

NATIONAL **CHARTER
SCHOOL
RESEARCH** PROJECT

center on **reinventing** public education

GET THE BOOK:

AVAILABLE NOW AT
www.crpe.org

Robin J. Lake
editor

Unique Schools Serving Unique Students

CHARTER SCHOOLS AND CHILDREN WITH SPECIAL NEEDS

Unique Schools Serving Unique Students:

BOOK OVERVIEW

By law charter schools are public schools with the same responsibilities to serve students with special needs as other public schools. On the other hand, charter schools are intentionally different from other public schools. They are freed from certain rules and regulations in order to deliver different and more effective educational programs to students. They are held accountable mainly for results, not just for compliance for following regulatory requirements or seat time requirements. Those familiar with special education advocacy and law know that compliance with rules and process are often the focal point of legal challenge and enforcement. This can pose challenges to charter school founders who want to pursue unconventional approaches to serving students while staying true to the well-trodden legal foundations of federal special education law. As one charter school advocate put it, when it comes to special education, charter schools are square pegs dealing with a round hole.

Until now, most of the policy discussion and even general public discussion about charter schools and special education has revolved around concerns over whether public schools not run directly by a school board would protect the rights of students with special needs. As the charter sector has matured, however, charter school personnel have become more knowledgeable about their legal responsibilities and public authorizing agencies have become more sophisticated about proper accountability and oversight roles. It is now time for discussion to turn to how well these unique kinds of schools are serving these unique students, and how more students with special needs, whether in charter or non-charter public schools, can benefit from high-quality teaching and learning environments.

Unique Schools Serving Unique Students (Robin Lake, editor) offers a pioneering look at the role of charter schools in meeting the needs of special education students. It addresses choices made at the intersection of these two very important policy arenas in education: special education and charter schools.

Drawing lessons from parent surveys and focus groups, interviews with policy leaders, and school-level case studies, this volume addresses:

1. How parents choose schools for their children with special needs and how satisfied they are with their choices
2. What we know about legal and regulatory requirements for special education and what these requirements imply for charter schools
3. Innovations coming out of the charter school sector that might be models for public education writ large, and
4. Challenges and opportunities charter schools bring to special education

Unique Schools Serving Unique Students underscores that charter school programs for students with disabilities are, like charter schools themselves, more different than alike. It is clear that many opportunities exist for key stakeholders, including state policy leaders, authorizers, charter school developers, and parents, to expand the potential of charter schools to successfully educate students with special needs.

FINDINGS

We learn several important lessons about charter schools' abilities to serve students with special needs.

School choice is important to parents of children with disabilities.

Parents have little ideological interest in which school is best for their child; they have a desperate need to find the best fit. The diversity and innovation charter schools provide in the ways they approach special education represent an important addition to the public education landscape for these parents. In fact, some charter schools have an informal reputation as havens for children with special needs.

Effective inclusion for students with less severe needs is a particular strength of many charter schools. There is some evidence that charter schools are successfully serving students in the least restrictive environment and minimizing special education labeling. For example, some charter schools have highly individualized programs for all students, general and special education alike, that “normalize” special education in general and the individualized education program (IEP) in particular.

Charter schools are revealing practices that may contribute to strong instructional programs for students with disabilities in ALL schools.

Case studies of six charter schools with strong reputations and track records reveal many commonalities, including schoolwide commitment to meet individual student needs, effective professional support for teachers, customized student interventions and services, a focus on effective instruction over IEP status, and safe and

respectful student-to-student interactions.¹ There was a resounding affirmation among the teachers and school leaders interviewed that these programs could be successfully implemented in district schools as long as they were accompanied by the support of the district and ongoing commitment to appropriate professional development and training necessary to effectively run the programs. Because the strategies used in these schools are usually geared toward all students, not just those with formal IEPs, an important result may be improved learning outcomes not only for students with disabilities but for struggling, average, and gifted students as well.²

Charter schools provide innovative learning opportunities.

The current system of educating students with disabilities in public schools arguably does not meet the goals underlying the federal statutes.³ For children with disabilities receiving specialized services in a highly regulated environment, these practices may be based more on routine than rigorous research. Most advocates agree that in order to address these persistent shortfalls, schools will need to carry out special education in new and different ways. Charter schools present an important opportunity to accelerate change, experiment, and advance the knowledge base related to educating children with special needs.

1. Case study schools include Charyl Stockwell Academy (Howell, MI), CHIME Arnold Schwarzenegger Charter Elementary School and CHIME Charter Middle School (Woodland Hills, CA), ISUS Construction Technology Charter School (Dayton, OH), Metro Deaf School (St. Paul, MN), Roxbury Preparatory Charter School (Boston, MA), and Woodland Elementary Charter School (Atlanta, GA).

2. Aside from the initial investment in professional development, three of the six schools we studied pay for their special education programs on the same or fewer revenues than other public schools. The other three schools, which primarily serve students with disabilities, require additional resources to support their instructional model.

3. The President's Commission on Excellence in Special Education (2002) outlined three broad recommendations to improve IDEA that influenced the reauthorization in 2004: (1) focus on results, not on process; (2) embrace a model of prevention rather than failure; and (3) consider children with disabilities as general education children first.

POLICY RECOMMENDATIONS

To realize their full potential to successfully serve students with disabilities, charter schools must first overcome specific challenges associated with their unique status.

Clarify legal status and responsibilities in state laws or regulations.

Charter schools are governed by the same federal special education laws as other public schools, but interpretation of those laws is not always clear.

- ▶ Clearly define the legal role of charter schools that are part of a local education agency (LEA)⁴
- ▶ Change antiquated education statutes that do not recognize the existence of charter schools and often result in their exclusion from district and state special education services and cooperatives
- ▶ Ensure that vague funding terms (i.e., commensurate, proportionate) are clearly defined and their results are equitable for all schools

Invest in support structures that help charter schools address the multiple challenges involved with special education.

- ▶ Incubate state and regional technical assistance networks: state education agencies, authorizers, and state charter organizations are uniquely positioned to provide substantive “up-front” training and technical assistance during the application phase and after charters have been granted

4. Nationwide, approximately 40% of all charter schools are part of an LEA and the remaining 60% are LEAs. If a charter school is its own LEA, the charter school assumes the LEA's responsibility.

- ▶ Seed special education financial risk pools that group special dollars to be drawn on as needed when contributing schools or districts are faced with purchasing high-cost special education services⁵
- ▶ Fund efforts to maximize special education revenue streams (i.e., navigate Medicaid rules and regulations to identify funds that traditional and charter schools are eligible to receive)

Create better oversight and incentives for charter schools to develop high-quality special education.

- ▶ Make certain that authorizers and charter developers have specific guidance on special education roles and responsibilities before a charter is granted (i.e., clarify what special education services will be provided by district and state central offices)
- ▶ Establish a competitive grant program that encourages authorizers and charter school operators to collaborate on delivery models and reduce the number of children referred to special education

Unique Schools Serving Unique Students: Charter Schools and Children with Special Needs is available at www.crpe.org. The book is edited by Robin Lake, Associate Director of the Center on Reinventing Public Education. Contributors include Lauren Morando Rhim, LMR Consulting; Tracey O'Brien, Kelly Hupfeld, and Paul Teske of the School of Public Affairs at the University of Colorado Denver; Dana Brinson of Public Impact; and journalist and writer Joanne Jacobs.

5. IDEA 2004 encourages financial risk pools by authorizing states to reserve up to 10% of their state-level activity funds.