

Coordination to Improve Special Education Services in Charter Schools: How State Associations Can Help

GINA:

Welcome. We are thrilled to have the opportunity to present to you today. My name is Gina Plate. I am here with my esteemed colleague, Allison Magill. Together, along with one additional team member, we make up the Special Ed department at the California Charter Schools Association [CCSA], where we are currently advocating on behalf of over 900 charters in California at this point. We're here to talk to you about the amazing adventure that we're on—the highs, the lows, and how we've learned that a statewide member association really is uniquely positioned to impact movement and ensure a lasting change for members and ultimately the children and the youth that we represent.

I'm going to briefly run through the agenda, and then we will delve into the content. First, we're going to do a little bit of introduction and background. We're going to give you some specifics about what special education looks like in California, what lessons we have to share, and then we're going to talk about charters, authorizers, and SELPAs [Special Education Local Plan Areas] and what the great divide is, what some of the challenges have been in our advocacy work. Then we're going to talk about statewide associations as the master facilitators, and how we are uniquely positioned to have that impact. So, with that, I will hand it over to Allison Magill.



California
Charter Schools
Association



*Coordination to Improve Special
Education Services in Charter Schools:
How State Associations Can Help*

*National Charter School Resource
Center Special Education Conference*

Gina Plate, Sr. Advisor for Special Education
Allison Magill, Special Education Advisor

June 19, 2012

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Agenda

1. Introduction and Background

2. California Landscape: Lessons to Share

3. Charters, Authorizers, SELPAs: The Great Divide

4. State Associations: The Master Facilitators

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ALLISON:

Thank you, Gina. I'm going to talk about the special education landscape that exists in California for special ed, how that landscape impacts charter schools, and how it informs our work at the statewide association. I'm going to start by describing what the structures look like in California, describing some of the specific barriers that charter schools face when it comes to serving students with disabilities and the challenges that they face. Then we'll talk about our work to overcome those barriers and ultimately improve and expand the range of options that exist for students.

Before we dive into some of the specific structures and content that exist in California, I want to point out a couple of the key factors that influence the way that a charter school is able to provide services to students with disabilities, not just in California but everywhere. First is the legal status. A charter school can operate either as its own independent local education agency, or LEA, for special education purposes, or it can be considered part of an LEA. In California, we refer to that as a school district, as most of our authorizers are local school districts. And then second, the other thing that is impacting the way that a charter school functions for special education is the linkage or the relationship between the charter school and its authorizer. That relationship is going to determine, in many cases, the way that funding is accessed both by the charter school and the authorizer. And then who's making decisions, and who holds the ultimate responsibility for providing special ed services to students that enroll in a charter school?



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As we look at the various special ed structures that exist for charter schools across the nation, we see a huge variety of arrangements. These factors are intersecting in many different ways. In some states, charter schools are automatically determined to be part of an LEA for special education purposes. In some cases, this means that the charter school is totally linked to its authorizer or LEA for special ed purposes, totally reliant on that LEA. That would mean the LEA ultimately receives the funding and carries the responsibility for providing the services to students at the charter school and not the charter school independently. In other cases, there may only be a partial link. So, that responsibility might be divided between the charter school and the LEA. Or, the linkage might be as determined between an agreement between the parties, such as a memorandum of understanding [MOU].

Charter schools that are automatically determined to be their own independent LEAs for special education purposes—this might mean that they have either no link, total independence and responsibility when it comes to serving students with disabilities. Or, in some cases, even though they're their own LEA for legal purposes, there may still be a partial link when it comes to responsibilities or shared responsibility between the charter school and the authorizer.

