

CACSA Special Education Report
Landscape Analysis

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Introduction

The Tri-State Alliance for Improving District-Led Charter Authorizing (Tri-State Alliance) has received a federal grant to support authorizer improvement work in California, Colorado, and Florida. The work is being implemented by three state-based associations of charter school authorizers. These groups are working to strengthen authorizing by school districts and to improve outcomes and expand quality choices, access, and equity for all families and students.

The Tri-State Alliance is dedicated to improving the quality of charter school authorizing and the charter school sector. This is accomplished by creating and disseminating replicable best-practice resources to support effective school district authorizing and charter school oversight. This project seeks to identify whether barriers to charters adequately serving educationally disadvantaged students exist. In Colorado, CACSA has identified students with disabilities as the disadvantaged student group it is most interested in studying for this project.

To accomplish this task, CACSA contracted with the Colorado League of Charter Schools to complete the needs assessment and landscape analysis. This report provides background information and an overview of charter schools in the State of Colorado, summarizes existing data, and presents findings from surveys and interviews. The report includes a set of recommendations for use by CACSA to inform the development of a plan to improve access and services for students with disabilities in Colorado.

Methodology

This study used both quantitative and qualitative methods to gather data on existing barriers preventing districts from ensuring that their charter school portfolio adequately serves students with disabilities. This study used a review of existing resources and data to provide an overview of enrollment gaps in Colorado. This study also conducted a survey of district authorizers to identify current barriers that may prevent students with special needs from accessing charter schools in their district. This survey was administered in May 2019 and was sent to all 50 districts that currently authorize charter schools; it received 23 responses from 12 districts. In addition to the survey, this study conducted one-on-one interviews with a group of 7 individuals comprised of charter school authorizers and special education attorneys.

Special Education Enrollment in Colorado

During the 2018-2019 school year, 911,536 students were enrolled in a Colorado public school. Approximately 12.4% of these students are identified as students with disabilities, and 2.4% of students have a Section 504 Plan. In Colorado, students can be classified as having a disability under fourteen separate categories:

1. Autism
2. Deaf-Blindness
3. Developmental Delay
4. Serious Emotional Disability
5. Hearing Impairment, including Deafness
6. Multiple Disabilities
7. Intellectual Disability
8. Infant/Toddler with a Disability
9. Other Health Impairment
10. Orthopedic Impairment
11. Specific Learning Disability
12. Speech or Language Impairment
13. Traumatic Brain Injury
14. Visual Impairment, including Blindness

According to data from the Colorado Department of Education, the largest percentage of students were classified under the category of “specific learning disability,” at 45 percent of the special education population. The second largest categories were “speech or language impairment” and “other health impairment” at 13 percent. Table 1 shows the student count for each disability category and the associated percentage for Colorado.

Disability Category	Student Count	Percentage
Specific Learning Disability	41,137	45%
Other Health Impairment	11,534	13%
Speech or Language Impairment	11,406	13%
Autism	7,627	8%
Serious Emotional Disability	5,596	6%
Developmental Delay	4,365	5%
Multiple Disabilities	4,227	5%
Intellectual Disability	2,505	3%
Hearing Impairment, including Deafness	1,192	1%
Traumatic Brain Injury	479	1%
Orthopedic Impairment	342	0%
Visual Impairment, including Blindness	279	0%
Deaf-Blindness	26	0%
Total students	90,715	100%

With regard to the race and ethnicity of students with disabilities in Colorado, the highest percentage of students with disabilities are White at 49%, followed by Hispanic/Latino at 38%. Table 2 displays the count and percentage of race and ethnicities for all students with disabilities in Colorado.

¹ Colorado Department of Education (2019). Colorado Child Count/Ed. Environment. https://www.cde.state.co.us/cdesped/sped_data

Table 2. Students with Disabilities by Race/Ethnicity, 2018-19²		
Race/Ethnicity	Student Count	Percentage
White	44,582	49%
Hispanic/ Latino	34,458	38%
Black or African American	5,142	6%
Two or more races	3,883	4%
Asian	1,510	2%
American Indian or Alaska Native	975	1%
Native Hawaiian or Other Pacific Islander	165	0%
Total students	90,715	100%

Additionally, the majority of students with disabilities are male, accounting for 65% of the total students with disabilities in Colorado. Table 3 shows the student count and percentage for each gender for all students with disabilities in Colorado.

Table 3. Students with Disabilities by Gender, 2018-2019		
Gender	Student Count	Percentage
Male	58,911	65%
Female	31,804	35%
Total students	90715	100%

Special Education Enrollment in Colorado Charter Schools

Today in Colorado there are 255 charter schools enrolling over 124,000 students, for 14% of the total public school enrollment in Colorado.³ Statewide, the percentage of special education students enrolled in charter schools is approximately 8%, compared to 13% of special education students enrolled in non-charter schools. The gap between charters and non-charters does vary significantly by district; some districts have no enrollment gaps and enroll higher percentages of special education students compared to non-charter schools in the district, and other districts have enrollment gaps of over 10 percent.

Table 4 displays the percentage of special education students enrolled in charter schools compared to non-charter schools in each district and the percentage difference between charter schools and non-charter schools. Table 4 further identifies the 10 districts with the largest differences and the 10 districts with the smallest differences.

² Colorado Department of Education (2019). Colorado Child Count/Ed. Environment. https://www.cde.state.co.us/cdesped/sped_data

³ Colorado Department of Education. (2019). 2018-2019 Pupil Membership. <https://www.cde.state.co.us/cdereval/pupilcurrent>

Table 4. 2018-2019 Percentage of Special Education Students Enrolled in Charter Schools vs. Non-Charter Schools, by District⁴

Legend		Top 10 Largest Differences	
		Top 10 Smallest Differences	
District	Charter	Non-Charter	% Difference
MONTEZUMA-CORTEZ RE-1	14.6%	12.1%	2.5%
WEST END RE-2	16.3%	14.0%	2.3%
STEAMBOAT SPRINGS RE-2	17.4%	16.1%	1.3%
GUNNISON WATERSHED RE1J	10.0%	9.3%	0.8%
DENVER COUNTY 1	12.3%	12.4%	-0.1%
LAMAR RE-2	11.9%	12.0%	-0.1%
DELTA COUNTY 50(J)	13.8%	14.2%	-0.4%
MONTROSE COUNTY RE-1J	13.2%	13.8%	-0.6%
MOFFAT 2	8.4%	9.3%	-0.9%
ROARING FORK RE-1	8.9%	10.1%	-1.2%
BOULDER VALLEY RE 2	12.3%	13.8%	-1.5%
JOHNSTOWN-MILLIKEN RE-5J	9.6%	11.2%	-1.6%
JEFFERSON COUNTY R-1	11.8%	13.5%	-1.7%
CLEAR CREEK RE-1	9.4%	11.1%	-1.7%
PARK COUNTY RE-2	9.8%	12.0%	-2.2%
WELD COUNTY SCHOOL DISTRICT RE-3J	7.1%	10.0%	-2.9%
COLORADO SPRINGS 11	7.6%	10.6%	-3.0%
DURANGO 9-R	6.9%	11.2%	-4.3%
ARCHULETA COUNTY 50 JT	4.2%	8.7%	-4.5%
MESA COUNTY VALLEY 51	7.3%	11.9%	-4.6%
WIDEFIELD 3	8.9%	14.0%	-5.1%
CANON CITY RE-1	11.5%	16.8%	-5.3%
LEWIS-PALMER 38	4.8%	10.1%	-5.3%
ADAMS-ARAPAHOE 28J	9.2%	14.6%	-5.4%
THOMPSON R2-J	8.4%	13.7%	-5.4%
ST VRAIN VALLEY RE 1J	8.3%	13.9%	-5.7%
POUDRE R-1	4.3%	10.6%	-6.2%
ACADEMY 20	4.4%	11.0%	-6.6%
DISTRICT 49	7.4%	14.1%	-6.7%
ADAMS 12 FIVE STAR SCHOOLS	5.9%	12.8%	-6.8%
PUEBLO CITY 60	7.9%	15.2%	-7.3%
GREELEY 6	6.2%	13.6%	-7.4%
PUEBLO COUNTY 70	8.0%	15.5%	-7.5%
LITTLETON 6	4.5%	12.0%	-7.5%
HARRISON 2	5.7%	13.7%	-7.9%
SCHOOL DISTRICT 27J	7.2%	15.2%	-8.0%
BYERS 32J	7.0%	15.3%	-8.3%
WINDSOR RE-4	3.4%	11.7%	-8.3%
CHERRY CREEK 5	6.2%	14.7%	-8.5%
DOUGLAS COUNTY RE 1	6.7%	15.3%	-8.6%
EAGLE COUNTY RE 50	3.7%	12.8%	-9.1%
ASPEN 1	9.0%	19.0%	-10.0%
CHEYENNE MOUNTAIN 12	3.5%	15.0%	-11.5%
ELIZABETH C-1	5.1%	17.2%	-12.1%
STATEWIDE	8.4%	13.1%	-4.7%

