



# **Special Education Concerns for Inmates and their Families**

**Missing threads for successful  
reentry and crime prevention.**

# Education is key to successful reentry.

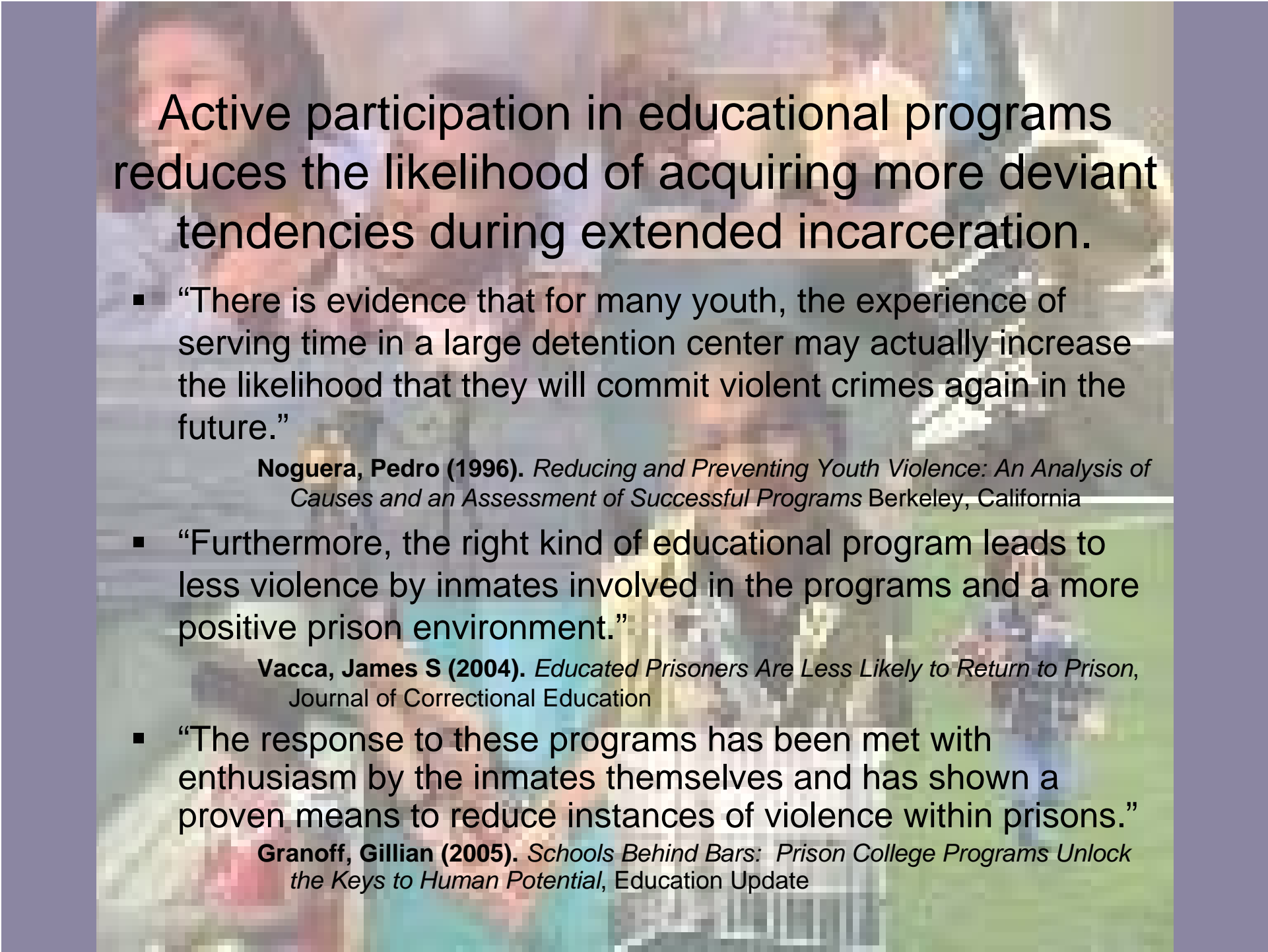


- ✿ Employment depends on having skills.
- ✿ Active participation in educational programs reduces the likelihood of acquiring more deviant tendencies during extended incarceration.
- ✿ Children of incarcerated parents are more likely to succeed when the parent is able to be active in their education.



