Special Education Start-Up and Implementation Tools for Charter School Leaders and Special Education Managers

BETH:
Welcome to Special Education Start-Up and Implementation Tools for Charter School Leaders and Special Education Managers. My name is Beth Giovannetti of Educational Support Systems. I'm here to talk a little bit about a set of tools that we’ve created under a grant. These tools were developed by myself and my colleague Nancy Opalack of Educational Support Systems for the National Charter School Resource Center [Resource Center] under a contract with the National Association of State Directors of Special Education [NASDSE].

This project began with an extensive review of the existing federally funded resources in order to identify tools that are concrete and user friendly and responsive to school-level needs for special education leaders and charter school leaders. Project consultants conducted a survey of charter school leaders who attended the 2011 National Charter Schools Conference to determine the areas in need of support in charter schools in the area of special education.

What we knew is that there was a lot of guidance and tools which exist to support charter schools in their application process and after start-up, in full operation stage, but there wasn’t a lot of tools and guidance out there to assist charter school leaders in building a program from the ground up.
The vast majority of the 5,000 plus charter schools are individual stand-alone education agencies. Because of this, they’re solely responsible for the start-up and implementation of the special education programs on Day 1 of operation when children come through the door. What we know, though, in practicing in charter schools across the country since 1997 is that without the support of a district central office or the resources of a CMO [charter management organization] or EMO [education management organization], charter schools are pretty much alone in the responsibility to create programs that would serve all students.

Referring to Slide Number [3], in thinking about how to support or create tools that would help in the start-up and implementation of programs for students with disabilities on Day 1, we did survey charter school leaders and special education managers during the National Charter Schools Conference in 2011. From that data, we created an outline of 15 topic areas which charter schools must address in order to build strong special education programs.

We really asked folks to tell us what are your most difficult and challenging areas or your pain points in thinking about how to start a program for students with disabilities from the ground up, and what are the things that most challenge you in your creation of those programs?

After we identified those 15 topic areas, we actually took a look at the 15 issues that were gathered. We decided to organize in three broad areas. We needed folks to know, in that topic area:

- What was the basic information they needed to know to understand the issue?
What was the research that was available on that issue?
What were the tools or strategies and guides that were available to support the implementation and development of programs in that area?

We included existing tools under each topic area, and we created new tools where tools were lacking in the field in order to provide a comprehensive how-to guide in building special education programs from the ground up.

I’m now on Slide Number 5. During this presentation, what I’d like to do is review each chapter of this document or this tool and highlight some of the most critical points and resources in each area to give all of you a sense of how you might use this document in the future to support start-up and implementation of your special education program.

Chapter One talks about an introduction of special education: the “must know” laws and information for designing and implementing a special education program. In this chapter, we offer you a number of documents which give the charter school leader and the special education manager the basics of special education and the implementation requirements of those basics.

We give you documents such as the Office of Special Education Programs [OSEP] website, which is the office within the federal department that’s responsible for special education. That site is maintained by OSEP and contains extensive information about special education and the implementation requirements that all public schools must meet.
We give you the federal laws—IDEA [Individuals with Disabilities Education Act], 504, and related laws. We also offer you in this chapter a set of primers that was created from the National Association of State Directors of Special Education through the support of a grant from the Office of Charter School Programs [within the Office of Innovation and Improvement]. This is actually a federally funded project on special education in charter schools. From this study, we generated a set of documents entitled Primers on Special Education in Charter Schools to support three main groups—charter school leaders, charter school authorizers, and state departments of education—in understanding their responsibility to serve all students. So, this is a very important document in understanding those things.

In Chapter One, we also point out challenges and opportunities that charter schools have connected to special education, pointed out in two different research projects—Project Intersect and the publications that came out of Project Intersect and then Special Education Challenges and Opportunities in the Charter School Sector. This second document is with a working paper on special education that was produced by Lauren Morando Rhim, and the paper details the difficulties charter schools face in providing special education services and actually examines possible opportunities to address the challenges by taking a look at a recent review of the literature on special education.

