



## **The Critical Partnership Between the SEA Charter Office and Special Education Office**

### *A Webinar for State Charter offices – Part 2*

Presented May, 24, 2022

Full Transcript

- [Courtney] Good morning or good afternoon, everyone and depending on your time zone. Welcome to today's webinar on the role of state education agency charter offices and serving students with disabilities. This is the second session in our two-part series. My name is Courtney Leigh Beisel, and I'm the Deputy Director of the National Charter School Resource Center. We're so grateful you took time out of your busy days to join us for this session. This event is being brought to you by the National [00:00:30] Charter School Resource Center. NCSRC provides technical assistance to federal grantees and resources supporting charter sector stakeholders. NCSRC is funded by the U.S. Department of Education and is managed by Manhattan's Strategy Group in partnership with WestEd. Some quick norms for our discussion, though, please remember to mute yourself when you're not talking. You can utilize the chat for questions and comments, we will have time for you to unmute multiple times during the session to either ask questions or contribute to the [00:01:00] conversation, so please feel free to do that or type it in the chat. We would love for you to respond to the survey that we send at the end of the session to tell us how we did. And this session is being recorded so that you and your peers may access it at another time. By participating in this event, you are consenting to being a part of that recording. The learning objective for this two-part series of webinars are to understand the distinct roles of the entities on the screen [00:01:30] and serving students with disabilities in charter schools, as well as understanding responsibilities of CSP grantees related to serving students with disabilities. But here are our big questions today that are going to be the drivers for our conversation. How have SEA charter offices and special education offices worked together to solve problems? What can you learn from these examples? Any ideas that your peers are going to share throughout the session that you can apply to your own context? [00:02:00] And how can you use your CSP funds to support subgrantees and serving students with disabilities in a

more effective way? I'm delighted today to be joined by my colleagues from the Resource Center, Robin and Kelly who will help facilitate today's content. We are also joined by your peers from Colorado, Bill Kottenstette from the Colorado Department of Education Charter School Office, and Paul Foster from the Special Education Office. So, our session [00:02:30] is going to start today with a review of our key takeaways from last week's session. Then we'll hear from Paul and Bill on how they collaborate to serve students with disabilities in Colorado. Then we'll review the responsibilities of CSP SEA grantees related to students with disabilities. We'll do some brainstorming on how you can use your grants to fulfil these responsibilities. And then we'll close out the session with a reflection activity to help you think through how you can implement some of the ideas you've heard during this two-part series. And with that, [00:03:00] I'm going to toss this off to Robin to give us a quick recap from webinar number one.

- [Robin] Thanks so much, Courtney. So, hopefully most of you were able to join us for Webinar one. But just in case, here were some of the big ideas that we discussed. So first, LEA status has a major impact on the way special education is structured in your state. And so therefore, it determines who's responsible for what, defines the role of charter schools and LEAs. So, it's really important to understand [00:03:30] how LEA status works in your state in order to determine how you can support charter schools and serving students with disabilities. In addition, as a state charter office, it's really important to understand the roles of the different entities and serving students with disabilities. So, the role of the SEA, Special Education Office, the charter office, the authorizer, and the school. And we know that this varies a lot by state, and so, it's particularly important that you understand your own context. Because once you do understand these roles, [00:04:00] then you can better leverage the different entities and figure out what role you might be able to play. Also, as a state charter office, it's really helpful to build relationships with these entities so that you can leverage their expertise and figure out how you can work together to support schools. And then finally, as a state charter office, there are some key levers that you can pull to ensure that charter schools are serving students with disabilities effectively. And some of the strategies that we talked about at our last webinar, were [00:04:30] communicating with the Special Education Office so that you can talk about where there are compliance gaps in charter schools that you're both working with, working with the Special Education Office to then identify resources and training to build the capacity of

charter schools and address these compliance gaps. Communicating with authorizers as well so that they're aware of any issues that you identify. And then also providing data to the LEA inter-authorizer to [00:05:00] build awareness of the landscape regarding any complaints that you're receiving. So, those are some of the strategies that you might think about. So, that's a recap. And now we're going to move on to a discussion of how this collaboration is happening in practice in the state of Colorado. And we're so lucky to have Bill Kottenstette, the Executive Director of Schools of Choice with the Colorado Department of Education, and Paul Foster, who's the Executive Director of Exceptional Student Services, also [00:05:30] with the Colorado Department of Education to join us today to talk about some of the ways that they collaborate. So first, Bill and Paul, what are your respective roles in supporting schools and serving students with disabilities?

- [Bill] So hi, everyone, I see some familiar names out there. My name is Bill Kottenstette, as Robin mentioned. I serve as the Executive Director for the Schools of Choice unit at CDE. Within the Schools of Choice unit, our big work is managing the charter school program [00:06:00] grant, so, I serve as the director for that grant. But also, we serve charter schools generally and manage a good amount, but not all state work related to charter schools. But we also do work with online schools in blended learning initiatives. We work with something called the innovation schools. And then we answer a lot of public inquiries related to homeschool and non-public education in the state. So, that's me. [00:06:30] And I'm here, obviously, and most excited about the work we do with the CSP.

