

December 6, 2012

The Honorable Dick Durbin, Chairman
Judiciary Committee's Subcommittee on the Constitution, Civil Rights and Human Rights
226 Dirksen Senate Office Building
Washington, DC 20510

Dear Senator Durbin,

The National Center for Learning Disabilities (NCLD) commends the subcommittee's leadership in holding the "Ending the School-to-Prison Pipeline" hearing on Wednesday, December 12, 2012. This hearing is on a critical topic impacting students with learning disabilities (LD) and other at-risk students.

According to the report by the Center for Civil Rights Remedies at the Civil Rights Project an estimated 13% of all students with disabilities were suspended nationally during the 2009-2010 school year. This is approximately *twice the rate of their non-disabled peers*. For all students with disabilities, regardless of race, it was found that over 400 districts suspended 25% or more of these students. Black students with disabilities were most at risk for out-of-school suspension with an alarming 25% national average *for all districts in the sample*. As you know, the frequent use of out-of-school suspension results in increased dropout rates and heightened risk of youth winding up in the juvenile justice system.

Students with LD comprise over forty percent of students identified with disabilities in our nation's public schools. They are disproportionately poor and continue to drop out at a higher rate than the general population (20% vs. 8% respectively). Students with LD do not have cognitive or intellectual challenges and should be taught to the same standards and held to the same high expectations as their peers. Clearly, students with LD need stronger Federal policies to support staying in school and graduating high school with a regular diploma. Without stronger policies, many students with disabilities are left without the same educational opportunities as other students, or worse, face barriers to achieving the same educational gains as their peers. Federal policies that promote and support best practice can help schools improve teaching and learning environments without forcing students to lose valuable days of instruction.

NCLD strongly supports your efforts to address keeping youth in school and out of the juvenile justice system. This hearing is necessary to ensure a full discussion about the need for policies that lower drop-out rates and ensure more students with disabilities graduate from high school with a regular high school diploma. Thank you again for your leadership and attention to strengthening educational opportunities for students with disabilities.

Sincerely,



James H. Wendorf
Executive Director