And then lastly, in some states, the legal status and the linkage for special ed may be dependent on certain factors. In states such as Illinois, the legal status might be determined by the type of charter authorizer. For example, schools that are authorized by a state commission would be automatically independent LEAs, while those authorized by a local school district would be considered part of that local district LEA for special ed purposes. And then in other states, the legal



Overview of National Special Education Structures

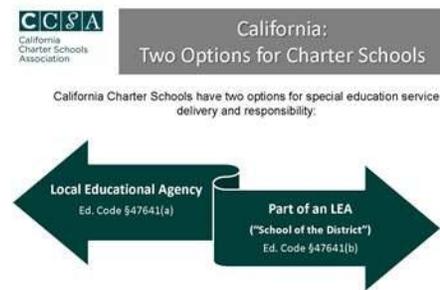
- **Part of an LEA for Special Education purposes**
 - Total link for funding and services (i.e. CT)
 - Partial link funding and services (i.e. NY)
 - Linkage determined by agreement of parties (i.e. SC)
- **Independent LEA for Special Education purposes**
 - Partial link for funding and services (i.e. MN)
 - No link for funding and services (i.e. OH)
 - Linkage depends on type of authorizer (i.e. MI)
- **LEA status for special education determined by**
 - Charter authorizer type (state board or commission versus local district, i.e. IL)
 - Charter school type (start up versus conversion, i.e. MA)
 - Charter school choice (i.e. CA)

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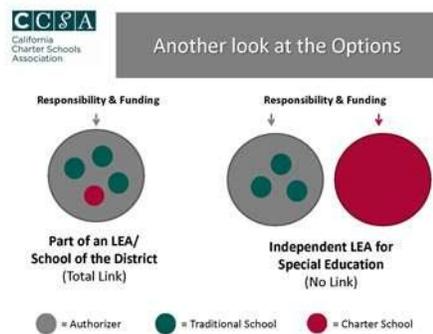
status might be determined by the type of charter school—for example, whether it’s a conversion school or an independent startup. And lastly, in some states, such as California, the charter school itself gets to decide what its legal status will be for special ed. So, this demonstrates that special ed arrangements for charter schools are literally all over the map, and so too are the effects of those arrangements on the operation of the charter school and the way that a state association can assist and advocate for schools.

Specifically in California, charter schools have two options when it comes to special ed funding for the delivery and legal responsibility. By default, all charter schools are determined to be part of their authorizing LEA or school district for special education purposes. But charter schools also have the option to become their own independent LEA for special ed.

We talked earlier about legal status and linkage in other states. We found that legal status doesn’t necessarily translate into a no link or total link situation for charters when it comes to service, delivery, and responsibility in other states. In California, this relationship is actually pretty simple. When a charter school is part of its authorizing LEA or school district for special education purposes, that means that it’s completely tied to the authorizer for all purposes of special education, meaning that the legal responsibility to provide services to students at the charter falls on the authorizer. The funding is provided from the state to the authorizer, where it typically remains. Charter schools, in addition to that, are required to contribute part of their general funds back to the district to support those costs. So, essentially, the charter school is treated just like any other traditional public school within that authorizing LEA, meaning that it has no



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autonomy over special ed at the school site. The district typically decides how services are provided, what staff members are providing, what kinds of services are provided, all of those decisions stay with the district. That's what's represented by the diagram on the left of the screen. The authorizer or district is represented by the large gray circle. The charter school is represented by the small red dot. And then it's treated just like another school within that school district. Traditional schools are represented by the green dots.

The diagram on the right illustrates the other option, which is to operate as an independent LEA for special education. Here, charter schools are treated just as a traditional public school district [Inaudible] responsibility in funding. That means that the charter school is independently responsible for providing [Inaudible] to all of its students who are eligible. Full autonomy and flexibility to decide how those services are provided and staff members that are providing those services and received its share of special education revenue directly rather than going through the LEA or through the district. Currently, most charter schools in California operate as schools of the district because that's the default option. Because of the autonomy and flexibility that comes along with LEA status, an increasing number are seeking LEA status for special ed. Gina will talk a little bit more about that. But there's one more thing to note, and that's that charters can't just decide one day that they want to break that tie with their authorizer and go out onto their own and become an independent LEA for special education. There is another layer that's involved in that decision that's specific to California.