And then in this chapter, finally, we offer two tools that can be used to really bolster charter school leaders’ and special education managers’ information and base about special education. TA [Technical Assistance] Customizer, which is a set of primers, were documents customized to special
education laws, regulations, and the legal relationships that are specific in each state. And then also a Cost Estimation Tool for Charter Schools, which came out of the National Resource Center on Charter School Finance and Governance and was developed to support charter school leaders in the creation and implementation of their special education program. This was part of a series, and this tool helps charter school leaders identify and estimate a wide array of special education cost and funding needs at each stage of school development.

On Slide 6, we begin to talk about the information that’s covered in Chapter Two of this tool on nondiscriminatory enrollment. As all of you are very aware, the District of Columbia and 41 states across the United States have charter school laws. Although each state law is unique, there is one element that’s common to all of them. Charter schools are required to operate under an open enrollment policy and are held accountable for the same nondiscriminatory practices as all public schools during their application and enrollment processes.

So, one of the best sources of information to guide enrollment practices of charter schools is the nonregulatory guidance generated by the Charter Schools Program of the U.S. Department of Education. We’ve inserted the site to this nonregulatory guidance, which was developed in April 2011. It’s a good way for charter school leaders and special education managers to understand the open enrollment requirement of students that are enrolling in charter schools, including all students in any category—students with disabilities included in that.

The second tool that we really think folks need to know about is the enrollment and lottery guidelines.
The D.C. Public Charter School Board created these guidelines as a way to offer authorizers information to guide charter schools in this area, and it’s a good resource. Although it’s D.C. specific, it’s a good resource for authorizers to review when helping to guide charter schools in enrollment and lottery guidelines.

Finally, in Chapter Two, we offer two tools. The National Alliance for Public Charter Schools has created a helpful tool for charter school leaders to understand state-level requirements related to student recruitment, enrollment, and lottery. It’s a tool called Measuring Up to the Model, a tool for comparing state charter school laws. This comprehensive resource offers a state-by-state description of the enrollment-related policies and regulations by state, including open enrollment, enrollment preferences, and optional enrollment preferences by state. So, that’s a pretty comprehensive overview for charter school leaders to really take nondiscriminatory enrollment very seriously and allow special education and students with disabilities to be a part of school reform in a way that’s equal and fair and underscores the regulations at both the state and local level.

Chapter Three is a chapter that we wanted to put out there that gives you just special education basics. In this chapter, the most important basic or foundation for serving students with disabilities is the federal law, and that is IDEA 2004. In this particular chapter, we give you the link to the part of IDEA law that contains the list of disability categories and defines the terms, which is very important for charter school leaders and special education managers to understand. Special education is a very complex and detailed field, and it’s full of terms and acronyms and definitions that educators and other professionals use to describe
important terms surrounding the identification, evaluation, eligibility, and service delivery for students with disabilities. It’s important for school leaders, staff, and parents to understand these abbreviations in order to fully participate in the special education planning and learning process for every child.

Because of that, in this chapter we offer two tools—Disability & Special Education Acronyms and also 10 Steps in Special Education Enrollment. The resource Disability & Special Education Acronyms comes from the website of the National Dissemination Center for Children with Disabilities, often referred to as NDC or NICHCY. This tool includes a collection of acronyms presented in alphabetical order for easy reference and use. This tool is clear, user friendly, very easy to understand, and it’s a nice tool for special education managers, particularly to share with parents and to have as a desk reference in schools or as a supportive tool for parents.

Slide 8, I begin to talk about improving school culture. In our opinion, one of the single most important factors in school in which students with disabilities succeed is a school in which all staff embrace all students. Part of achieving this goal, a culture where everyone is welcomed and students are seen as equal and supported by all staff, is having a positive school culture. And that happens from the school leadership on down.

