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Dismantling the School-to-Prison Pipeline for Students With Disabilities

The Problem



Keeping students in school and out of the criminal legal system has long been a priority for policy makers.¹ The *school-to-prison pipeline* (also called the cradle-to-prison pipeline), through which students who have behavior problems in school can find themselves involved in the juvenile justice system, is a result of public policies (e.g., educational [disciplinary policies, testing requirements], public safety [policing]).² Youth who are in the school-to-prison pipeline have less desirable outcomes in life—research shows that youth who are arrested or incarcerated have lower levels of educational attainment³ and social-emotional well-being,⁴ lower wages,⁵ and worse health outcomes⁶ than do youth who have never been arrested or incarcerated.

Beyond the effects that justice involvement has on youth themselves, justice involvement has broader effects on society (e.g., the economy, safety). For every youth in the juvenile justice system, states pay between \$100,000 and \$500,000 for confinement per year.⁷ These resources can be better used for services that can improve youth outcomes, including access to equitable educational opportunities.

Students with disabilities and youth of color are disproportionately affected by exclusionary discipline practices and are therefore more likely to be at risk of criminal legal system involvement.⁸ Of students who are referred to law enforcement or arrested while in school, 25% are students with disabilities, but these students compose only 12% of the total student population.⁹ In New York state, approximately two thirds of prison inmates have documented learning disabilities.¹⁰ Because students

with disabilities are more likely to be at risk of criminal legal system involvement, the value of identifying ways to support these students can multiply.

The Individuals with Disabilities Education Act mandates that students with disabilities receive additional educational services that address their disabilities in ways that are specified in Individualized Education Programs (IEPs). An IEP describes the services needed by the student and the accommodations that will be made for instruction and assessments to ensure the student receives a free, appropriate public education.¹¹ However, students do not always receive the services that they need (e.g., accommodations or modifications, adaptive equipment, alternative assessments), either because they are undiagnosed or because they are not properly served. One study found that nearly 85% of youth in juvenile detention facilities had a disability that should have made them eligible for special education services, but only 37% of these youth received appropriate services while in school.¹² Youth with disabilities need more support to ensure that their educational needs are met and that they can grow into successful and productive adults. By ensuring students with disabilities have access to a free, appropriate public education that includes the resources and supports needed to keep them in school, the school-to-prison pipeline can be dismantled.

The Solution



The Manhattan District Attorney's Office launched the Criminal Justice Investment Initiative (CJII) in 2014 and, within it, the Family and Youth Development (FYD) Programs Initiative in 2017.^a CJII aimed to expand service providers' capacities to implement FYD programs for populations at elevated risk of poor life outcomes, including criminal legal system involvement.

One of the FYD programs, the Medical Legal Partnership (MLP), presented an opportunity to reach (a) students with disabilities, (b) youth who have dropped out of school or have disciplinary issues, and (c) youth who have been arrested or incarcerated or are involved with family court. The MLP described in this document is a partnership between the Legal Aid Society (LAS) and Mount Sinai St. Luke's Child and Family Institute (CFI)^b and was funded from 2018 through 2021.

MLPs are typically designed to connect legal aid providers with clinicians, with the goal of addressing the social determinants of health and well-being among patients with low or moderate incomes. MLPs do so by integrating lawyers as members of the health-care delivery team to identify unmet educational needs and ensure that legal problems related to the provision of special education and other civil services are addressed collaboratively with health-care providers.¹³

^a The CUNY Institute for State & Local Governance now manages the CJII, which was established by the Manhattan District Attorney's Office in 2015.

^b CFI is a hospital-based outpatient psychiatric clinic that works with children and adolescents ages 5–17 and their families.

LAS and CFI’s MLP aimed to positively affect the communities of Washington Heights and Harlem by (a) improving functioning among families of youth at high risk for criminal legal system involvement and (b) improving coordination between mental health services and legal services to support youth at high risk for poor educational outcomes, exclusionary disciplinary action, and criminal legal system involvement, with the ultimate goal of dismantling the school-to-prison pipeline.

About the MLP



Through the MLP, LAS trained CFI clinicians on how to identify youth in need of educational advocacy (e.g., youth facing superintendent suspension hearings, not receiving mandated services, in restrictive settings, and/or with frequent classroom removals). CFI clinicians used this knowledge to identify and refer patients with psychiatric

conditions or learning or developmental disabilities to LAS. LAS then matched each family with an attorney who conducted an intake meeting to review the youth’s school and medical/mental health history. Based on this meeting, attorneys worked with a social worker to develop and implement a case strategy for each family.