⁴ Colorado Department of Education. (2019). Pupil Membership. <https://www.cde.state.co.us/cdereval/pupilcurrent>

Statewide, the difference in the percentage of students with disabilities who are enrolled in charter schools compared to non-charter schools is -4.7%. There were only four districts, Montezuma-Cortez RE-1, West End RE-2, Steamboat Springs RE-2, and Gunnison Watershed RE1J, where the charter schools serve a higher percentage of students with disabilities than non-charter schools. The biggest enrollment gaps were in Elizabeth C-1, Cheyenne Mountain 12, and Aspen 1.

Review of Resources

A review of existing research on barriers preventing students with disabilities from accessing charter schools revealed that barriers fell into two categories: structural barriers and law and policy barriers.

Structural Barriers

Nationwide, research has found that charter schools tend to enroll lower percentages of students with disabilities compared to non-charter schools.⁵ One reason for this trend may be due to parental selection bias, with parents preferring to enroll their students in non-charter schools⁶ given the personnel and services available in non-charter schools that may not be available in a charter school.⁷ Some charter schools, sometimes because of restrictive contracts with their authorizer, do not offer a full continuum of placement options, which can lead to the inability of a charter school to provide a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE) for all levels of service.⁸ In addition, research has found that charter schools are less likely to classify students as needing special education services than non-charter schools.⁹ One study conducted in Denver Public Schools found that attending a Denver charter school reduced the likelihood that a student would be classified as having a specific learning disability, which is the largest category that students are classified as in Colorado.¹⁰

Charter school enrollment processes can also be confusing for parents, and they may not have access to enough information about their school choice options to make an informed decision.¹¹ One study found that Colorado special needs students are less likely to apply to charter schools in kindergarten and sixth grade as these are either gateway or transition grades when students enroll in new schools; this begins the charter/non-charter enrollment gap that grows between kindergarten and fifth grade and declines through

⁵ Barnard-Brak, L., Schmidt, M., & Almekdash, M. H. (2018). Enrollment of Students with Disabilities in Charter Schools: Contemporary National and State Level Findings. *Education Policy Analysis Archives*.

⁶ United States Government Accountability Office. (2012). *Charter Schools: Additional Federal Attention Needed to Help Protect Access for Students with Disabilities*. Washington, DC: United States Government Accountability Office.

⁷ Barnard-Brak, L., Schmidt, M., & Almekdash, M. H. (2018). Enrollment of Students with Disabilities in Charter Schools: Contemporary National and State Level Findings. *Education Policy Analysis Archives*.

⁸ Garda, R.A. (2012). Culture Clash: Special Education in Charter Schools. *Loyola University of New Orleans School of Law*.

⁹ National Council on Disability. (2018). *Charter Schools – Implications for Students with Disabilities*. Washington, DC: National Council on Disability.

¹⁰ Winters, M.A., Carpenter II, D.M., & Clayton, M. (2017). Does Attending a Charter School Reduce the Likelihood of Being Placed into Special Education? Evidence from Denver, CO. *Educational Evaluation and Policy Analysis*.

¹¹ National Council on Disability. (2018). *Charter Schools – Implications for Students with Disabilities*. Washington, DC: National Council on Disability.

middle school.¹² Parents may not understand that they have a right to apply to charter schools if their child has a disability and that charter schools are required to provide services for their child.¹³

Charter school leadership often does not possess specialized knowledge about special education and related services, and as a result, students with disabilities may not receive the services they need.¹⁴ One study found that 44% of charter schools advised parents that another school may provide more appropriate services for their student with a disability.¹⁵ Nationally, there is a narrative that charter schools “counsel out” students with disabilities, but this practice may be rooted in school leadership’s lack of knowledge about special education rather than a lack of desire to serve students with disabilities.¹⁶

Law and Policy Barriers

The Individuals with Disabilities Education Act (IDEA) states that the responsibility for special education falls to the state education agencies (SEAs), and SEAs delegate the responsibility for special education to local education agencies (LEAs).¹⁷ When IDEA was first written, charter schools had not been created and only individual school districts within a state served as the LEA.¹⁸ Today, after IDEA has been reauthorized, individual state charter laws determine whether the school is part of an existing LEA or whether the school itself serves as its own LEA.¹⁹ In most states, when local districts authorize charter schools, these schools are part of the larger LEA. According to federal law, an LEA is an organization with the legal authority and liability to operate public schools, and under IDEA the LEA is responsible for providing special education services.

There are several benefits and challenges associated with each type of LEA status, whether a charter school is part of an LEA or they are their own LEA, as is allowed in several other states. Table 5 outlines some of the benefits and challenges associated with each status, based on data provided by the National Center for Special Education in Charter Schools’ Charter School Special Education Finance Project.²⁰

¹² Winters, M.A. (2014). Understanding the Charter School Special Education Gap: Evidence from Denver, Colorado. *Center for Reinventing Public Education*.

¹³ Winters, M.A. (2014). Understanding the Charter School Special Education Gap: Evidence from Denver, Colorado. *Center for Reinventing Public Education*.

¹⁴ Rhim, L.M. (2008). Special Education Challenges and Opportunities in the Charter Sector. *Public Impact*.

¹⁵ Rhim, L.M. (2008). Special Education Challenges and Opportunities in the Charter Sector. *Public Impact*.

¹⁶ Winters, M.A. (2013). Why the Gap? Special Education and New York City Charter Schools. *Center for Reinventing Public Education*.

¹⁷ NCSECS Special Education Finance Project. (2017). The Impact of LEA Status on Special Education in Charter Schools. <http://www.ncsecs.org/state-data>

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Ibid.

