

Increasing the Accessibility and Relevance of In-Prison Education for Justice-Involved People with Dis/abilities: An Intersectional Analysis and Proposal

I. Introduction

This project offers an intersectional analysis of in-prison education programs through the lenses of race and dis/ability as well as a proposal for improving in-prison education outcomes for incarcerated dis/abled people. Dis/abled people make up a major portion of the U.S. prison population, yet little has been done to design education pedagogy in a way that enhances the social and economic self-determination of the dis/abled prison population. The aims of this paper are to: 1) describe the process of racialized disablement through imprisonment; 2) show how the current prison education system fails people with dis/abilities; and 3) demonstrate the relevance of social constructivist educational theories and practices for in-prison pedagogy and curriculum.

II. Race, Disability, and the U.S. Prison and Jail Population

Racial prejudice is a well-known dominant feature of the U.S. incarceration crisis (Alexander, 2010; Annamma, 2016). The United States has 2.2 million people incarcerated (excluding youth and immigration detention), 40 percent of whom are African American even though African Americans make up only 13 percent of the total U.S. population (Prison Policy Initiative, 2020). The Bureau of Justice Statistics completed more recent data on jail demographics in March, 2021, and discovered that racial inequity has widened in the jailed population. According to Luna (2017), racial discrimination has a profound effect on the fairness and severity of trial outcomes. People of color, particularly Black and Hispanic people, are unfairly treated in terms of conviction probability and severity (Luna, 2017).

Incarceration rates began to spike in the 1970s, facilitating a social and economic assault against primarily Black Americans. As explained by lawyer Michelle Alexander in *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Black Americans have disproportionately been stripped of their rights to civic engagement (employment, housing, voting, public assistance, and jury service) through criminalization (Alexander, 2010). Historians Elizabeth Hinton and DeAnza Cook (2021) demonstrate that the expansion of the prison system in the late twentieth century served to repress rising human rights activism against discriminatory policing, which was itself a response to increasing national awareness of social and civil rights in the middle of the century. These historical developments work to systematically exclude significant numbers of Black and Brown people from activities that would encourage their social and economic success. Yet the history of Black criminalization predates the incarceration spike of the late twentieth century. Khalil Gibran Muhammad (2011) has shown that surveillance of enslaved people was the basic function of policing in southern states before the Civil War. The southern design helped shape policing throughout the nation. In the early twentieth century, Northern states used data that showed a disproportionate Black population in prisons as evidence to argue that Black people were deficient and pathological, rather than the targets of racist policing. Today, prisons are filled with people who were driven there by racist policing and hyper surveillance in their schools and communities (Alexander, 2010; Annamma, 2016; Muhammad, 2011).

Yet, race alone does not explain mass incarceration in the United States (Ferguson, 2016). Historically, dis/ability has been one reason for incarcerating people (Ben-Moshe, 2014). For instance, in the early twentieth century, so-called “ugly laws” criminalized the public appearance

of anyone considered unsightly. Such laws subordinated and segregated people, stripping them of their capacity to obtain education and to work, even though many were already self-sufficient or carrying out some manner of employment at the time they were incarcerated (Schweik, 2009, p. 184). Ordinances incited eugenics that expanded the reach of discrimination to target people with mental dis/abilities as well, denying them all manner of social integration (Schweik, 2011).

The ugly laws intertwined with race, class, and poverty to oppress people and forcibly remove them from not only equal employment opportunities, but also from being seen in public at all. This form of discrimination continues into the 21st century through policing that targets dis/abled people (Sarrett & Ucar, 2021). Also important are ordinances that abuse the ADA—federal law intended to protect dis/abled people from discrimination—by claiming that dis/abled people (specifically emphasizing mobility impairment) have a right to public access, but then implementing that access in ways that target and remove from public spaces people with various other dis/abilities, including impairments, mental health, and criminal history (Schweik, 2011; Wilson, 2015). Today, people with mental health dis/abilities form a major portion of the U.S. prison population—56 percent, 45 percent, and 64 percent in state, federal, and jail populations respectively (James & Glaze, 2006).

These statistics do not count students with physical impairments or the 30-50 percent with learning dis/abilities (Koo, 2016). Overlap of dis/abilities or impairments is not tracked. The prison population has more prevalent dis/ability and health concerns than the general population (Patterson, 2019), and the majority is over the age of 40 with lingering educational deficiencies from their K-12 experiences (Russell & McMay, 2020).

III. Racialized Disablement and the School-to-Prison Pipeline

Law professor, civil rights activist, and critical race theory scholar Kimberlé Crenshaw identifies intersectionality as a collision of multiple systems of power (Crenshaw, 1991). This section examines the intersection of racial discrimination and disability discrimination in the construction of what many call the school-to-prison pipeline. It shows how dis/ability discrimination in education is a mode of expansion for what Alexander calls “The New Jim Crow”—a post-Jim Crow era racial caste system based in criminalization (Alexander, 2010). Crip-of-color scholar Jina Kim (2020) uses the term racialized disablement to describe the abuse of state power used to carry out violence against Black, Brown, and dis/abled students in K-12 schools and to criminalize Black and Brown people in general.