The MLP also provided advocacy resources to parents and families. LAS staff facilitated Know Your Rights workshops, which instructed families about parental rights regarding special education and school discipline. CFI clinicians also facilitated Parenting in Stress groups (short-term parenting support groups) and Positive Parenting groups (long-term parenting support groups).

In total, the MLP served 242 families and their children between 2018 and 2021. The youth and families who participated were from historically underrepresented or racially minoritized groups—almost all youth identified as Black or Hispanic/Latinx (85%), and nearly all families (88%) had an annual household income of less than \$50,000.

CASE STRATEGIES

- Provide advice to families
- Request mediation
- Represent youth in suspension hearings
- File due process complaint or represent youth at an impartial hearing as needed
- Attend IEP meetings
- Assist with applications to nonpublic and private schools
- Secure related service providers
- Assist with school transfer

Supports Provided During the COVID-19 Pandemic



During the COVID-19 pandemic, MLP staff used the training they received to connect youth and families with needed supports. At the onset of the pandemic, MLP staff called every family served by the MLP to gather information about what supports families needed and set out to help them in any way they could. MLP staff worked with families and schools to ensure that youth had working electronic devices (e.g., laptops, tablets) and connectivity at home and that youth continued to receive the services that were legally mandated through their IEPs. MLP staff also reviewed students' Plans for Adapted Delivery (a form required by the New York City school system) to ensure that each student's needs, including instructional and related services (e.g., assistive technology, paraprofessional support, behavioral interventions) were being met in the remote environment.

MLP staff also supported families in getting the supports needed to maintain a safe and healthy environment for learning. Such support included referrals to city programs that provided food and nutrition as well as health supplies (e.g., masks, COVID tests), subsidized internet connectivity, and support with eviction moratoriums. MLP staff pivoted with minimal disruption to service delivery via virtual operation, and interviewees explained that their engagement with families increased with the use of virtual meetings.

Perceived Benefits of the MLP



[The American Institutes for Research® \(AIR®\) conducted a study of the MLP](#) from 2019 to 2021 to understand how it had been implemented and the perceived benefits of the MLP for families. Overall, family members were very satisfied with the services that they received from the MLP, including access to services they otherwise would not have received—LAS represented parents during IEP meetings, attended suspension hearings, and secured appropriate services and school placement. In addition, families said they received assistance with Administration for Children's Services cases, housing-related issues, and accessing community resources. The MLP amplified the voices and perspectives of parents and families, with staff reporting notable improvements in how families advocated for themselves.

"[The MLP] helped me advocate for more services for my [child] so that [they] can be placed in a better placement that's suitable for [their] behavior IEP [goals]." – Family member

Return on Investment of the MLP



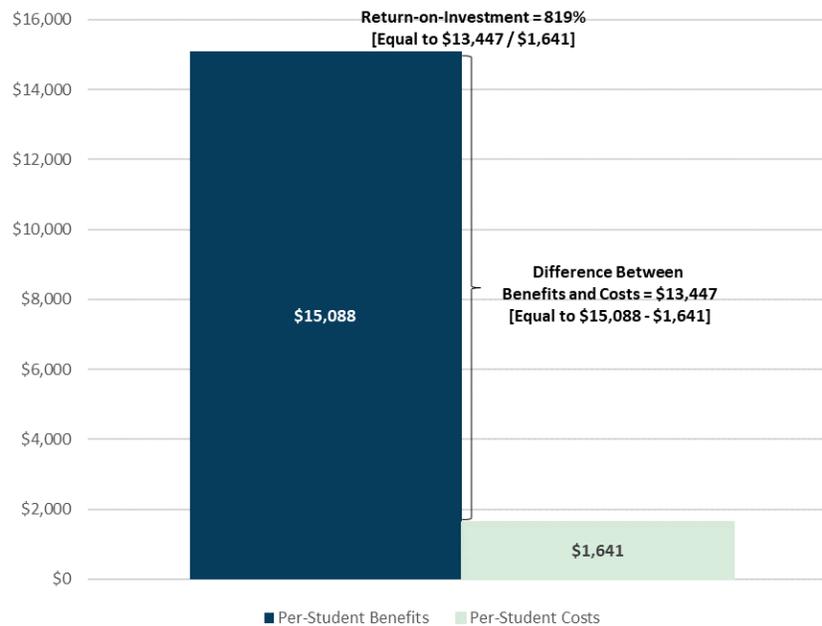
The study conducted by AIR also measured the return on investment (ROI) associated with this MLP.^c The ROI analysis calculated the costs associated with MLP services and compared those costs to the value of benefits students received. Costs included the time and expenses associated with staff training, an initial intake meeting, and development of a case strategy. Benefits included the value of achieved educational milestones (e.g., obtaining an initial IEP, obtaining private evaluation at district expense, receiving compensatory education services). In conducting the ROI, the study team recognized that the value of efforts to pursue each educational milestone could be considered a cost or a benefit of the program. For example, one could argue that access to and guidance from a legal professional is a *benefit* of the program that is unlikely to be available to families not enrolled in the MLP. Others may view the value of staff time devoted to pursuing an educational milestone as a *cost* of the program. Therefore, both perspectives were explored in this study to present two different analytic approaches to ROI. In Approach A the value of pursuing a milestone was considered a benefit. In Approach B, the value of pursuing a milestone a cost.

