

**Charter Schools Special Education Services  
and Implementation Rubric Instructions**



# Illinois State Board of Education

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**TO:** Superintendents  
Special Education Directors  
Regional Offices of Education  
Interested Parties

**FROM:** Elizabeth Hanselman  
Assistant Superintendent for Special Education & Support Services

**DATE:** November, 2011

**SUBJECT:** Charter Schools Special Education Services and Implementation Rubric

Charter schools are public schools that come into existence through a contract with an authorized public chartering agency. In Illinois, local school districts are the primary authorizers of charter schools. The charter—or contract—establishes the framework within which the school operates and provides public support for the school for a specified period of time. At the end of the contract period, the charter must be renewed.

Children with disabilities who attend public charter schools retain all rights under the Individuals with Disabilities Education Act (IDEA). With respect to the rights and obligations established by IDEA, charter schools in Illinois are treated either as schools within a school district or as local educational agencies (LEAs) in their own right. More specifically: (1) when a school's charter is issued by a local board of education, that charter school is considered as a school within the district over which that board of education exercises jurisdiction; (2) when a school's charter is issued by the State Charter School Commission, that charter school is considered as an LEA in its own right. In order to receive ISBE certification, a charter proposal must demonstrate that the charter school will comply in all respects with state and federal special education law and that the charter school will not discriminate on the basis of need for special education services. Ultimate responsibility for IDEA compliance rests with the school district in the case of a school district-authorized charter, and with the charter school itself in the case of a State-authorized charter school.

To ensure that both parties to a charter contract fully understand their respective obligations under the contract with respect to IDEA, both initial and renewal charter proposals should address a variety of issues related to special education,

including equitable enrollment of students with disabilities, child find, determination of special education eligibility, parental involvement, least restrictive environment, provision of educational and related services, assessment and reporting of student progress, confidentiality of student records, sustained supply of certified special education teachers and related service providers, and special transportation, when needed.

The *Charter Schools Special Education Services and Implementation Rubric* sets forth the services that a charter school is required by state and federal law to offer to students who may be or are eligible for special education services. The rubric prompts applicants to (i) describe special education and related services that will be provided, (ii) propose the procedures and practices that will be used as these services are implemented, and (iii) identify the personnel responsible for the successful implementation of services. It is understood that in the case of school district-authorized charter schools, many services may be provided in part or whole by the local school district. In such instances, applicants should describe in detail the interaction that will occur between the charter and the district to facilitate the provision of such services, including the names and/or titles of personnel within the district and charter school who will be responsible for implementing the services and for overseeing the delivery of services. To the extent possible, the application materials should also include assurances by the school district that the district understands its obligations under IDEA with respect to the charter school. For example, if the school district has a policy or practice of providing a particular special education service on site to its regular public schools, the charter application should make clear that the district will provide the same service on site to the charter, and should include the names and/or titles of personnel at both the charter school and the district who will oversee proper implementation of the service.

Applicants are not required to utilize the rubric as a condition of certification, and may provide the same information in an alternative format provided that the applicant clearly indicates where in the proposal the information required by each section of the rubric is addressed. Such information will provide a framework for communication with the charter school and, where applicable, its authorizing school district regarding the charter school's special education services. ISBE's intent in requiring such information is to maintain effective communication channels with all parties, set clear expectations, and minimize confusion in relation to the delivery of services.

Please direct any questions regarding the information and directions set forth herein to Ms. Juana Burchell, Special Education Charter Schools Coordinator, at [jburchel@isbe.net](mailto:jburchel@isbe.net) or 217/782-5589.

The special education services rubrics for initial and renewal charter proposals may be viewed and downloaded from our website at [www.isbe.net/spec-ed](http://www.isbe.net/spec-ed).

**CHARTER SCHOOLS  
SPECIAL EDUCATION SERVICES AND IMPLEMENTATION RUBRIC**

**INITIAL APPLICATION**

**ISBE Form 34-50A**

**PURPOSE:**

An approved special education rubric (form 34-50A) provides official documentation that a proposed charter school will have the processes and procedures in place to implement a full continuum of special education and related services.