There's a hierarchy of structures when it comes to decision making and funding in special education, and we've talked about the school level, which is where the services are actually delivered with a relationship with the students and the families are built. And that's whether it's a traditional public school or a charter. And then we've talked about the LEA level, which is where the legal responsibility falls and where the funding is received and typically spent. And that applies whether it's a local school district LEA or a charter school LEA.

The other layer that we haven't yet talked about is called a Special Education Local Planning Area [SELPA]. That's an administrative entity in California that functions as an intermediary between the LEA and the state. Every LEA in California is required to participate in a SELPA to form a plan for educating students with disabilities within their region. The original intent of the SELPA model was to provide a way for LEAs, especially small or rural LEAs, to share services and collectively have an economy of scale to offer a full continuum of placement options, rather than each of those districts or schools having to establish every type and service on its own when they may only have one or two students that need a particular program or a particular type of program.

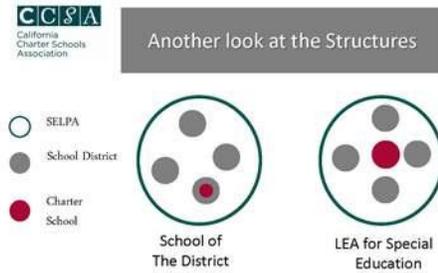
Because a SELPA needs to have a certain size and scope to build this economy of scale, a SELPA can be made up of multiple LEAs or it can be one large LEA, like a large urban school district such as Los Angeles. To fit this collaborative model, the SELPA is the entity that receives special ed funds from the state on behalf of the LEAs participating in the SELPA. The SELPA determines how those funds are going to be shared or allocated to each LEA that's participating. The reason this hierarchy is important to talk about is that in order to become an



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LEA for special education purposes, in order to gain that autonomy and flexibility over special ed services at the charter school site, a charter has to apply and become a member of the SELPA. Gina will talk a little bit later about how this has historically been challenging for charter schools in California.

This is another way of looking at that hierarchy or structure as it relates to a charter school. The large green circle represents the SELPA. The gray dots represent the traditional school district or charter authorizer, and the red dot represents the charter school. On the left, the charter that's functioning as a school of the district or part of the LEA. It's participating in the SELPA only through its relationship with the gray dot, or the authorizer, school district. On the [right], the charter school that's functioning as its own LEA is treated just like a school district, the LEA's sole purpose of responsibility and funding. It's participating in the SELPA independently of its authorizer.



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So, with all those structures and hierarchies, you can imagine that there are a lot of relationships and also competing interests that influence where a charter school stands for special ed and ultimately how it's able to serve its students. While everyone at the table has that interest or even a passion for ensuring that quality services are delivered to students, each entity also comes to the table with some other considerations that might be influencing them. So, for example, a charter school is interested in maintaining the autonomy and flexibility that are fundamental qualities of the charter school movement and, in addition, is interested in making sure that they have the funding necessary to provide services in a way that's consistent with that autonomy and flexibility. The authorizer, on the other hand, might be working



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towards its oversight responsibilities when it comes to the charter school and also with accessing funding to support services for all students in the district. Lastly, the SELPA is often concerned with making sure that all of its members within the SELPA comply with special ed laws as well as ensuring that each SELPA member has equitable and adequate access [to] funding and that the SELPA has sufficient funding to sustain itself and any shared programs that it might provide for all of its LEA members, whether they're charter schools or traditional school districts.

So, that's a high-level overview of the special education landscape in California and some of the factors and interests that influence the picture for charter schools. Now I'm going to turn and talk just a little bit about some of the challenges and barriers that are created as a result of those relationships and structures. First, for the district, we've talked about how there's a total link or dependence between the charter school and its authorizer. That means that the charter school doesn't have full autonomy or flexibility around special education or doesn't have the same autonomy that it does for other purposes, which is fundamentally inconsistent with the intent of charter schools to be independent and flexible. So, there's a tension that's created there.

