



National Joint Committee on
Learning Disabilities
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Learning Disabilities: Reading and the School-to-Prison Pipeline

Introduction

The National Joint Committee on Learning Disabilities (NJCLD) attests that the school-to-prison pipeline causes irreparable harm to thousands of children each year in the United States. NJCLD asserts that steps must be taken to interrupt this path. Importantly, students with learning disabilities (LD) are overrepresented in the pipeline in part because many of them have not been afforded appropriate services during their P–12 education, putting them at greater risk (Mallett et al., 2023). The literature reviewed in this position paper documents this phenomenon dating as early to the 2000s. Recommendations through the years have emphasized early intervention, especially in language, meaningful student engagement, partnerships with families, positive behavior supports, attention to executive functions, provision of social and emotional supports, and use of technology to motivate students, as well as modifying the curriculum to accommodate learning differences. However, these recommendations have not been appropriately and consistently implemented. The purpose of this NJCLD position paper is to provide introductory information to inform educators, policymakers, and the public at large on (a) the salient issues, (b) why the school-to-prison pipeline exists, and (c) what can be done to reduce the risk of students entering the school-to-prison pipeline. Future resources will provide more detailed information about various factors that contribute to the school-to-prison pipeline.

In particular, this position paper describes the impact the school-to-prison pipeline has on students with LD and identifies the lack of identification and appropriate instruction as major factors. Much attention has been paid to the severe impact of punitive school climate and exclusionary discipline on the school-to-prison pipeline. However, this paper aims to highlight why students with LD are overrepresented in the U.S. prison system. Furthermore, it describes prospective steps that can be taken to recognize potential risk and lack of resilience in students with LD who may experience punitive consequences, and offers support instead of punishment.

Existing Research

Decades of research suggest that students with disabilities are at higher risk for facing exclusionary discipline and involvement in the juvenile court system (Grigorenko et al., 2015; Leung-Gagné et al., 2022; Mallett, 2014). Reading difficulties and spoken language difficulties have been identified as risk factors (Sanfilippo et al., 2020). For example, boys with developmental language disability are four times more likely to be involved with the juvenile

justice system compared to age-matched peers (Brownlie et al., 2004). In statewide studies of how school discipline relates to student success and juvenile justice involvement, it was found that African American students and students with educational disabilities were more likely to be removed from the classroom (Fabelo et al., 2011). It was also reported at the National Summit of Zero Tolerance in 2000 that students with disabilities are twice as likely to be suspended as their peers without disabilities, resulting in more than 13% of students with disabilities being suspended (Harvard Civil Rights Project, 2000). Furthermore, the most recent Civil Rights Data Collection of the Office for Civil Rights looked at exclusionary discipline during the 2020–2021 school year, and the K–12 data indicated that while students with disabilities served under IDEA made up 14% of total school enrollment, they received 18% of in-school suspensions, 24% of out-of-school suspensions, and 17% of expulsions (U.S. Department of Education, Office for Civil Rights, 2023). Further, Mallett et al. (2023) reported that youth entering the juvenile justice system are much more likely to remain in the system.

The reported prevalence of youth with LD in the juvenile court population has varied widely. A 2005 study estimated that approximately 13% of youth in juvenile correctional facilities have an LD (Quinn et al., 2005). A 2016 study estimated that approximately 65%–70% of youth involved with the juvenile justice system have an LD (The Arc, 2021). According to Mallett et al. (2023):

Students with learning disabilities are four times less likely to get any college education, twice as likely to drop out of school, twice as likely to receive a school suspension, four times as likely to be expelled in middle school, almost three times as likely to be expelled in high school, and twice as likely to be incarcerated as a juvenile or adult. (p. 2667)

Welsh and Little (2018) purport that exclusionary discipline practices lead to a range of negative outcomes, including lower levels of attendance, self-esteem, academic performance, and graduation. Exclusionary discipline also contributes to higher levels of anxiety, dropout, delinquency, victimization, and arrest (Welsh & Little, 2018). Nonetheless, researchers have not been able to identify exactly why youth with LDs are at significantly higher risk for juvenile court involvement.