Dis/ability and race are both socially constructed identities (Charlton, 1998) upon which zero tolerance policies in secondary education prey, especially with the expulsion of African American boys (Government Accountability Office, 2018) and the suspension of girls of color (Annamma, 2016). For example, Brown and Black children are referred disproportionately for special education evaluation and labeling due to characteristics and behaviors attributed to disability, when alternate explanations for their behaviors (stress, cultural practices, hunger) are available (Annamma, 2016; Annamma, 2019; Gillborn, 2015; Rausch et al., n.d.). White children are more likely to be labeled as learning disabled and receive educational support while Black and Brown children are viewed as less capable by the subjective opinion of school staff (Annamma et al., 2013; Beratan, 2008; Sleeter, 1987). Institutional practices continue to exclude mostly children of color by way of segregation into special education classes and predestine

them for arrest and imprisonment (Drabinski & Harkins, 2013; Erevelles, 2014; Government Accountability Office, 2018). One of the first statements displayed on the website for the Washington Board of State and Technical Colleges is evidence of the broad social and economic results of institutional practices: “Most of the men and women entering correctional facilities lack the literacy and employment skills needed to succeed in our communities upon release” (sbctc.edu, 2020, para 1.). If K-12 education was working well, this would not be the case; the elimination of oppression requires transformation of primary and secondary education (Drabinski & Harkins, 2013).

IV. The Present Landscape of Prison Education

a. Education gaps among incarcerated people

The rate of imprisoned people who have no postsecondary education is 51 percent, as opposed to 14.4 percent of the non-incarcerated population (Lagemann, 2016). Additionally, with 45-64 percent of incarcerated people classified as mentally dis/abled (James & Glaze, 2006), 16 percent with serious mental illness (Post-prison, 2019) and 30-50 percent with learning dis/abilities (Koo, 2016), the incarceration of dis/abled people in the United States should be understood as a form of social and economic maltreatment. Scholars have identified an education gap between dis/abled and nondis/abled people in the United States; overall, dis/abled people attain fewer years of education and have lower literacy rates (Connor et al., 2016; Ryan & Bauman, 2016). A gender gap notably exists wherein dis/abled women complete fewer years of education and have lower literacy rates than dis/abled men (Ryan & Bauman, 2016). Dis/abled students’ high school graduation rate is 73 percent, including on-time and delayed graduation dates, compared with 85 percent for nondis/abled students’ on-time graduation rates (Hussar et al., 2020). The education

gap between dis/abled and nondis/abled people in the United States is a problem that can be improved by increasing opportunities for quality, relevant education for the dis/abled population, and may lead to increased economic stability and civic engagement. The in-prison experience provides just one valuable intersection for educational opportunities for people harmed by racialized disablement in the United States.

b. Availability and normative aims of education programs in U.S. prisons

The U.S. Department of Education oversees and partially funds correctional education, defined as rehabilitative programming (U.S. Department of Education, 2021). State law dictates who is required to participate in education programming, which programming they take, and whether they must pay for it. Justice-involved students who do not participate or who do not pay required fees are subject to punishment. Rehabilitative programming includes adult basic education (ABE) for reading, writing, arithmetic, and ESL; and also includes adult secondary education (ASE) for high school level studies and test preparation, such as the GED. The programs are available in around 80 percent of prisons, jails, and detention centers throughout the United States; availability varies from state to state, and federal funding is allotted based on the state's request (U.S. Department of Education, 2021). Additional funds are provided from many sources including local grants, nonprofit grants, churches, and sales or other taxes, depending on the state. The sources of funding in some locales can be difficult to identify, and because they are so varied, programming is inconsistent in location, quality, and policy restrictions. The department provides grants to certain college institutions (nine institutions in 2015) for their plans to partner with local correctional institutions to provide courses. Education may include distance learning, nondegree credentials, or community-based programs. Admission into college in-prison

education is based on applications, essays, and interviews. Admission also has varied funding, with the greatest contributions being from private donations (Royer et al., 2021). The majority of educators are adjunct professors, and pedagogical creativity is limited by each institution's restrictions on themes, subjects, and technology (Russell & McMay, 2020). Inside/outside classes are designed to be collaborative, but mostly benefit nonincarcerated students due to the restrictions placed on justice-involved students (Berry, 2018; Gaskew, 2015; Lagemann, 2016; Moore, 2015). Overall, prison education fails to prepare most incarcerated students for employment upon reentry (Ellison et al., 2017) and maintains its focus on crime reduction and reformation of the student.

Reentry challenges are compounded for students experiencing dis/ability discrimination. When the federal government authorized an investigation from 2012 to 2014, the final assessment resulted in many lawsuits against prisons for their failure to provide access to educational and vocational programs; their failure to provide communication accommodations to enable enrollment or participation into services and classes; their decisions to punish people for failing to meet program expectations or failing to participate in programs while denying them accommodations that would enable them to hear, see, write, and otherwise communicate; and for requiring people to participate in classes inappropriate for their dis/ability, then punishing them for failing to meet expectations (SeEVERS, 2016). Outside of prison, dis/abled students regularly face stigmatization, often to the point that they cannot secure employment (Tighe et al., 2019). For formerly incarcerated people with dis/abilities, an additional layer of stigma marks them as outsiders or as perpetually criminally minded (Lagemann, 2016). Furthermore, if they belong to a racially marginalized group, in particular if they are African American, they are multiply

marginalized from full participation in society, in part through exclusion from the labor force (Charlton, 1998; Davis et al., 2013; Ellison et al., 2017) and barriers to voting (Hajnal et al., 2017).