Second, because charter schools aren't truly a part of their authorizing district, they aren't truly the traditional public schools and [don't] have those same relationships with the district. They often have difficulty securing services for students that are attending a charter school. For example, these schools might operate on a different calendar—their bell schedules—and aren't able to get staff or service providers on the school site when district schools aren't in operation. The collective bargaining agreements are coming into play there.

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Challenges and Barriers

School of the District	Independent LEA
<ul style="list-style-type: none"> Lack of autonomy and flexibility Lack of consistency and quality in services received from the district Limited range of services provided at the charter school site No access to funding, plus additional "fair share encroachment" fee 	<ul style="list-style-type: none"> Limited SELPA options result in difficulty securing LEA status Small economies of scale result in difficulty securing services Full responsibility results in increased financial risk

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And then district personnel that are assigned to the charter school might also be assigned to multiple schools or get reassigned more frequently than those that are permanently assigned to a traditional district school. The limited time they spend at the charter school or the high turnover rate can make it difficult for those providers to build relationships with the students, understand the student needs, and be engaged in the charter school community. And that's ultimately going to affect the quality and the consistency of services that the students are receiving.

Another major issue for these schools is the range of services they're able to offer. Again, the district has discretion to decide which services are provided at the charter school site and which are offered at other district locations in the traditional district model. Schools of choice within the district typically don't offer special ed programs at the charter school site if they exist elsewhere in the district. So, that means when a student that enrolls in a charter school and needs a higher level of care, like a special day class or low incidence support, they might offer a placement back into the district rather than sending staff over to the charter schools to set up a new program or a new type of support at the charter school that may not already exist. That means these students may not have the same school choice opportunities that students without those needs have.

Lastly, there's a funding issue. We talked about how the district or LEA receives and retains funding generated by the charter school. That's completely fair considering that they're providing the services for students at the charter. But there's an additional payment that these charter schools are required to make out of their general fund back to the district to contribute to districtwide excess costs for special

ed. This amount ranges from \$400 to upwards of \$1,000 per student, for general population, which is not only a significant strain on the budget of a small charter school, it's also difficult for the charter schools often to understand what goes into the calculation and what's contributing to it.

So, the LEA status provides a solution to many of these problems. It's not always an ideal situation for many charter schools, either. There are some challenges that come along with being an independent LEA for special ed. I mentioned earlier that it's difficult for many charter schools or has been difficult for them to gain LEA status. In order to become an LEA for special education, the charter school has to apply and be accepted to a SELPA as an LEA member. Until recently, these options for charter schools to join a SELPA were extremely limited. Charter schools were limited to joining their local SELPA. If that particular SELPA wasn't set up to accept charter schools or didn't see the charter school as a good fit, that charter couldn't become an LEA for special education and had to stay a school in the district. This is an area where we focused a large portion of our work, and Gina is going to talk more about that.

Second, most charter schools are small in scale. Even with the support of their SELPA, they find it difficult to access a full range of service options. A district may be able to hire a full-time psychologist or nurse for all of its schools. A charter school may only need a few hours a week of this type of service, and it doesn't justify hiring a full-time staff person. So, the options for accessing services for charters are limited, and it can be really expensive when you're talking about a contract with an outside agency for a couple hours a week about a particular type of service.

Lastly, every LEA, whether it's a school district or a charter school, faces the risk of due process litigation, which can be tremendously expensive. With a small economy of scale in a charter setting, that risk becomes even greater. So, these are some of the greatest special ed challenges facing charters in California and I imagine elsewhere in the country also. While charters are doing amazing things for kids in spite of some of these barriers, it is our role as a statewide association to break down some of those barriers so the charter school leaders can focus not on money or government structures or decision making but just on providing great services to kids. With that, I'm going to hand it back over to Gina to talk more about that work.

