State for plans to improve its graduation rate.

College officials say they couldn’t find the final report and wouldn’t comment on the findings. The accreditation group doesn’t publicly release reports.

Belle Wheelan, president of the Southern Association, which is based in Decatur, Ga., and reviews colleges in 11 states, declines to comment on Kentucky State but says accreditors don’t follow “bright lines” when assessing performance because students enter college with different levels of academic preparation, resources and goals.

Accreditors say their job is to help colleges get better rather than to weed out laggards. Colleges pay for the inspections, which can cost more than $1 million at large institutions.

“You're not there to remove an institution,” says Judith Eaton, president of the Council for Higher Education
Higher Education

Average yearly tuition and fees at four-year colleges and universities

$30,000

Private: $26,465

20,000

Public: $8,471

10,000

0

1990 2000 2010

Note: In 2014 dollars. Dates represent the end of the academic year.
Source: The College Board

Accreditation, a trade group. “You’re there to enhance the operation.”

The government has relied on accreditors as watchdogs since the 1950s. Colleges are evaluated by teams of volunteers from similar institutions, who follow standards set by the accreditation group. For example, colleges sometimes are required to collect student-retention data but given the freedom to set their own goals for those numbers.

The accreditation system was born near the start of the 20th century as a voluntary effort by a small number of colleges to set standards for themselves. The colleges wanted to distinguish themselves from high schools.

The Education Department is barred by law from telling accreditors how to do their job. In 2013, President Barack Obama proposed tying access to loans and grants to a new ratings system that would compare colleges on measurements such as graduation rate, student debt and income after graduation.

Trying an end run

The proposed changes would essentially make an end run around accreditors. “We are concerned that accreditors are not doing enough to protect students,” says Ted Mitchell, undersecretary at the Department of Education.
Democratic and Republican lawmakers have voiced opposition to Mr. Obama’s plan, citing concerns about inadequate data.

Still, the current accreditation system is drawing more scrutiny as college costs climb farther out of reach for many American families. Outstanding federal student-loan debt has doubled to $1.2 trillion since 2007. In the past decade, the amount of loans and grants awarded annually has jumped more than 50% on an inflation-adjusted basis, reaching $134 billion last year.

The $16 billion sent last year to students at colleges that graduated less than a third of their students was nearly 20% of all the loans and grants to students at four-year institutions.

The overall graduation rate for four-year colleges is about 59%. About 11% of students at four-year colleges who started repaying their loans in 2011 defaulted by the end of 2013.

“It’s a national scandal that we’re pouring huge sums of money into schools with very, very low graduation rates,” says Richard Vedder, an economist at Ohio University and director of the Center for College Affordability and Productivity, a think tank.

At a Senate hearing Wednesday about the accreditation process, Sen. Lamar Alexander (R., Tenn.) said lawmakers have a duty to make sure students spend their federal aid at good colleges. “We need to find a way to make accreditation work better,” said Mr. Alexander, chairman of the Senate committee overseeing higher education.

Schools owned by for-profit college operator Corinthian Colleges Inc. were accredited until the company filed for bankruptcy in May. Corinthian wasn’t part of the Journal’s analysis because it primarily awarded two-year degrees.

The Obama administration said last week it will forgive federal student loans owed by thousands of Corinthian students at a potential cost of $3.5 billion.

“The collapse of Corinthian Colleges shows that we all need to do more for students to
ensure that quality is verified, students are protected and taxpayer dollars are well-spent,” said Sen. Patty Murray (D., Wash.) at Wednesday’s hearing.

The six regional accrediting organizations oversee more than 3,000 colleges. In the past 15 years, those accreditors have rescinded the membership of 26 educational institutions, including 18 four-year colleges.

The average graduation rate for four-year colleges that lost accreditation was 35% in the year before their removal. Those colleges had an average student-loan default rate of 9.3%. When accreditation was yanked away from a college, the move usually was for the college’s own financial problems, accreditors say.

