

**CACSA Action Plan for
Improving Access, Services, and Outcomes for Students with Disabilities
Final
9/4/19**

The Colorado Association of Charter School Authorizers (CACSA) is a partner in the Tri-State Alliance to Improve District-Led Charter Authorizing (the Alliance). A major goal of the Alliance and CACSA is to improve access, services, and outcomes for students with disabilities in charter schools. To advance that goal, CACSA commissioned an analysis of barriers to charter schools better serving students with disabilities, including barriers present at the school, district, and state level. This study was conducted by the Colorado League of Charter Schools (CLCS) and included analysis of previous studies as well as data from surveys and stakeholder surveys. The CACSA Committee on Individualized Education reviewed that report and discussed a set of recommendations taken from the draft. A revised set of recommendations were then discussed at a CACSA meeting. This document analyzes the recommendations of the report and is intended to inform work by CACSA on these issues during Years 2 and 3 of the Alliance project.

During the first year of the Alliance project, CACSA was responsible for conducting this analysis, developing an action plan, sharing that action plan with key stakeholders, and commencing work on the agenda. This document is preliminary action plan. A summary deck is also available. A elements of this plan this plan will be shared at the CDE-convened equity meeting on September 6, 2019. This draft will be updated based on input from that meeting. CACSA will then implement the plan during Years 2 and 3 of the project. Eventually, CACSA hopes to help districts and charter schools implement recommended practices, and, ultimately, increase the proportion of students with disabilities enrolled in Colorado charter schools.

This Action Plan addresses the six major recommendations from the CLCS analysis. A full list of the recommendations and all related subtasks is included in Appendix A. The six recommendations are:

1. Incorporate greater attention to special education in charter application review processes;
2. Incorporate greater attention to special education in renewal processes;
3. Educate charter operators and charter boards about serving students with disabilities;
4. Research charter school recruitment, outreach, and admissions and use this research to improve the application and enrollment process for families;
5. Study how to expand programs in charter schools for students with moderate to severe needs and provide guidance based on that research; and
6. Support district- and system-level changes to support improvements in access and services for students with moderate to severe needs.

The recommendations major considerations are summarized in Table 1. Items 1-4 on this list can be pursued in conjunction with other CACSA designed activities that are planned under the Alliance project for goals related to strengthening authorizer practice and engaging more authorizers. Additional resources and partnerships would allow CACSA to advance these ideas further, for greater impact. The currently planned activities under the Alliance project should allow for substantial progress on these recommendations. Items 5 and 6, which address the needs of students with moderate to severe needs, present complexities and variation in local practice that may require more research and the

development of new ideas than can be accomplished with resources available currently. These issues are listed by CACSA members as a high priority and should not be ignored. Instead, CACSA should raise additional funding, and pursue partnerships with other groups, to give these topics the attention they require.

Table 1. CACSA Action Plan for Students with Disabilities Summary

Recommendations	Notes
1. Deepen examination of special education in application decisions, including an expanded review of quality and programming details that go beyond compliance.	Incorporate this topic into the update of the standard application package, leveraging available tools from NCSECS, NACSA, and input from districts that adopted package in 2019.
2. Deepen examination of special education during renewal processes.	Incorporate into new renewal package, to be developed in Year 3, as well as into the materials related to the annual review of performance and report to schools to be developed in Year 2.
3. Educate charter operators and charter boards about serving students with disabilities.	In Years 2 and 3, pursue partnerships and share material through existing forums. Incentivize or require school leaders and boards to learn desired content and incorporate educational material into other CACSA projects.
4. Research details of recruitment, outreach, and admissions and their effect on enrollment, services, and outcomes for students with disabilities. Use research to improve the application and enrollment process.	Pursue parallel strategies: researching the topic to explore dynamics and prevalence; while also sharing exemplars and materials that support families and while research is underway.
5. Study how to expand programs in charter schools for students with moderate to severe needs and provide guidance based on this research.	Pursue additional resources and partnerships to explore this topic at the level of detail required for a full understanding. Do incorporate attention to the issue in other materials and forums
6. Support district- and system-level changes to support students with moderate to severe needs.	Also, incorporate these questions into study supported by additional resources that CACSA should secure. Participate in stakeholder groups and convene other groups as necessary to advance the discussion of CACSA research when it takes place, or to otherwise advance the discussion on this topic.