Table 5. Benefits and Challenges of Different LEA Statuses		
	Benefits	Challenges
Part of an LEA	<ul style="list-style-type: none"> • District takes on all liability and costs associated with dispute resolution and lawsuits • Potential access to district resources that eliminate school costs (i.e. HR, legal representation, transportation) • District more responsible - district must provide full continuum of special education services and take on associated costs • District is responsible for submitting additional paperwork to the state 	<ul style="list-style-type: none"> • Less autonomy with service provisions and staffing • May be subject to district policies • May be responsible for additional servicing responsibility at the discretion of the district • Escalating payments back to the district for provision of services
Own LEA	<ul style="list-style-type: none"> • Greater autonomy with service provisions and staffing • Receive state and federal funds directly • Ability to decide how to spend funding 	<ul style="list-style-type: none"> • Greater responsibility: School must provide a full continuum of special education services, even if they are quite specialized and expensive • Greater liability: the LEA has complete liability and can be sued by parents or the state • Greater paperwork burden: School is responsible for submitting additional paperwork to the state

It is important to note that if a charter school is not its own LEA, the school may not be able to make final placement decisions for students with disabilities in their school independent of the district. In these cases, districts, as the LEAs, have the final decision-making authority and may decide to not allow a charter school to serve students with severe needs or certain types of disabilities.²¹ The LEA, rather than the school, is responsible for providing FAPE in the LRE. While the services required by a student’s IEP can be met in any public school in the vast majority of cases, the determination of whether a student’s needs can be met in a particular setting is the responsibility of the LEA, and determined by a team of various stakeholders.

Charter schools are required to accept/serve students with mild/moderate needs that fall within the Least Restrictive Environment (LRE) setting code of 1 and 2 (more than 40% in the General Education setting). At times, the school will review the IEP and find that there are components within the IEP that they are not equipped to provide without additional resources. At this time, they must work with their LEA and the parent to determine how best to provide the services outlined in the IEP. During this time, the LEA, family, and school may decide that with some changes to the IEP, the school can meet the student’s

²¹ United States Government Accountability Office. (2012). *Charter Schools: Additional Federal Attention Needed to Help Protect Access for Students with Disabilities*. Washington, DC: United States Government Accountability Office.

needs, or they may ultimately decide that the student would be better served in a different school. It is the LEA's prerogative to make that decision as they are the ones who are liable if the school is not equipped to provide the services outlined in the IEP. For students with more severe needs or whose IEP states that they are to be served in the LRE code of 3 or greater (less than 40% in the General Education setting), different LEAs have different processes for enrolling these students.

One example of such an LEA process utilizes center programs within both charter and traditional schools to place these students in a school that is both close in proximity and provides the appropriate programming as outlined in the IEP. Most charter schools do not have center programs, so these students are placed in the appropriate traditional school. The process of placement is completed by the district enrollment office through the review of student IEPs, location of residence, and working with the family to find the best location.

Similarly to the greater control LEAs have over student placement in many cases, Garda (2012) found that federal special education law, such as IDEA, can seem to clash with a charter school's desire for independence and autonomy, since the law requires a charter school to interact more with their LEA.²²

In Colorado law, LEAs are referred to as the "administrative unit" (AU). According to C.R.S. §22-20-103, an "Administrative unit" means a school district, a board of cooperative services, a multi-district administrative unit, or the state charter school institute, that is providing educational services to exceptional children and that is responsible for the local administration of this article."²³ Therefore, under state law, charter schools in Colorado are not legally able to be their own LEA. Charter schools in Colorado partner with a district, the Charter School Institute, or a BOCES LEA for ultimate responsibility for the provision of special education services.

Charter schools that are part of a district LEA share the responsibility for special education with the school district they are part of.²⁴ Each school district, BOCES, or the Charter School Institute can decide on their provision of services and any fees to be paid by the charter for those services. Depending on the model the district adopts and charter contractual requirements, charter schools may not be able to hire their own special service providers but must abide by district policies on special education, including placement and programming; this is not always an arrangement that the charter has a choice in.

Survey Results

The district authorizer survey designed for this study asked districts a series of questions about their perceptions of barriers for students with disabilities accessing charter schools. The complete list of survey questions is available in Appendix A.

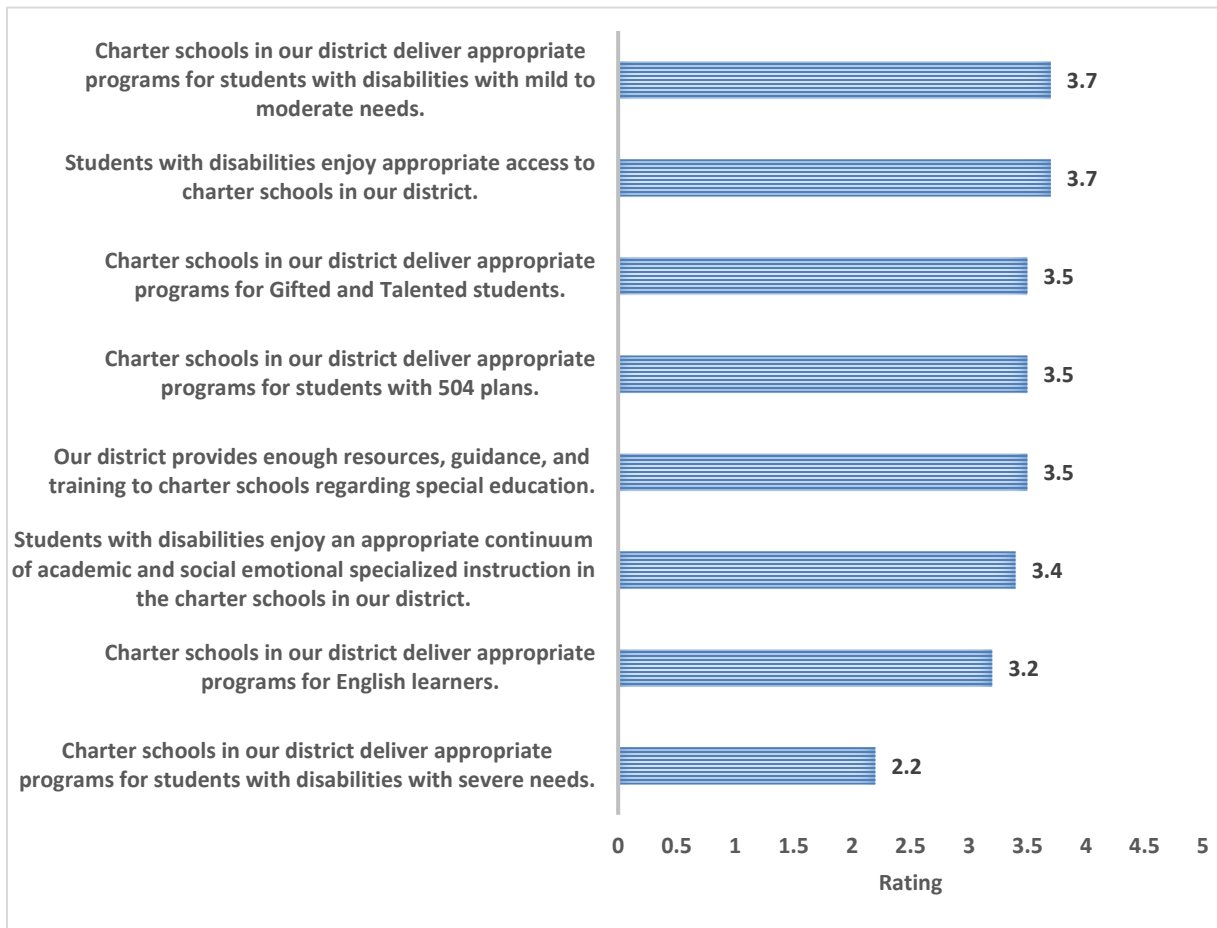
Districts were asked to rate their agreement with a series of statements on charter school services and access to charter schools on a scale from 1-5 with 1 being absolute disagreement and 5 being absolute agreement. The results are shown below in Figure 1 on the next page.