- Great. Thank you, Bill. And Paul?

- [Paul] Yeah, good morning. And thanks for having me on. So yeah, I serve as the Executive Director of the Exceptional Student Services unit, that's sort of a mouthful. But in my unit, we have the office of gifted education, we also have the office of facility schools, which is something that's sort of unique to Colorado, but it's basically students who are served through residential [00:07:00] or data-driven programs. And then we also have the office of special education. So, in that roll I also server as the State Director of Special Education. And so, we're sort of a mix of, you know, compliance, making sure that, you know, our school districts are implementing the statute and laws around special education and Colorado gifted education, and then also technical

assistance and support for actual [00:07:30] services to children with exceptionalities. So, that's sort of my job in a nutshell.

- Great, thank you so much.

- And I'll add something, I did a bad job of it. I introduced myself more than I answered the question. So, in terms of my respective role in supporting schools and serving students with disabilities is, our office largely is the front line of engagement with charter schools and with charter authorizers. And so, we tend to kind of [00:08:00] have early awareness of challenges that might be out there, some complex technical questions that may come in and trying to find the right answers for schools. And then obviously, any types of work that we can pursue through the CSP would be in that as well.

- Got it. Thank you. And so, how do you work together to support schools and serving students with disabilities? What are some of the ways that you work together?

- Yeah, [00:08:30] I'll start off in kind of tying in with what I was just saying. So, we get a lot of the complex questions that come in. So, we may have a parent who reaches out, contacts our office and says, "Hey, you know, I had a problem with my student with disabilities and the way they're being served in the school." There are formal complaint processes that a parent can follow. So, we may inform them, educate them on what those are. But also [00:09:00] connecting with Paul's team, with their responsibilities as the SEA for special ed, have to have some awareness. But also, just like sometimes people may not...like they might just be inquiring about, like how things work. And so, we can help answer questions, but also, when there are more complex questions that come up working with Paul's team to refine what the right responses are in [00:09:30] areas like that. Again, we definitely have a pulse on things. I won't say it's necessarily like the strongest, but I think we do have a very good pulse on where, you know, the system is working well and where there are challenges, and where there are areas that should be called out for improvement within the charter landscape, the school choice landscape. [00:10:00] So, we try to reflect on where some of those areas are and explore strategies for how we can improve practices out in the field. Paul, I'd be happy to hear your reflection as well.

- Yeah, so I think one of those things that really came to light recently was we had a number of OCR complaints filed against charter schools across Colorado. And it was [00:10:30] filed by Disability Law of Colorado, which is our protection and advocacy group here in Colorado. And every state has one. They're federally funded and their job is to ensure that we are, I guess, sort of, ensuring that, you know, discrimination issues are brought to the top, are brought to light. And so, they definitely brought it to light with a number of OCR [00:11:00] complaints being filed. And so, that really created an impetus for both Bill's office and my office to work closely together, to begin to do some changes, create some systemic changes at the state level that really were designed to address some of those issues. So, you know, as a result of that, we began to look at rules. And we noted that there were some school districts or some charter schools [00:11:30] who were asking questions related to disability prior to admission. And so, that really gave us the impetus to go in and begin making some of those changes. So, it gave us a close working opportunity to begin to deal with some of those things at the state level. So, I don't know. Bill, I'll hand it back to you and, kind of, let you add to that.

- Bill, you're muted.

- Yeah, [00:12:00] thank you. And so, I'll say two things. First, is a slight aside, is, in our office, either based on the existing state resources that we have within schools of choice or within the charter school program grant, one of the nice things we have is we have the ability to deliver targeted training to charter schools. That's a general type of [00:12:30] activity that we can do. But we find that there are opportunities to support ESSU, where they have like larger resources to do specialized training in special education. But sometimes there's opportunities where we can create a custom message to charter schools in that space. There's just one other thing I'll highlight, because it might come up later in the conversation. But in terms of the OCR piece, [00:13:00] I'll speak specifically to where those complaints came from, is that we had an organization that went and looked at the charter applications that were being used by schools across the state. We have a range of applications. So, it is okay in Colorado for charter schools to run their own enrollment processes. They don't have to go through their authorizers, although we are seeing growing use [00:13:30] of centralized enrollment at the authorizer level. A good example of that is Denver Public Schools has a centralized enrollment for all of their schools, and charter schools are included in that process. But there are many