In-prison education programs reduce the probability of recidivism by about one third and increase post-incarceration employment by 24 percent (Ellison et al., 2017); as such, it is no longer necessary to question whether in-prison education is beneficial and should be implemented (Davis et al., 2013; Ellison et al., 2017). However, the statistical data drawn upon for this research are inconsistent (Ellison et al., 2017). Moreover, reliable, large-scale research on the outcomes of prison education as it affects recidivism and employment for Black, Brown, and dis/abled students are largely unavailable (Ellison et al., 2017; Gaes, 2008). Existing research focuses on how to improve chances of employment by more than 24 percent (Ellison et al., 2017) as well as how to increase enrollment in postsecondary programs, but current perspectives are problematic because, on the whole, they do not include or define student goals, input, or future plans—an indication that the current system upholds the medical model of disability and that of learned helplessness. Little research is available that elucidates what dis/abled students in prison need from the perspective of the students themselves. Only one recent article from the United States provides this input, and questions were asked regarding communication needs for the carceral setting in general, not specifically in regard to education (Sarrett & Ucar, 2021). During interviews, justice-involved people with diagnosed dis/abilities requested that prior to any other communication, people ask whether they have a dis/ability. The most frequent request is that they be treated with respect. There were numerous requests for everyone to be patient while talking, and to listen patiently. Students also asked that people learn to identify behavior

differences and treat these differences as behavior differences rather than acts of apparent guilt. Additionally, they ask that instructions be provided slowly and that they do not contradict each other, and that questions and interviews take place in a quiet location after proper medication has been taken (Sarrett & Ucar, 2021).

The availability of in-prison education is that which scholars note “confines inmates and prioritizes the safety and security of their facilities by enforcing compliance and restricting individuality” (Mukamal et al., 2015, p. 2). Research on strategies for establishing in-prison education programs mentions prosocial benefits for incarcerated people, but that notion is not analyzed from the student perspective; the discussion centers on its economic benefit to the college and surrounding community (Lewis et al., 2020). If dis/abled incarcerated students were viewed as future coworkers, parents, business owners, and neighbors, the planning of their education would likely be more accessible and the need for dis/ability resources would be elevated by organizations outside of the prison as well as by those working within the justice system. It would be difficult to locate prison education research that does not mention the term recidivism, yet the literature on prison education suffers from a void of students’ voices regarding what manner of education would be most beneficial for them to ensure that they not recidivate after their first release. A quest for better quality and equity in access to education in prisons should pivot its focus toward student input.¹

¹ One recent study provides direct input from students of literacy and writing courses in prison, but does not engage the discussion of dis/ability, and provides qualitative interview responses only from college students who already completed at least one degree (Berry, 2018). The students overwhelmingly described the value of education as one that enables them to generate a new, positive identity for themselves. It is apparent from their comments that they value possession of a positive identity over that of employment security, even though they indicate that they expect they will only be hired for low-skill, low-wage jobs, such as fast food restaurants (Berry, 2018). They also described positive experiences in which writing enabled them to find and maintain healthy friendships and community connections. However, since the discussion does not analyze or differentiate for race or ability, one could surmise that these higher education participants are among a privileged few within the

c. The disabling environment of prison and its implications for education access

Dis/abled people are the population that is most excluded from education in the United States (Annamma, 2016; Annamma, 2018; Charlton, 1998; Government Accountability Office, 2018; Lagemann, 2016) and prison education is similarly not serving dis/abled students despite the high rate of dis/ability found in prison. Legal research points out that dis/ability accommodations are generally not being met in prison, and cannot be adequately met without regular, interactive conversations taking place directly with the individual that requires the accommodations (Blanck, 2017). Researchers explain that access to relevant education for dis/abled people in U.S. prisons is a constitutional right that is currently unfulfilled (Blanck, 2017; Edelson, 2017). According to the World Health Organization (WHO), health is a “state of complete physical, mental and social well-being and not merely the absence of disease or infirmity” (World Health Organization, 2006). Dis/abled people in prison regularly self-report their health and wellbeing as poorer than their non-dis/abled peers, an indication that their understanding of their health may be aligned with the whole body and mind state of being, such as the WHO described (Blanck, 2019). In many instances, d/Deaf students are mistreated by staff who expect them to hear and respond to the same form of communication as hearing students, ignoring their dis/ability (Blanck, 2019; Helping Educate, n.d.). For other students, ambulatory devices are not provided and their daily living activities are diminished or cause injury, including missing meals, showers, and classes (Blanck, 2019). During research, Blanck (2019) made a discovery of

carceral system, and more research is needed to determine whether the majority of prison program participants would concur. Regardless, the value they place on education provides greater depth of student insight and could help guide the formation of nondiscriminatory in-prison pedagogy for all justice-involved students. The 2014 PIAAC Prison Study also conducted interviews and found that ABE students with low skills state that their top two reasons for studying are to gain future employment and to gain knowledge (Patterson, 2019). Further research could be beneficial in elucidating the details of how students perceive success in employment and knowledge gains, and what changes would enable them to achieve those goals.

another individual who, due to the prison's failure to provide accommodation, believed they were required to sign all documents presented to them, making them extremely vulnerable to abuse. Not only are students not being heard and accommodated in regard to their educational goals, people are systematically harmed in prison by the day-to-day conditions, making them more vulnerable to greater dis/ability and health risks and interfering with success in learning programs (Blanck, 2019).