²² Garda, R.A. (2012). Culture Clash: Special Education in Charter Schools. *Loyola University of New Orleans School of Law*.

²³ C.R.S. § 22-20-103

²⁴ NCSECS Special Education Finance Project. (2017). The Impact of LEA Status on Special Education in Charter Schools. <http://www.ncsecs.org/state-data>

Figure 1. District Perceptions of Charter School Services and Access



Districts most strongly agreed with the statement “charter schools in our district deliver appropriate programs for students with disabilities with mild to moderate needs” and “students with disabilities enjoy appropriate access to charter schools in our district.” Districts most strongly disagreed with the statement “charter schools in our district deliver appropriate programs for students with disabilities with severe needs.” It appears that authorizers in this survey are generally more comfortable with charter schools’ services for students with mild to moderate needs than they are for students with more severe needs.

Districts were also asked to rank the top five items that could most improve access, services, and outcomes for students with disabilities in charter schools in their district. Table 6 shows the results from this question. Please note that items with an asterisk are those that CACSA believes it has the potential to influence more directly than the other items listed in Table 6; relatedly, please refer to the Recommendations sections at the end of this report.

Table 6. District Rankings of What Could Most Improving Access, Services and Outcomes for Students with Disabilities

Item	Rank
Access to broader pool of professionals able to provide related services	1
Funding and programming support for students with severe needs	2
Education of charter school operators on the basics of special education*	3
Training for charter school boards and other stakeholders on obligations to students with disabilities in public schools*	4
Changing state policy, such as redefining charter schools as their own Local Education Agency (LEA) for special education purposes	5
Improved oversight of special education compliance*	6
Changing district policy, such as allowing charter schools to serve students with disabilities with severe needs*	7
More attention to special education during the review of charter applications*	8
Mechanisms helping authorizers to intervene when charter schools fail to fulfill obligations to serve students with disabilities*	9
Consideration of special education during renewal or revocation procedures*	10
Communication and clarity about the rights of students with disabilities during outreach, recruitment, enrollment, and admissions*	11
Improved relationships between charter schools and the district	12
Clarity in interpreting state and federal policy as it applies to charter schools	13

Districts ranked accessing a broader pool of professionals who are able to provide related services to schools as their top item that could most improve access, services, and outcomes for students with disabilities. The lowest ranking item was clarity in interpreting state and federal policy as it applies to charter schools. These findings suggest that the greatest barriers to services lie in the range of professional expertise that schools have access to. Authorizers surveyed appear to be confident in their management of the demands and allowances of state and federal policy and hence do not view it as a barrier.

The survey also asked districts what policies and structures at the district or state level create barriers to providing services to students with exceptional needs in charter schools in their district. Their open-ended responses revealed the following themes:

- A lack of funding and adequate resources
- Insurance models
- Lack of understanding of district legal obligations
- Transportation policies
- Lack of personnel

Districts were also asked in an open-ended question how the access and services for exceptional students differed for charter schools and traditional public schools in their district. Respondents indicated that the main differences were:

- Charter schools have more difficulty recruiting and hiring staff
- Charter schools do not have economies of scale

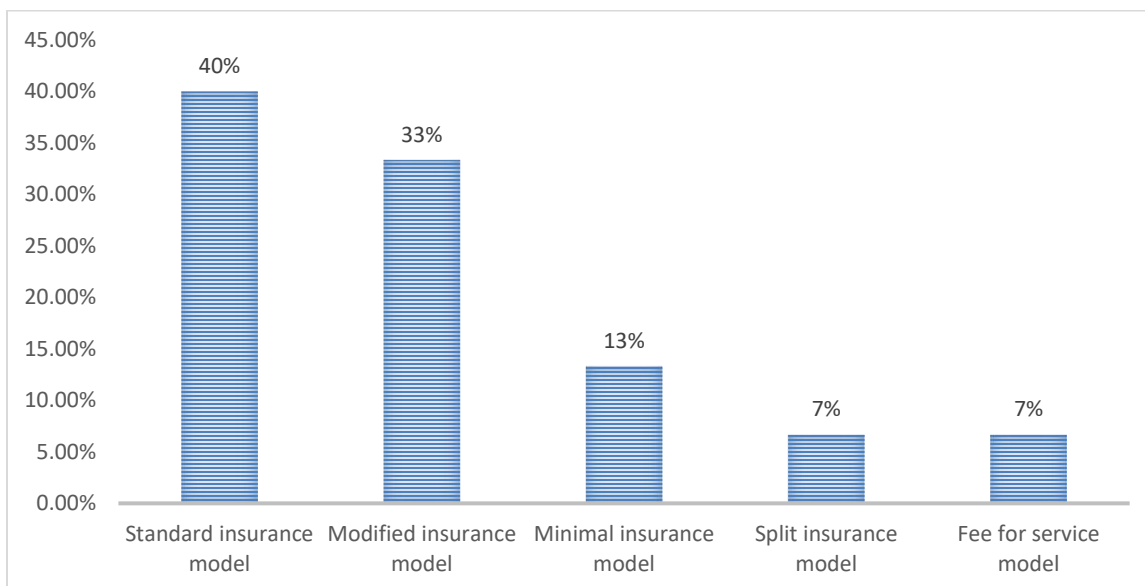
- Charter schools only serve students with mild/moderate needs and do not have the opportunities to serve higher needs students
- There are no differences between charter schools and traditional public schools

The survey further probed into challenges that districts experience with the current funding model for exceptional students. They indicated the following challenges:

- The current funding makes it difficult to hire qualified and specialized staff.
- The current funding is not high enough to provide the services required to support students with IEPs.
- Insurance models are expensive yet necessary.

Additionally, the survey results revealed that districts use a variety of funding models. Figure 2 shows the types of funding models used in respondent’s districts.

Figure 2. Current Funding Models Used in Districts



The most respondents used a standard insurance model (40%), meaning the LEA assumes liability for special education, but provides no services. The second most common model was a modified insurance model (33%), meaning the LEA assumes liability for special education and provides some or all services. Less common was the minimal insurance model (13%) meaning the LEA assumes liability for special education, provides some services, and then refunds (or seeks additional payment) depending on actual costs incurred or actual services provided. Finally, the least common were the split insurance model (7%) meaning the LEA assumes liability for special education and a BOCES provide all services and the fee for service model (7%) meaning the LEA operates as a straight fee-for-service model.

Interviews

To gather additional data on current policies and barriers related to serving students with disabilities in Colorado, the research team conducted seven interviews with five district authorizers from the Denver Metro area and two special education attorneys. The interviews asked participants about their current policies and practices, the charter application process, and access and barriers for students with disabilities to charter schools. The complete list of interview questions is available in Appendix B.

