

## Special Education Advocacy Efforts: Overcoming Barriers, Dispelling Myths

### The Challenge

#### The Myths About Charter Schools

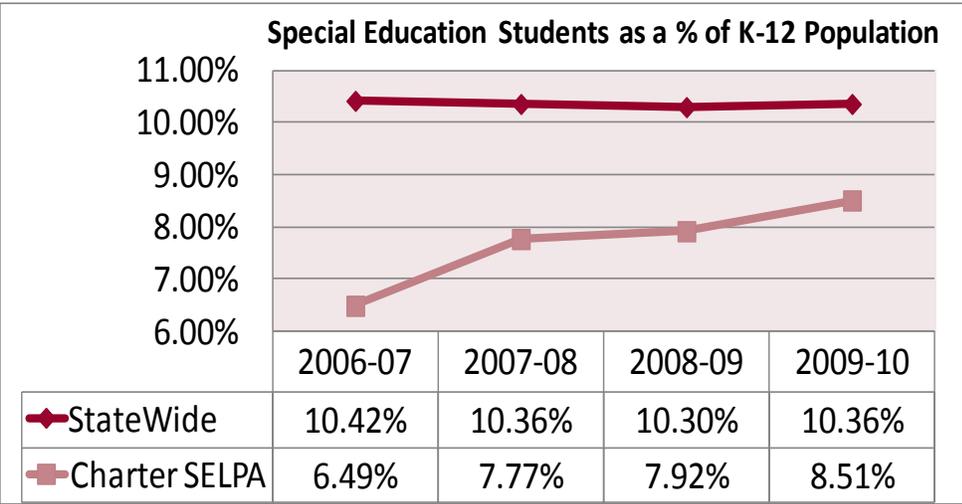
It is often stated that charter schools do not serve the same population of students with unique learning needs – such as students with disabilities – as their traditional public school counterparts. Since the inception of the charter school movement, this claim has taken a variety of forms. Some say that charter schools are unwilling to serve students with disabilities, often accusing charters of “counseling out” or referring students with disabilities to other schools. Others acknowledge that charter schools serve students with mild to moderate disabilities, but declare that charters are unwilling or unprepared to serve students with the most severe needs. Still, some simply allege that charter schools serve a smaller population of students with disabilities than traditional public schools.

#### The Truth About Charter Schools

While it is true that the special education demographic in charter schools may differ from that of traditional public schools, charter schools understand their responsibility to serve all students and are committed to serving students with special needs. In fact, because charter schools are designed to offer innovative educational strategies, they are uniquely situated to tailor their programs to meet the unique needs of students with disabilities.

In fact, available data shows that the percentage of students with disabilities enrolled in charter schools increases when charter schools are granted greater autonomy and flexibility over special education service delivery, as well as direct access to special education funding to support service delivery on the charter campus. This increased autonomy typically comes with operating as an independent local educational agency for special education.

For example, the El Dorado Charter Special Education Local Plan Area (SELPA), a consortium of charter schools operating as LEAs for special education, served approximately 8.51% students with disabilities during the 2009-10 school year, which is comparable to the statewide percentage of approximately 10.36%. What’s more, this percentage steadily increased between 2006-07 and 2009-10, the period during which a large number of charter schools transitioned from operating as schools of their authorizer to LEAs for special education purposes.



## Barriers Underlying the Myths

While charter schools are committing to providing innovative and high-quality services to students with unique needs, charter schools have faced significant challenges enrolling, serving, and demonstrating outcomes for students with disabilities. Specifically, barriers are presented by state and local special education governance structures, statewide funding systems, local service delivery arrangements, and data-tracking limitations.

### *The Governance Challenge*

California charter schools are, by default, treated in the same manner as schools of their authorizing school district for purposes of special education. Under this arrangement, the authorizer typically retains control of both the special education funding and the provision of services for students enrolled in the charter school. Without access to funding, charters are unable to develop supports for students with disabilities. What's more, districts that retain responsibility for providing special education services to eligible charter school students frequently opt to serve these students in existing district programs rather than providing funding or assistance for such supports to be implemented in the charter school setting. The result is that students who enroll in charter schools are often placed back into district schools when they require certain special education services.

While California law provides charter schools with the option to operate as independent local educational agencies (LEA) for special education, and thus have full responsibility and autonomy for special education, charters have historically faced challenges exercising this option. In order to be granted status as an LEA, a charter school must participate in a special education local plan area (SELPA). However, until recently, many existing SELPAs were unwilling or unprepared to accept charter schools as LEA members.

### *The Funding Challenge*

A charter school's ability to access and spend special education funds on behalf of its students depends upon whether the school is operating as a "school of the district" or an LEA for special education. Charter schools that operate as "schools of the district" make significant financial contributions to their authorizer. In addition to limiting the schools' ability to offer certain services and programs to students on their campuses, these contributions have also threatened to put many charter schools out of operation.

In addition, there are major financial challenges that come along with LEA status for special education. While LEA status offers direct access to special education funding, it also comes with certain expenditure obligations and increased financial risk. In order for the majority of charter schools to succeed as LEAs for special education, charters require a mechanism for mitigating these risks. What's more, inflexible spending constraints impede the innovation that is central to the charter movement.