Dis/abled people whose abilities are recognized by prison staff explain that they are relegated to either no classes or less challenging and less adequate classes, which delays their learning and stifles their capabilities (Blanck, 2019). Dis/abilities are more prevalent in the adult justice-involved population than the general population (Maruschak, 2021; James & Glaze, 2006), but few people complete correctional education programs (Patterson, 2019). Prison education researchers critique prison education programs as behavior control that is rooted in the disability medical model of intervention and perpetuates a design of "diagnosis, treatment, and cure" (Castro & Gould, 2018, p. 3). The diagnosis is criminal, the treatment is behavior control, and the cure is conformity to an oppressive state of being (Freire, 1970). A person indicates that they are cured by relinquishing their curiosity, inquiry, and critical thinking, and that likely involves giving up aspects of their culture, heritage, or language as well. The medical model does not prioritize necessary services, self-efficacy, development of security within social relationships, or improved employment rates. Rather, it encourages submissive behaviors among the oppressed, termed learned helplessness by critical race theorists, and enforced by what Freire (1970) calls false generosity of the oppressors (Castro & Gould, 2018; Freire, 1970; hooks, 2003; Young et al., 2018). The system maintains the appearance of charitable generosity by way of

helping individuals better themselves while perpetuating mass incarceration with minimal improvements toward individuals' self-determination (Oliver & Barnes, 1993).

Dis/ability researchers find that when prison education is sub-par and designed for behavior control, it is a disabling factor in itself, further separating people from their potential by offering unchallenging or demeaning education and lost opportunities for advancing their degrees, and thus, their employment and community engagement options (Ben-Moshe, 2014). Ignoring dis/ability needs and behaviors leads to more, rather than less, disruptive behaviors, due to stress, physical harm, depression, and confusion (Sarrett & Ucar, 2021; Young et al., 2018). Reports indicate that dis/ability skills training (like speech-language pathology, use of screen readers, and motor and stability skills training) is often absent from in-prison education despite the high number of dis/abled people in prison (Ben-Moshe, 2013; Blanck, 2017; Hellenbach et al., 2016; McCarthy et al., 2015). There is yet no widespread, consistent, or systematic manner of assessing people for dis/abilities upon intake into prison or jail in the United States, or upon entering an education class or program in prison (Mizrahi et al., 2016; Patterson, 2019; Satter & Ucar, 2021; Young et al., 2018). Reading, writing, interpretation, and academic accommodations are frequently not being provided for dis/abled people in prison (Blanck, 2017; Valles, 2016; Young et al., 2018).

d. Absence of adaptive technology

Prison education programs lack adaptive technology. Incarcerated students are not receiving the technologically enhanced education opportunities that are available to many non-incarcerated students, and dis/abled incarcerated students are even excluded from education experiences that are equivalent to those of non-dis/abled incarcerated students. This is disconcerting but

unsurprising, considering that many higher education institutions have yet to fulfil legal requirements by providing dis/abled students equitable access and services, with cognitive dis/abilities particularly neglected (Blanck, 2017; Edelson, 2017; Järkestig Berggren, 2016; Kruse & Oswal, 2018). To provide equal access to in-prison education, appropriate technology must be provided, such as will be needed for employment success after release. Lack of employment security and stability is likely to remain a social problem among dis/abled justice-involved students after their release if they are not equipped with some familiarity and practice with commonly used or adaptive technology. Dis/abled adults without incarceration experience are living with an unemployment rate of 70 percent, and the unemployment rate among dis/abled Black people is nearly twice as high as unemployment among dis/abled persons of all other races (U.S. Bureau of Labor, 2020). If in-prison education is staffed with instructors who are not including basic technology training (where facilities and policies allow) and are not trained in dis/ability education and the importance of technological learning aids, dis/abled justice-involved students will not only be left out of most education opportunities, but what they receive may be inaccurate or inapplicable to them. Their chances at learning and having fruitful lives are diminished. Current practices are problematic because they only minimally improve employment and social integration, likewise only minimally reduce crime, and do not address the underlying causes of incarceration. As such, they largely provide ongoing support for the perpetuation of mass incarceration through continued commodification of human life, making current practices partially responsible for the degradation of families and communities and for the great loss of intellectual and economic contributions by affected individuals.

V. Bringing Social Constructivist Education Theory to Bear on Prison Education

a. A brief overview of social constructivist education theory

In his book, *Pedagogy of the Oppressed*, Freire did more than describe an ideal education for students—he outlined steps that educators must take to deeply criticize the construction of academic institutions where inequality is found (1970). Freire’s work promotes social constructivist principles by guiding educators to critique communication and participatory action in education spaces, including their own, as a way to address social inequities. He states that educators must be participants in the learning exchange to upset the notion of white supremacy, to transform oppressive structures, and to encourage ongoing critique, inquiry, and learning in the academic environment, which is to say, to emancipate themselves from institutional constraints inhibiting their thinking.