charter schools across the state that have their own enrollment processes and their own forms. And so, when reviewing these forms, this outside organization saw that many of them are asking about disability status on the application. In my experience [00:14:00] with schools and their understanding is that there may have been times where that was okay. But generally speaking, that would be a practice that violates federal law, as clarified in guidance from the Office of Civil Rights in one of their Q&A documents. So, this became apparent to us, and we found schools that were doing this, I'll say, for genuine [00:14:30] reasons. They wanted to identify an IEP early so it could be properly reviewed, but the way they were doing it, it had the impact of contributing to discriminatory effect. And so, that needed to be corrected. And so, within our office, like, one, is like we could leverage some of our TA, whether it was budget within the CSP or general activities within the state but, like, [00:15:00] to get the message out on how to improve that practice. Let's organize the meetings to bring schools together to learn about what the substance of this complaint was and how they could fix it, right? And then we have some power within our control. And I'm probably going to go really into the weeds on this, but in Colorado law, we have the state law statutes. And then the State Board of Education has the authority to promulgate rules [00:15:30] in different areas. So, there are rules that they write for charter schools, and my office oversees those rules. Like, in the sense of, if the board wanted to make changes to them, we would be the staff to help them with that. Then they are much more complex in media rules that are with the Exceptional Student Services unit that are specific to implementation of IDEA and are broader [00:16:00] than that as well. But that's, like, where we really can direct work. The charter school rules are designed as a standard by which the board would evaluate charter appeals. So, they're not as needy as the ESSU rules, but it is a space where I can work and clarify direction in the charter rules, that when those changes are made, like they [00:16:30] communicate to the field that you must do these things. And if they don't follow it, it's not catastrophic to the school. Like, it makes them vulnerable to, like, the district coming in and, like, revoking their contract or putting conditions on their charter contract, that they would have to go to the state board and appeal if they didn't like that decision. And if they're not following the rules, then that appeal process is compromised for the charter school. So, it has [00:17:00] weight to it, but not in the same way as the ESSU rule. I'm probably getting way technical, but we have time. So, what I'll say though is...so we promulgated rulemaking on the charter side. That said, you

are not to ask about disability status on enrollment forms anymore. So we just put it very clear in that rule, and we sent it to the state board, and it was adopted. [00:17:30] Prior to doing that, we definitely collaborated with ESSU, so that they had a chance to review the language that we were proposing and were comfortable with that language. There was a second piece of the work that we wanted to extend to further strengthen the practice, and that was on how you... So, if we're saying you can't ask this question on a charter application, the risk that [00:18:00] it creates is not identifying students with disabilities early in the process, so that a review of the IEP application is done in a timely manner, to ensure that the school is set up to provide the services that the student needs. And that part of the process is cooked into ESSU rules. And so, we needed to collaborate with ESSU to make sure that we're closing the loop on that end, [00:18:30] as well. And so, we engaged in the rulemaking process on that side as well. I probably jumped ahead to this next question, and I apologize about that.

- No, it's okay. So, in addition to rulemaking, you said that you also convened schools to explain what the complaint was. And were you able to provide examples of what they should be doing? And did you work on those convenings together?

- Yes, yes. So, what we did was we collaborated with ESSU. We actually collaborated with our state's Attorney General [00:19:00] as well, because the Attorney General represents the department from a legal lens. So, it was helpful to have that individual attend the meetings as well. And we shared copies of applications that were called out for compliance concern and demonstrated how, like, this example is an example of what you want to avoid. So, in the future, you should not do this, and we are going to move for [00:19:30] advance rulemaking to confirm that for you. So, we did a little bit of work on the frontend, we engaged in the rulemaking process and then, on the backend, followed with additional technical assistance and communications to, like, not only say what the requirement is but then to provide examples of how it should be implemented in practice.

- Got it. Thank you. And, Paul, was there additional rulemaking on the Exceptional Student Services side as well?

[00:20:00]

- Yeah, there definitely was. And as Bill said, that's where, you know, some of our real ability to direct the work came from. But what was, sort of, interesting is that, as we began to look at charter schools, we saw some very similar things in schools of choice. So, even if it was a school of choice within a district, what we still found in practice, and what rule really allowed for was for school districts to inquire about a child's disability [00:20:30] status and IEP needs prior to them being accepted into, you know, that school of choice, whatever that school of choice might be. And, again, it could be across district lines or it could even be within a school district. And what we actually discovered was that there were some systems set up where parents were being counselled out of or advised not to apply or being told, you know, that they really couldn't apply for [00:21:00] some schools of choice because the school district, again, out of probably coming from the right place, you know, they were genuinely concerned about their ability to provide a free and appropriate public education, which is their obligation under law to that child in certain settings. But it led to a practice, sort of, a de facto practice, I guess you would say, by which, you know, some children were basically being [00:21:30] screened out of the opportunity to even apply because of disability. And so, we also went in and changed, you know, some rules that basically made it clear that, yes, the school district still retains the obligation to ensure FAPE. You know, the IEP teams still continues to have the ability to make decisions about where a child can be served, but it can't be done in advance. You can't make a decision that a child can't apply for [00:22:00] a certain school of choice simply because of disability. After the child has been accepted, it's perfectly legitimate for the IEP team to reconsider. Just like with a charter setting, it's perfectly legitimate for the IEP team to determine can we deliver FAPE in the setting, and just like a school district may say, "We can't provide FAPE in their neighborhood school. Maybe it's right across the street from where you live. We can't provide FAPE there, but we can [00:22:30] provide FAPE at another location within the district." So, same rules apply. You just made it clear that you can't do that ahead of the game. The other thing, you know, that I think is interesting is that, you know, this all happens, sort of, in context of some of our stakeholders really concerned about the lack of enrollment of students with disabilities in our charter school system. And so that predated the OCR complaint and all of this. And so, what I [00:23:00] hope is an outcome of this is that more and more schools, whether they're charter schools or schools of choice, will kind of gear up to build their capacity to serve children with disabilities. Sometimes people