GINA:

Great. Thank you, Allison. That was a great description of the structures. It's a privilege to share with you how we, as a statewide association, really see ourselves fitting into the equation that Allison just described. I said earlier that we are on an adventure, but I actually think it's more appropriately defined as a crusade. Together, all of us, we've embarked on this effort towards ensuring that students with special needs in charter schools have access to the highest quality services. And honestly, we're not merely re-creating systems that already exist in the traditional public sector. As is probably the case with many in the audience, we do not have any real power over the districts, the authorizers, or even the charter schools that we're partnering with, which has required us to get very creative. As you'll see through this portion of the presentation, we rely on two key components to getting our work done. First, finding those individuals out there that have a shared passion for kids, and second, building strong relationships with the key stakeholders around the state.

As I mentioned, we don't have any real power over the various entities that control how special ed is structured. But we have, however, taken a very proactive stance, and we've developed a vision and a mission related to students with special needs in charters. The mission and vision that we have developed to drive our work across the state, they're very bold statements, it's a very bold mission, but yet it's very simple. Our work is focused on increasing the high-quality options of choice that are available to children and families by empowering charter schools to do two things: to serve a *greater number of students* with special needs and ensure that they're prepared to serve a *broader range of students* on the campuses. So, we've said to the charter schools, you have to serve more students and a broader range of students with disabilities, but don't be afraid, we're going to travel this road with you.

In order to support the charter schools to increase both their numbers and the range of students they serve, we've been very targeted in our efforts. First, we see it as our role as a statewide association to ensure that charters have an **infrastructure** that's able to support every child that walks through the door. Building this infrastructure means making sure schools understand their responsibility to serve every child. In California, we really have a full range of special ed expertise represented in charter schools. That range spans from schools that are grappling with these challenges for the first time and are struggling to understand what this means on a practical level all the way up to those charter schools that are part of large CMOs [charter management organizations] and have their own special ed department. We see it as our role to help bridge this gap and ensure that every charter has access to the information they need in order to grow their program. And we have a number of ways to ensure access to high-quality service providers across that full continuum of need.



Expand the innovative, high-quality school choice options available for vulnerable youth by empowering charter schools to:

- ✓ Serve a *greater number* of students with unique needs;
- ✓ Provide innovative, high-quality services to a *broader range of students*.

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CCSA will enable charter schools to provide high quality and compliant services to an increased number and broader range of vulnerable youth, by:

1. Building a special education **infrastructure** in charter schools that includes:
 - A sound understanding of the charter roles and responsibilities
 - Access to a full continuum of services
2. Ensuring that charter schools have **autonomy and fiscal capacity** necessary to provide these services, through:
 - LEA status; or
 - Better options for operating as a school of the district

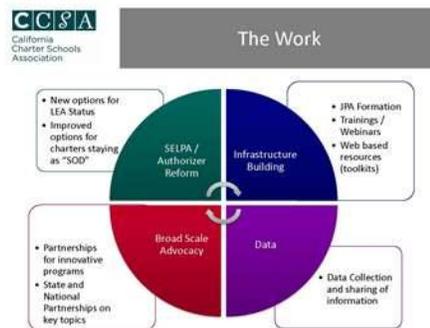
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Secondly, we want to make sure that schools have the appropriate level of both **programmatic autonomy**, or the ability to decide for themselves how services are delivered on their campuses, and **fiscal capacity**, or the flexibility with their funds to fully realize their mission on their charter campus. That means preparing them for LEA status for special ed and ensuring that they have SELPAs that are ready to work with them as LEA members. Or, it also means ensuring improved arrangements between the authorizer and the schools for those charters that are not ready to become independent in this area and choose to stay linked to that authorizer.

So, now let's get practical and show you what this looks like in our day-to-day work. So, I actually mentioned earlier, we have a very ambitious strategic plan. We've gotten input from our board, our members, from key stakeholders in the field in both the charter and the traditional public school world because we value the perspective that they all bring. Our plan is very detailed. We're happy to share it. But we did not want to go over the fine print today. Rather, we want to explore what those large buckets of work are that we're engaging in. We've split up our work into four different buckets. And as a reminder, this is specific work we've laid out for the team at CCSA, the Charter Schools Association.