Here in this chapter under the Need to Know section, we give you the basics of positive behavior[al] interventions and support[s] [PBIS], which we think is the cornerstone of creating positive school culture. Since IDEA 97, the PBIS has been the recommended framework or approach for assisting school personnel in adopting and organizing evidence-based interventions that
enhance academic and social and behavioral outcomes for all students. So, we offer you that document and that website in which you can find a lot of information about PBIS, which will assist school leaders in creating a positive school culture.

In this same section, we also offer you behavior assessment, plans, and positive supports. NICHCY has developed a suite of wonderful information and tools to support school leaders in the assessment of student behavior, the creation of behavior plans, and additional positive supports to use to support students struggling with behavioral challenges.

We also offer in this section under Research two pieces of research that are focused on the implementation of PBIS, which both would be interesting for school leaders to review to understand how PBIS has been implemented and what are some of the challenges in implementing and creating a positive school culture.

Finally, in this section, we offer a couple hands-on tools for students and staff and parents, including an array of tools from NICHCY and from the What Works Clearinghouse, including behavior expertise, behavior assessment, plans, and positive supports, and how to create positive behavior at home and at school. There’s also a Bill of Rights for Behaviorally Challenging Kids created by Dr. Ross Green and a School-Wide Positive Behavior Support: Implementers and Blueprints and Self Assessment, which OSEP offers to school leaders and special education managers.
Chapter Five, which begins on Slide 9, talks about setting up a relationship with the SEA and the LEA if you are a charter school. It’s important to understand as a charter school leader and special education manager the relationship between the legal status of a charter school and the responsibility to serve students with disabilities connected to that legal status. It’s critically important for charter school leaders and special education managers to understand that legal relationship and to understand who their critical partners are in creating strong programs for students with disabilities and what the legal relationship is between the charter school, the LEA, and the SEA for the ongoing identification, evaluation, and service delivery process for students with disabilities.

Under the Research section in Setting Up a Relationship With the SEA/LEA in Chapter Five, we offer Project SEARCH as a critical piece of research in this area. Project SEARCH, or Special Education As Requirements in Charter Schools, is a qualitative research study of how the nation’s charter schools are implementing special education policies. Project SEARCH was the first piece of research to identify not only the important policy issues regarding how charter schools fit into the national education system but also the importance of the LEA status of charter schools and its relationship to the ability of schools to serve students with disabilities. So, that’s a critical piece of research for school leaders to review in understanding who they are within their state and their district and what their legal relationship is to their LEA and their SEA and how that impacts service delivery for students with disabilities.

In this same section, in Setting Up a Relationship With the SEA/LEA, we’ve also offered as a tool the
Primer for Charter School Operators, which includes resources to assist in developing special education programs, including discussion of that very important legal status of charter schools and their linkage to other LEAs in a synopsis of federal laws that are most relevant to special education in charter schools. The content of this tool is intended for charter school operators who may not fully understand the importance of this important relationship to charter schools’ legal status within a state’s public education system or may not have a working knowledge of how that legal status affects service delivery. So, the Primer for Charter School Operators: Special Education Requirements and Including Students With Disabilities in Charter Schools is an important tool for charter school leaders to review as they’re creating their programs for all students.

In Chapter Six, we review one of the most critical topics facing the creation and implementation of programs for students with disabilities currently. And that is discipline, suspension, and expulsion for students with disabilities. This is probably one of the most challenging areas of practice right now. We felt like we needed to really have a very rigorous chapter which gives a lot of information and guidance on the subject.

Under the Need to Know area, we offer charter school leaders and special education managers a number of documents. One, Guidance on Discipline Procedures, that was generated by OSEP. Placement and School Discipline, which is an important document generated from NICHCY that talks about school codes of conduct, the authority of school personnel, defines a change in placement, talks about case-by-case determinations of students with disabilities who are involved in discipline and suspension, parent notification...
requirements, the definition of a manifestation determination hearing, and a host of other components within the process and the requirements around them for school leaders and special education managers in the process of disciplining students with disabilities.