tend to equate, you know, all disabilities as being something that we can't meet, but, you know, the vast majority of kids, you know, probably throughout the country, certainly it's true here in Colorado, are children with learning disabilities, speech impairments, you know, [00:23:30] disabilities that, you know, do require support and accommodations, but, you know, it's not outside of the range of most schools, you know, charter schools or schools of choice to be able to meet. So, you know, I think we could see it increase the number of schools or children with disabilities served in charters and schools of choice just because schools are beginning to gear up probably to better meet those needs.

- It'd be interesting to follow that over the next year or so. [00:24:00] So, now we're going to move on to some questions, and we have a couple in the chat already, from Carol Beck. The first is, does the Exceptional Student Services office ever help with individual complaints, e.g. advising LEA or school, whichever is responsible for FAPE outside of the complaint process or would a parent always be referred back to the IEP team in filing a complaint?

- Yeah, so certainly, we're going to encourage, you know, that [00:24:30] concerns be resolved at the lowest level possible. So, in Colorado, certainly a parent of a child with a disability is eligible to file a state complaint. And so, that would go through the same process that any other complaint goes through. It's going to be reviewed to determine if there's jurisdiction of the state, and then if there is, it would be investigated and a decision rendered. So, any decision that's made by a state complaint [00:25:00] officer will be binding on the charter school. We also have some other things that we're going to try to direct folks to. We have facilitated IEPs, which the state supports. And that's really just to send someone in at the IEP level to make sure all voices are heard, people understand what is the obligation and the role of the public school system in providing FAPE, and really [00:25:30] just, again, facilitate a conversation that hopefully would lead to resolution. And, again, charter schools would be...you know, they can access that. We have also mediation, which is a little bit more technical, but again, it's trying to resolve issues before they become a state complaint. And then, you know, that tends to be a little more formal. It doesn't necessarily occur in the context of an IEP team meeting. And then, [00:26:00] there's the most litigious, you know, which is a due process hearing, which, again, a parent of a child in a charter school could file for a due process hearing. So, our jurisdiction and our authority to address those

issues would be the same whether, you know, it's a typical K-12 setting or a charter setting. So, Carol, I hope that answers the question.

- And something I'll add as well as where I see benefit with the activities that have happened [00:26:30] is now we have something concrete to point to within state rule. So, if I get a parent calling and saying, "Hey, my student was denied admission because of their disability, isn't that illegal?" I can say, "Yes, look at 4.083c, and I'll send you a screenshot of it." And the parent can then go back to the school and say, "You may not know this, but you're in violation here." And [00:27:00] not that that necessarily avoids a complaint, but it can help inform the school and the authorizer of their responsibilities I think, in a way, where I anticipate it will resolve problems on the frontend rather than it escalating up to a more substantive complaint.

- Yeah, and it gives us totally the same thing in terms something more concrete, because, you know, again, I sympathize with our school districts, [00:27:30] I spend a lot more time as a district level special director than I have at the state level. And at the end of the day, the ultimate obligation of that district is to ensure the child receives FAPE. But what we also have is some situations where schools are, again, basically cutting off access to schools of choice or charters, because they're not even considering those as options where FAPE can be delivered. And so what this does is these rules, [00:28:00] on the other side, do really create some hopefully positive pressure to, again, grow—I'll get the right word here in a minute—our charters and our schools of choice to have the capacity to meet the needs of children with disabilities, again, the vast majority of whom are going to be more that mild to moderate category as opposed to kids with really significant, more severe disabilities.

- And I'll echo to that. [00:28:30] Like, what I anticipate is needed at this stage is essentially like change management process. So, the rule is there, there's awareness among some, and we want that awareness to grow so that it's more common understanding, and that, like, there will be faults in practice over time, because people will go back to the way they thought with, you know, "Like, this is how we did it 10 years ago, [00:29:00] and so, I didn't realize that changes had been made or clarified." I would say clarify. Like, the law has been clear in the past, but this is clarifying it. And so how do you navigate that change process? And that's where I see the CSP and the technical assistance activities that were enabled to pursue as a way of, you know, accelerating that change process.