Why Are Students With LD Overrepresented in the Justice System?

There are three primary hypotheses in the literature that seek to explain why youth with LD are overrepresented in the justice system: school failure, susceptibility, and differential treatment. The school failure hypothesis posits that school failure can lead to juvenile court involvement, though it is unclear if LDs themselves cause academic failure, other factors, or a combination of both are to blame. The susceptibility hypothesis suggests that youth with LDs have cognitive, neurological, and intellectual difficulties that contribute to antisocial and delinquent behaviors that place them at higher risk for court involvement. Finally, the differential treatment hypothesis proposes that youth with LDs are no more involved in problem behaviors than their nondisabled peers, but they are treated differently by the school, police, and/or juvenile court (Grigorenko et al., 2015; Mallett, 2011, 2014). A lack of appropriate educational support and

zero-tolerance policies can contribute to students with LDs exhibiting problem behaviors, avoiding school, receiving exclusionary discipline measures, and interacting with the police.

Unpacking the possible factors that cause school failure for any given individual is beyond the scope of this paper. That being said, the following critical elements are considered contributory in many cases: lack of quality reading instruction, lack of appropriate academic support for all students, and misidentification of LD or the type of LD. Other factors contributing to school failure include a lack of teacher preparation in areas such as the science of reading, classroom management to address typical disruptive behaviors, trauma-informed practices, and culturally responsive instruction. Additional contributing factors include a lack of (a) universal screening and early identification of LD, (b) quality instruction that targets learning disabilities, (c) ongoing academic and social–emotional support such as restorative practices, and (d) access to specialized instructional support personnel (e.g., school psychologists, school counselors, school social workers, school nurses, speech and language pathologists, academic language therapists and practitioners, educational therapists, occupational therapists, physical therapists, dance/movement therapists, music therapists, audiologists).

The susceptibility hypothesis suggests that difficulties associated with LD can contribute to problematic behaviors that, in turn, increase the risk for court involvement. Average oral language skills of youth in juvenile justice centers were found to be significantly lower on standardized norm-referenced assessments compared to nonincarcerated peers (Chow et al., 2022). Children with developmental language disorders have poor spoken communication skills that can easily be misconstrued as the children being disengaged, uncooperative, or defiant (Chow et al., 2022). Additionally, LDs commonly appear alongside other comorbid disorders and mental health issues, including attention deficit hyperactivity disorder (ADHD) and executive functioning issues (Sahu et al., 2019). Many students with LD also experience anxiety and other social–emotional difficulties. These overlapping issues may further contribute to behavioral issues and challenges related to the school-to-prison pipeline. Once in the juvenile justice system, it is critical for youth to continue receiving adequate educational support. The National Adult Literacy Survey (Greenberg et al., 2007) found that approximately three out of five people in United States prisons cannot read at a fourth-grade level. As many as 85% of juvenile offenders have trouble reading, and notably, the risk for recidivism is higher for youth who leave the juvenile justice system with poor literacy skills (Duncan et al., 1995). Therefore, appropriate funding and staffing for high-quality literacy instruction are critical in these settings.

The differential treatment hypothesis posits that youth with LDs do not engage in more problem behaviors than their peers, but they receive different treatment by the school police and/or juvenile court (Mallett, 2011).

Intersectionality

Students of color experience disproportionality across the educational landscape. In many studies, they are more often identified as having a disability, placed in more restrictive educational settings, and disciplined at higher rates than their peers (Snydman, 2022). This

disproportionality was particularly evident among Black and Latino boys with disabilities, who represented only 3% of enrollment for the 2015–2016 school year, but made up 12% of student arrests (Resendes, 2020). Data from the 2017–2018 school year indicate that Black students receiving services under IDEA account for only 2.3% of total enrollment, but approximately 9% of arrests. The most recent data from the Civil Rights Data Collection (U.S. Department of Education, Office for Civil Rights, 2023) during the 2020–2021 school year showed that 17% of enrolled students have disabilities, but they account for 28% of arrests. While Black/African American students made up 15% of the total enrollment, they account for 22% of school-related arrests (U.S. Department of Education, Office for Civil Rights, 2023). In a 2024 U.S. Government Accountability Office (GAO) report on the effect of discipline on girls in public schools, it was determined that Black girls experienced more frequent and severe discipline compared to White girls, even for similar offenses. Additionally, they expressed feeling less safe and connected to their schools, which hinders their ability to achieve positive educational outcomes (U.S. GAO, 2024). Young people of color are also more likely to be involved in the juvenile justice system. Black youth specifically are 2.3 times more likely to be arrested than their White peers (Office of Juvenile Justice and Delinquency Prevention, 2021). As of 2021, Latinx youth are 16% more likely than their White peers to be incarcerated (Rovner, 2023).