Finally, we offer one more, what we consider a basic requirement or need to know, and that is *Discipline in Detail*, also generated by NICHCY. This is an overview and then also discussions and explanations in key areas of discipline. It offers charter school leaders additional information about roles and responsibilities in the implementation of discipline practices and also explains in detail the protections or rights afforded to students with disabilities under IDEA as basic knowledge that they need to know when trying to create policies and procedures for disciplining students with disabilities to ensure that we’re protecting each child’s rights within the process.

In this same area in Chapter Six, we offer research and tools connected to discipline, suspension, and expulsion. We have three sources of research, including school discipline and its connection to juvenile justice, suspension and expulsion fact sheet, and a piece that outlines the characteristics of bullying and its victims. We know that bullying has become a very hot topic, and it’s a topic that schools need to understand how to respond to and develop policies and procedures around while also keeping in mind that there are rights and protections of students with disabilities within the process that can’t be violated.

Finally, in this Chapter Six, we offer a number of tools connected to discipline, suspension, and expulsion, including a letter from the Office [for] Civil Rights regarding harassment and bullying,
including background summary and facts that every operator should know. Then we also give you a school climate checklist and toolkit to support schoolwide discipline action planning.

Chapter Seven, which begins on Slide 11, starts to get into one of the most I think challenging and critical pieces of creating and starting a special education program from the ground up. And that is hiring a special education coordinator or manager and special education teachers and then also setting up the administrative functions that are connected to the creation of a special education program. As we all know and as we’ve been talking about, special education is a very detailed, prescriptive, and regulated part of creating a school that will serve all students well. And hiring a special education coordinator or the person who’s going to manage this program is very important.

So, in Chapters Seven and Eight, what we give you are guides and tools that we hope will help in hiring a special education coordinator and manager and creating performance measures for both the special education manager and teachers as well as give you a detailed guide on things to look for or a proposed hiring process for special education positions. We offer hands-on tools to support hiring and employment.

This chapter also includes a variety of templates to support special education staff in creating what they have to once their feet are on the ground and they need to create all the different components that are required within a special education program. So, in creating student files, which are compliant with special education regulations and all the necessary components, we give you things in this chapter such as a sample IEP [individualized education program] contact log, sample progress notes,
sample service delivery schedule for a special education teacher, and give you a guide, for instance, on all of the components that are so critical in setting up special education student files.

So, hopefully, again, in Chapters Seven and Eight, we give you a strong base of the need to know and the research around hiring and retention of special education managers and teachers and then a basis for how to support special education managers in setting up the administrative functions of the special education department.

In Chapter Nine, we morph into the employing and contracting with related service providers. This section guides the user in what to consider when choosing and contracting with a partner in the delivery of special education services in charter schools, including folks that are going to help you with the evaluation and identification of students with disabilities and also the related service provision as required under their IEPs.

So, again, this is a very concrete chapter and offers a number of tools and templates on how to support this process of creating partnerships with high-quality service providers. The goal of this chapter really is to help support charter schools and special education managers in becoming critical consumers of service providers and help them to make good choices about service delivery providers who will be the best fit for their school, their staff, and their students.

Things that we offer you in this section are something that we call Things to Consider When Hiring [an] Outside Service [Provider]. It’s just really a checklist of the different things you need to consider. How this person thinks about service delivery, whether that philosophy and vision of service delivery matches the vision and mission and service delivery model that
you have in your charter school are some of the things included in that checklist.

We also give you a sample service delivery contract for evaluators and related service providers. This sample service delivery contract actually includes standards of practice for service delivery, which I think is important to understand. We give you job description and performance measures for related service providers. We, again, provide [a] progress note format for related service providers and then also an IEP contact sheet that clinical staff should be completing when they're supporting this process.

Moving into Chapter Ten, which is Developing a Performance Management System, I'm now on Slide 13, again, one of the things we think is critical to thinking about creating a special education program that will support the learning for all students is to be able to have a performance management system in which teachers and special education managers and school leaders can take a look at the data on an ongoing basis, the academic data, the behavioral data, student-level data and use it to inform changes about teaching and instruction that will better support learning.