To compare colleges that lost accreditation with institutions that still have it, the Journal examined federal data that track students seeking bachelor’s degrees at more than 1,500 four-year colleges accredited by the six regional organizations. Part-time and transfer students aren’t part of the government’s data, and colleges with fewer than 25 entering students weren’t included in the Journal’s analysis.

Through public-document requests, the Journal also reviewed the latest accreditation reports from more than 50 colleges with low graduation rates. Accreditors typically don’t make their reports public or disclose who evaluated a specific college.

At 11 colleges that have an accreditor’s seal of approval, the graduation rate was below 10% in 2013, the latest year for which figures are available. Twenty colleges had a loan default rate of at least 20% from 2011 to 2012, the most recent two-year period that is comparable to the average default rate at schools that lost their accreditation.

David Bergeron, a former acting assistant secretary for postsecondary education in the Obama administration, says graduation and default rates reflect “things that matter in the real world” and a college’s overall value.

The numbers are especially important given the shortage of data about job placement and earnings after college, he adds. Mr. Bergeron now is a vice president at the Center
How Accredited Colleges Stack Up

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EDUARDO MUNOZ/REUTERS

for American Progress, a liberal think tank.

Accreditors say self-oversight is the best way to protect quality in higher education, because academics have the necessary expertise and frame of reference to judge quality. The groups liken their role to unpaid consultants who keep colleges on track to meet their own goals.

A one-size-fits-all, government-driven approach would stifle the diversity that has made U.S. higher education successful, accreditors say.

"I want the federal government not to do this, so I am going to be as rigorous and objective and fair as possible," says Sandra Elman, president of the Northwest Commission on Colleges and Universities, overseer of more than 150 institutions.

Colleges with some of the worst graduation and loan default rates in the U.S. have received glowing reviews. "Students consistently reported, 'we love this place,'" reviewers wrote about the University of Maine at Augusta in 2007, citing "the caring and supportive faculty and staff."

The Commission on Institutions of Higher Education of the New England Association of Schools and Colleges renewed the college's accreditation through this year even though the graduation rate for students seeking bachelor's degrees hasn't topped 20% since 2004.

Barbara Brittingham, the accreditor's president, declines to comment on the review. The University of Maine at Augusta's interim president, Glenn Cummings, says the low percentage reflects the college's commitment to low-income, nontraditional students. "America is worse off if you stop investing in people who are fragile but want the opportunity," he says.

At Bluefield State College in West Virginia, accreditors from the Higher Learning Commission suggested in 2011 that new
electronic signs on campus might be difficult for students to read while driving, according to a copy of the report. The report didn’t mention the college’s graduation rate of 25% or less since 2006.

Barbara Gellman-Danley, president of the Higher Learning Commission, declines to comment on the report. Bluefield State President Marsha Krotseng says the numbers “don’t tell the whole story” because transfer students who graduate from Bluefield State aren’t counted toward its graduation rate.

The accrediting panel’s visit to Kentucky State took three days. Faculty members and administrators from other small colleges showed up on behalf of the Southern Association, interviewed teachers and staff members, reviewed reports and concluded that Kentucky State was up to their standards.

That made the historically black public college’s students eligible for federal loans and grants through 2019. Kentucky State students got $21 million in federal aid last year.

**A dropout in debt**

Ms. Williams, who moved to Frankfort from her tough Chicago neighborhood in hopes of a career in law, says the college’s low graduation rate leaves many students with little to show for their investment.

“When I look back on it, I realize they were mostly interested in my money,” she says. Kentucky State wouldn’t comment on Ms.
Asked if a college with a 10% graduation rate can do a good job, Ms. Wheelan, the Southern Association’s president, responds: “It can be a good school for those 10% who graduate.”

In 2008, Edison O. Jackson, then president of Medgar Evers College in the New York City borough of Brooklyn, led the review of Coppin State University in Baltimore. Coppin State’s graduation rate is 14%, while Medgar Evers has a graduation rate of 15% among students seeking bachelor’s degrees. Medgar Evers offers two- and four-year degrees.