Children with disabilities from low-income households are also more likely to be arrested than their peers without disabilities (Oshima et al., 2010). Involvement in the child welfare system is highly correlated with potential justice involvement (Palcheck, 2021). Children in the child welfare system often have fewer resources and are more likely to encounter traumatic conditions (Barto et al., 2018). This can have a great effect on children with LDs and attention issues, as well as other mental health needs (Slayter, 2016).

Cassidy et al. (2023) conducted a study in two inner city public charter schools in New Orleans using a teacher completed, evidence-based dyslexia screener to first screen then test predominantly African American children in grades kindergarten through second grade and found that almost half (49.2%) of the children screened were at risk for dyslexia and, of these, the majority were found to be dyslexic on more detailed testing. The results suggested that large numbers of African American students with dyslexia may be overlooked in schools. The study highlighted that, in IDEA's definition of specific learning disability (the current term incorporating dyslexia), children are excluded from having a diagnosis of specific learning disability if it is primarily the result of environmental, cultural, or economic disadvantage. The study also noted that children living in poverty, many of whom are African American, have been harmed as educators have been encouraged to attribute poor reading to poverty rather than to screen for, identify, and provide interventions for children with dyslexia. The underidentification of Black and Latino students with dyslexia has also been noted by Odegard and colleagues (2020).

What Can Be Done?

As previously stated, efforts to address the school-to-prison pipeline typically focus on improving school climate and approaches to discipline. Given the overrepresentation of

students with learning and other disabilities, it is the position of NJCLD that efforts to improve instruction and to increase awareness and early identification of LDs must be central. All students should receive quality instruction and academic support. Universal screening must occur to prevent the lack of or misidentification of LDs. Instruction targeting the specific needs of students with LDs must be provided throughout K–12 education, including rigorous high school literacy programs. Ongoing social, emotional, and behavioral support utilizing specialized instructional support personnel should be implemented based on individual student needs. Students should have access to well-prepared teachers and specialized instructional support personnel who are knowledgeable about LDs and skilled in applying the science of reading principles, evidence-based instruction in writing and mathematics, and classroom management. Such instruction should include culturally responsive and trauma-informed practices. An emphasis should be placed on the necessity of early identification and intervention for students. Students receiving support for their LD may require ongoing support to engage and benefit from instruction (Aceves & Kennedy, 2024).

The Science of Reading/Structured Literacy

There are decades of interdisciplinary, science-based research about reading and writing that is often referred to as the science of reading. While the science of reading, which includes structured literacy, is not a specific program or intervention, it is based on the importance of five key components of reading instruction: phonemic awareness, phonics, fluency, vocabulary, and comprehension. The science of reading has culminated in a preponderance of evidence that informs how we assess, teach, and improve student outcomes through prevention of and intervention for reading difficulties. Unfortunately, this research has not consistently been implemented in U.S. schools. Some colleges of education have continued to train teachers in balanced literacy, an approach that lacks strong evidence and does not provide explicit instruction in foundational reading skills. Thus, many teachers graduate without the knowledge required to implement research-backed instructional methods. A growing number of NAACP chapters and many national organizations are advocating for wider adoption of the science of reading, describing literacy as a civil rights issue (NAACP, 2024).