Charter District Relationships and Structure

Authorizers were asked to describe the division of labor and responsibilities for special education in charters within districts. Each participant described a unique model for dividing labor and responsibilities with a few commonalities in personnel acquisition. In two districts, charter schools hire their own special education staff as well as related service providers. In one district, charter schools hire their own special education staff as well as most related service providers, but some service providers are hired by the district, such as audiologists. Districts also vary in the number of district staff assigned to support charter schools' special education programming. One district observed that the division of labor and responsibilities varies according to how long a charter has been open, with charters that have been open longer having more staff – and more full-time staff – dedicated to special education. Another district offers additional personnel support as needed when a charter encounters a particularly difficult situation, parent issue, or enrollment conflict (such as a student enrolling in a school that cannot serve their needs).

Interviews explored the structure of financial relationships between the district and charter schools for special education. Three districts indicated that they have a set per-pupil fee that is charged to the schools through a purchased service agreement. The items covered under the purchased service agreement varied by district, but these could include items such as access to information technology systems, district staff assigned to support special education in charter schools, HR components, related service providers, and access to testing kits. One district did not use a per-pupil fee.

Enrollment and Admissions

This study's interview questions also asked how the application process and renewal process included questions about serving students with disabilities. The processes for both application and renewal varied by district. All of the district authorizers interviewed indicated that their application process and renewal process included questions about students with disabilities. Many of these districts' questions, however, focused on compliance more than they did on unique programming and ultimate outcomes for students with disabilities. One district indicated that their process included more IDEA-compliance questions than those that focused on instruction and service provisions. In addition, of all the districts interviewed, only one specifically mentioned examining special education enrollment trends as part of the renewal process.

Beyond approval and renewal protocols, the interview asked questions about the process for enrollment for students with disabilities in districts. All districts acknowledged that charter schools cannot ask for IEPs or information about special education services prior to a student being enrolled at the school. Once the student is enrolled, participants shared that the charter school can then access IEP information in a variety of ways. Some districts use a common technology system, such as ENRICH, where schools can access IEPs immediately after the student is enrolled. If the charter school does not opt-in to the same technology system as the district, they may need to wait to receive an IEP from the district. Two interview participants hypothesized that some charter schools counsel out students with disabilities. They also reported that some charter schools may not provide adequate services to students with disabilities, which might lead these students to leave the school. Participants, however, did not offer specific examples regarding these concerns.

Students with Moderate to Severe Needs

In one of the five districts interviewed, students with severe needs have access to full services at charter schools through a center-based program approach. While four out of the five districts interviewed shared that their charters do not provide these full, center-based program-like services, many of these charters do provide specific services based on their school design. For example, one district has a charter school that

was designed specifically for students with hearing impairments, including deafness. In both the cases of full services and specialized services, all districts use a variety of processes to oversee placement of students with severe needs at charter schools.

All districts interviewed review IEPs of every student who enrolls at a charter school to ensure that FAPE can be offered at that school. At one district, if FAPE cannot be offered at that charter school, the district will not allow the student to remain at that school. In another district, only IEPs of students with moderate to severe needs are reviewed at the district office to determine if the charter school can provide FAPE. If FAPE cannot be provided at the charter school, that district works with the family to determine where FAPE could be provided.

Another district works with the charter school when a student with severe needs enrolls to support the charter school in serving that student, including helping the school determine additional hiring and service needs. In this district, the only exception to this involves students who require specific facility placements because of their disability. This district received a memo from the Colorado Attorney General's office indicating that charter schools cannot enroll students who have a facility placement on their IEP.

As referenced at the beginning of this section, one district has adopted a center-program approach to serving moderate-to-severe-needs students in charter schools. These center programs offer specialized programming and resources for students who are placed in the school through a review of the IEP, engagement with the family, and considerations of proximity to the child's home. Individuals applying for a charter within this district are made aware that either they will be required to serve a center program population upon opening in a district-provided facility or that they may be asked in the future to serve an identified population based on the needs projected through student residence and/or the trajectory of numbers of students transitioning to secondary schools.

There are both advantages and disadvantages to this model. Advantages include the increased equitable enrollment and awareness of the responsibility to serve students with moderate to severe needs in charter schools, increased choice for students with moderate to severe needs, and the adoption of district funding and support policies to ensure that charter schools have equitable access to funds and services to best serve the needs of students in their building. Disadvantages include relationship challenges between charters and authorizers with the increased oversight that comes with this model, concerns with transparency around placement decisions, concerns that the current funding model doesn't allow for inclusive programming or adequately meet the needs of the students in the center, concerns around access to increased services for students who require a more restrictive placement, and charter schools' ability to adequately hire, train, and retain the necessary expertise to serve the population being served in the center program. There are also broader questions about the use of center-based programs in general, and the impact on the ability to serve students in the LRE or to implement more inclusive strategies.

The center program model has advantages and disadvantages for students, schools, and the LEA. Most of these center programs are specialized by disability area or service needs. In theory, this specialized approach allows for: 1) Focused training and development of the school staff; development of school systems and structures to holistically support and include the specialized needs of the center student population; and focused LEA provision of support and resources (i.e., staff, transportation, and curricular and facility resources). Successful implementation, however, can vary widely based on center type, staff experience and training, school model, and resources. Based on the 2019 ESSI Needs Assessment, charter schools with center programs express concerns with adequately funding and staffing these programs to meet the needs of the students in these programs. Additionally, schools that are trying to implement a more inclusive model express that they struggle to attract, train, and retain the amount of specialized staff needed to provide services to students an inclusive manner. There is also the question of whether or not LEAs should be utilizing the center program model since the current research on student outcomes in inclusive environments is leading schools to change their approach and provide students with disabilities more access to the general education classroom and their general education peers. There are also

questions around LEA oversight of center programs and how that additional oversight influences charter autonomy.

Monitoring

Districts engage in a variety of special education monitoring procedures. These procedures range from district staff compliance monitors/liaisons to red-flagging and following-up initiated by a compliance-monitoring system. Follow-up, whether inspired by systems or in-person liaison visits, can include working with educators directly and/or designing individualized trainings, especially early in the year.

In some districts, there is a dedicated staff member who monitors the compliance of charter schools. Monitoring can take the form of “dropping in” on IEP meetings with parents, conducting IEP audits, conducting school walkthroughs, attending manifestation determination meetings, handling parent concerns, notifying schools of compliance issues, reviewing academic performance data, and conducting annual evaluations.

Some districts use the red flags that emerge with compliance monitoring to identify areas for further evaluation, but that appears to be the sole method and impetus for those districts for delving more deeply into programming and quality.

One district shared that their charter school leaders do not have direct access to the compliance monitoring notification system and have to rely on the consistency and timeliness of the district liaison to share any school-level reports with them; this complicates the streamlining of communication and puts compliance-measure deadlines at jeopardy.

Another district referenced the need to provide different levels of support for charter schools at different levels of development while still attempting to respect autonomy as much as possible; they indicated that the district-charter school accountability relationships are most successful when the school is an established one with strong and consistent procedures. For monitoring to work best with newer schools who generally have less experienced staff, this district shared that they need to increase the amount of onboarding and orientation they provide initially and then, to combat much of the attrition newer schools experience, customize subsequent trainings to meet the needs of these developing staff members.