Mr. Jackson says his experience at colleges serving mostly low-income, minority students helps him understand the challenges of similar colleges and provide useful advice about how they can improve. Officials at the two colleges say they are trying to boost the percentage of students who graduate.

Arthur Rothkopf, a former president of Lafayette College, says the relationship between accreditors and schools can be too “cozy.” While he was leading the Pennsylvania college, he was assigned by the Middle States Commission on Higher Education to review the U.S. Military Academy in West Point, N.Y.

Mr. Rothkopf says he was friends with the West Point superintendent at the time, and the two men had stayed in each other’s homes. He is now an adviser to the Education Department and has advocated for breaking the link between accreditation and federal aid.

Elizabeth Sibolski, president of Middle States, says accreditors don’t allow colleges to choose reviewers but do seek advice from the colleges on who is best-equipped to do a peer review. Conflict-of-interest policies prevent reviewers from being assigned to a college where they have close ties, she adds.

In April, a Journal reporter observed an accreditation review at Western Kentucky University in Bowling Green after agreeing not to disclose the content of the discussions. The reviewers were serious and focused, and the atmosphere was collegial.

Western Kentucky delivered souvenir-filled gift baskets to evaluators’ hotel rooms and treated the reviewers to steak dinners. “We didn’t do anything at WKU that I haven’t seen done at other institutions,” said Richard Miller, vice provost at Western Kentucky, where the graduation rate is 50%.
Stephen Roderick, former provost at Fort Lewis College in Colorado, says he now has misgivings about his 2013 review of Glenville State College in West Virginia for the Higher Learning Commission. The review team wrote that the college had a “responsible program” to minimize default rates and “demonstrates a commitment” to evaluating graduation data.

Glenville’s graduation rate is 30%, while about 22% of students defaulted on loans from 2011 to 2013. Both percentages rank near the bottom 10% of accredited four-year colleges. David Millard, assistant to Glenville’s president, says the figures reflect the opportunity offered by the college to students in one of the poorest parts of the U.S.

Mr. Roderick says accreditors are inclined to see the best in colleges like Glenville, but that might not be the best for students. "Sometimes I feel that we’re doing more harm than good," he says.

Write to Andrea Fuller at andrea.fuller@wsj.com and Douglas Belkin at doug.belkin@wsj.com
Calls Mount for Changes to Speed Criminal Cases to Trial

By JAMES C. McGINLEY JR.  JUNE 17, 2015

Two months ago New York State's chief judge, Jonathan Lippman, and Mayor Bill de Blasio announced an initiative to speed up the criminal cases of hundreds of defendants who have been jailed at Rikers Island for more than a year awaiting trial.

The effort, intended to reduce the population of the troubled jail complex and to address concerns about excessive incarceration, was given a poignant human face this month. Kalief Browder, a young man from the Bronx who was held at Rikers for three years before prosecutors dropped charges, committed suicide on June 6 — as he had tried to do five times in jail.

Since Mr. Browder's death, his history has seized the attention of the New York City criminal justice system, not only focusing attention on the efforts by the mayor and the state's chief judge to expedite old cases, but also lending new urgency to calls to revamp bail laws and raise the age of criminal responsibility.

The calls for change gathered steam on Wednesday as the City Council held a hearing on proposed reforms to the bail system, with witness after witness invoking Mr. Browder's name. At the same time, state court administrators released data showing that judges had made progress in reducing the backlog by moving cases to trial or working out plea bargains.
The hearing was called to consider a proposal to allocate $1.4 million for bail for poor defendants, and the Council speaker, Melissa Mark-Viverito, said Mr. Browder's story was "a wake-up call for many in our city about deficiencies in our criminal justice system, including our broken bail system."