### *The Service Delivery Challenge*

As charter schools seek greater autonomy over their special education programs, they must have access to a wide range of special education resources, knowledge of best-practice strategies, and access to high quality services to support a wide range of student need.

### *The Data Challenge*

A final challenge faced by charter schools is in their ability to gather and report data on the way that they serve students with unique needs. Currently, there is no accurate and consistent method for gathering data from charter schools regarding the population and outcomes of students with disabilities and other unique needs. While data is collected at the SELPA level, the data is grouped by authorizer, or school district, and therefore is not representative of the charter school site.

## The CCSA Mission

In order to accomplish major change in the area of special education and strengthen the charter school movement, CCSA must overcome the barriers that have previously inhibited charter schools in the area of special education.

To accomplish this goal, CCSA has developed a Special Education Strategic Plan designed to ensure that California charter schools are equipped to provide quality and compliant special education services that meet a broad range of student needs.

### Target Areas

In order to accomplish this mission, CCSA is targeting four areas that will bring about the greatest impact.

- ✓ Ensuring that charter schools have the infrastructure – including information, services and financial resources – necessary to increase the range of service options available to students with special needs.
- ✓ Advocating for SELPA and authorizer arrangements that provide the flexibility and autonomy necessary to better serve students.
- ✓ Improving access to comprehensive, accurate, and actionable data necessary to understand the scope and quality of services provided to students with unique needs in charter schools.

### Overall Goals

Through these reform and advocacy efforts, and in partnership with the leadership and ingenuity of our members, we will ultimately:

1. Increase the number of students with special needs being served in charter schools; and
2. Broaden the range of students with unique needs being served in charter schools.

### Measurable Outcomes

Successes will be measured by:

- a. Number of charter schools that seek and secure LEA status for special education;
- b. Number of schools participating in a collaborative/consortium for special education;
- c. Number of revisions to local special education structures, including: special education local plans, memoranda of understanding, and local policies and procedures; and

## CCSA Successes

Through the advocacy efforts of its Special Education Team, CCSA has made tremendous strides in overcoming the barriers that have traditionally inhibited charter schools in the area of special education.

### Key Highlights

#### *Increased SELPA Options for Charter Schools Seeking LEA Status*

By collaborating with a number of SELPAs across the state, we have seen a positive shift in the relationships between charter schools and SELPAs. Included in this change is the increased willingness of SELPAs to admit charters as LEAs for special education purposes. There are currently 14 SELPAs across the state that now serve or are prepared to accept charter schools as LEA members, including three charter only SELPAs.

These SELPAs include:

- El Dorado County Office of Education Charter SELPA
- Sonoma County Office of Education Charter SELPA
- Los Angeles County Charter SELPA
- Lodi Area Special Education Region SELPA
- Santa Clarita Valley SELPA
- Shasta County Office of Education SELPA
- Southwest SELPA
- Desert Mountain SELPA
- Sonoma Office of Education SELPA
- Yuba County Office of Education SELPA
- Butte County Office of Education SELPA
- Fresno County Office of Education
- Imperial County Office of Education SELPA
- Nevada County Office of Education SELPA

#### *Reorganization of the Los Angeles Unified School District SELPA*

Working in a new spirit of collaboration and with a common goal of creating improved special education arrangements options for charter schools authorized by the Los Angeles Unified School District, CCSA Association staff and LAUSD Special Education administrators worked together to develop a mutually beneficial solution for special education governance, funding, and service delivery.

The result was a plan for reorganization of the SELPA that would create a charter operated entity within the existing LAUSD SELPA that provides charter schools with the full autonomy and accountability necessary to serve an increased number and broader range of students with special needs. The new entity became operational on July 1, 2011 with 48 participating charter schools. In addition, the reorganization created two new, improved options for schools who wish to remain schools of the district for purposes of special education.

#### *New Charter School Special Education Consortia*

In an effort to ensure that charter schools have the resources and expertise necessary to provide a full range of high-quality services to students with disabilities, the Association is facilitating regional consortiums of charter schools that will collaborate to share expertise, resources, and services for special education. Two regional groups have committed to forming a joint powers authority for purposes of formal collaboration around special education – one in the San Francisco Bay Area and one in San Diego County.

#### *Broad Scale Special Education Resources and Trainings*

To ensure that all charter schools have the information and resources necessary to offer high quality special education services, the Association continues to provide a breadth of online resources, training workshops, and technical assistance around all aspects of special education.

### Progress Toward Annual Goals

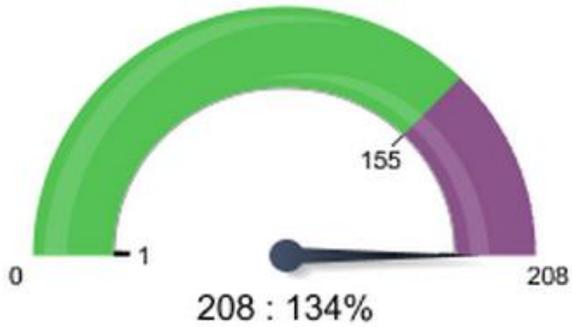
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*Number of charter school that secure LEA status for special education*

**LEA Status 2011-12 Goal: 155**



*Number of schools participating in a collaborative/consortium for special education*

**JPA/Consortium 2011-12 Goal: 105**



*Number of revisions to local special education structures*

**2011-12 Goal: 19 Successful Cases**



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