[00:29:30]

- Yeah, the rules were never...Colorado's rules were never intended to promote discrimination. There was, I guess you could say, a loophole or something that allowed for it. And, again, people weren't sitting around thinking about how do we keep kids out of charters. They were thinking how do we ensure FAPE. And so, that was a byproduct of the pressure coming at districts from both sides, ensure FAPE [00:30:00] and then necessarily charters not having the capacity or at least not believing they had the capacity to serve kids. So, it's sort of a perfect storm that hopefully the change in rule has corrected and clarified. And, again, I would say "clarified" because there was never, again, anything that, you know, certainly no intent, you know, to say that a child with a disability couldn't or shouldn't be in a charter.

- So, it sounds like Bill you were saying that the [00:30:30] CSP funding is able to support the rulemaking by...you know, you're able to use funding to provide the technical assistance to support best practice.

- Yeah, I'd say like the rulemaking, we do ourselves, but the training and, like, the change management process can be supported with the CSP.

- Got it.

- An example is, you know, there...and I'll take a step back, [00:31:00] is like outside of this work, like within the CSP of what we propose, and I don't have the language written down but I, kind of, brainstorm what I remember it to be is like, if you look at ESSU and the law around the CSP, it talks about, like, we should be pursuing activities related to equity and access for educationally disadvantaged students particularly [00:31:30] related to enrollment and retention.

- Yes.

- So, when we wrote our grant to the feds, we said one of the strategies that we want to propose for how we would accomplish this is to organize equity convenings where we bring people together to talk about equity topics. So, we did a convening that looked specifically at enrollment of students with disabilities in charter schools. So, from that initial convening, it really opened up the door [00:32:00] to other types of training opportunities that we could build upon from what we learned in that convening. So, we learned about, like,

enrollment forms and ways to improve your enrollment forms. We found promising practices around website design and having inclusive messages on your website, tools for authorizers to do audits of charter websites and enrollment forms. So, now we can do dissemination [00:32:30] activities and then link it to some of the regulatory actions that have occurred in the state.

- Great, thank you. So, I think we need to move on from this section, but that was a great transition, because now we're going to talk about your responsibilities as a grantee to support charter schools and serving students with disabilities. And we just heard about some great examples in practice. So, grantees have a number of responsibilities that come directly from [00:33:00] the CSP statute and the notices inviting applications. So, during the subgrant application process, CSP grantees are required to make sure that subgrantees meet the federal definition of a charter school. And so that includes complying with all of the various federal laws related to serving students with disabilities. So, CSP grantees should have questions in their subgrant application that address requirements for serving [00:33:30] students with disabilities. Grantees are also required to work with eligible applicants to meet the needs of students with disabilities. So, that could include providing technical assistance, as Bill was talking about, or providing resources related to serving students with disabilities for schools that are applying for subgrants. And then, during subgrant implementation, there are three areas that grantees should focus on. [00:34:00] And the SE charter office may work with the authorizer depending on the state context, or the state Special Education Office to perform these functions. So, the first is to work with charter schools on recruitment and enrollment practices to promote the inclusion of all students. And we talked about that a lot today, so that could look like what Bill was talking about, promoting rulemaking or providing technical assistance, sharing best practices about the best ways to make sure that there aren't barriers to students with disabilities enrolling [00:34:30] in charter schools. The second area is ongoing support. So, in the area of ongoing support, grantees are required to support schools in both reducing the use of discipline practices that remove students from the classroom, so, like, reducing the use of suspension and expulsion, and also utilizing strategies that build a positive school climate and culture. And then finally, they should focus on ensuring [00:35:00] that charter schools are meeting the needs of students with disabilities. So, in other words, making sure that schools are providing students with disabilities their special education and related services that are identified by their IEP. And as you know, we've been

discussing all day, of course, the SE charter offices can certainly leverage the expertise of their colleagues in the SEA Special Education Office in doing that. So now, I'm going to [00:35:30] pass things off to my colleague, Kelly, who's going to talk about how to implement these strategies.

- [Kelly] Great. Thanks, Robin. So, Robin covered a lot of what's in requirements for your CSP grant. And we're going to kind of now shift gears a little bit to talk about how to fulfil those responsibilities that Robin talked about. And then we really have three primary strategies that you can use to make sure you're fulfilling your responsibilities as an SE grantee. The first is around ensuring compliance. So, this means [00:36:00] that you're ensuring that students are receiving services as written in their IEP. And this may mean that you're working with authorizers to Carol's question in the chat too, that I think we'll get to later, and providing authorizing TA on this topic, or potentially, you're working directly with schools and their special education teams. And we talked a lot in this webinar series that there are multiple parties that are responsible for ensuring compliance, especially related to special education. So, we know that this is a responsibility of [00:36:30] authorizers, of your SEA Special Education Department, it's the responsibility of the school and the LEA. But remember that, as a CSP grantee, you are also responsible to ensure that any schools receiving CSP funds are effectively serving all students. So a way to ensure compliance is also by providing support. So, consider providing professional development or technical assistance and resources that are related to this topic on serving students with disabilities. And specifically within your grant, [00:37:00] it states that at least 7% of your funds must be used to provide technical assistance to subgrant applicants and to provide TA to charter school authorizers to carry out activities to improve authorizer quality. And we know that based on the most recent monitoring reports, 75% of SE grantees were not in compliance with this indicator related to using your 7% of funds. So, in the next slide, we're going to talk about some examples of what some grantees are doing with these funds to provide [00:37:30] support to the field. We've already heard some great ideas from Colorado as well, but we strongly encourage you to think about what type of TA you can provide using those funds related to serving students with disabilities. And then finally, it's your responsibility to continually monitor. So, ensure that your team has monitoring systems in place that include components related to serving students with disabilities. So, this could look like site visits, perhaps it's desktop reviews, or other ways that you're checking in [00:38:00] on your subgrantees specifically related to their