The value of the social constructivist approach becomes clear when we consider a recent pilot study that assessed needs and provided recommendations for all in-prison education (Dewey et al., 2020). The study recommends that coursework and training should be driven by employment goals through development of community partners (focusing on reducing recidivism) and positive exchanges with the local community (to reduce stigma), and that education plans should be designed for all learning styles and needs (to increase self-efficacy). It also argues for better access to technology as well as training in its use, essential for preparing students for post incarceration employment (primarily to reduce recidivism and the economic expense that comes with it) (Dewey et al., 2020). This recommendation is well informed and suggests highly beneficial changes, but overlooks the race and ability demographics of the student body. If the pilot study plan was implemented, positive outcomes would be negligible, and likely mostly benefit white, able-bodied justice-involved people, since the plan does not address the harmful

power differential that systematically underlies the problem of mass incarceration. Nor does it suggest an opportunity for equitable treatment of, and opportunities for, the oppressed person.

Researchers also find that financial literacy is specifically beneficial for incarcerated persons (Mielitz & Marcum, 2020). In this example, the current system of pedagogy in prison education could be improved if it addressed justice-involved students' financial literacy needs; moreover, a social constructivist approach to these needs would empower students to critically consider the education they receive and challenge it; to observe and understand the systemic causes that led to their lack of banking experience; to develop their own theories that situate them as they identify themselves in a world largely reliant on banking knowledge; and to generate their own problem-based learning assignments based on insights into their own unique experiences, talents, and goals. In essence, the mission of in-prison education for dis/abled incarcerated people should be designed by centering their own ideas for social, economic, and cultural growth (Dewey et al., 2020; Gaskew, 2015; Lagemann, 2016; Mielitz & Marcum, 2020).

Drawing on social constructivist thinking for action research, a design for in-prison education can improve current processes with the realization that liberation may or may not include physical freedom, but has potential for liberating a person's thinking to embrace an anti-oppressive identity. Moreover, social constructivist pedagogy helps to develop one's unique gifts (Arimoto & Michaux, 2020; Freire, 1970; makinggusmatter.com, 2020). Current prison education leaves students unprepared for successful reentry and calls for critical analysis that demystifies the intersections of violence. It is also important to note that justice-involved students continue to have influence and social impact on the outside through interactions with

family members, through mentoring or teaching in prison programs, through inside/outside programs, and through various forms of correspondence (Drabinski & Harkins, 2013). Therefore, their learning should be viewed as integral to the transformation and reduction of harm in communities most at risk of incarceration. Educators can assist students by refusing to impose on students the identities of disabled or criminal, and by demonstrating ways of educating oneself as a means to reject the commodification of human life through mass incarceration (Kim, 2020) and social and economic exploitation (Alexander, 2010).

b. Rethinking the normative metrics of success of in-prison education programs

English and Disability Studies professor, Rosemarie Garland-Thomson, wrote that such “culturally generated and perpetuated standards as ‘beauty,’ ‘independence,’ ‘fitness,’ ‘competence,’ and ‘normalcy’ exclude and disable human bodies while validating and affirming others” (Garland-Thomson, 1997, p. 6). While race has been historically tied to the commodification of bodies for capitalist economic gain, Garland-Thomson (1997) expands the understanding of racialization by explaining how culture additionally holds expectations for how bodies should be, look, and function. The dominant discussion regarding in-prison education focuses efforts on individuals rejoining the workforce after time in prison and is problematic because such focus does not critique the normative goal of ableist social and economic hierarchy. An institution’s responsibility is to support the student in determining what equity means to them, and how they can achieve it. This requires a focus on possibilities and talents, rather than disparities alone. A focus limited to disparities would require a response that ensures equal economic opportunities; however, this approach is an impossible achievement since capitalism functions entirely on inequities. Equity-based metrics in the education setting must move beyond

an attempt to address inequities with a focus on an individual's disparities, shifting focus to a broad engagement with systemic oppression that not only helps individuals locate themselves within the oppressive scheme but also empowers them to resist it based on their own talents and goals, while supporting their efforts in doing so.

c. Inherent challenges to implementing constructivist approaches in prison environments

From the educators' and administrators' perspectives, there are challenges to applying insights from educational scholarship to the prison context. Notably, educational scholarship by and large does not discuss justice-involved students' challenges. Prison educators report that policies impacting classroom activities and coursework design vary greatly from state to state within the United States; for example, pencils and computers are banned in some carceral sites, limiting the type of courses that can be offered (McMay & Kimble, 2020). Classes are often canceled without warning due to various prison administration decisions, creating a dynamic of potential conflict between university-led programs and prison agendas. Schedules of course offerings may be limited and conflict with scheduled prison-led programs. Students are often transferred between prisons due to administrative oversight, which disrupts learning. Jails have a unique set of challenges surrounding coursework scheduling and credits, in which the justice-involved students' length of sentence is often shorter than traditional coursework terms, is often unknown, and can end suddenly and unexpectedly, not only inhibiting learning for the individual but also disrupting the classroom projects and dynamics (Duffy-Comparone & Aiello, 2020).

Taking a broader view, feminist scholars Drabinski and Harkins (2013) examine the possibilities and limits of critical pedagogy in neoliberal carceral and academic contexts, where resources are

drained from public education and at the same time invested in mass incarceration targeting communities of color. Among the issues they note, efforts to develop incarcerated students' critical thinking, particularly about systems of oppression, rely on approval by the Department of Corrections. Challenges to standard teaching practices on the inside seem costly and successes incremental at best. Educators cannot take on dual roles as formal advocates for students against prison administration oversight. Moreover, university administrators may be motivated to undertake in-prison programs to expand their shrinking student enrollment in a social order that is increasingly difficult for higher education institutions, potentially leading to their support for expanding, rather than reducing, incarceration in the local area.