Judge Lawrence K. Marks, the first deputy chief administrative judge, said that in the first two months of the initiative, judges sitting in special courts set up to address the backlog had cleared 42 percent of the 1,427 cases that Judge Lippman and Mr. de Blasio targeted. That has led to a 10 percent reduction in the number of defendants at Rikers who have been waiting more than a year for trial, officials said.

"The plane can't take off until the 20 ahead of you take off," Judge Marks said. "We are trying to get the planes at the head of the line to take off."

Besides reducing the current backlog, the mayor and the chief judge have formed committees of prosecutors, defense lawyers and law enforcement officials, led by each borough's administrative judge, to make recommendations on speeding cases to trial and reducing the time defendants spend in jail.

Nearly everyone involved in the effort says it will take fundamental changes in the way cases are handled, like how bail is set and what lawyers must turn over during the discovery phase of a case, to prevent the sort of prolonged pretrial detention that derailed Mr. Browder's life.

"Honestly, there is some fault in every element of the system," said Justice Robert E. Torres, the chief administrative judge in the Bronx, which has the largest backlog. "There is no judge in this building or under my jurisdiction who is not bothered by the length of time that it's taking to resolve these cases. We work really, really hard to try to move them along, but there are laws and there are rules we have to go by."

Previous efforts to reduce court backlogs have met with only limited success. Over the last two decades, the average time New York courts take to resolve felony cases has increased even as the number of arrests has declined.
generally, said Michael P. Jacobson, a former city correction commissioner who now heads the Institute for State and Local Governance at the City University of New York. “It’s going to be no easy thing to turn this ship around,” he said.

New York State has a speedy trial law requiring prosecutors to be ready for trial in most felony cases within six months or the case may be dismissed. Murder cases are excluded. In practice, however, the clock is stopped for all sorts of reasons, including pretrial hearings and motions, or if both sides consent to a delay.

In interviews, administrative judges trying to resolve the old cases said many delays stemmed from mundane logistical inefficiencies. Scheduling conflicts among busy defense lawyers, judges and prosecutors make it difficult to fix dates for hearings and trials, especially in cases with multiple defendants.

“You get attorneys out ill, you get prosecutors out ill,” Justice Torres said as he worked through a full calendar of old cases on Monday. “It’s a matter of puzzles and putting together schedules.”

Some boroughs have too few judges and court officers, and some courthouses lack enough interview rooms for lawyers to talk to their clients.

Robert T. Johnson, the Bronx district attorney, said shortages of judges and courtrooms drove most of the delays in his borough. “We are behind at almost all times,” he said.

Delays in transporting inmates from Rikers to court are a constant problem, slowing proceedings, judges said.

Some cases entail unavoidable slowdowns. Defendants with mental health problems, for instance, often go through examinations to determine their fitness for trial, and those exams can interrupt a case over and over. Insanity defenses also gobble up time for examinations by psychiatrists for both sides, judges said.

Cases involving DNA evidence often get bogged down as well. It can take months to obtain test results from a chronically understaffed medical examiner’s office, and defendants often wage a legal fight against orders to
submit a sample, leading to lengthy hearings.

Defense lawyers say the state’s discovery rules also fuel delays, especially in violent felonies. The discovery rules do not require prosecutors to release much evidence until the eve of trial, and defendants facing long sentences are often unwilling to negotiate a plea until they see how strong the state’s case is.

“On the serious cases, you aren’t going to push a case to trial unless you get discovery of what the evidence is,” said Justine M. Luongo, who oversees criminal practice for the Legal Aid Society. “The only thing you can advise your client to do is to wait.”

Postponing a trial is often a legal strategy, judges said. Defense lawyers slow down proceedings in the hope that witnesses will disappear or memories will fade, and prosecutors sometimes place a bet that extended confinement at Rikers will persuade a defendant to plead guilty.

In most of the boroughs, the administrative judges have transferred old cases into special court parts, mediating with both sides to try to reach a plea deal. If those efforts fail, the judges have only one tool to urge compromise during conferences with the parties: their ability to set a trial date.