responsibilities and serving students with disabilities. And this also means that you need to continually ensure that subgrantees meet that federal definition of a charter school, ensuring that the school is not charging tuition, admit students on the basis of a lottery, and complies with all state and federal laws, specifically related to students with disabilities. And so, as we've discussed, grantees don't have to provide the services themselves. If you are listening to this [00:38:30] and you're like, "We don't have the capacity. We don't have the expertise in my team," that's okay. We want to encourage you to leverage expertise, whether that's from your SEA Special Education Office or potentially utilizing the outside contractors to help provide that support and monitoring. There's also some specifics in your grant related to authorizing. So, within your grant, it specifically states that one of your responsibilities is to ensure that authorizers of subgrantees [00:39:00] are also monitoring charter schools specifically in terms of recruiting, enrolling, retaining and meeting the needs of all students, including children with disabilities and English language learners. So, to accomplish this responsibility, SE grantees could review authorizers' charter applications, maybe you're reviewing authorizers' performance frameworks or their monitoring systems to ensure that they are adequately addressing the needs of students with disabilities. This also could mean that perhaps part of that [00:39:30] 7% TA set aside funds that you have could be used to provide TA to authorizers to ensure that their schools are being monitored on their enrollment practices, on how they're retaining students with disabilities and how they're meeting the needs of students with disabilities. And again, this could be provided directly by your office or you could partner with your state Special Education Office or outside contractors again. Now, there are some really great examples out there of how folks have been using [00:40:00] their TA set aside funds related to supporting students with disabilities. So, this is all pulled from a recent report that was published on the Resource Center's website around how 2017 to 2019 grantees are using their TA set aside funds. And so, here's a few examples from that report and feel free to dive deeper into that report if you want to hear about how all states are using this money. And the link is just posted in the chat too. Thanks, Austin. And so, first in [00:40:30] Alabama, so the Alabama Coalition for Public Charter Schools, they require all subgrantees to include a detailed description of how they plan to serve students with disabilities and English learners. And then they analyze those plans against a rubric that they have that's aligned with state and national standards. Then if that subgrantee is approved, they participate in monitoring activities and audits

to ensure that there's alignment between the subgrantee's practices in the school, and what was in the content of their approved application. [00:41:00] And I'm sure a lot of you have got that as part of your subgrant application process but reach out to Alabama if you want to hear about how they do it. Over in Idaho, Bluum actually has a special education coordinator on their staff who works directly with charter schools in their state. And they provide both leaders and teachers with technical assistance, some expertise in systems development, and they also support with instructional planning recommendations in charter schools across Idaho. In Delaware, the Delaware Department of [00:41:30] Education, they have the Exceptional Children's Resources Workgroup, which supports charter schools in meeting the needs of students with disabilities. And the Delaware Department of Education collaborates with this group to provide targeted supports to subgrantees. I know we've heard from some other states like Wisconsin who also has a resource center that they collaborate with. And then finally, like, we heard about a couple of examples from Colorado. First, as Bill mentioned, CDE has held multiple equity convenings, which is bringing together [00:42:00] both authorizers and schools to help discuss and brainstorm solutions regarding special education services in their state, and which has led to a lot of the other work Bill talked about on the call today. And then a dissemination grantee, the Colorado Association of Charter School Authorizers. They've partnered with the Colorado Department of Education as well as the Colorado Charter School Institute on multiple occasions. And specifically, they also published some guidance for authorizers and schools to use to ensure that charter school websites [00:42:30] have inclusive language regarding their special education services. So, again, that's just a handful of a lot of the great work happening out there, and I encourage you to check out that set aside report if you want to learn more. And I also would encourage you to reach out to one another and utilize the SE exchange or directly contact one another to learn more about what folks are doing to support students with disabilities across our country.

- Kelly, before we move on to the group brainstorm, can we pause and circle back to Carol's [00:43:00] question? And then Bill had a question as well.

- Yeah, absolutely.

- So, Carol's question, were, are there parts that can be covered... So, this is circling back to Bill and Paul's conversation. But are there parts that can be covered by the authorizer e.g. ESSU had approved my CSP subgrant app?