With the passage of No Child Left Behind Act of 2001, or NCLB, this brought about a renewed mandate for schools and districts and states to prove that all students were learning through quantitative data. So, this chapter includes research conducted by NASDSE, which offers a detailed background on the assessment requirements of IDEA and NCLB and includes information on including students with disabilities in assessment.

It also offers, again, concrete tools developed and used by educators to assist in gathering and using data to make decisions that will drive student
performance. Some of the things you'll find in this chapter are a student profile template, which is really a template that gives you a detailed snapshot of a student's demographic, academic, behavioral, health, and other related data so that both special and general educators have a very good sense of who that child is, where their challenges are in terms of learning, behavior, health, and how they can then best create and modify instruction to support the child in their areas of challenge and build upon their strengths.

We also offer you a special education tracker, a self-reporting report card that students can complete to really examine and empower them to examine where they're doing well in terms of their academic growth, some of the areas that they need to work on, and some of the things they can offer to be able to partner with their teachers and their school leader in improving their learning.

We also include a template for a parent satisfaction survey. We know that parents are critical partners in their child's learning and education for us. So, it's important, I think, to always be in connection with parents and give them an opportunity to give individual teachers and special education managers and school leaders the critical feedback that we need that will also help to drive the performance of their students. So, having that connection or an opportunity to give that feedback through a parent survey, we think, is really important.
Chapter Eleven, which is Slide 14, is an area of need that we think charter school leaders and special education managers really need to have a good sense of and really review and have some tools under their belt so on Day 1, they can implement an RTI, response to intervention, program or framework that will support the needs of all students.

Under the Need to Know and Research area, we remind the user that creating an RTI framework to support the needs of all struggling students is a requirement for every charter school. This chapter also includes a paper that provides a basic overview of RTI and includes a definition of the levels of intervention and how to identify and monitor students at risk, which was conducted by the National Center on RTI at the American Institute[s] for Research. This chapter also offers a wide variety of concrete hands-on tools to support educators in creating and implementing an RTI framework on Day 1 and to also help them to build a cache of interventions and tools to measure and respond to student progress.

Chapter Twelve of this tool is something that we think is very important for school leaders to consider even before they open up the doors to enroll all students on Day 1. And that is, how do they go about building a continuum of specialized instruction options and support of core subject areas? It’s been our experience and practice that commonly charter schools choose a model of full inclusion to serve students with disabilities. And then from full inclusion, if students struggle in terms of their learning, then they choose to build more restrictive environments as needed. And that certainly is aligned with the philosophy of IDEA and the least restrictive environment. But our concern is that when a child needs more than a full inclusion
model can offer, particularly in core subject areas, they need to be prepared to build a continuum of instruction options in response to that child’s needs.

So, rather than forcing a one-size-fits-all model, charter schools must create programs based upon individual student need and be prepared with the tools and the resources to do that on Day 1. In the Need to Know and Research sections of this particular chapter, we included discussion of the responsibility of charter schools to create a continuum of instruction options, and then we also offer in this section a piece of research on the Universal Design for Learning, which was conducted by the Center for Applied Special Technology [CAST], which also offers an explanation of what the Universal Design for Learning is and how it can be used as a framework to support a continuum of specialized instructional options for all students.

Finally, in this chapter, we offer, again, concrete hands-on tools recommended by CAST and charter schools across the country. This list of tools is organized by subject area and need, including tools to support gen ed, the general education curriculum, reading, writing, math, life, social, and vocational needs. Again, the goal is for the charter school leader to be able to go to this list of tools, charter school leader and special education manager, identify their subject area need, and then use this list to find tools and programs that target that need. They can then go to the website that we offer and click on it and review that tool and determine if that’s a tool that they really believe would be helpful to them in response to the need. And as they build their continuum of instruction options, they can choose tools in each area to support and be able to respond to specific learning needs of students with disabilities.
Chapter Thirteen, which begins on Slide 16, is a chapter about training general educators. What we know is that in high-performing schools, whether they’re regular public schools or charter schools, the schools in which students with disabilities perform at the same rate as their nondisabled peers, are the schools that adhere to that philosophy that all staff embraces all students. Rather than there being a line or a division between general and special education programs, in high-performing schools where students with disabilities are achieving, all staff work in collaboration to meet the learning needs of all students.