## Employment depends on having skills.

- Unless an individual has a certified trade, a minimum requirement of a high school diploma or GED are normally required to earn wages that will support a household, even when that household is comprised of a single person.
- An individual needs education and skills development to perform well on for Career Readiness Certification.
- Even employers who are encouraged by the Work Opportunity Tax Credit need employees with skills to perform their job.



Active participation in educational programs reduces the likelihood of acquiring more deviant tendencies during extended incarceration.

- “There is evidence that for many youth, the experience of serving time in a large detention center may actually increase the likelihood that they will commit violent crimes again in the future.”

**Noguera, Pedro (1996).** *Reducing and Preventing Youth Violence: An Analysis of Causes and an Assessment of Successful Programs* Berkeley, California

- “Furthermore, the right kind of educational program leads to less violence by inmates involved in the programs and a more positive prison environment.”

**Vacca, James S (2004).** *Educated Prisoners Are Less Likely to Return to Prison*, Journal of Correctional Education

- “The response to these programs has been met with enthusiasm by the inmates themselves and has shown a proven means to reduce instances of violence within prisons.”

**Granoff, Gillian (2005).** *Schools Behind Bars: Prison College Programs Unlock the Keys to Human Potential*, Education Update



## Children of incarcerated parents are more likely to succeed when the parent is able to be active in their education.

- “As a result of parental incarceration, and the crimes and arrests that precede it, many of this population of children have experienced multiple placements, decreased quality of care, financial hardship and irreparable damage to family bonds. Because of these traumas, they are at risk for poor academic achievement, substance abuse, delinquency and criminal activity that can lead to their own incarceration.”





**Seymour, C.B.** Parents in Prison: Children in Crisis. An Issue Brief

- “Children...’do well when their families do well,’ so an intervention that doesn't support the parents can't accomplish much.”
- “Emani Davis, Gaynes's 25-year-old daughter, is creating a children of prisoners mentoring project for Centerforce, a nonprofit in San Rafael, California. It's vital to child development, she says, to have a relationship with both parents, ‘regardless of where they are.’ Speaking from her own experience of having a father incarcerated for 20 years, Davis says a parent ‘can be incredibly valuable from prison.’”