Structured literacy explicitly teaches systematic word identification and decoding strategies, which are based on the science of reading. Unfortunately, many students do not receive adequate academic support or access to structured reading instruction delivered by a highly trained teacher. It is vital to implement structured literacy in Tier 1 and meet the individual needs of students rather than waiting for them to fail. Structured literacy should be available to all students learning to read. Moving students on through the system without the benefit of structured literacy instruction sets them up for more difficulty in learning to read. Structured literacy, implemented appropriately, provides opportunities for students to continue learning to read throughout their school years. Research conducted by the Annie E. Casey Foundation (2011) found that one in six children who are not reading proficiently in third grade do not graduate from high school on time, a rate four times greater than that for proficient readers.

Importance of Continuity in Acquisition of Skills

Many students with and without disabilities move from school to school, and systematic instruction does not always follow the sequence started, causing the skills students previously attained to be lost due to insufficient review and use. These students often spiral down in their reading skills, leading to failure or dropping out. The progress of students with IEPs is more likely to have a continuous sequence of instruction through the pillars of phonemic awareness, phonics, reading comprehension, vocabulary, and fluency because of the annually recorded goals, objectives, and achievement. IEPs are more likely to be a part of students' permanent records and provide more specific information than grades and test results. It is important that progress for all students includes an individualized review of each student's progress toward passing the state literacy test. Any student in danger of failing that test will need structured literacy, even if they have not received it earlier in their schooling.

For those in the juvenile justice system, it is critical for youth to continue receiving adequate educational support. The risk for recidivism is higher for youth who leave the juvenile justice system with poor literacy skills (Duncan et al., 1995). Adequate educational support fosters critical thinking, problem-solving, and communication skills, which lead to enhanced social and emotional development. By ensuring continued educational support, justice-involved youth experience fewer disruptions in their education, ensuring they have the same learning opportunities as their peers. Therefore, appropriate funding and staffing for high-quality literacy instruction are critical in these settings.

Teacher Preparation in the Science of Reading and Trauma-Informed Instruction

While there currently is no national requirement to offer structured literacy instruction in P–12 schools, states are increasingly adopting mandates that schools train teachers in structured literacy. Major teacher preparation standards include little specific reference to reading or its components of reading (Council for Exceptional Children, 2024); however, standards include planning and delivering instruction to meet individual needs.

In some university programs, preservice teachers in elementary education and special education complete multiple reading methods courses, including phonics and phonemic awareness. Most special education teacher candidates receive additional training in special methods to assist students who are not successful in learning to read. It is beneficial for all preservice teachers to spend time observing and practicing the teaching of reading to P–12 students. Many work in Professional Development Schools (PDS) where their higher education faculty and P–12 mentors partner to give them these opportunities throughout undergraduate school. It is important that the PDS chosen has mentors available who are skilled in teaching structured literacy.

Historically, in-service professional development focused on the school system curriculum. Teachers entered those professional development activities with varied backgrounds in the teaching of reading. For those teachers wanting to apply knowledge from the science of reading, there were few opportunities to learn and become skillful in teaching structured

literacy. Programs that provide instruction in literacy and language are emerging for teachers and administrators to master the foundational and fundamentals of reading and writing instruction (phonemic awareness, phonics, fluency, vocabulary, comprehension, and written language). If elementary teachers are not trained to offer structured literacy instruction to students in Tier 1, some students are not identified as needing additional reading support until they fail or until it is determined they cannot learn to read and need remediation. In many cases, educators offering remediation have not been trained in structured literacy. Routinely, at the secondary level, foundational reading skills are not addressed. Thus, the students struggle throughout their schooling or fail.

Summary and Conclusion

The NJCLD affirms that active steps must be taken to interrupt the school-to-prison pipeline that often causes irreparable harm to thousands of children each year in the United States. In particular, NJCLD seeks to shed light on the relationship between children and youth with LDs and the school-to-prison pipeline. There are three primary hypotheses in the literature that seek to explain why youth with LDs are overrepresented in the justice system: school failure, susceptibility, and differential treatment. In addition, the lack of quality reading instruction, the lack of appropriate academic support for all students, and misidentification of LD or the type of LD can be contributing factors to school failure or higher dropout rates. Given the overrepresentation of students with learning and other disabilities in the U.S. prison system, it is the position of NJCLD that efforts to improve reading instruction and to increase awareness and early identification of LDs must be central. Using a structured literacy approach to reading instruction, providing universal screening, offering robust interventions to students who need additional support, delivering trauma-informed instruction, and ensuring access to well-prepared teachers and specialized instructional support personnel who are knowledgeable about LDs are all critical in preventing school failure, dropout, and entry into the justice system.