To reach agreements on the old cases, Justice Matthew J. D’Emic, the administrative judge in Brooklyn, said he had been demanding that the district attorney’s office present the best plea offer it could, then telling the defense to be ready for trial the same day.

Justice Michael J. Obus of Manhattan said he followed a similar approach. “It’s a matter of saying to the parties: ‘You have had enough time. I’m setting the case down for trial,’ ” he said. “It’s like labor negotiations. Until they are forced to make a decision, some people don’t.”

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ACT drops popular Compass placement test, acknowledging its predictive limits

Submitted by Paul Fain on June 18, 2015 - 3:00am

ACT is phasing out Compass, a popular but controversial college placement test that colleges use to determine whether students need to take remedial courses.

Community colleges and nonselective four-year institutions rely heavily on Compass and Accuplacer, a similar test from the College Board. Both assessments are low-cost, computerized and relatively quick ways of assessing students' abilities in reading, writing and mathematics.

A 2012 study found that only one in five colleges use high school grades, class rank or any other criteria besides high-stakes standardized tests to decide whether students have remedial needs in mathematics. That number was only 13 percent for remedial English placement. And when students place into remediation, few ever make it to college-level courses, much less to graduation.

Yet the Community College Research Center at Columbia University's Teachers College in 2012 found that up to a third of students who placed into remedial classes due to their Compass or Accuplacer scores could have passed college-level classes with a grade of B or better.

That highly publicized research helped encourage some open-access colleges to begin using multiple measures to determine placement. Long Beach City College, for example, started incorporating high-school grades. More students at Long Beach began passing college-level courses as a result.

In the meantime, ACT saw a steep decline in Compass test takers.

Roughly 2.2 million students took the assessment in 2012. That number dipped to 1.9 million in 2013, and to 1.7 million last year, said Ed Colby, a spokesman for the nonprofit testing giant.

"A thorough analysis of customer feedback, empirical evidence and postsecondary trends led us to conclude that ACT Compass is not contributing as effectively to student placement and success as it had in the past," ACT said in an email last week to Compass users.

All versions of Compass, which was first created in 1983, will be eliminated by the end of next year, according to ACT.

The test's limitations in measuring college readiness were a factor in the decision, Colby said in an
interview. For example, many adult students who place into remedial courses with Compass might be able to thrive in college-level courses after taking a brief refresher on academic material that they haven’t seen for a while.

“We really believe that the solution has to be multidimensional,” he said, adding that noncognitive skills should factor into placement. “The tests themselves weren’t as effective at determining readiness as we would like.”

ACT is looking at “alternative solutions,” Colby said, and would release an update in coming weeks. “Our decision was to end Compass and to try something new,” he said.

The College Board did not return a request for comment on its Accuplacer test.

Judith Scott-Clayton is an assistant professor of economics and education at Teachers College. She wrote the two influential studies on the predictive limitations of Compass and Accuplacer.

“It’s a brave decision,” Scott-Clayton said of ACT’s move. “There’s clearly continuing demand for these placement tests.”

The placement assessments have value when they are used with other measures, such as high school grades, said Scott-Clayton. But in practice, most colleges just use the tests.

Some colleges may have to scramble to find a replacement for Compass. But California’s 112 community colleges are working on a homegrown placement system.

 Begun last year with $8 million in state funding, the Common Assessment Initiative seeks to create a centralized placement platform, which will factor in multiple measures -- meaning more than just standardized tests.

ACT acknowledged that the demise of Compass could create some hassles for colleges.

“This decision was not an easy one, given the considerable number of students and institutions served by the ACT Compass program each year,” the testing organization said in its email to Compass users. “ACT remains deeply committed to the education and workplace success of all individuals, as we continue to explore new ways in which we can best meet the needs of postsecondary students and the institutions who serve them.”
UAlbany investigated for mishandling sexual violence

ALBANY—The University at Albany is now the fifth of the State University of New York’s 64 colleges under federal investigation for mishandling sexual violence.