**Slavin, Peter (2004).** Mentoring the Children of Prisoners, Children's Voice

# Learning Differences and Incarceration.



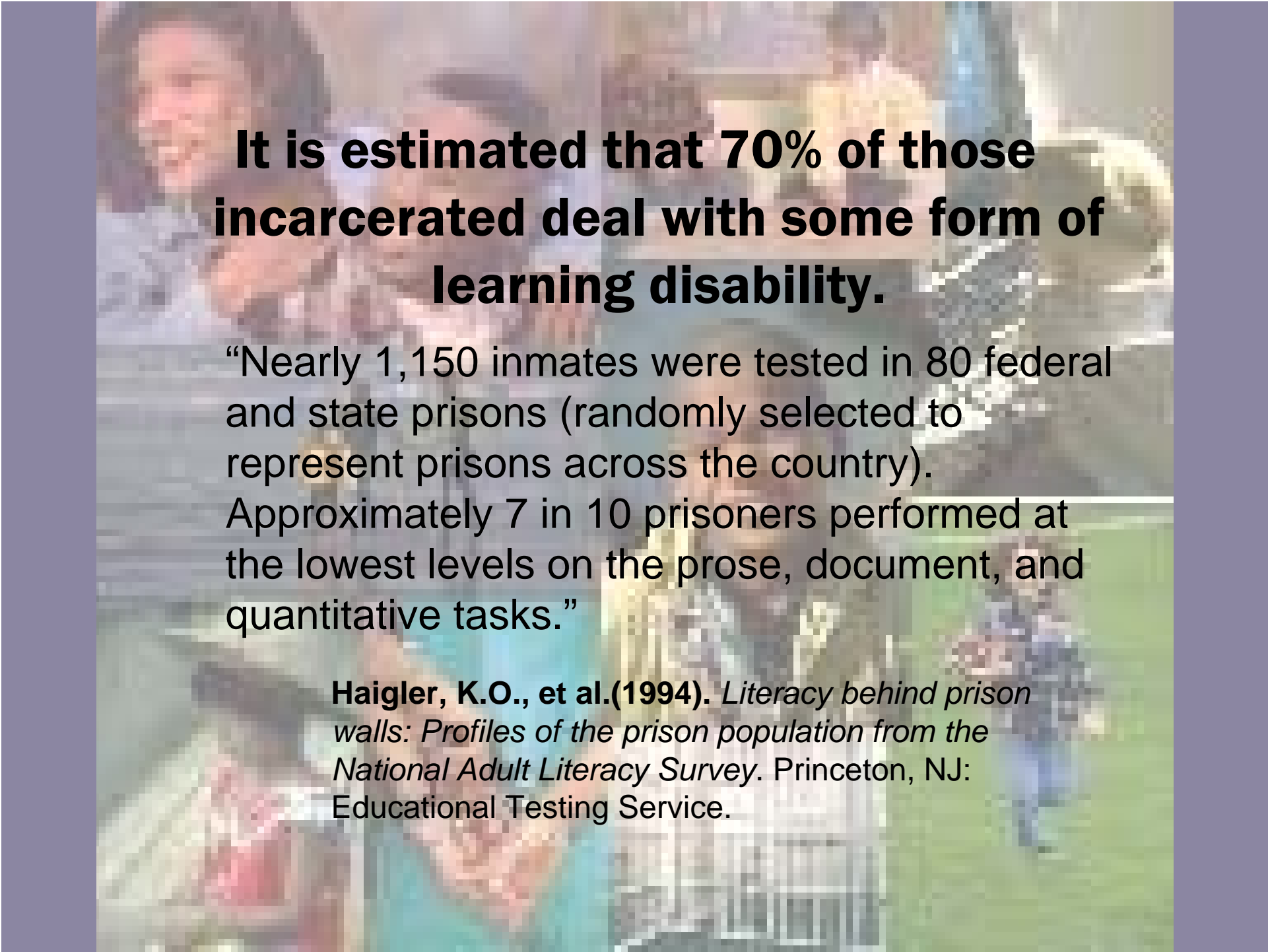
-  Educational failures can lead to incarceration.
-  It is estimated that 70% of those incarcerated deal with some form of learning disability.
-  Some figures point toward an extremely high percentage of the prison population being dyslexic or dysgraphic, even as high as 50%.
-  Those with learning disabilities (or differences) can excel when identified.



## **Educational failures can lead to incarceration.**

“Reading failure is most likely a cause, not just a correlate, for the frustration that results in delinquent behavior.”

**Brunner, M.S. (1993b).** *Reduced recidivism and increased employment opportunity through research-based reading instruction.* Washington, DC: Department of Justice.

