

TESTIMONY OF GWYNNE L. SKINNER ON BEHALF OF SENATE BILL 612, A BILL REGARDING DYSLEXIA, FOR MARCH 17, 2015, HEARING BEFORE THE OREGON SENATE EDUCATION COMMITTEE.

My name is Gwynne Skinner. I am a Willamette law professor. Pursuant to an academic project, I have gathered and reviewed various statistics regarding individuals labeled as having a “learning disability” that likely have dyslexia, including those in the corrections system. I am also parent of a child diagnosed with dyslexia. I provide the following written testimony regarding both statistics and the costs to society in not addressing dyslexia and related learning differences in school (in my role as a professor) and with regard to my own experience as a parent.

**Statistical Information**

Summary

We know that a high percentage of those in the juvenile and prison system suffer from dyslexia or similar learning differences and never received appropriate intervention. Children with dyslexia who are undiagnosed or untreated often later drop out, act out (they would rather be bad than “stupid”) or tune out – all at a great loss of human potential to society, at great cost to them and their families, and at great cost to society in terms of 1) public assistance and loss of tax revenue, 2) by becoming part of the school to prison pipeline and/or 3) suffering from depression or other mental health issues and in turn, self-medicating and leading to addiction.

Introduction:

Statistics show that a significant majority of the prison population suffers from learning disabilities or learning differences, such as dyslexia. New statistics suggest that a large majority of homeless, underemployment, and unemployed also have such differences, even while their intelligence level is normal or even high. Similarly, a high percentage of those who tend to drop out of school have a “learning disability.”

Schools have thankfully done a good job in addressing the needs of the physically disabled, those who are mentally or intellectually disabled, and those who suffer from conditions such as autism. Even students who suffer from ADHD, who have been lucky to be diagnosed with the condition, can receive extra services and intervention.

But millions of students are of average to high intelligence have learning differences (which are sometimes categorized as learning “disabilities”), such as dyslexia, and are never diagnosed or treated. These students employ one of three strategies: they “escape” (and eventually drop out); they “act out” because they’d rather be “bad” than “stupid” (and are often expelled or suffer the consequences of repeated disciplinary action), or become depressed and anxious (often leading to self-medication through alcohol or drugs), which can lead to or exacerbate other mental health

conditions. These students, often labeled “lazy”, often bear the brunt of abuse as school and at home.<sup>1</sup>

Because most schools do not screen for dyslexia or other learning differences, there is a lack of information and training among teachers – even often about “reading specialists” and other educational specialists in the school systems. Public schools, and most private schools, employ a one-size fits all approach (unless the child has been screened for a more recognized learning issue).

Yes, the cost to society – let alone the cost to the human being whose full potential is not being met – is significant: costs of prison, unemployment costs, homelessness, and the fact that these individuals, often who are of high intelligence, are not being allowed to contribute to society to their fullest potential.

#### Some important statistics:

The following statistics highlight the prevalence of dyslexia and related learning differences that the impact to society which such are undiagnosed and untreated.

It is estimate that **60% of America’s prison inmates are illiterate.**<sup>2</sup> **Approximately 75% of those incarcerated demonstrated learning disabilities early in life.** While the prevalence of dyslexia in the general population is about 20%, **the prevalence of dyslexia in prisoners is more than twice that, or 48%,** according to a scientific study conducted at the University of Texas Medical Branch in conjunction with the Texas Department of Criminal Justice (published 2000).<sup>3</sup>

In addition, **85% of juvenile offenders have been found to have reading “disabilities”.**<sup>4</sup> This is linked to the fact that **35% of children with “learning disabilities” drop out of school** and many of these same youngsters end up in the criminal justice system.<sup>5</sup>

Moreover, studies have shown that **74% of children who display reading problems in the third grade will remain poor readers into adulthood** unless they receive special instruction on reading and phonological awareness.<sup>6</sup>

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<sup>1</sup> How many times in my life have I heard a smart, good person say, “I never was much the learning type” or “I never was much the school type” even though they are very bright and could have had more fulfilling work, education, and lives? How many children suffered shame from teachers and parents alike for not being able to memorize their multiplication tables or being able to spell? How many children experienced what I did to my daughter – once yelling at her to sit at the table until she was done with her homework until she broke down in tears because she just couldn’t do it?