Albany was added on Tuesday to a growing list of colleges nationwide under federal review for possibly violating Title IX, the landmark law prohibiting gender-based discrimination in education. The U.S. Department of Education’s Office for Civil Rights, which has increased scrutiny of colleges and universities for mishandling sexual assault, circulates a list of pending investigations to reporters every Wednesday.

"The University at Albany is in receipt of O.C.R.’s request for data, and will respond accordingly per university and O.C.R. procedures," a university spokesman said in a statement.

An O.C.R. spokeswoman has said that being listed as the subject of a Title IX investigation "in no way indicates at this stage that the college or university is violating or has violated the law."

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Albany joins another of SUNY’s university centers, Stony Brook, as well as Brockport, Buffalo State and Purchase colleges. Hunter College, a branch of the City University of New York, also is under review.
Additionally, the federal government is investigating 13 private institutions in the state, including Columbia and Cornell universities, bringing the number of New York colleges under review to 19. That's more than any other state in the country.

In California, the only other state with more colleges than New York, 12 schools are under investigation.

Albany's addition to the list came the same day Governor Andrew Cuomo and lawmakers announced a deal on legislation imposing new rules on colleges for the prevention and handling of sexual assault. The State Senate passed the bill unanimously on Wednesday.

At Cuomo's urging, SUNY adopted a new plan for handling sexual violence last December. SUNY also pledged to improve its handling of sexual assault in an agreement with O.C.R. in November 2013 after the agency completed a compliance review of the system and found a hostile sexual environment on some campuses.
Peralta Honors Graduating DREAMers

In a very emotional ceremony, 2015 CUNY DREAMers celebrated their First Annual CUNY DREAMers Convocation titled, "Lifting the Barriers to Education" on Friday, June 5. Held at the CUNY Graduate Center, representatives of the graduates told the audience about the financial and social hurdles they had to overcome to finally receive their college degrees.

In light of their efforts and struggles, state Senator Jose Peralta (D-East Elmhurst) presented them with a Proclamation during the event. Senator Peralta, the lead sponsor of the DREAM Act in the State Senate, said he has been inspired by the DREAMers, and promised to keep on fighting until "we right this wrong" and the DREAM Act is passed. The Proclamation stated, "It is right and just to recognize the accomplishments and ability of CUNY DREAMers program graduates as they overcome the financial hurdles placed before them as undocumented students who are ineligible for tuition assistance program (TAP) aid... I, New York State Senator Jose Peralta, recognize the CUNY DREAMers 2015 graduates for their hard work and dedication to building a better future for themselves."

The DREAM Act would make undocumented students who arrived in the United States as minors eligible to participate in the state's Tuition Assistance Program. The New York DREAM Act Coalition estimates that only between 5 to 10 percent of high school graduates who would be covered by the act pursue college degrees, largely because of financial obstacles.

"Moments like this motivate you and keep you going," said Peralta after he heard stories from graduates at the inaugural ceremony held at the Kelly Skylight Room of the CUNY Graduate Center in Manhattan. "The time will come when the DREAM Act is a reality."

Peralta, himself a graduate of Queens College, said that passing the DREAM Act "is an investment in the future" as a college graduate typically pays about $4,000 more in state taxes every year than a New Yorker without a degree. He told graduates that it was at the Queens College campus that he discovered his "passion for politics and public service."

Jay Hershenson, CUNY Senior Vice-Chancellor, also took part in the celebration, showing his support for the college students. Approximately 900 DREAMers graduated this year from the CUNY system.

During the DREAMers' graduation, the New York DREAM Act Coalition, in collaboration with the New York Immigration Coalition, unveiled a petition urging Governor Andrew Cuomo, Assembly Speaker Carl Heastie, and Senate Majority Leader John Flanagan to pass the DREAM Act. Peralta was the first person to sign the petition which implores "all of you [Cuomo, Heastie and Flanagan] to use your power and influence to advocate for the passage of the DREAM Act."