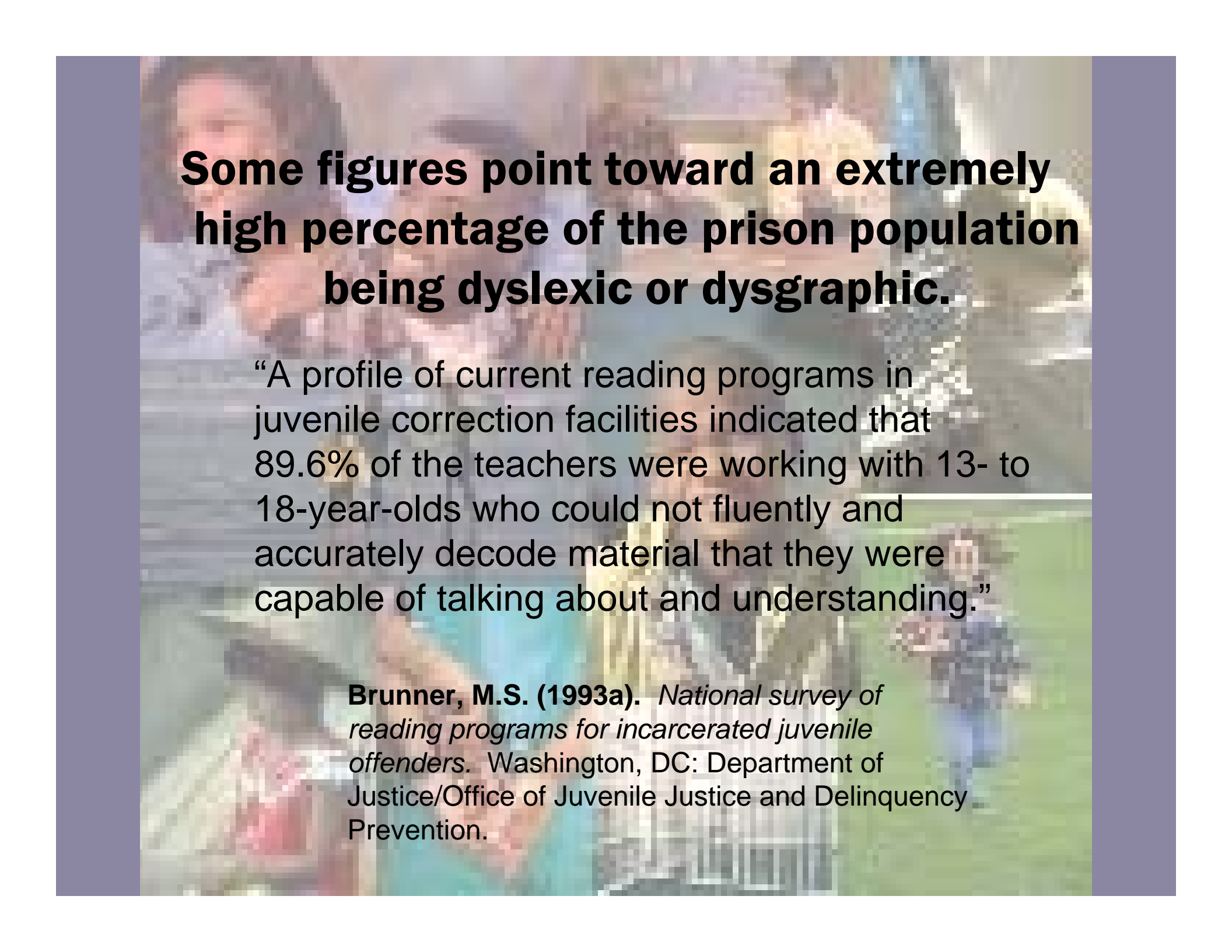


**It is estimated that 70% of those incarcerated deal with some form of learning disability.**

“Nearly 1,150 inmates were tested in 80 federal and state prisons (randomly selected to represent prisons across the country). Approximately 7 in 10 prisoners performed at the lowest levels on the prose, document, and quantitative tasks.”

**Haigler, K.O., et al.(1994).** *Literacy behind prison walls: Profiles of the prison population from the National Adult Literacy Survey.* Princeton, NJ: Educational Testing Service.





**Some figures point toward an extremely high percentage of the prison population being dyslexic or dysgraphic.**

“A profile of current reading programs in juvenile correction facilities indicated that 89.6% of the teachers were working with 13- to 18-year-olds who could not fluently and accurately decode material that they were capable of talking about and understanding.”

**Brunner, M.S. (1993a).** *National survey of reading programs for incarcerated juvenile offenders.* Washington, DC: Department of Justice/Office of Juvenile Justice and Delinquency Prevention.