1. Incorporate greater attention to special education in the charter application review process

In 2018, CACSA created a standard charter application package and rubric. After one year of district’s applying the model, CACSA has feedback that can be used to update this package. As that package is updated (in Year 2 or Year 3), the new version should incorporate changes to increase attention to special education and other disadvantaged students.

The entire package can be updated to reflect the various details described under this category in Appendix A. Key issues to include in the update would cover the quality of programs and the continuum of services that can help charter schools better serve students with moderate to severe needs. An updated application package should also leverage national examples on this topic, such as the tool kit prepared by the NCSECS for the National Association of Charter School Authorizers (NACSA). In addition to the updated application package, CACSA could provide resources used in capacity interviews and other tools that districts use to explore the quality of programs. CACSA should include technical assistance work to help districts implement these tools.

These application materials should be included in the educational program described above, and partners like the CLCS could incorporate revised materials into their training sessions of new charter applicants. The CDE SOC unit could also include materials and assistance as part of its outreach to CDE start-up grant recipients.

2. Incorporate greater attention to special education in renewal processes

Similar to recommendation #2, CACSA should incorporate greater attention to special education as it prepares materials related to the charter renewal process. In CACSA's action plan for authorizer support, CACSA proposes to create a suite of materials related to charter renewal in Year 3 of the project. In Year 2, CACSA will work on a preliminary step, an annual review of each charter school's progress and an annual report to the school based on that report. This annual review is intended to feed into a comprehensive system that informs the renewal package to be created by CACSA in Year 3. Both the annual review and the renewal package should incorporate a similar approach to special education. \

This process should support accountability and improvement, including by supporting deeper understanding of how things are currently working, and promote improvement in access, services, and outcomes, as well as the identification and reduction of barriers. This work should support root cause analysis of potential barriers in both school and district practices when initial analysis indicates low-enrollment or other notable outcomes. A broad range of issues, such as transportation may be relevant and should be considered. This will lead to work by CACSA on this recommendation in both Year 2 and Year 3.

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

A primary finding of the study is that some people in charter schools, including school leaders, staff, and charter board members lack knowledge about special education and their obligations as public schools. A high-leverage program for CACSA, therefore, would be to partner with other organizations and work to educate these stakeholders about special education topics. This is a primary task that should be pursued during Year 2 of the project.

Leverage Partnerships

Partnerships can increase the impact of this effort. Partners could include CDE (both the Schools of Choice unit and the Office of Special Education); the CLCS; the Colorado Collaborative for Exceptional Education; and other experts and consultants active in the area.

Many materials are already available, including materials created and distributed by authorizers to charter applicants and approved schools. Examples of these can be gathered and made available more broadly for use in other settings. Include materials used to on-board newly approved charters. New materials on the basics of special education are likely already available and do not need to be recreated.

The materials and services that people in schools need could be based on currently available resources, as well as developed in partnership with these other groups, and borrowed from current training materials available in Colorado and from national partners, such as the National Center for Special Education in Charter Schools. Targeted sessions on special education for school leaders could be inserted into existing meetings and events held by CACSA and other partners. A list of these forums is included in the action plan for authorizer support. When necessary, specific training sessions on these topics could also be convened by CACSA, perhaps working in partnership with the other groups.

CACSA may want to explore ways to incentivize or require school leaders, charter board members, and other staff to participate in various learning exercises at various points in the life-cycle of the charter school. See plans below for ways to incentivize or require attention to these topics during the application, annual evaluation, and renewal process.