So, we get our work done through the relationships that we've built around the state. The relationships are key, and those relationships are with the state department of ed, the member charter schools, the district and authorizers, and with the SELPAs.

So, on the grid here, you see the four buckets. The first bucket on the top left is our work around SELPA and authorizer reform, where we are working to create new charter SELPAs or expand the existing SELPAs that are willing to accept



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charters as independent LEA members. This work also includes working closely with districts and county offices of ed to improve the arrangements for those schools that wish to remain linked.

The second focus is infrastructure building. At CCSA, as a statewide association, we see it as our role to continue to build special ed consortiums, or joint powers authorities (JPAs), for special education across the state. These are groups of charters that have come together for the purpose of service sharing and risk pool. This bucket also includes a wide variety of trainings and webinars that we make available across many special ed topics. We now even have some of our material prerecorded on the website for members to listen to. We also created Web-based resource materials on most issues related to special ed and charters. And honestly, when charter schools in California have a question about special ed, we really do want them to come to our website first.

The third bucket is around data collection. Unfortunately, this is an area of struggle in California. For a variety of reasons, we cannot currently pull data that specifically tells us who the students with disabilities are in California charter schools and how they're performing. So, our work has been focused on gathering that information directly from our membership. As you can imagine, given the goals we have, it's critical for us to know who's being served and how they're being served.

The final bucket of work that we prioritize at the association is what we're calling broad-scale advocacy. This is a newer focus area for us. In California, we're beginning to lift our head up out of the practical nuts and bolts of the work and wanting to share what we've learned from the work in the SELPAs and the districts that we've been partnering

with because we know that this work we've done over the last few years does have implications across the nation and that we also have lots to learn from others that are engaged in these similar issues.

So, as I can imagine, similar to the experiences that many of you in the audience have been facing, we have some items that have risen up to the top as urgent. This coming year, we've reprioritized some of our work to really put these three areas at the forefront. And we've welcomed partners in these discussions, and we welcome others reaching out to us if they're willing to share and engage with us on these issues.

The first area is funding. Our work has been focused on developing risk pool options and insurance products for charters. We have provided some risk pool options to charters, but we've learned that the real missing component is an insurance product to cover those potential high costs related to serving students with low incidence disabilities. We're currently actively engaged in conversations with some insurance companies, but we don't yet have a product. The second priority is access to additional funding that exists for SELPAs in California. For example, Medicare, or in California, Medi-Cal, low incidence funds that are currently available to SELPAs or other small pools of categorical funds that are currently making it into the SELPA but not getting all the way down to the charter. We have been successful accessing this money in some isolated cases through our advocacy efforts, but we are continuing to look for structural ways to ensure that charters have access to these funds ongoing.

The second area is around services. We're looking to continue to build those special ed consortiums, or JPAs, to ensure that high-quality services are



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available to those charter school members. We want them to have access to the full continuum of providers. We're also continuing to grow the resources and the training opportunities that we have available in response to the needs of our members.

The third area is around policy. We realize that we continue to meet legislation or regulatory change in order to ensure that we are prepared for the growth in charters that we're anticipating. We see this as a function of the statewide association, given the scope of our work across the state and the relationships that we've built both in Sacramento and statewide.

The first of these policy areas is around parent access. In order to ensure that charters really are a choice for students and families, we need charter schools to be added to the list of placement options presented to a parent during an IEP [individualized education program]. Right now, the only placements that are included in that offer are district options. It's dependent on the parents to push back and [to have] already done their own research to know what options there are outside of district programs.

The second policy area that we've prioritized is around authorizer overreach. Districts and SELPAs are getting bolder and bolder in their requirements on charters as it relates to special ed. For example, some authorizers are requiring petition language that put timelines on charters for when they must leave and become an LEA for special ed in another SELPA. They're trying to force charters to break that linkage that Allison talked about. We also have examples of authorizers that are requiring petition language that forces the charter to stay in the district forever or trying to force them to stay fully linked ongoing.