**Those with learning disabilities (or differences) can excel when identified.**


“The United States is confronting the problem of a large and growing prison population, the majority of which is insufficiently literate. Studies by U.S. and Canadian researchers reveal that the ‘right kind’ of education in prison can reduce recidivism, or repeat offenses.”

**Newman, A. P., et al. (1993).** *Prison literacy: Implications for program and assessment policy.* Philadelphia, PA: National Center on Adult Literacy.

# Do Mandatory Literacy Programs Effect Change?



- ☞ Achievement levels have increased steadily as more systems mandate educational programs.
- ☞ Mandatory GED attainment may also contribute to successful programming.
- ☞ Organizations are recognizing that mandatory or compulsory education are beneficial.
- ☞ Virginia's mandatory eight grade achievement level leaves a gap that does not encourage GED preparation and achievement.



**Achievement levels have increased steadily as more systems mandate educational programs.**

“The increased achievement level, particularly with the emphasis on attainment of the GED, has become particularly apparent between 1993 and 2002. This would not have occurred unless students demonstrated the ability to be quite successful at educational achievement. (The achievement level remained relatively constant from 1990 to 1993.)”

**McGlone, Jerry, Ph. D. (2002).** *Status of Mandatory Education In State Correctional Institutions.* The Office of Vocational and Adult Education, US Department of Education.

## **Mandatory GED attainment may also contribute to successful programming.**

“Another noteworthy trend is the attainment of the GED as a stipulation for participation. Ten of the 22 mandatory states now have achievement of the GED as the requirement for program completion. There was not a single mandatory state with such a high achievement level in the previous three documents. Typically the prior surveys listed 6th grade and in a few instances 8th grade as the highest attainment level required. Even in many of the 38 states with voluntary programs, in numerous “individualized treatment plans” GED preparation was mandated as a stipulation while incarcerated. Usually it was dictated either by the courts or parole boards as a condition for release. Several states in the survey, both mandatory and voluntary, listed attainment of the GED as: 1) an incentive for early release, 2) monetary remuneration while incarcerated or 3) a requirement for advanced inmate job assignments.”