In both approaches, AIR found that the benefits outweighed the costs—in most cases substantially. The overall ROI under Approach A was 819%—for every dollar invested in the MLP, the program generated \$9.19 in services for youth and their families (see Exhibit 1). The overall ROI under Approach B was 27%—for every dollar invested in the MLP, the program generated \$1.27 in services for youth and their families.

Both approaches likely underestimate the full benefits actually received, due to the number of services to which families were referred by staff in the MLP that were not captured in this analysis. For example, MLP staff provided general support through referrals and information sharing throughout the program; however, during the COVID-19 pandemic, staff provided additional specialized referrals that were not consistently recorded or reflected in this analysis. The evaluation also did not capture the longer term benefits of participation, such as the value of staying in school and out of the criminal legal system.

^c The ROI study of the MLP used the ingredients approach¹⁴ to understand the value of all resources used in the program and extant data to calculate the value of program benefits. A more comprehensive ROI analysis would require researchers to follow youth for a longer period (i.e., through their full educational career and into adulthood) and compare their outcomes with outcomes of similar youth who did not have access to the MLP. The analysis reflects the more immediate benefits of the MLP and compares these benefits with the corresponding costs. Because this analysis does not include potential benefits that may accrue to students and their families in the longer term, this work is a conservative depiction of how the benefits of the MLP compare with its costs.

Exhibit 1. Overall per-Youth Return on Investment (in 2019 Dollars)



Sustainability and Scaling Up of MLPs



This approach to addressing the needs of students with disabilities is promising because it can be easily replicated in other settings. MLP staff explained that, prior to CJII funding, the basic mechanisms of the program were in place. For example, CFI had an existing relationship with LAS, and CFI staff connected families in crisis with educational legal services through LAS. However, funding was needed to maintain critical elements of the MLP, specifically staff (e.g., full-time paralegals, social workers, administrative staff) and trainings, and to ensure that these services were offered equitably across families and that the MLP was responsive to the needs of the families it served. The evaluation identified four strategies that were beneficial to implementation. First, social workers played an important role in the referral process and should be included in the legal team. Second, family members appreciated opportunities to meet with other families and learn from their experiences. Third, attorneys had offices within the clinic, which allowed families to get easy access to them. Fourth, embedding the MLP into the clinic's procedures and policies (e.g., onboarding, trainings) ensured consistency in referrals across clinicians.

Future Opportunities for Funding



This MLP was uniquely situated to respond to families' needs both throughout a typical school year and in a crisis (i.e., the COVID-19 pandemic). The MLP presented an opportunity to address gaps in services for youth and families and to support families in developing valuable self-advocacy skills. The MLP brought tangible benefits, by way of services that families would not otherwise receive, the value of which outweighed the cost of the MLP. Further, staff indicated that this program was relatively easy to set up and operate. Investment in this program may produce meaningful benefits for youth and their families. It is worth recognizing that this program aims to remedy failures of schools' special education and disciplinary systems to provide needed services and supports to students. Programs like the MLP should continue to be funded to help students when the system fails. However, these programs should exist alongside a renewed commitment to and plan for addressing the failures of the system, to avoid such failures in the first place.

Future Opportunities for Research



Although the study showed the promise of MLPs, the study is bound by the time limits. Longer term follow-up with students served could identify additional benefits. To produce a more robust estimate of MLP effects, future studies can follow students who are similar at the beginning of the study but are then divided into students who receive these supports and students who do not receive these supports. Lastly, replicating this approach and studying the outcomes in other settings, either in New York City or in other cities, may illuminate and advance broader policy decision making related to MLPs.

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