**INSTRUCTIONS:**

1. This rubric should be used for an initial (rather than renewal) charter school proposal.
2. The content of the rubric cannot be altered. Space in the 2<sup>nd</sup> and 3<sup>rd</sup> columns can be increased for each area, as needed.
3. The rubric must be completed in full. Make sure to complete all blanks or boxes with a thorough explanation of services before submission.
4. Read the first column of the rubric, *ISBE Requirements*, which denotes the minimum special education information required to be included in your application.
5. Complete the second column, *Charter School Proposed Steps for Implementation of Services According to Required Information*, which must include the plan for:
  - (a) Services (what services will be provided), and
  - (b) Implementation (how the services will be provided).
6. Complete the third column, *Name and Title of Staff at Charter School and District Who Will Work in Partnership to Ensure Implementation of Services*, which must include:
  - (a) The name and title of the staff member(s) responsible for implementing the services, as well as the entity in which the staff member(s) are employed (i.e., Charter School or Local Education Agency), and
  - (b) The individual who will be responsible for overseeing the delivery of services. If the applicant has not yet identified a candidate for the position, enter "to be hired."
7. The fourth column is for ISBE use only. Once an application has been submitted to ISBE, ISBE staff will indicate in the fourth column which sections

of the rubric have been approved, and which sections require further clarification or correction.

- (a) Clarification Needed - If the information is incomplete and/or further clarification is needed, the application will be returned. The applicant must provide the necessary clarifications and resubmit the application in its entirety (i.e., with all information that has been approved by ISBE and any new information provided by the Charter School in response to ISBE's request for clarification). The new information must be **bolded**.
- (b) Approval - If all information required is completed and no further clarification is needed, the applicant will be notified that the application has been approved.

**CHARTER SCHOOLS  
SPECIAL EDUCATION SERVICES AND IMPLEMENTATION RUBRIC**

**RENEWAL APPLICATION**

**ISBE Form 34-50B**

**PURPOSE:**

The special education rubric (form 34-50B) provides documentation necessary to show that the existing charter school has the processes and procedures in place to implement a full continuum of special education and related services.

**INSTRUCTIONS:**

1. This rubric should be used for a renewal charter school proposal.
2. Charter schools are advised to begin developing their special education renewal proposal one (1) year prior to the expiration of their current charter terms.
3. The content of the rubric cannot be altered. Space in the 2<sup>nd</sup> and 3<sup>rd</sup> columns can be increased for each area, as needed.
4. The rubric must be completed in full making sure to complete all blanks or boxes with a thorough explanation of services before submission.
5. Read the first column of the rubric, *ISBE Requirements*, which denotes the minimum special education information required to be included in your application.
6. Complete the second column, *Charter School Proposed Steps for Implementation of Services According to Required Information*, which must include the plan for:
  - (a) Services (what services will be provided), and
  - (b) Implementation (how the services will be provided).
7. Complete the third column, *Name and Title of Staff at Charter School and District Who Will Work in Partnership to Ensure Implementation of Services*, which must include:
  - (a) The name and title of the staff member(s) responsible for implementing the services, as well as the entity in which the staff member(s) are employed (i.e., charter school or Local Education Agency), and

- (b) The individual who will be responsible for overseeing the delivery of services. If the applicant has not yet identified a candidate for the position, enter “to be hired.”
8. A charter renewal application must include data on student academic performance (Illinois state assessment results and other results) from the last approval date (105 ILCS 5/27A-9(b)(1)), including data on the achievement of students with disabilities. For purposes of the review of special education services:
- (a) If the Charter School demonstrates increased student academic achievement for students with disabilities, and has no history of complaints and/or due process, ISBE staff will recommend approval of the renewal application.
  - (b) If the Charter School fails to demonstrate increased student academic achievement for students with disabilities, the applicant should describe any specific strategies it will utilize to address low student achievement among this student population. In addition, if the Charter School has a history of complaints and/or due process, an onsite technical assistance (TA) visit may be scheduled at ISBE’s discretion to assist the school in a review of its special education practices.
9. The fourth column is for ISBE use only. Once an application has been submitted to ISBE, ISBE staff will indicate in the fourth column which sections of the rubric have been approved, and which sections require further clarification or correction.
- (a) Clarification Needed - If the information is incomplete and/or further clarification is needed, the application will be returned. The applicant must provide the necessary clarifications and resubmit the application in its entirety (i.e., with all information that has been approved by ISBE and any new information provided by the Charter School in response to ISBE’s request for clarification). The new information must be **bolded**.
  - (b) Approval - If all information required is completed and no further clarification is needed, the applicant will be notified that the application has been approved.