Confronting these realities, an issue of *Radical Teacher* edited by Drabinski and Harkins (2013) sought to foster dialogue among people teaching inside prisons with those teaching against prisons from the abolitionist standpoint. Two main ideas emerged from the collaboration. First, the discussion highlighted the problem that carceral structures directly disable the dialogue between the abolitionist movement and in-prison education participants, yet the dialogue is directly necessary to generate effective pedagogy. Second, teachers and students of in-prison education programs assert that providing in-prison education is at risk of generating substandard, mediocre education, or causing stigma because of the constrained environment it takes place in.

Nonetheless, most participants in the dialogue also agreed that in-prison education, even disabled by its oppressive setting, can provide a transformative experience (Drabinski & Harkins, 2013; Ginsburg, 2019). It can provide the skills to critique and challenge systemic thinking that disempowers incarcerated people, and the skills to problem-solve through social engagement.

The possibilities for enhancing the lives of justice-involved students, their families, and their communities by applying educational scholarship to the in-prison context seem too valuable to ignore. The following sections accordingly further outline a more transformative approach to in-prison pedagogy without discounting the political obstacles to implementing this approach.

d. Anti-oppression pedagogy for the in-prison classroom

Anti-oppression pedagogy is a form of equity pedagogy that addresses the issues of identity formation and critical analysis of power. It can be developed in the carceral context by revisiting Freire's (1988) social constructivist ideas about conscientization (reflective knowledge) and dialogue (1970). Research points to instructor positionality and power as central to racialized disablement oppression.

The current design of adult basic in-prison education is focused on behavior control. Consideration for a student's interests and long-term goals is limited to a predetermined selection of blue-collar job training options. This focus allows institutions to claim they are designed for dis/abled people or people with gaps in their education, while placing the burden and responsibility for dis/ability and gaps in education as they intersect with incarceration on the incarcerated individuals as their fault and their problem to solve. This situates students within a limiting vision for a future as a person with a perpetual oppressed identity.

Freire's idea for reflective knowledge calls for people to gather as equal participants and intentionally discuss their various beliefs in a collective manner. Doing so develops the ability to critique myths, assumptions, and false identities (such as the belief that certain physical traits

indicate a likelihood of a person's criminality or ability to succeed academically) commonly bestowed upon justice-involved participants. Anti-oppression pedagogy will include the practice of reflective knowledge. Initial steps for participants will include practicing viewing themselves as participants; identifying and acknowledging their positions of privilege, oppression, and power; and developing an action plan.

In the current, most progressive design (where allowable under the law), universities have joined together students inside and outside prison in a combined course of study that has proven successful in terms of satisfying incarcerated students' desires for enhancing their academic and social skills (Allred et al., 2019). From a sociology and anthropology research lens, social awareness of the incarcerated experience reduces stigma among the general population. In one study, incarcerated students held roles as think tank participants to evaluate prison education design (Allred et al., 2019). The students expressed the view that by being participants, they gained social and civic engagement skills that prepared them for return to society (Allred et al., 2019). One participant in each think tank was a non-incarcerated student and, following participation, each observed that their stigma of the incarcerated population diminished as their knowledge of in-prison education increased, similar to findings in other literature that identify reduced stigma as an outcome of community engagement opportunities (Allred et al., 2019; Morgan, 2020; Wyant & Lockwood, 2018).

The combined course of study research project provides an example of how social constructivist reflective knowledge as praxis uses collaborative dialogue to stimulate critical reflection that shapes knowledge and applies action (in this instance, a research evaluation of prison education

design) to solidify those beliefs with practical application. However, projects of this nature are designed to benefit the never-incarcerated, general population of students who are studying criminal justice or related careers. They are not primarily for or by the input of justice-involved students, and continue to take place in white spaces. The idea that this coursework design helps integrate incarcerated students and prepare them to benefit society in the future upholds the notion that their purpose in life is first, to strive to create a life that mimics that of the never-incarcerated population based on the assumption that such a way of life is superior, and second, to take on a role and responsibility as one whose life purpose is to benefit (often as assistants) the purportedly superior population of people who never acquired a criminal record. Ideally, course content designed for racialized and dis/abled students must be based on the student's ideas.

Explicit dialogue about oppression and privilege is a practice of anti-oppression pedagogy. In *Building Equity: Policies and Practices That Empower All Learners*, the authors offer detailed principles for how to build equity in education (Smith et al., 2017). Their design, known as the Building Equity Taxonomy, is intended for K-12 educators, yet is informative for all academic settings. They assert that integration of all learners (class marginalized, racialized, dis/abled, genderqueer, and so on) is the baseline for education. If that is not established in the learning environment, efforts toward achievement, academic rigor, and self-efficacy will not have equitable outcomes. Building on such a baseline, the authors provide guidance that promotes social constructivist principles for educators to use that enable students to gain knowledge of the world, gain knowledge of self, and gain the agency to communicate how they want to fit into the world (Smith et al., 2017, p. 147).

