



LUCY LANG
Inspector General

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Dr. Betty A. Rosa
Commissioner of Education
& President of the University of the State of New York
New York State Education Building
89 Washington Avenue
Albany, New York 12234

Dear Commissioner Rosa:

As the head of the agency tasked with overseeing the majority of New York State's executive agencies, I write to bring to your attention a challenge that I have observed in two of the agencies under my jurisdiction. My concerns are relevant to your current work establishing a dyslexia and dysgraphia task force under NYS-2023-S2599 and responding to the Governor's recent call to local school districts to adopt scientifically proven literacy curricula.

In particular, New York students in the custody of the Department of Corrections and Community Supervision (DOCCS) and the Office of Children and Family Services (OCFS) face a greater challenge learning to read and write than those in traditional schools in the absence of adequate science of reading resources across the State. I hope that in the composition of the task force and your work to implement its findings, the State Education Department will keep the needs of these students and their teachers top of mind, and ultimately facilitate their access to evidence-based literacy education.¹

Over the past two years, I have visited classrooms in virtually all DOCCS correctional facilities and OCFS secure juvenile detention facilities. My colleagues and I have met with dozens of students, staff, and teachers in these facilities, and have reviewed the rules and regulations pertaining to education in each agency. It has been our observation that the teachers in DOCCS and OCFS facilities are instructing to the best of their ability, often with limited resources and under difficult circumstances, but that a uniform system involving evidence-based literacy education is lacking.

¹ New York will not be alone in prioritizing the needs of incarcerated learners. The 2018 First Step Act requires that all people incarcerated in federal facilities be screened for dyslexia.

As you are no doubt aware, up to 20 percent of Americans experience dyslexia or another language-based learning difference. Longstanding studies have reflected that the rate of illiteracy in the United States prison population is far greater than that of the nonincarcerated population.² The DOCCS and OCFS student communities warrant particular attention because statistics reflect the likelihood that these communities include more dyslexic members than mainstream schools.³ Indeed, New York’s correctional facilities and secure juvenile facilities house many such learners, given that 85 percent of youth who become involved in the juvenile justice system are functionally illiterate,⁴ and that studies have identified evidence of dyslexia in nearly half of incarcerated adults.⁵

Inconsistency in literacy instruction and other unique educational issues affect the DOCCS and OCFS student populations. A recent report by The Education Trust-New York found that New York’s local control education system has contributed to a lack of consistency across school districts, including the use of non-evidence-based reading instruction.⁶ The 44 State correctional facilities and nine State juvenile residential facilities that span New York are subject to the same inconsistencies and lack of cogent literacy resources, but also face unique literacy learning challenges. Our visits found that these can include, for example, inconsistency in educational staffing, frequent movement between facilities and, at times, fairly short lengths of stay. These distinctions will warrant targeted attention from the task force.

Science-based literacy education is all the more necessary in the State’s correctional and juvenile facilities to address a civil rights crisis of illiteracy. DOCCS and OCFS house a disproportionate number of Black and brown New Yorkers. Black students with language-based learning differences are more likely to be undiagnosed or misdiagnosed than their white peers,⁷ and while students who are not reading by the end of third grade are four times more likely to drop out of school than their peers, that rate doubles for Black and Latinx students living in poverty⁸—who are similarly at disproportionate risk of entering DOCCS or OCFS custody.⁹ But reading is not only a civil right. It is a vital tool for participation in New York State society, and DOCCS and OCFS students must have access to the same resources as other students so they may return to our communities equipped to become full participants in our great State.

² See, e.g., Laura Cassidy, et. al. *Dyslexia in Incarcerated Men and Women: A New Perspective on Reading Disability in the Prison Population*. 72 *Journal of Correctional Educ.* 2 (2021); and Anabel Newman, et. al. *Prison Literacy: Implications for Program and Assessment Policy*. National Center on Adult Literacy TR-93-1 (1993).

³ *Id.*

⁴ See <https://www.begintoread.com/research/literacystatistics.html>.

⁵ See Moody, Kathryn C., Holzer, Charles E. Roman, Mary J. Paulsen, Katherine A. Freeman, Daniel H. Haynes, Marjie and James, Thomas N. (2000). “Prevalence of Dyslexia Among Texas Prison Inmates” in *Texas Medicine* Volume 96, Number 6, June.

⁶ *A Call to Action: The state of early literacy in New York*, The Education Trust-New York (April 2023): 13 (available online at <https://newyork.edtrust.org/wp-content/uploads/2023/04/ETNY-Literacy-Report.pdf>)

⁷ See, e.g., Laura Cassidy, et. al. *Prevalence of undiagnosed dyslexia in African-American primary school children*. *npj Sci. Learn.* 8, 52 (2023) (available online at <https://www.nature.com/articles/s41539-023-00204-8#article-info>)

⁸ *A Call to Action, supra*, note 3 at 3.

⁹ Elizabeth Johnson, *Trends in the New York State Prison Population 2008-2023*, Data Collaborative for Justice (July 2023) (available at <https://datacollaborativeforjustice.org/wp-content/uploads/2023/07/PrisonPop-1.pdf>)

While I elevate the concerns of these students in my role as Inspector General, I am also informed by my experiences both as a teacher in prisons and as the parent of a child with dyslexia. I have witnessed firsthand—as a teacher and as a parent—the devastation that inadequate reading education can have on a learner’s confidence and overall well-being. More recently, I have also seen how evidence-based teaching can help a student with dyslexia or dysgraphia learn to read, foster a love of learning, and enhance a learner’s sense of self and connection to community. I am sure that you share my wish that we provide the same educational opportunities for New Yorkers in the State’s custody, and I ask that you expressly consider those students in your creation of the task force and implementation of science-based literacy curricula.

Sincerely yours,



Lucy Lang
New York State Inspector General

cc: Lester W. Young, Jr.
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New York State Board of Regents

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