Interview participants indicated that overall they felt that charter schools were doing well serving students with mild-to-moderate disabilities and students with 504 plans, with individual charter school exceptions. Participants in each district related that there are some charter schools that are doing better than others in providing services and support for students with disabilities. These interview findings contrast with the survey results that indicated that participants believe that charter schools in general deliver appropriate services to students with mild-to-moderate needs. Perhaps the ability to delve into more detail and consider the service-quality variation across charters during interviews when compared to the isolated responses on a survey on the same topic contributed to this shift in data

Participants indicated that the challenges charter schools are facing in providing adequate services and support are the same as traditional schools and schools statewide. Participants reported that they do not think that charter schools are currently providing a full continuum for students with disabilities – that they are often not serving students at every point along the continuum. Charter schools are generally serving students with mild-to-moderate disabilities and may be using a variety of services within that range on the continuum, including inclusion and pull-out service models. Most participants did not offer explicit examples of services that specific charter schools do or don't provide. Perhaps because charters are divergent not just from each other but from traditional public schools in their innovative programming, district-level special education liaisons might not have enough knowledge of the nuances of all of the programming options that exist throughout the district, especially in charters. This could be a symptom

revealing the need for increased district engagement and communication, not in terms of diminishing autonomy, but working toward greater systems of support between authorizers and charters.

In one district, the participant shared that while mental health services for mild-to-moderate needs students were provided along the continuum, academic services were limited to push-out and pull-in and did not offer the depth that more evidence-based practices would provide.

Another district indicated that gaps in the continuum of services provided by charters could be related to school leadership not attending to the difference between accommodations (as with systems for intervention, such as Multi-Tiered Systems of Support) and the specialized instruction that would be implemented within a full continuum of services. Charter schools generally do not have center-based programs; whether or not they have a center-based program is dependent upon district policy.

One district related that they need to combat overgeneralization in identification and services and are currently working to implement professional development opportunities focusing on targeted evaluation and a fuller understanding of the possible identification categories and related services. Understanding these details more could very well lead to an expanded continuum of services and greater outcomes for students with unique needs.

Alternative Providers, Related Services, and Needed Supports

Interview participants reported that their charter schools do not typically work with third-party vendors or Boards of Cooperative Educational Services (BOCES) and rarely interact with CDE on special education. In Colorado, if charter schools need to hire their own related service providers they may use a third-party vendor to provide those services, or they may contract with a BOCES depending on their geographic location. One district indicated that while they themselves do not contract with third-party service providers, their charter schools do, and that the majority of third-party vendors that charters seek are for the roles of psychologists and speech-language pathologists. This same district provided feedback that the services provided by these third-party providers is not always adequate because of a gap in school-based perspectives and knowledge in/experience with district policies and procedures.

Another district also shared that only the charter schools in their district contract with outside service providers, and these providers are generally part-time physical and occupational therapists.

Charter school involvement with the Colorado Department of Education (CDE) is often initiated when a complaint is filed with the Office of Civil Rights (OCR). Districts also indicated that they use CDE's support for school-specific professional development opportunities that are generally free of charge.

Regarding CDE's involvement in special education compliance, one district called for CDE to provide increased guidance in and support of compliance and assisting schools in balancing compliance with innovation and creative practices. The interviewee noted that schools tend to focus solely on minimal compliance without innovative approaches to serving students with special needs because of a heightened fear of legal complaints and/or not serving those students well. This district suggested that as CDE is ultimately the authority that responds to these complaints, then they should be the authority that encourages and guides schools to extend their practices beyond the realm of simple compliance and into more innovative special education practices.

The last part of the interview asked participants what they thought CACSA could do to help support their work. Participants provided a variety of ideas, including:

- Being a voice for improving authoring practices around special education;
- Creating a rubric for evaluating special education programming that is not just compliance-based, but related to best practices for instructional practices for students with disabilities;

- Providing guidance on how to provide accountability and what to do when compliance is not met at a charter school;
- Creating opportunities for district authorizers involved in supporting special education in charter schools to regularly meet and support each other;
- Share innovative practices in charter schools that are leading to strong outcomes; and
- Sharing model examples of schools or districts that are serving students with severe needs.

Analysis and Recommendations

This study identified several barriers based on the survey and interviews. A complete list of recommendations from the analysis of barriers is featured below.

1. Incorporate greater attention to special education in charter school application decisions, including an expanded review of quality and programming details that goes beyond compliance.

Many district charter applications are compliance-based and do not require charter schools to detail plans for strong academic outcomes, enrollment, and service provision for students with disabilities. Interview participants indicated that their current application processes cover special education, but they note that their questions are related more to legal compliance with IDEA than outcomes and services for students with disabilities.

Recommendations:

- A. Work with district authorizers to develop best practices for the application and capacity interviews of charter applicants during the application review process for new charter schools that focus on the quality of programming and the continuum of services, as well as outcomes for students with disabilities and special education enrollment.**
- B. Help district authorizers audit their current process and provide them with recommendations on how to improve their application and capacity interview processes.** Emphasis should not be placed on minimal compliance but equity, programming, and full accountability.
- C. Develop greater consistency across districts regarding the depth of this part of the application review and interview process.** CACSA should work to achieve a balance between evaluations of and guidance on compliance versus deeply detailed evidence of the quality of proposed programming and implementation. Update the CACSA Model Application materials to reflect this approach.

2. Incorporate greater attention to special education in the renewal processes, including attention to enrollment, particularly instances of very low enrollment of students with disabilities, as well as exploring program quality and outcomes.

Some districts may not consistently examine special education enrollment in their renewal processes or use best practices to guide their charter schools on special education enrollment. Interview participants indicated that the renewal processes in their district do consider a charter school's pattern of enrollment or outcomes of students with disabilities, but that current reviews tend to reflect a compliance-based consideration.

Recommendations:

- A. **Work with district authorizers to develop best practices for the renewal process for charter schools around special education enrollment, especially in addressing drastic under-enrollment and working with charters to address it.**
- B. **Conduct case studies of the charter schools with extremely low special education enrollment to determine underlying causes.** If such research points to district support and/or funding gaps, CACSA should work with the appropriate stakeholders toward improvements in these areas and ensure that realistic targets for enrollment are set between the district and the charter. Overall, in this work, CACSA should help groups work to achieve a balance between the district’s authority to intervene while honoring charter school autonomy.
- C. **Help districts audit their current process and provide them with recommendations on how to improve their renewal processes.** Include an analysis of specialized schools and programs that districts have in both their charter schools and traditional public schools, as well as the overall approach to providing a continuum of services as well as efforts to create more inclusive settings.

3. Educate charter operators and charter boards about serving students with disabilities.

Districts’ survey responses indicated that educating charter school operators on special education basics and training charter school boards and other stakeholders on their obligations to students with disabilities were needed. Survey respondents ranked these issues as the third and fourth most important ways to improve access, services, and outcomes for students with disabilities in their district. Prior research has also found that charter school staff and leadership often lack the specialized knowledge about special education to provide students with disabilities the services they need.²⁵ It should be noted that leadership often lacks such knowledge in traditional public schools as well and that current practices that may introduce barriers to access or appropriate services may be affected by both district and school actions. Charters may benefit from participating in professional development activities and other supports that help leaders in all school settings increase their knowledge and expertise.