The final policy area that we've prioritized has to do with alternative enrollment options. We have charters in California that are wanting to specialize in a specific disability area or to just host a special ed program that other charter schools in the area can access. Currently, the lottery process [Inaudible] easy sharing of resources between the charter schools. So, we are actively engaged in this issue, which is specifically relevant to our work in Los Angeles Unified. These are all examples of where a statewide association has a unique lens into what's happening across the regions or the state and can be a key voice in resolutions to these issues.

As I mentioned previously, CCSA sees itself as the center of the discussion around special ed in charters in California. We see ourselves walking hand in hand with the key stakeholders across the state—not looking in from the outside but rather helping to frame the discussion. To that end, here are some examples of the supports we've put in place. First, we have an ever-increasing bank of Web-based materials specific to special ed issues in charter schools. Second, we have ongoing training and webinar opportunities that can be accessed through our website. Third, we've developed a process for evaluating special education providers so that we can share what charter leaders consider to be high-quality service providers.

The next couple of slides show some of the data that we, at CCSA, collect related to special ed in charters across the state. This data is part of the dashboard that we use for a variety of advocacy purposes. The gas gauge here shows that we have almost 100 schools that are currently participating in our six JPAs, or consortiums, across the state. Our two newest consortiums are in North San Diego County and Bay Area. Our goal for this year was to

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Recent Efforts and Successes

1. Providing information and access to resources:

- ✓ Expanding bank of online resources: <http://www.calcharters.org/operating/special-education/>
- ✓ Ongoing training opportunities <http://www.calcharters.org/events>
- ✓ Pre-screened list of quality service providers

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Recent Efforts and Successes
(Cont'd)

2. Building infrastructure and access to quality services:

- ✓ Nearly 100 charter schools are participating in a consortium or joint powers authority (JPA)
- ✓ Formation of 2 new charter school JPAs
 - San Diego County
 - Bay Area

Charter Schools Participating in a JPA/Consortium:

97 : 92%

Record Count

Green=Baseline (Jan=2011-12) Progress Purple=# of Schools That Are Members of A JPA/Consortium Needed To Meet Goal

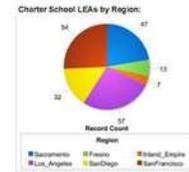
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As a statewide association that really has thrust ourselves into the center of the conversation in California, we also see it as our responsibility to ensure that the options continue to grow for charter schools. In California, in order to sever that link between the charter and the authorizer and really become an independent LEA for special education, you must provide one year's notice that you're considering this move. You notify your district and the state department of ed of your intent to exit in writing one year prior to that anticipated date of leaving. So, you decide that you may want to be an independent LEA and leave your existing SELPA. One year before, you have to notify your district and existing SELPA. We track those letters in order to guide our advocacy efforts as well as help us identify which schools may need additional technical assistance as they're getting ready to take on that full responsibility. For example, last year we had 115 schools that sent in their letters to their authorizers, which gave us great information on where our members needed us to spend our time.

That leads us into Los Angeles Unified. I want to briefly give you an overview of what the process entailed in order to reorganize the LAUSD SELPA. As the second largest district in the U.S., this effort was an exemplary process of how a statewide association can impact significant change on behalf of charter schools. When Allison and I came on board at the association, we heard great grumbling in LAUSD. The grumbling was coming from both sides. The charters and the district were both unhappy. The charters were paying between 27–40 percent of their state and federal special ed money to the district. The rest was being passed through to them. The relationship with the district and the level of support that the charters got from the district was very inconsistent across the schools. The association, along with members of the Los Angeles

4. Exercising Options for Autonomy and Flexibility

✓ At least 115 charter schools notified their SELPA in June 2011 of their intent to explore new special education options



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- Hybrid model:
 - Charters pay LAUSD 27-40% of their special education funding (AB602 and IDEA)
 - Charters provide special education services to students enrolled in their school
- This arrangement presents challenges for both the District and charter school operators
- 93 charters are considering alternate SELPA options for the 2011-2012 school year



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special ed JPA, began meeting. In 2010, 93 schools gave their notice to the district that they would be exiting the SELPA and applying to other SELPAs across the state. Given that this would result in all of the state and federal special ed money leaving with the charter schools, it got the attention of the superintendent, the board, and the executive director of special ed. Ninety-three schools were going to leave, which provided us a great leverage point.