Should the authorizer see the charter enrollment app either before charter approval or periodically during the term?

[00:43:28]

[silence]

[00:43:36]

- And, Carol, I'm assuming this was during the conversation with Colorado. So, did you want to hear specifically about how Colorado handles this?

- [Carol] It was just a thought really, and Courtney should always skip my questions.

- No, I never skip your questions, Carol.

- It's just a thought, right? Like, so, I'm not a special educator. [00:44:00] I had a kid with a 50-page IEP, so I know a lot about that, but I should not be the... you know, and in a limited office. But where are the points that can be checked, right? And it would be looking at the enrolment application, does it have any flags of inclusive or not inclusive? I can look at the percent of kids who have IEPs to make sure that tracks generally with the county. And then [00:44:30] I would raise a flag and then go to the Paul Foster in Maryland and say, "I see some flags here, I need to dig deeper." So, that was just one example is like looking at those materials from that vantage point. So, sorry to divert.

- Yeah, and I can provide a couple of quick answers on it. The first one is that, going back to the LEA structure that was discussed yesterday, excuse me, charter... [00:45:00] In Colorado, authorizers are the LEA or AU for special education services. So, they have the ability to oversee and correct those practices at the charter level because of their status. Beyond that though, because now it's clearly specified in state law, they could also, as the authorizer, say, "Hey, you need to bring this into compliance." [00:45:30] And if the charter were to fight them on it, they could wear both their LEA hat or their authorizer hat. On the authorizer side, they could say, "You're in breach of your contract," and go down a path that is unpleasant that usually incentivizes compliance. Yeah.



- And Bill also had a question. Can monitoring activities be considered a TA expense, if there are some allowable activities here that [00:46:00] can get parsed out that can be helpful in meeting the 7% cut?

- I'll just say like, you know, when you talked about some of the like, "We could contract out for someone to evaluate our schools for compliance." Like, if I do that, I would customarily be charging that to my 3% admin, not to my 7% TA. Like, is it possible that I could charge that to TA?

- Yeah, [00:46:30] I think that's a great question, Bill. It definitely opens up a lot more flexibility, if you can. We're going to talk about this in a little bit, but I would say that's a question to bring back to your program officer. In general, if you are making any changes at this point to your grant, then that needs to first be approved by your program officer as well. So, I think that's a great question we can bring back to CSP to get an answer, too. But if it's specific to your grant, then I would reach out to your program officer directly.

- Great. Yeah. And it was intended as a high-level question that [00:47:00] maybe you guys can explore that, like maybe there's some future guidance that could help encourage certain practices there.

- Absolutely. Yeah, we'll circle back to CSP and try and get an answer for the group on that one.

- Great, thanks.

- Are there any other questions that are kind of... We have about 10 minutes left. We have a brainstorming activity, but I want to make sure that there aren't any kind of lingering questions either for Bill or Paul or for the group related to this topic. I want to make sure [00:47:30] that we have an opportunity to get to those before we're speed racing through the end of the webinar. So, if I'm just going to pause, you can unmute yourself if you have any questions.

[00:47:43]

[silence]

[00:47:50]

Going, going, gone. Okay. Thanks, everyone. All right, we're going to move ahead to this group brainstorming activity that Kelly is going [00:48:00] to lead us in.

- Great. Thanks, Courtney. And thanks, Sharon, for your response in the chat as well. So, we are going to take another probably five minutes here just to kind of do some group brainstorming. So, we've heard some examples of how folks are using their CSP grant to support students with disabilities, but we're going to take the time to just think of new ideas that maybe you've thought about implementing, ideas that you've tried in your state, and just, kind of, share some ideas around the table of how you could better [00:48:30] leverage your CSP grant to support students with disabilities. So, we're going to take some notes. We've got a jam board, and Robin can take some notes for us. And we're going to stay in a full group for this. And we're really focused on these two questions. One, how could you better leverage your CSP grant to support students with disabilities? And, two, what could that support look like? What does it look like to support subgrantees? What could that look like to support authorizers? And we've been thinking about this and supporting schools based on their school model, supporting schools [00:49:00] or subgrantees with their budgeting process or perhaps their staffing. But I'm going to open the floor, and I just encourage you to come off mute and share some ideas of what you've tried or what you've potentially thought about trying related to supporting schools and serving students with disabilities. Any ideas out there of how you could use your CSP grant?

