

PROJECT INTERSECT:

STUDYING SPECIAL EDUCATION IN CHARTER SCHOOLS

Research Report #4: Charter Schools'
Special Education Infrastructures

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ABSTRACT

Charter schools, the newest entrants to the reform movement aimed at improving public schools, represent a shift in the manner that public schools are governed. A charter is a contract developed based on the supposition that a charter school founder has the capacity to fulfill the plethora of obligations associated with operating a public school. Given that all public schools must adhere to federal laws for students with disabilities, charter schools must also provide services and ensure due process for students identified as having a disability. Having the capacity to implement special education consistently and in accordance with relevant regulations can be a challenge for every public school, including charter schools. This report defines the legal parameters that shape special education in the charter sector, explores the concept of a “special education infrastructure,” and describes four types of special education infrastructures. The descriptions of these special education infrastructures provide practical examples of the programmatic and financial arrangements that charter schools depend on to build their special education capacity. While charter schools strive to establish themselves as autonomous entities, special education is one area where it may not be in the best interest of the schools—or their students—to operate as islands. Based on our case studies, we propose that policy makers and charter school operators should strive to ensure that these schools can build their capacity to fulfill their missions and address the challenges they face due to their status as new entities, their small size, and their unique governance model. Critical steps required to ensure creation of quality special education programs are rigorous authorization policies and thereafter, individual schools building or acquiring capacity to fulfill obligations associated with IDEA.

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