So, we had motivation from both sides to work out an arrangement that was good for kids, an arrangement first that would give the schools the fiscal flexibility and programmatic autonomy that they really wanted. They didn't want to be linked to the district anymore. Second, we wanted it to give them decision-making power at the SELPA level. Schools want a decision-making power in how those policies and procedures were created. We had a goal of allowing for LAUSD to retain a portion of state and federal monies. We knew that was important to the district. We wanted a plan that would allow for a sharing of expertise across the charter and district settings in a way that hadn't happened before. We knew there was expertise on both sides and wanted a mechanism to be able to share that. And we wanted to ensure that charters had the resources available to them so they could build their programs and ultimately serve more students with special needs.

So, the process. Across 2010–11, four of us, CCSA staff and district staff, met weekly. We had a directive from the charter community to get a better option in three areas: governance, funding, and service delivery. So, we went into our weekly meetings knowing that we were representing the voice of the charter schools and had the goals in those three specific areas. Six months later, we emerged with a SELPA that had been restructured

CCSA
California
Charter Schools
Association

The Goal

Create a viable option for charter schools to remain in the LAUSD SELPA that:

- ✓ Provides charters schools with the flexibility and autonomy to fully operate and be accountable for their own special education programs;
- ✓ Provides charters schools with the opportunity to participate in decisions affecting their school;
- ✓ Provides LAUSD revenue from charter operated schools towards administration of special education programs;
- ✓ Allows LAUSD and charter schools to mutually benefit from the programs, services and expertise available in both District operated and charter programs;
- ✓ Builds capacity for charter and District operated schools to serve all students with disabilities regardless of eligibility status

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CCSA
California
Charter Schools
Association

The Process

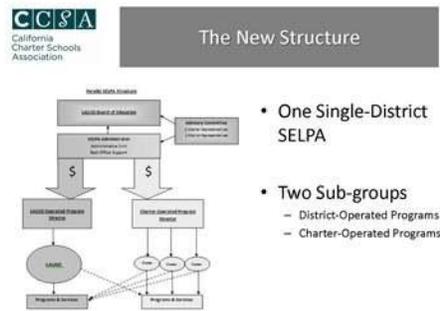
- 2010-2011- Weekly meetings between CCSA and LAUSD Special Education Administrators, under the directive of Superintendent Cortines
- Discussions focused on creating a new structure for:
 - Governance
 - Funding
 - Service Delivery



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and provided new components in these areas that were important to the charter schools.

The reorganization allowed for the district to remain a single-district SELPA. This was important in order to retain their current levels of state and federal funding, and it provided for two distinct programs within the district. On the left hand side, it created an LAUSD, or district-operated program. This was for traditional district schools and for charter schools that wished to stay fully linked to the district for special ed or traditional schools of the district. On the right hand side, the new component of this structure was the charter-operated program. For those schools that were ready to take on full responsibility for all students and have access to their state and federal funds, this option gives them almost all the flexibility of LEA status if they were to leave and join another SELPA. What's unique to this option, however, is that charters cannot just opt in. There's a rigorous application process. And the governing board of the charter-operated program, which is made up of charter leaders, decides who's admitted into this new program. So, we're very excited. This new structure went into place July 1, 2011, with 48 charter schools. We've had a very successful year, and as of July 1 of this year, we will have 72 charter schools enrolled in our charter-operated programs and are finally getting to a place where we are opening programs along the full continuum of need in a charter setting.



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With that, I thank you for your time. Please feel free to contact us if you have a question or would like to discuss any of the items that we presented. Thank you.



Questions?

Thank you

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