"We are honored to join these remarkable students and their families at the inaugural CUNY DREAMers convocation and extend a sincere congratulations to all," said Steven Choi, Executive Director of the New York Immigration Coalition. "It is no small feat that this year, 900 DREAMers from CUNY will be able to make their dreams of graduating from college a reality. We now must assure that every DREAMer has the chance to accomplish this dream. This is why we, alongside the NYS DREAM Act Coalition, launch a petition to continue to push Governor Cuomo, Speaker Heastie, and Majority Leader Flanagan to do what is right – pass the New York State DREAM Act."
Kalief Browder's death reveals terrible odds for black lives

Black suicide is rare but marks the extreme end of a broader crisis

June 18, 2015 2:00AM ET

by Michelle Chen (/profiles/c/michelle-chen0.html) - @meeshellchen (http://www.twitter.com)

Kalief Browder was 16 years old when he became an all too familiar statistic: one of thousands of black youths nationwide trapped in the jail system, unable to secure bail (https://www.themarshallproject.org/2015/06/09/no-bail-less-hope-the-death-of-kalief-browder). Last week his five-year ordeal in and out of New York City's Rikers Island jail complex ended in suicide (http://www.nytimes.com/2015/06/09/nyregion/kalief-browder-held-at-rikers-island-for-3-years-without-trial-commits-suicide.html). Paradoxically, that made him part of a lesser statistic: the number of black youths who take their lives every year. Both numbers speak to the multiple effects of systemic oppression on young minds.

Suicide in Browder's demographic is more common than is often assumed (http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1615885/). New research shows a recent rise in suicide among black children (http://www.nytimes.com/2015/05/19/health/suicide-rate-for-black-children-surgically-2-decades-study-says.html), even as suicide rates fell (http://www.vox.com/2015/5/19/8625679/suicide-rates-school-children) among other groups. Suspected risk factors include exposure to trauma and violence, a paucity of family connections and social supports in their communities and — in a sad twist on a headline we hear too much in the news — easy access to guns.

Suicide risk is elevated among people held in isolation (https://www.aclu.org/sites/default/files/assets/stop_solitary_briefing_paper_updated_august_PDF), including many youths. Browder, who was accused of stealing a backpack and kept behind bars without ever going to trial, spent many months in solitary confinement. He joined scores of other youths who, without access to bail or decent legal assistance, are banished from human contact in conditions tantamount to torture, supposedly (https://www.aclu.org/sites/default/files/assets/stop_solitary_briefing_paper_updated_august_maintain_security).
Under public pressure, New York City officials recently announced plans to phase out solitary for younger inmates, (http://www.nytimes.com/2015/01/14/nyregion/new-york-city-to-end-solitary-confinement-for-inmates-21-and-under-at-rikers.html?_r=0) starting with 16- and 17-year-olds and moving on to 18-to-21-year-olds by 2016. (Currently Rikers keeps in solitary about 100 people ages 19 to 21.) Though those reforms are a step forward, they won’t fix the problems that have long plagued the facility, including a lack of basic mental health services and other rehabilitative programs for young people. And they do nothing for the kids who, like Browder, have already returned to their communities, but remain deeply scarred and struggling to restore their lives.

While Browder almost beat the odds — he eventually fought his way out of Rikers, vindicated after a three-year court battle — the trauma resurfaced afterward in his emotional volatility and constant flashbacks. While we can only speculate on what ultimately triggered his suicide, we know that he was overwhelmed by the haunting memories of ferocious beatings and ritual humiliation by jail officers.