<sup>2</sup> U.S. Department of Education; see also *Literacy Development for Juvenile Offenders: A Project of Hope*, <https://www.ncjrs.gov/App/Publications/abstract.aspx?ID=210335>

<sup>3</sup> Dr. Kathryn Moody, <http://www.educationupdate.com/archives/2008/DEC/html/spec--dyslexia.html>)

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<sup>5</sup> See Evidence of Failure for Persons with Learning Disabilities, LDA Newsbriefs, Jan.-Feb. 1996, at 21 (citing Report of the Summit on Learning Disabilities, 1994) (citation omitted).

<sup>6</sup> National Institute of Health: <http://grants.nih.gov/grants/guide/rfa-files/RFA-HD-95-005.html>

**More than 80% of students with specific learning differences who receive special education services have deficits in language and reading,** and dyslexia is the most common cause of these reading, writing, and spelling difficulties.<sup>7</sup>

More statistical information is attached as exhibits to this testimony. The statistical information confirms the great cost to the individual and to society when children who are otherwise of normal to high intelligence, but having learning differences such as dyslexia and related differences, are undiagnosed and untreated.

### **My Experience as a Parent**

My experience as a parent mirrors the experience of many of the parents who are testifying before the Committee. Our daughter, Ella, attended Abernethy Elementary school in SE Portland from kindergarten through the third grade. Abernethy is a well-regarded elementary school in Portland. In first grade, it became clear that Ella was struggling with reading and writing. Her teacher told us, however, she was meeting grade level expectations and not to worry. In second grade, it became increasingly apparent she was falling behind. Again, we were told she was meeting or was close to meeting expectations. However, we had Ella evaluated by the Children's Program in Portland. They determined that she was indeed behind, and diagnosed her with moderate ADHD (which we had suspected). Although they noted it was possible she had another learning disability, it was important to first see if the treatment for ADHD improved her performance. With her ADHD diagnosis, she began to receive instruction from the Reading Specialist at Abernethy. With her ADHD addressed, and the additional help, she did begin to "catch up" and her improvement was notable, especially her reading. She continued to struggle with writing. In third grade, we became more concerned about her clear deficits in writing and math memorization (math concepts were a strength, but not the multiplication table, and she made frequent mistakes in transposing numbers). When meeting with her teacher and the reading specialist (and speech pathologist), we addressed her situation. We were told that she was improving, was meeting or close to meeting grade level. We noted the clear problems with spelling and writing, but were told many other students also struggled with this. Because we have an older daughter that does exceptionally well in the traditional academic setting, the third grade teacher (who was also our older daughter's teacher), told us we were comparing Ella to her sister and that was the problem. She also said, "Well, she'll never be a doctor or lawyer." I am a law professor and my spouse is a doctor. We were offended by the comment, which suggested Ella was simply of lower intelligence and that we should lower our expectations.

After this meeting, we asked that they test her for another learning disability, and mentioned dyslexia. The reading/learning specialist told us on several occasions that Ella didn't qualify for additional testing and that even if she had another learning "disability", or even dyslexia, she would not be eligible for any other services. We noted that if she had dyslexia (which we suspected), we assumed that they would use a different instructional method. We were told they would not.

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<sup>7</sup> The International Dyslexia Association, at 222.interdys.org.

We had our daughter tested again by the Children’s Program, and they determined that Ella suffered from moderate dyslexia. When we brought this information to her teachers and the reading specialist, they were, in their own words, “shocked.” They were shocked because Ella “was reading at grade level.” We explained that, like many intelligent dyslexics, she was compensating, and we explained to them how dyslexia affects her ability to write, spell, and work with numbers (each dyslexic is different in these regards). The reading specialist confessed to us that she had no training whatsoever in dyslexia or the warning signs. I was absolutely shocked by this – that a reading and learning specialist would not even know about dyslexia or have any training in it, especially given the numbers of those with “learning disabilities” (as opposed to intellectual disabilities) who are likely to have dyslexia or a related learning difference.

We have since enrolled Ella in a Catholic elementary school that although not perfect, is willing to work with her and give her appropriate accommodations. We also have her go twice a week to work with a dyslexia specialist. Ella, who is quite bright, is making great progress with these interventions and accommodations. We have also learned a lot about dyslexia. I myself was completely ignorant that this might be the problem. The number of arguments and fights we had about her homework or why she just wasn’t getting something – that I called her lazy on more than one occasion, and asked one time if she wanted to be “ignorant,” - haunts me to this very day.

We are lucky we have the resources for the testing and additional tutoring. So many kids in our public school system do not. This must change. These children deserve a bright future, and society deserves the contributions of these bright and exceedingly creative children.

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