Efforts focused on anti-racist pedagogy yield similar insights. A collective of Black educators gathered to found and provide lessons on the insidious nature of anti-Blackness. They provide education that illuminates the harm done by anti-Black language and anti-Black culture through language (makingusmatter.com, 2020), the understanding of which is an initial step to understanding racialized disablement. The educators' mission is to provide culturally responsive curriculum to combat inequity in education, and they do it by recognizing, emphasizing, and humanizing Blackness (makingusmatter.com, 2020). Their practice of anti-oppressive pedagogy applies reflective knowledge and an emphasis on dialogue, centralizing students' voices in discussions about the nature and internalization of dominant oppressive narratives and how those narratives may be internalized. One student participant stated that Black men and boys get the message that if they are highly educated the world will continue to treat them like they are criminals regardless; another student explained that it is normal for the world to make fun of Black women and talk about them as if they are objects and not people (makingusmatter.com, 2020).

The current practice by incarceration institutions of using language that dehumanizes people should be rejected and revised. Researchers and in-prison academics can promote terminology that humanizes people and elevates and encourages everyone's potential, but must also go beyond that to critique their own understanding of language and work to confront, oppose, and counter hegemonic speech. People involved in the justice system have offered up their own perspectives that described the importance of confronting the harm of oppressive language. As one example, in 2015, the Marshall Project presented a collection of survey responses provided by incarcerated people, formerly incarcerated people, and otherwise justice-involved individuals

including educators of prison and reentry programs and correctional officers. The following quotes discourage use of the terms inmate and prisoner and make suggestions for replacement terms that prioritize peoples' identities as members of the community.

Katherine Katcher, Founder & Executive Director, Root & Rebound: Reentry Advocates Berkeley, CA, responded, "It would be ridiculous to label each of us based on the worst moments of our lives. It's equally ridiculous, and cruel, to make people forever bear labels that define them first and foremost as their crime" (Katcher, 2015, as cited in Hickman, 2015, para. 2).

Another person responded by pointing out that the labels should not be used due to the systemic harm they cause through exaggerating social power differences:

Because I am not a status, I am a person and a human being. The labels are usually being used to my disadvantage and dehumanize me. It makes torturing and killing me much easier to do. Just think the next time you see one of us laying dead in the middle of the street and see how easily our deaths are excused by status, label, and history. I believe the current language makes the practice of racism and supremacy appear to be neutral.

(Nunn, 2015, as cited in Hickman, 2015, para. 2)

A third person described the importance of using language that recognizes and emphasizes a person as a person:

As a formerly incarcerated person, the term inmate feels disparaging. We were often called this by officers with a tone of disgust. I think it's important to use the term

incarcerated person, however clunky, because it is so easy to forget that we are talking about people when we use words like inmate or prisoner. (Conn, 2015, as cited in Hickman, 2015, para. 2)

And another speaks to the importance of humanizing language:

[I prefer] Person in prison...It is a sad commentary on our society that people lose their status as people - as fathers, mothers, brothers, sisters, sons, daughters, employees, friends, colleagues, etc., - because they have committed a crime and been caught. Yet people who have committed a crime and not been caught - and let's face it, this is the vast majority of all people - do not similarly lose their humanity. How can this be justified? Indeed, how can it be justified in the face of the reality that people of color tend to be caught more than their white counterparts? (Warth, 2015, as cited in Hickman, 2015, para. 3)

Similarly, the term correctional education situates education that takes place in prisons as distinct from other forms of education. Correctional education serves the unique purpose of governing behaviors through academic or employment skills instruction, regardless of whether knowledge and skills are acquired by the student. The control is intended to create a submissive population by denying them access to truths that would instill a desire for freedom from ignorance and rouse greater communication among the people being controlled (Freire, 1970; hooks, 1994). The term prison education is not necessarily an improvement since the word prison describes (modifies) the word education, which means that people using the term are again able to insert a definition and standard of education that is subpar to general education that is accessible to most white,

able-bodied adults. In describing education as a transformative practice of freedom, hooks (1994) asserts that language is the device through which oppressed people liberate themselves. Justice-involved students must liberate themselves through language, and this includes rejecting dominant oppressive language structures (Kim, 2020).

In her teaching experience, hooks (1994) found that the dominant reality of oppression was perpetuated by the consistent adherence to the use of standard English in academia, and yet found herself using either the dominant language or terms that mirrored the dominant language in order to communicate in the classroom or teaching environments. Building on this level of honesty, the term prison education seems merely to mirror the dominant reality, or official language (correctional education) because both can be understood as descriptions of education. The institutions and body of literature using the term prison education continue to perpetuate social inequity. There is no clear, agreed-upon definition of prison education, and although one can generally derive meaning from the relevant body of literature and identify certain primary characteristics of prison education, people (legislators, organizations, institutions, community members) can imagine their own various definitions and, moreover, continue to perpetuate harm by its use. The term in-prison is used in this paper to distinguish the context of the education being provided, to assert the notion that education should be equitable regardless of the space it occurs in or who the participants are, and to reject the linguistic perpetuation of the idea that providing justice-involved students with substandard education is acceptable.