Leverage State Accountability and Related Resources

One outreach opportunity also includes potential additional resources. Charter schools that are identified by the state for low academic performance under state and federal accountability programs include a large number of charter schools identified based on the performance of students with Individualized Education Programs (IEPs). These schools not only face possible accountability sanctions, but also have the opportunity to apply for funding from the state for partnerships designed to improve performance. These partnership activities could be used to increase the school leaders, staff, and boards' knowledge of these issues. CACSA should work with CDE, districts, charter schools, and other stakeholders to leverage the state's identification of schools under these systems and encourage or require schools to seek resources and identify external partners to support their improvement efforts. Incorporate these opportunities into tiered interventions for charters or other performance management tools that can reinforce improvement and effective use of potential resources.

4. Research charter school recruitment, outreach, and admissions and use this research to improve the application and enrollment process for families

Stakeholders raised concerns about the way that schools and districts handle admissions and enrollment may create barriers to access for students with disabilities. Issues may include the creation of barriers related to actions taken by both schools and districts. Related to this are concerns that too many parents are poorly informed, or confused, about their students' rights or how processes are expected to work. Other schools and districts have developed systems and procedures that may be more effective. There was interest in identifying and sharing examples of promising or best practices by schools and districts that promote access for students with disabilities, as well as a stated desire to ensure parents of students with disabilities are fully informed of their rights, as well as how these processes ensure all students receive a Free and Appropriate Public Education (FAPE) in the Least Restrictive Environment (LRE). While the CLCS analysis of barriers identified this topic as an issue of concern, the analysis was not designed to determine the severity or cause of these barriers or to describe its dynamics in detail. It would be helpful to address this issue in two ways:

1. Study these issues, including through observation and case studies, to understand how parents experience the current systems and to understand what is working and not working in the field. Include in this study analysis of various models of charter-district relationships and how special education is funded and staffed; as well as analysis of the programming available at schools;
2. Parallel to the study, recommend practices for districts and schools that provide parents with more information and that safeguard appropriate treatment. Some of these practices and model materials can be adopted now, based on current knowledge and exemplary practice by districts and schools. Other details of recommended practice will likely emerge from the study of the issues described above.

The details of such a study should be developed to address the range of issues and concerns outlined in Appendix A. Analysis should focus on recommendations that can inform practical steps that authorizers and schools can adopt to improve the access and better inform decisions by parents and students. An in-

depth study of this issue is beyond the scope of CACAS's work under the Alliance project. Consequently, this topic could benefit from additional fund-raising and partnerships that could deepen CACSA's research into these issues. As resources are raised for Recommendations 5 and 6, described below, that research agenda could also address these issues.

Better Serving Students with Moderate to Severe Needs

The final two recommendations emerging from the needs assessment address challenges in serving students with moderate to severe needs. These students' needs were identified as a major and frequent challenge by a variety of stakeholders. The topics produced an extensive discussion about the challenges that need to be addressed in policy, finance, and practice. Adequately addressing the complexities of this topic may be beyond the scope of resources currently available to CACSA. CACSA should pursue two strategies:

- First, incorporate analysis of these issues into other efforts to study special education in the state and when pursuing work on items 1-4 above; and
- Second, pursue additional resources or partnerships to support the study this topic and develop appropriate strategies to address it further.

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

Appendix A provides a list of the related issue on this topic. This includes topics to study, as well as recommendations for how to promote changes in practice by schools and authorizers once information is available. CACSA should work with additional partners to pursue resources for this work. This topic may be of interest to CDE, the CLCS, and the NCSECS.

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

In addition to studying the topic and recommending changes in school and authorizer practice, the needs assessment recommended that CACSA identify changes in system-level policies and practices. This action should be pursued after further study and deliberation by CACSA and other partner stakeholders.

CACSA and CACSA members should participate in available forums where groups of stakeholders can discuss these topics. CACSA should also advocate for continued attention to this topic. CACSA may need to convene stakeholders on this and related topics, and participate in forums like that convened by CDE, to continue to advance this recommendation as well as others listed above.

Appendix A. Complete list of recommendations from the analysis of barriers.

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