Limitations and Future Directions

While schools are integral in shaping students' academic, social, and emotional development, there are limitations to the extent to which schools alone can dismantle the school-to-prison pipeline. While the role of the school is crucial, it must be recognized that broader systemic factors often influence the trajectory of students' involvement with the justice system. Schools are also limited in their ability to control external factors such as socioeconomic conditions, family dynamics, and community violence. Schools can only intervene during the hours students are in their care and cannot fully address the complexities of a student's life outside of school, which may involve persistent risks of criminalization or involvement in the justice system.

Various risk factors can contribute to the school-to-prison pipeline. Students with LDs are often misunderstood or misdiagnosed in school environments. Without proper support or accommodations, these students may face punitive measures rather than receiving the help they need, putting them at greater risk of criminalization. Students who struggle academically, particularly in foundational areas like reading, may experience frustration, a sense of failure, and disengagement from school. This disengagement can manifest as behavioral problems,

which can result in disciplinary actions. Additionally, students who have experienced trauma, such as abuse, neglect, or violence, or those who struggle with mental health issues, such as anxiety, depression, or ADHD, are often at higher risk of behavioral problems. Without proper support, these students may face punitive disciplinary actions instead of receiving the services they need. The role of family and socioeconomic factors also contributes to increased risk. Students from low-income families are more likely to face stressors such as inadequate housing, food insecurity, and unstable home environments. These challenges affect their emotional well-being and behavior at school, making them more vulnerable to punitive disciplinary measures.

Students from families with limited resources or those facing challenges such as substance abuse, mental health issues, or lack of education may not receive the academic or emotional support they need at home. This lack of support often manifests in school through behavioral issues or disengagement, increasing their risk of getting caught in the pipeline. Additionally, dialect density has been found to impact reading acquisition and performance.

Students who code-switch more flexibly may perform better on tests that are formulated using the General American English dialect. There is compelling evidence that communication and LDs are disproportionately underdiagnosed or overdiagnosed in Black and Brown populations, depending on the context. Much of that speaks to a need for better teacher training and tests with better diagnostic accuracy (e.g., more representative samples of students administered less biased tests in a culturally responsive way).

By incorporating restorative practices, social-emotional learning programs, supportive school personnel, and positive school climates, schools can reduce the risk of students being funneled into the school-to-prison pipeline. These protective factors not only help students succeed academically but also promote social and emotional development, ultimately preventing the criminalization of youth and ensuring that all students have the opportunity to thrive. Suggestions for future research include identifying approaches that emphasize accountability and growth rather than punitive punishment, which could help students avoid interactions with the criminal justice system. Additionally, an investigation is needed into practices that foster a supportive environment where students feel heard, valued, and encouraged to learn from their mistakes.

Policy and Legislative Recommendations

Policy and legislative changes will be necessary to ensure equitable treatment of all students, including students with LDs. Schools must reexamine disciplinary procedures to eliminate corporal punishment and provide positive behavior supports, limit the scope of school policing to ensure school resource officers/police have no role in school discipline, and implement universal prevention efforts in partnerships with families that greatly reduce the criminalization of children and adolescents. High-quality, well-rounded community services—including attention to executive functions provided through mental health services and diversion programs that would prevent detention and incarceration—must be available for all students

who need them. Furthermore, high-quality Tier 1 instruction in reading using the structured literacy approach will limit the number of students who struggle with reading, thus interrupting the school-to-prison pipeline. Additionally, students with LD must have access, as needed, to modified curricula and accommodations, including technology. Finally, all students should have access to specialized instructional support personnel for ongoing social–emotional, academic, and behavioral support.

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The mission of the National Joint Committee on Learning Disabilities (NJCLD) is to provide multi-organizational leadership and resources to optimize outcomes for individuals with learning disabilities.

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