“Everything was just getting to me,” he recalled while (https://www.youtube.com/watch?v=yllSqk_pfbA) discussing a past suicide attempt (https://www.youtube.com/watch?v=yllSqk_pfbA) in an interview with Huffington Post Live in 2013. (He tried to hang himself on several occasions (http://www.newyorker.com/news/news-desk/kalief-browder-1993-2015), in and outside jail.) “And I just couldn’t take it. But the correction officers, they didn’t want to hear me out. Nobody wanted to listen.” According to his family, days before his death, he faced the threat of more incarceration (http://www.nydailynews.com/new-york/nyc-crime/exclusive-kalief-browder-died-days-court-appearance-article-1.2254078) after another run-in with the cops.
Though it gets comparatively less attention than sensational gang shootings or drug crime, suicide remains a leading cause of death among young black men (PDF).

"Our prison and jail systems are the exact opposite of the kinds of communal connections that youths need to survive."

“Among black youth, perceived racism and discrimination along with social and economic disadvantage may lead to having no hope for the future, which is a risk factor for suicide.” For the young people locked in the criminal justice system, such a calculation might seem chillingly rational.
Some scholars point to cultural factors, arguing that blacks brought up and socialized in the way black youths are brought up and socialized may play a role. In many black youths’ social networks, they say, an emphasis on group identity, along with religious cultural practices, may provide a layer of social protection against the kind of destabilization that can precipitate suicide. But these positive communal aspects of life are continually frayed by patterns of socioeconomic disadvantage. Structural social crises are amplified through high incarceration rates and the especially brutal effects of solitary confinement on young people and those with mental health conditions.

The forces of the criminal justice system scar whole communities. Mass incarceration has wrought emotional devastation and social instability for the families of the imprisoned. And the loved ones of police brutality victims have described suffering deep trauma when seeking — often in vain — legal recourse.

In order for society to grapple with the moral challenge presented by the Black Lives Matter movement, we should examine the factors that, over time, can wear down a young person’s belief in his or her potential. Though still relatively rare among African-Americans, suicide and suicidal feelings mark the extreme end of a spectrum of everyday despair that often stalks...
marginalized youths. Those mental wounds represent the double failure of schools and other institutions to help families deal proactively with social barriers and to intervene when kids are most at risk.

A network of supportive community institutions can buffer people against falling to the depths that Browder did. Structural changes, such as addressing inequality in education systems and a lack of career-path jobs, are also crucial. Neighborhoods can build resilience to overcome trauma through social programs that enhance an individual's sense of dignity and purpose.

Social movements might promote healing as well: Organizing to push for social protections and economic equity can transform a sense of alienation into a source of collective strength.

We can never know exactly what might keep an individual from feeling pushed over the edge, but what is certain is that our prison and jail systems — particularly solitary confinement — are the exact opposite of the kinds of communal connections that youths need to survive. With Browder's death, the Black Lives Matter movement takes on a special resonance: as a cry for help and an assertion of existence despite the odds. What the tragic last years of Browder's life exposed is how terrible those odds are for many young people.

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ALBANY, N.Y. - The New York State of Health (NYSOH), the state’s official health plan marketplace, is teaming up with new York State colleges to get graduates covered.

According to the New York Health Department, upon graduation, many graduates may find themselves without health insurance coverage or the ability to remain on their parent’s policy. Special Enrollment Periods (SEPs) will allow uninsured individuals who experience certain qualifying life events to enroll for health coverage through NYSOH outside the annual open enrollment period.

As a way to increase awareness, the health department says they will increase awareness of SEPs and the availability of low cost plans through the marketplace.

“Young adults have choices when it comes to health insurance: stay on their parent’s health plan, buy their own plan, or get coverage through a new job,” said NYSOH Executive Director Donna Frescatore. “We’re pleased to partner with SUNY, CUNY, OCU and New York colleges to make graduating students aware of the affordable health plan options available through the Marketplace.”

A resource kit has been developed for campus administrators to use in helping students plan for the future.

To be eligible for an SEP, consumers must notify NYSOH within 60 days of the qualifying life event. Those without a life qualifying event will be able to enroll in a health plan through NYSOH on November 1, 2015.

To learn more about Special Enrollment Periods, visit and watch a video explaining qualifying life events (http://info.nystateofhealth.ny.gov/SpecialEnrollmentPeriods).

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