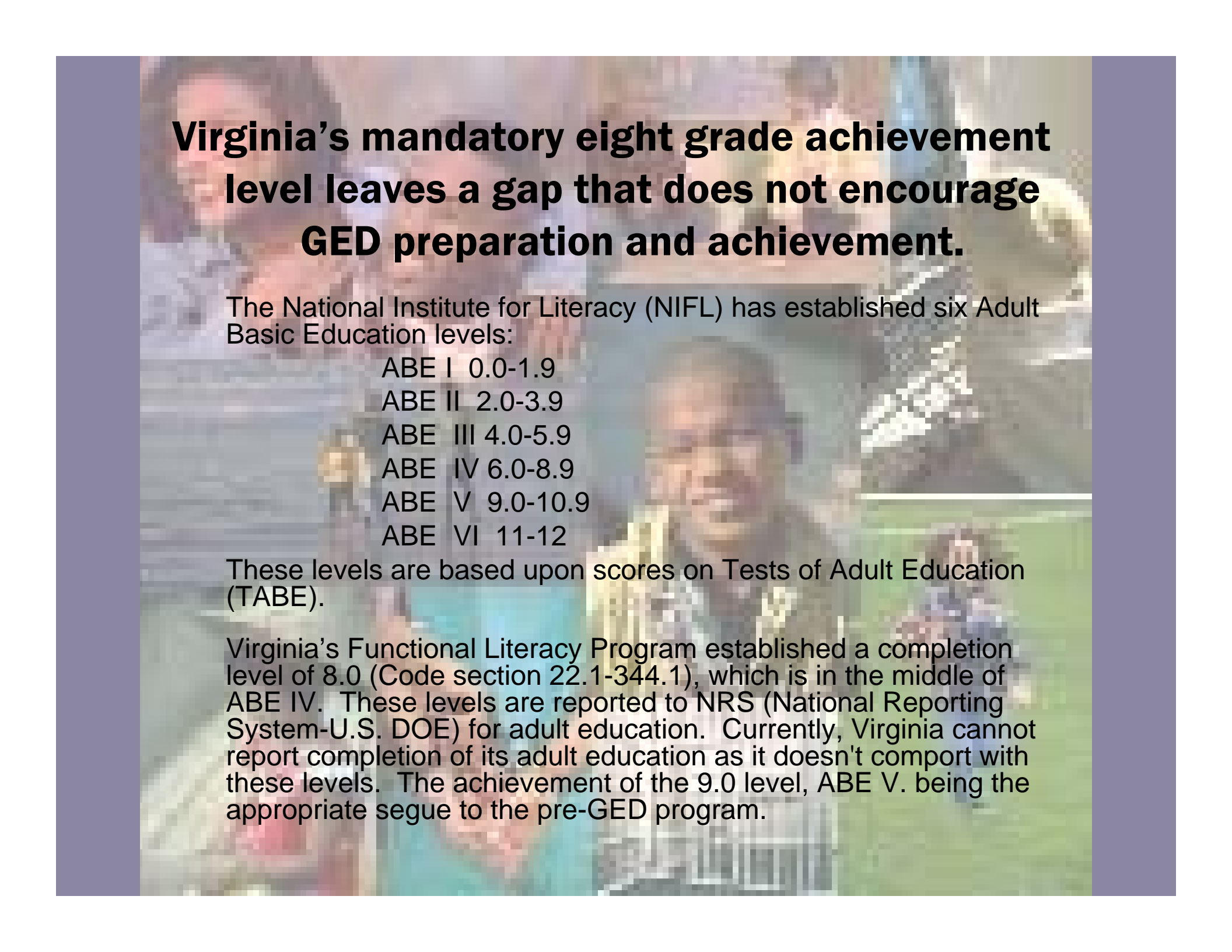
**McGlone, Jerry, Ph. D. (2002).** *Status of Mandatory Education In State Correctional Institutions.* The Office of Vocational and Adult Education, US Department of Education.



## **Organizations are recognizing that mandatory or compulsory education is beneficial.**

“The American Bar Association (ABA) - House of Delegates meeting in Washington, D.C. adopted a resolution supporting mandatory education on February 3, 1992, after a presentation by Sylvia McCollum of the BOP and this author. It was initially thought that the ABA would oppose mandated treatment as a violation of inmates’ rights. The limited period of compulsion and the general availability of incentives were thought to overcome any apprehension that inmates’ rights were being violated.”

**Harold D. Jenkins, Ph.D. (2002).** *Mandatory Education: A Status Report.*



## **Virginia's mandatory eight grade achievement level leaves a gap that does not encourage GED preparation and achievement.**

The National Institute for Literacy (NIFL) has established six Adult Basic Education levels:

ABE I 0.0-1.9

ABE II 2.0-3.9

ABE III 4.0-5.9

ABE IV 6.0-8.9

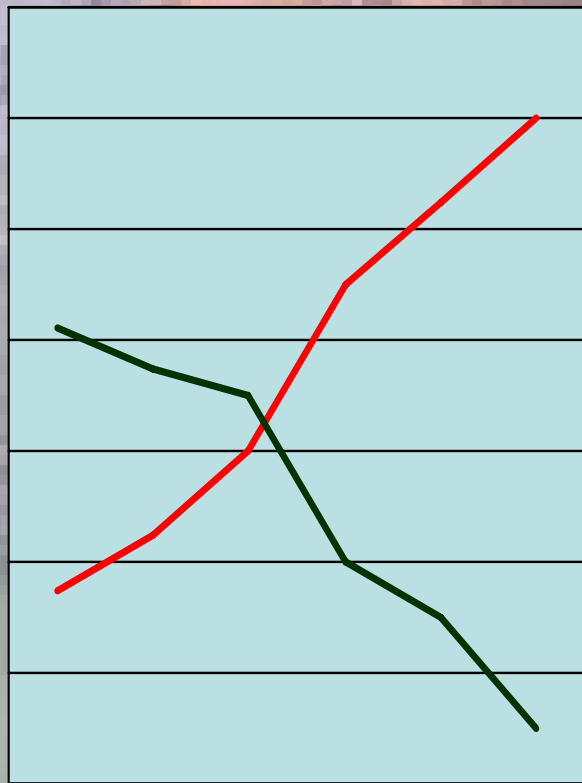
ABE V 9.0-10.9

ABE VI 11-12

These levels are based upon scores on Tests of Adult Education (TABE).