Recommendations:

- A. **Work with districts to help them review their current protocols for assessing knowledge of special education during the application, capacity interview process, contract creation and execution, waiver selection and approval, annual review, and renewal processes.** CACSA could leverage these results to infuse quality and full transparency into all such protocols.
- B. **Identify and work with districts, including districts outside of Colorado, to design and apply a rubric to evaluate district practices. Examine districts with large gaps between charter and traditional public schools in the proportion of students with severe needs served.** Share stories of success in building transparent and consistent systems for enrollment, communication, and support to schools that are serving students with severe needs.
- C. **Provide resources to districts that can be shared with charter school leadership teams to improve their special education knowledge.** Include opportunities for districts to share

²⁵ Rhim, L.M. (2008). Special Education Challenges and Opportunities in the Charter Sector. *Public Impact*.

experience and models and leverage tools from Colorado and other national partners. This collective knowledge bank and subsequent resources should be made available to all district school leaders, including those in charter schools. CACSA should also propose protocols for districts that explain how to introduce and use these resources with charters, including in both district-wide training sessions and charter-specific gatherings. CACSA should follow up with districts regularly to determine the level of implementation of these resources and use protocols to help districts improve the fidelity of implementation.

- D. Districts should explore partnerships with other outside organizations**, such as the Collaborative for Exceptional Education and other organization and consultants, to help charter schools build knowledge and access resources.
- E. Districts should allow charter school special education staff to access all district professional development at no cost.** CACSA could leverage its influence and work with district-level stakeholders and state-level legislators to ensure that all charters are included in these training sessions. CACSA could also research and seek funding opportunities that would support districts in making these training sessions available to their charter schools.
- F. Research special education issues related to charter oversight, annual reviews, and charter contract renewal.** Included in this research should be an analysis of oversight mechanisms that focus on compliance as well as service quality and outcomes.
- G. Districts should include charters in any regular audits of Special Education programming that the districts conduct.** In the absence of district audits, CACSA should support charter leadership in working with a third party to conduct such audits themselves as well as in developing self-evaluation tools to monitor their progress in serving students with disabilities.
- H. Support the incorporation of charter school self-evaluations and third-party audits into renewal protocols, developing tools specific to these purposes.** CACSA could work with districts to develop this motivation toward continuous improvement and the relationships with charters necessary to accomplish this. Link these self-evaluations to earlier indicators of problems that focus a deeper examination on schools most at-risk of problems.
- I. Use outreach and communications tools to highlight information on challenges and success in the field.**

4. Research the details of charter school recruitment, outreach, and admissions and how they affect enrollment, services, and outcomes for students with disabilities. Include analysis of school and district policies and practices. Use this research to improve the application and enrollment process, including improving the information provided by charter schools and districts to parents about charter schools and the collective obligation of all parties to provide special education services.

Some study participants expressed concerns that school and district practices may create barriers to access for students with disabilities in charter schools during recruitment, admissions, and enrollment. This study was not designed to explore the prevalence of specific practices in charter schools or districts and cannot determine the extent or cause of specific barriers. Potential barriers that require additional study include:

- Providing inadequate or inappropriate information to parents during the enrollment process about the school's special education services;
- Confusing enrollment processes or processes that do not provide parents with enough information about their school choice options;

- Parents that do not understand that they have a right to apply to charter schools if their child has a disability and that charter schools are required to provide services for their child in most cases; or
- Providing inadequate services to enrolled students with disabilities, which could lead those students to withdraw from the school.

Recommendations:

- A. Conduct research and direct observation to better understand the prevalence and impact of practices by schools or districts that may create barriers to enrollment.** This could include additional tracking of families who seek enrollment, those who gain acceptance, those who do not register, and those who withdraw soon after registering. Additional data are needed to determine the validity of concerns and allegations received from the field and to track and evaluate families' motivations that influence student movement among schools and districts.
- B. Work with partners such as the Colorado League of Charter Schools, the Collaborative for Exceptional Education, the Colorado Department of Education, district authorizers, and others to develop protocols and guidance that can be provided to charter school leadership on best practices for informing parents about special education services.**
- C. Encourage charter school leadership and authorizers to monitor their enrollment communication practices with parents and/or work with a third-party auditor.** Consider various mechanisms, such as a "secret shopper" to ensure compliance in all communication with parents.
- D. Provide guidance to districts on how to eliminate barriers to appropriate access within their districts,** both during and after the enrollment and acceptance process, including protocols that will help schools self-evaluate their enrollment practices.
- E. Create resources to support charters in incorporating the appropriate language in their application and enrollment processes.** Help districts incorporate parallel language in their charter contracts.

5. Study how to expand programs in charter schools for students with moderate to severe needs and provide guidance based on that research.

Stakeholders involved in CACSA's surveys and interviews indicated that improving access, services, and outcomes for students with moderate to severe needs in charter schools is an important goal. This issue is complex. Adequately addressing the dynamics involved in this issue was beyond the scope of the CLCS study. When and how charter schools serve students with moderate to severe needs is affected by federal policy, state law and funding arrangements; district policies, charter contracts, and risk management; the programs and services available at each charter school and in other educational settings within the district; and each student's individual needs, among others. These challenges are greatest for students with severe needs, but similar dynamics can affect students with moderate needs.

Currently, district policies and program availability in charter schools may prevent students with moderate to severe needs from enrolling in charter schools. A review of the research indicated that districts nationwide often do not allow a charter school to serve students with severe needs. This

practice is reflected in Colorado as well. Interview participants indicated that charter schools in several districts are not allowed to serve students with disabilities with severe needs per district policy, and most students with severe needs are served in non-charter programs operating elsewhere in the district. The factors described above can all influence these decisions.

District authorizers, which are always the LEA in Colorado, have the responsibility of determining where a student with severe needs will receive FAPE in an LRE setting. A district's appropriate implementation of such policies may require the district to move the student from a charter school that is not able to provide FAPE. In this scenario, both the district and the charter are complying with federal special education requirements – the district in its role as LEA and the charter as an entity whose current programs are not appropriate for that student, meaning that the school does not currently provide FAPE in an LRE setting at that location for a student with these needs. Because of these programming limitations at some charter schools, interview participants indicated that a majority of charter schools do not currently serve students with severe needs. For charter schools to serve more students with severe needs in these circumstances, districts and charter schools must work together to expand the continuum of services available in more charter schools so that the needs of students with more severe needs can be met appropriately more often.

Recommendations:

- A. Execute and commission research on a variety of issues related to charter schools serving students with moderate to severe needs.**
 - 1. Research Colorado charter schools that successfully provide programming for students with severe needs and identify the characteristics of the school design, funding, district relationships, and school personnel that contribute to their success.** Include an analysis of traditional public schools as well as of schools that design and implement programs that affect their ability to provide a full continuum of services and how these programming decisions can be affected by a school's mission or approach. Use this research to develop models that other charter schools can use to design their programming for students with severe needs.
 - 2. Research specific factors that limit Colorado charter schools' ability to serve students with severe needs.** Cross-reference insights from this research with the elements of successful models referenced above, even if carried out on a school-by-school basis, to provide guidance on ways to improve access. Include an analysis of legal issues in this research.
 - 3. Leverage national connections to identify charter schools and authorizers in other states where students with severe needs are being served well and provide exemplars of best practices that lead to improved outcomes for students with severe needs.** Descriptions of these exemplars should include details about the relationship between the districts or other authorizers and the charter schools, especially charter school leaders. They should describe a full spectrum of issues, including enrollment, placement, monitoring, and systems of continuous improvement. A crosswalk of national practices and their alignment with Colorado practices could identify areas where Colorado is ahead of or behind other states in its systems, structures, and policy. CACSA could work to improve these systems and structures -- including legal, financial, policy, and

statutory environment -- to expand charters' capacity to provide a truly full continuum of services for all students.

