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

National Charter School Resource Center Special Education Conference

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1. Introduction and Background

2. California Landscape: Lessons to Share

3. Charters, Authorizers, SELPAs: The Great Divide

4. State Associations: The Master Facilitators
Key Factors

Legal Status

- Independent LEA for special education purposes
- Part of an LEA for special education purposes

Linkage

- Relationship to authorizer dictates:
  - Access to funding
  - Service delivery responsibility and decision making authority
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)
California Charter Schools have two options for special education service delivery and responsibility:

- **Local Educational Agency**
  
  Ed. Code §47641(a)

- **Part of an LEA**
  
  (“School of the District”)
  
  Ed. Code §47641(b)
Another look at the Options

Responsibility & Funding

Part of an LEA/School of the District (Total Link)

- = Authorizer
- = Traditional School
- = Charter School

Independent LEA for Special Education (No Link)
**California Special Education Structures**

**Special Education Local Plan Area (SELPA)**
- Multiple LEAs (or one large LEA) collectively develop a plan for special education
- Receives special education funds from CDE and allocates funds to participating LEAs

**Local Education Agency (LEA)**
- Participates in SELPA governance
- **Carries responsibility for FAPE**
- Receives special education funds from the SELPA

**Schools**
- Interacts with students and families
- Supports service delivery for students at site
- May be required to contribute financially to district costs
Another look at the Structures

SELPA

School District

Charter School

School of The District

LEA for Special Education
The Great Divide: Competing Interests

Charter School: Autonomy, Flexibility, Funding

Quality Services for Students

Authorizer: Oversight, Funding

SELPA: Compliance, Funding
Challenges and Barriers

School of the District

• 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

Independent LEA

• 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
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*. 
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
The Work

- Data Collection and sharing of information
- Partnerships for innovative programs
- State and National Partnerships on key topics
- JPA Formation
- Trainings / Webinars
- Web based resources (toolkits)
- New options for LEA Status
- Improved options for charters staying as “SOD”
- SELPA / Authorizer Reform
- Infrastructure Building
- Broad Scale Advocacy
- Data
- Data Collection and sharing of information
Priority Areas for 2012-2013
Special Education Advocacy Efforts

**Funding**
- Develop risk pool and insurance models
- Expand access to funding streams, including Medicaid (Medi-Cal)

**Services**
- Implement service sharing systems within existing and new JPAs
- Expand resources and training opportunities

**Policy**
- Further parent access through proposed legislation
- Prevent authorizer overreach through legislation, regulations, and/or non-regulatory guidance
- Overcome service sharing barriers related to the lottery process
1. Providing information and access to resources:

- Expanding bank of online resources: [http://www.calcharter.org/operating/special-education/](http://www.calcharter.org/operating/special-education/)
- Ongoing training opportunities [http://www.calcharter.org/events](http://www.calcharter.org/events)
- Pre-screened list of quality service providers
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
3. Expanding Options for Autonomy and Flexibility:

- A growing number of SELPAs willing to accept charter schools as LEA members (eg. Sonoma)
- An increasing number of districts willing to negotiate improved arrangements (eg. LAUSD)
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.
• 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
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.
• 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
The New Structure

• One Single-District SELPA

• Two Sub-groups
  – District-Operated Programs
  – Charter-Operated Programs
Questions?

Thank you

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