Virginia's Functional Literacy Program established a completion level of 8.0 (Code section 22.1-344.1), which is in the middle of ABE IV. These levels are reported to NRS (National Reporting System-U.S. DOE) for adult education. Currently, Virginia cannot report completion of its adult education as it doesn't comport with these levels. The achievement of the 9.0 level, ABE V. being the appropriate segue to the pre-GED program.

# Incarceration Costs



— Costs — Revenue

- + Corrections budgets have approached an all time high.
- + Law enforcement costs continue to increase, including those spent on repeat offenders.
- + Children of incarcerated parents (and families) often require higher commitments from state funded programs.
  - while at the same time*
- Incarceration removes tax paying citizens from the economic equation.
- Families with incarcerated loved-ones often see the new primary bread winner earning lower wages as the head of household and contributing less in sales taxes.



## How do we battle the overwhelming cost?

“At a time of budget crises in the states, and after two decades of increasing incarceration rates and adopting more punitive policies, states need to examine the returns on the investment if continuing down this road. We are not dismissing the fact that the higher incarceration rates and the larger number of adults under supervision was a proper response to public grievances about lax punishments and weak supervision, particularly for violent offenders. However, the issue now is one of fine tuning policies to make them more cost-effective. This is particularly the case for policies directed at expanding correctional options for low risk offenders. Well-targeted intermediate sanctions, treatment options, short incarceration terms and specialized supervision can produce the same or better public safety returns than continuing to expand incarceration for this population and can do so at a lower cost..”

*Austin, J., et al. (2004). The Diminishing Returns of Increased Incarceration: A Blueprint to Improve Public Safety and Reduce Costs. Washington, DC: The JFA Institute.*



**Concern:** Many learning disabled prisoners have never been formally diagnosed, which prevents them from being appropriately assessed.

§ 53.1-64 provides, “The Department shall establish and maintain within each facility programs for counseling and education, including career and technical education...”

§ 53.1-32.1. (A.) provides, “The Director shall maintain a system of classification which (i) evaluates all prisoners according to background, aptitude, education, and risk and (ii) based on an assessment of needs, determines appropriate program assignments including career and technical education, ... academic activities which at a minimum meet the requirements of § 22.1-344.1, ... and such related activities as may be necessary to assist prisoners in the successful transition to free society and gainful employment.

§ 22.1-344. (C.) The Superintendent shall collect data pertaining to the demographic characteristics of pupils enrolled in the schools at correctional institutions, including, but not limited to, ... their educational level upon entry into and upon discharge from the correctional institution, and the types of and extent to which learning disabilities are prevalent among such pupils...”

**Suggested Solution:** Provide funding for an adequate number of licensed staff within DCE or DOC to test for learning disabilities.



**Concern:** Virginia's mandatory eight grade achievement level leaves a gap that does not encourage GED preparation and achievement.

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**Suggested Solution:** Raise the mandatory achievement level to 9.0, ABE V, or simply require a high school equivalency.



**Concern:** Many correctional policies and practices do not facilitate necessary family ties.

**Suggested Solutions:**

- Reduce the cost of inmate telephone calls to family members. This can be done by eliminating the commission paid to the state.
- Mandate child friendly visitation policies.
- Mandate uniform visitation policies that allow for family connections and adequately notify family members of regulation changes in advance.
- Create provisions for limited family counseling.

*Working together on the*



*inside and the outside.*

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