

Meeting the Challenge to Serve All Students: Charter Schools and Special Education

This National Charter School Resource Center webinar focuses on special education in charter schools and provides critical information about federal law, describes key issues, and outlines common factors that drive successful programs.

The hour-long, March 16, 2011 session, which drew more than 100 participants, was led by two veteran special education researchers: Lauren Morando Rhim, an independent education consultant who has authored many publications about charter schools and special education, and Allison Gandhi, a senior research analyst at American Institutes for Research (AIR) who has directed projects for the Office of Special Education Programs in the U.S. Department of Education and is a co-author of a February 2011 [report](#) about charter schools' use of the special education cooperatives.

Rhim emphasized that even though autonomy is a critical part of the operating theory of charter schools there is no exemption from federal law. Charter schools must abide by the Individuals with Disabilities Education Act (IDEA) and provide students with disabilities a “free and appropriate” education in the “least restrictive” environment.

One critical component of serving special education students is development of an Individual Education Plan (IEP), the document for each student that spells out performance goals and the services that will be provided to achieve those goals. IEPs should be prepared by a close and collaborating team that includes teachers, specialists and the child's parents or guardian. The IEP must be implemented.

Charter schools face unique challenges and opportunities in providing special education. “As charter schools, you are often building the plane as you fly,” Rhim said. “But that doesn't mean you aren't responsible for building a high-quality plane while you are flying it.”

As a start-up school, charters have the chance “from the very first planning meeting” to design special education services as an integral part of the school. And charters have the flexibility, so long as the law is followed, to move quickly and provide innovative solutions to problems. They have the opportunity to cultivate new infrastructures and relationships with private special education services providers. Opportunities exist to add online learning to the mix of classroom offerings. Among the resources included in the webinar is a report about virtual charter schools and special education.

One of the key infrastructure questions charter schools must answer deals with the charter school itself: Is it an independent Local Education Agency (LEA) or part of a school district? If a charter school is its own LEA -- usually a charter school that has been authorized by such organizations as a state education agency, not-for-profit organization or university -- the charter



school is “wholly responsible” for providing special education. That means it must evaluate students, set policies and procedures, and provide or arrange for services.

For small charter schools with diverse and changing populations of special education students, going it alone can be difficult. The AIR report about special education cooperatives shows that collaboration among charter schools can be an effective way to provide services and that models vary according to the level of commitment on the part of members and the depth of the services offered.

If the charter school is part of a district, it can tap into programs and infrastructure that already exist. But Rhim said that “you have to have a clear understanding of who does what.” It also means the loss of some measure of control over the quality of services and how they are provided.

Looking for the right indicators helps reveal how well a school is delivering special education, according to Rhim. Is the conversation about compliance or doing what’s best for the student? Is there strong assessment of students, with instructional decisions based on data? Is there targeted and relevant professional development for staff? Are services customized for all students, not just special education students? Are special education students well integrated with the general enrollment? Is it a safe environment?

In some cases, the needs of a particular special education student may exceed the school’s resources. In such cases, state funds can be tapped. Rhim, while acknowledging the tough current economic and school budget conditions, also recommended schools set aside money to better accommodate the peaks and valleys of needs.