So, in this chapter, we discuss the importance of the role of the general educator in the creation of strong programs for students with disabilities, focusing on this philosophy that all teachers and all staff embrace all students. We really underscore the responsibility of general educators in driving learning for all students.

Then we offer helpful tools, which summarize the role of the general educator as a part of the IEP team and the learning process. We also offer a tool to support collaboration between special and general education staff in the identification and service delivery to students with disabilities. There’s one document in this particular chapter, *The IEP Cycle: The General Educator’s Role*, that we believe is an excellent summary of the role of the general educator as a part of the IEP team, and then the charter schools, we think, might find this tool helpful as a part of their, for instance, professional development series. It includes six points to prepare the general education teacher for participation in the IEP meeting. It talks about what they can expect, how they can best prepare themselves, and really what the general educator is
going to need to do, the information that they’re going to need to provide, and how they’re going to be the most effective member of that IEP team. So, that’s a very important information and tool to provide to general educators so that they’re very prepared to serve all students.

Chapter Fourteen is another important chapter, and it talks about partnering with parents. In the Need to Know and Research section of this chapter, we highlight the importance of parents again as critical partners in the child’s education and learning process.

This chapter includes research conducted by the National Coalition for Parent Involvement in Education, which conducted a review of the research and found that parent involvement is positively correlated with higher grades, test scores, better social skills, attendance, and graduation rates. What we know as educators and practitioners is that no one knows their child better than the parent. So, the bottom line in this piece of research is the more involved we can get parents in the learning process of their students, the better the learning, the higher the learning. We always need to be encouraging that partnership and be very open to the information and support that we can get from parents who have the best picture and the highest level of insight into their child and their child’s needs.

In this Partnering With Parents chapter, we also include a tool created in a Q&A format, which explains difficult topics in plain, user-friendly language for parents to understand the content and guidelines of NCLB and IDEA and their role in their child’s education. Part of what we really liked about
this tool is that it really gives parents very concrete, user-friendly language about their role. It really gives them information and empowers them and encourages them with that information to become a part of the process. This tool is called NCLB and IDEA: What Parents of Students With Disabilities Need to Know [and Do] from the National Center on Educational Outcomes.

The final chapter in this tool is Chapter Fifteen, Looking Forward: Integrating Common Core Standards and Related Assessments [Into Special Education Service Delivery]. I think we’re at 45 total, plus D.C. Almost all the states have adopted the Common Core State Standards that will trigger large changes in curriculum and instruction for states which are now involved in planning. In addition, there are many changes coming in state accountability assessments in the next few years. So, we felt it was important to highlight for charter school leaders and special education managers some of these changes that are coming around the pike as a result of the Common Core State Standards and accountability assessments and give them some documents to read about Common Core and what’s going on in their state. We discuss Common Core Standards, the development of new assessments to align with these standards, and the federally funded projects awarded to states in the development of these plans.

We also highlight in this chapter that there are awards to other groups of states to design new assessments for students with the most significant cognitive disabilities and an assessment system also to support English learners. It’s critically important that charter schools follow and become involved in what’s going on in their state’s training and development for the changes coming that are going to be connected to curriculum, instruction,
and assessment in connection with Common Core. So, this chapter, I think, offers both the research and some very clear explanations about Common Core Standards to help give charter school leaders a basis for this information as they build programs and prepare themselves for the changes coming down the road.

Again, that wraps up the overview of what we hope will be a helpful tool in supporting startup and implementation for charter school leaders and special education managers. I've included at the back of this document my contact information with my e-mail and cell phone number so that if there are any questions about this tool or use of this tool, feel free to reach out to me and we can help you. The goal of this is to really have a resource to support the start-up and implementation of programs for students with disabilities.