Hegemonic speech could be critiqued further by a look at ability-evasive language. The word disability ignores the historic, and current, facts in society and education that indicate the

mutability of ability and dis/ability (Annamma et al., 2013). The term accessible in recent publications is used to discuss college enrollment numbers as an economic concern without considering that many people in prison would likely define the term accessible differently, more aligned with the meaning that the Convention on the Rights of Persons with Disabilities intends: it is a right to access that includes accommodations, assistive devices, and technology (United Nations, 2016). Additionally, disability identities are constructed and discriminated against with words that describe dis/ability as a deficit; for example, the term color-blind has been used to describe the socially unacceptable behavior or practice of racism committed through the act of evading or ignoring people's experiences of being racialized by equating the problem of racism with blindness, as if blindness is negative or unacceptable. Ableist words are often intended to restrain and restrict people's behavior (lame excuses, crazy ideas) to reinforce white, nondisabled, normative behaviors and practices in education (Gillborn, 2005; Gillborn, 2006; hooks, 1994; Kinloch, 2005). By using participatory action research as a guide for pedagogy, differences—whether constructed as racial, ableist, or criminal identities—are understood as benefits rather than deficits; students' experiences inform the pedagogy and lessons, and by doing so unearth their particular ideas and talents.

e. Adaptive technology

Course content for transformative in-prison education would be insufficient without addressing solutions for appropriate technology. The time to address needed adaptive technology or assistive devices begins when people enter prison. Mandates to assess the ability of all people entering prison are needed, which include one-on-one discussion with each person to determine

what adaptive devices and technology they must have to ensure their full participation in the education programs required of them, or offered to them, based on their prior education.

Partnerships with dis/ability rights organizations should be established to provide training and knowledge about a range of abilities and appropriate adaptive technologies. Organizations can also serve as liaisons to enhance communication with incarcerated students about their adaptive requirements.

f. An equity checklist

To ensure they are reaching the most marginalized students, as well as promoting high standards for students with various privileges, educators can follow a checklist that highlights the social constructivist contributions previously described. Justice-involved students should participate in developing a more equitable pedagogy for their own course of study. Such a checklist could address educator awareness of their own position and practice of privilege; knowledge of dis/ability and adaptive or assistive technology and devices; ability to name various cultural values identified in the class group and how to reflect on them within the coursework; ways to reflect on student achievement for demographic inequities; and options for discussing biases experienced or found in the curriculum and reflecting on their causes.

One measurement of success in the long-range goal of in-prison education should be that of when and whether the population of people with criminal history in the United States has the same rate of education access and attainment as the general population, which is about 75 percent. This is but one external measurement to support, but not replace, the justice-involved population's own determination and sense of success in the areas of social integration, identity,

and equity. Various actors—OSPI, advocacy organizations, political leaders—along with the oppressed population’s central role as self-educators, must all be invested for this achievement to materialize. Additionally, the plan requires the recruitment, hire, and competitive wages of both Black and dis/abled educators. However, the checklist below is a guide for all participants that synthesizes the preceding analysis of in-prison education based in social constructivist methods for learning and educating within carceral settings.

In-prison Pedagogical Equity Checklist

In-prison pedagogy design that is relevant to the student population, adaptable to the prison environment, and works within the considerable constraints previously mentioned, will seek to create a learning environment in which all are participants in learning and educating, everyone engages in reflective analysis, and anti-oppression dialogue is practiced. The checklist is intended for use by all class participants and may be used as a collaborative tool for small group participation or feedback.

Equal Participation			
I practice viewing all participants as equal in both teaching and learning within the education space			
I identify my own social place and center my own ideas			
I seek ongoing training in the use of adaptive technology, and contribute my knowledge of adaptations to increase participation			
I collaborate with others in self-directed theory building based on my ideas and experiences			
I scaffold lessons to increase participation and build new knowledge			
I gather feedback			
Reflective Analysis			
I systematically critique social myths, norms, assumptions, and identities with the group			

I identify power differences			
I practice communicating my own ideas for social, economic, and cultural growth			
I facilitate critical dialogue about dis/ability and intersectional theories			
Anti-Oppression Dialogue			
I identify oppressive language and practice the use of anti-oppression language			
I hold conversations about specific learning needs			
I discuss culturally-responsive reading material			
I center discussion of intellectual practices and the creation of intellectual spaces			

Conclusion

Prevention of education opportunities is a most effective and long-standing form of oppression. This project offered an intersectional analysis of in-prison education programs through the lenses of race and dis/ability as well as a proposal for future teaching and learning in carceral spaces. Dis/abled people form a major portion of the U.S. prison population, yet little has been done to design education pedagogy in a way that enhances their social and economic self-determination, and not enough literature has looked at this topic from a stance of disarming the social medical model of disability. This paper described the process of racialized disablement, showed how the current prison education system fails people with dis/abilities, and demonstrated the relevance of social constructivist educational theory and practice for in-prison pedagogy and curriculum. This paper adds onto existing literature in the field by emphasizing the importance of in-prison education design in the context of a growing mass incarceration abolitionist social movement. The use of social constructivist theory highlights the worthiness of each justice-involved person and draws attention to their role within this larger movement as valuable members of society, integral to both abolition and the overthrow of the 60-year-long grasp of the medical model that serves to cloak the horrors of disability discrimination and exclude people from participation in

intellectual spaces. The outline provided in this paper, pairing theory with anti-oppression practice, ensures that more than a perfunctory nod is given to either issues of race or ability as socially constructed, oppressed identities, and asserts that it is essential for research and activism related to mass incarceration to centralize intersectionality. In summary, current practices may be inimical to justice-involved students but can be designed for better outcomes by centralizing social constructivist theory and praxis.

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