B. Use research results to develop resources for charter schools and districts.

- 1. Document exemplary models of center-based programs in charter schools and successful charter-district relationships.** Include guidance on the underlying fiscal structures, operational protocols, and staffing systems. Also describe the variation in center-based program structures, including those with self-contained classrooms as well as programs that are school-wide and organized by a specific need or program.
- 2. Expand moderate and severe needs program availability in charter schools through district partnerships that adjust structures and allow for shared resources.** Efforts to expand the programming available at charters will need to honor charter schools' autonomy and the unique aspects of individual schools. Partners, like the Colorado League of Charter School and the Collaborative for Exceptional Education, may be able to provide materials and assistance.
- 3. Collaborate with state organizations to showcase schools that successfully serve a proportion of students with IEPs comparable to traditional public schools, including students with severe needs.**

6. Support district- and system-level changes to support students with moderate to severe needs.

Districts need additional support to help improve access, services, and outcomes for students with moderate to severe needs in charter schools. Of all issues in special education, survey respondents most strongly disagreed with the statement, "Charter schools in our district deliver appropriate programs for students with disabilities with severe needs." District staff also reported in the survey that funding and programming support for students with severe needs were the second-most influential items that could be changed to improve access, services, and outcomes for students with disabilities in charter schools in their district. Serving all students well – particularly those with severe needs – involves improving and expanding the continuum of services appropriately and then supporting schools in successfully implementing that continuum.

Recommendations:

- A. Conduct research to understand the influence of increased funding and programming support for students with moderate to severe needs on the expansion of charter schools' continuum of services.**
- B. Leverage this research to work with district- and state-level stakeholders to inform them about how these details. Educate stakeholders to promote well-informed policy, funding, systems, and support structures to enable more charter schools to better serve students with moderate to severe needs.**
- C. In the long term, influence the perspective of charter operators and new charter developers to focus on serving every student who wants to enroll in their school.** Disseminate the results of research outlined above and work with authorizers and charter support organizations to influence new school development support and charter renewal practices to encourage the expansion of the continuum of services and support other indicated changes.

Attend the Regional SPED director's meetings to build relationships, advocate for policy changes, and to educate on the needs.

Appendix A

Survey Questions

1. What district do you work for?

2. What is your current role?

- 1) Superintendent
- 2) Assistant Superintendent
- 3) Charter Liaison
- 4) Other (please specify)

3. Are you the primary contact for charter issues in your district?

- 1) Yes
- 2) No

4. Using a scale of 1 to 5, indicate the degree to which you agree with the following statements, with 1 meaning you absolutely disagree and 5 meaning you are in total agreement with the statement.

- Our district provides enough resources, guidance, and training to charter schools regarding special education.
- Students with disabilities enjoy appropriate access to charter schools in our district.
- Students with disabilities enjoy an appropriate continuum of academic and social emotional specialized instruction in the charter schools in our district.
- Charter schools in our district deliver appropriate programs for **students with disabilities with mild to moderate needs.**
- Charter schools in our district deliver appropriate programs for **students with disabilities with severe needs.**
- Charter schools in our district deliver appropriate programs for **students with 504 plans.**
- Charter schools in our district deliver appropriate programs for **English learners.**
- Charter schools in our district deliver appropriate programs for **Gifted and Talented students.**

5. Please rank the top 5 items that could improve access, services, and outcomes for students with disabilities in charter schools in your district, with 1 being the item that could most improve outcomes.

- Access to broader pool of professionals able to provide related services
- Changing state policy, such as redefining charter schools as their own Local Education Agency (LEA) for special education purposes
- Changing district policy, such as allowing charter schools to serve students with disabilities with severe needs
- Clarity in interpreting state and federal policy as it applies to charter schools
- Communication and clarity about the rights of students with disabilities during outreach, recruitment, enrollment, and admissions
- Consideration of special education during renewal or revocation procedures
- Education of charter school operators on the basics of special education
- Funding and programming support for students with severe needs
- Improved oversight of special education compliance
- Improved relationships between charter schools and the district
- Mechanisms helping authorizers to intervene when charter schools fail to fulfill obligations to serve students with disabilities
- More attention to special education during the review of charter applications
- Training for charter school boards and other stakeholders on obligations to students with disabilities in public schools

6. What **policies and structures at the district or state level** create barriers to providing services to students with exceptional needs in charter schools in your district?
7. How is the access and services for exceptional students different for charter schools than traditional public schools in your district?
8. What challenges do you experience with current funding for serving exceptional students?
9. What are the current funding models do you use in your district to support special education?
 - a) Minimal insurance model: LEA assumes liability, provides no services.
 - b) Standard insurance model: LEA assumes liability, provides some or all services.
 - c) Modified insurance model: LEA assumes liability, LEA provides some services, LEA then refunds (or seeks additional payment)
 - d) depending on
 - e) actual costs incurred/actual services provided.
 - f) Split insurance model: LEA assumes liability, BOCES provide services.
 - g) Fee for service model: Operates as a straight fee-for-service arrangement
 - h) Other (please specify)
10. Are there any other challenges that you experience in your role not mentioned above? If so, please explain.

Appendix B

Interview Questions

1. Please tell me about your current role and background in special education.
If not covered, ask: What is your role in oversight of special education in charter schools in your district?
2. Can you describe the division of labor and roles and responsibilities for special education in charters in your district?
3. How do you structure the financial and service relationship for special education in charter schools?
Probes: What is the school responsible for?
What is the district responsible for?
Do charter schools pay a set per-pupil fee for special education services?
4. How does your application packet, process, interview, and review accommodate questions about serving students with disabilities?
Probes: What is strong and what is weak about it?
5. Can you describe your special education monitoring policies or procedures?
Probes: What is strong and what is weak about them?
6. When schools are evaluated for renewal, what role does their special education record play?
7. Tell me a little about the process and timeline for students with disabilities in your district. For example, when do charter schools learn about a student's IEP status? When is an IEP meeting convened?
Probes: Who is convened for meetings?
What is the role of the charter staff?
What is the role of district staff?
8. How well do you think charter schools are providing a continuum of services for students with disabilities?
Probes: How well is the identification process working?
How well is child find working?
9. How well are charter schools serving students with:
 - a. Mild to moderate needs?
 - b. Severe needs?
 - c. 504 plans?
10. Do students with severe needs have access to charters in your district?
 - a. Follow up if yes: Do students with severe needs enroll in charters? Do they stay?

11. Are there contractual limits on which students can attend charters in the contracts you use? For example, a clause stating that students with IEPs that require more than 15 hours of service cannot attend the charter school.
12. How do you know whether charters are doing what is required?
Probes: If they were doing a great job, and not just complying, would you know that? How so?
13. If a charter school were failing to do what was necessary, do you have the authority to intervene? Have you had to do so yet? Can you describe how that worked?
14. Do you work with any third-party vendors or partners like BOCES for special education services? in this area? Do charter schools work with these vendors or partners? If so, how is that working? Is the school satisfied? Is the district?
15. Has the state (CDE) played a role in special education in charter schools in your district?
 - a. If yes, what did they do?
Was it helpful, why or why not?
What more would you like the state to do?
16. What barriers to access, appropriate services, and improved performance do students with disabilities encounter in charter schools in your district?
Probes: What could your district do differently? What should the schools do differently?
What should the state do differently? Other stakeholders?
17. What could CACSA do to help support your work? What could your district or other stakeholders do to support your work?
18. Is there anyone else in the district with whom we need to speak to about this topic?