[00:49:19]

[silence]

[00:49:33]

- [Paula] ...everyone. This is Paula from Minnesota. We currently host a monthly bootcamp with our charter school leaders. It's really geared towards our brand-new charter schools, but anyone in the charter sector is welcome to attend, especially those who are new to their position. And special education is one of the many topics that we cover during that program. And then we also host an annual authorizer conference, and special education has been a topic that we've offered there as well. [00:50:00] But one thing we're facing in Minnesota is a lot of the subgrantees want to use the money for people. They want to pay people instead of really looking at the program and how the funds could be used to really support the students for getting the kids in the classroom and then what happens day one, right? And so, I was just thinking from Bill's comments and just some ideas is maybe Minnesota could put together a

document that just says how you can spend your funds. And that document is divided [00:50:30] into different sections, a special education section, an EL section, a section about reducing suspension and expulsion, a section on gifted and talented, you know, just to break it out. Just so when, you know, charter schools are looking to apply for the grant, they can at least look at this and come up with some ideas for their budget to even begin with. So, if anybody had that idea, that resource out there, I'd love to see a copy.

- Yeah, thanks, Paula. I think that's a [00:51:00] great idea and could definitely be a go-to resource early on for your subgrantees. Does anyone have a resource similar to what Paula was talking about or agree that could be a helpful resource to have?

- I think it would. Paula, something else I think about, you've mentioned staffing, and I was thinking about, you know, is there a tool that could be developed [00:51:30] that could be helpful in encouraging all charters but, you know, also with a focus on the new charters in development to properly budget for special education services? Because, you know, like, I get why they're like, "Well, maybe I could hire a special service provider with the grant because you're asking me to do this." You're like, "No, no, no, no, like, that's not a sustainable model." [00:52:00] Even if it was, which I don't think it is, allowable under the grant, like, you want to think about how to budget properly for these services so that you're not later saying, "Oh, well, I can't do this because I don't have enough people." Like, we'll budget that on the frontend with the right tool.

- Great idea, Bill. And I think that definitely is related [00:52:30] to increase in enrollment of students with disabilities in charter schools as well. A budgeting tool like that could definitely support charters on the frontend. Other ideas of how else you might be able to leverage your grant?

[00:52:43]

[silence]

[00:52:49]

- This is Carol, again. I definitely, I really want to... I would just call up again the idea that was shared from Florida last week about doing some support [00:53:00] and guidance visits that are not full-on monitoring but like when the

Colorado folks were talking about, "Here are some flags that came up in the OCR data," or whatever, and then targeting that kind of technical assistance, which I think it clearly would fit under would be great. Our TA provider has done some great convening of operators on [00:53:30] topics, and I don't think they've dug too deep into this one. But, again, if I was writing the grant again, we could make sure that that is on the menu.

- Great, Carol. Yeah, and for those who weren't on the webinar last week, Florida is doing some site visits proactively based on dropout data of students with disabilities who are no longer enrolled in charter schools. So, it's before any sort of compliance or complaint issue came up but proactively using data, I think that's a great [00:54:00] idea Carol to utilize the data that you do have to provide that support through site visits early on in the process. Awesome. Well, I know we're getting short on time. And these are some great ideas, and again, I really encourage you to utilize the SE exchange, talk to one another, hear about what other folks are doing in your states, and think about how you would also use your CSP grant to support students with disabilities.

- So, we are at time everyone. That blew [00:54:30] by so quickly. So, I'm going to speed through the rest of our slides because we do want to be respectful of everyone's time. We were going to have you share out some aha moment or strategy that you plan to implement. So if you want to throw those in the chat before you sign off or share with us in our post-session survey that Austin just shared the link to, we would love to hear those ideas. As Kelly mentioned, please utilize that SE exchange. It's there for you guys to share what you're doing and your resources [00:55:00] and your practices with each other, so take advantage of that as well. As we wrap up, our key takeaways are on the screen. We know that students with disabilities are more effectively served when grantees work with the SEA Special Education Office as well as the authorizers. If you don't have that relationship, start forming one. Second, review your application and show that you're following through with any activities related to how you're spending your 7% of TA set aside [00:55:30] funds, or any other activities related to students with disabilities. Your approved application is what you're expected to deliver upon. And finally, there are many examples presented in the session related to how serving students with disabilities using CSP funds. If you heard an idea you want to implement, be sure to start by discussing any potential changes you might want to make your application with your program officer. And we really hope that you've heard

some ideas that you plan to implement from this session. We plan to do some action planning, but we encourage [00:56:00] you to spend a couple of minutes after this call to really think about how you're going to utilize what was shared, you know, what resources you need, stakeholders that you need to collaborate with, and setting a timeline for you to go and execute those ideas that you heard. Austin did share a survey link in the chat. Pretty, pretty please let us know how we did and what you thought of this event. As a reminder, the Resource Center website is [charterschoolcenter.ed.gov](http://charterschoolcenter.ed.gov), and you can always reach out to us at [00:56:30] [contact-us@charterschoolcenter.org](mailto:contact-us@charterschoolcenter.org). And that does it for today. Apologies for speed racing through the end. Many thanks to Paul and Bill for sharing their expertise with us, and of course, to Robin and Kelly for leading today's discussion, and to all of you for taking time out of your busy days to join us. We look forward to seeing you soon on a future Resource Center webinar. And until then, have a great afternoon. Thanks everyone for joining us.