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2021 NACSA LEADERSHIP CONFERENCE

2021 NACSA Virtual Leadership Conference

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Improve Access for Students with Disabilities: Model TOOLKITS and Templates

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Alex Medler

Alex Medler, Executive Director, Colorado Association of Charter School Authorizers

Alex Medler directs the Colorado Association of Charter School Authorizers and Governing Council Chair of the National Network for District Authorizing, which helps state associations of district authorizers in California, Colorado and Florida strengthen their charter authorizing practices. He has nearly 30 years of experience working to improve education and outcomes for young people.

Alex previously led the National Charter School Resource Center; and directed policy, research, and technical assistance initiatives for the National Association of Charter School Authorizers (NACSA); the Colorado Children's Campaign; the U.S. Department of Education's Charter Schools Program; and the Education Commission of the States. He is a founding board member and former chair of the board of the National Center for Special Education in Charter Schools; he served on the board of NACSA; and he founded and chaired the board of the Colorado Charter School Institute.

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Tom Hutton

Tom Hutton, Executive Director, California Charter Authorizing Professionals

Tom Hutton is executive director of CCAP and interim executive director of the Education Law Association. He is a former executive director of the Hawaii State Public Charter School Commission and an independent consultant to authorizers. Previously he was a school attorney who served in-house with the National School Boards Association and in private practice. As a law student, he was a co-founder of Thurgood Marshall Academy, a law-themed high school in the District of Columbia. Tom has been both a participant and a coach in the NACSA Leaders Program.

Melissa Brady

Melissa Brady, Executive Director, Florida Association of Charter School Authorizers

Melissa Brady serves as the Executive Director of FACSA. Melissa has almost twenty years of experience in public education in both charter and traditional district schools.

Prior to serving as the Executive Director for FACSA, Melissa was the Director of Charter Schools for Polk County Public Schools. During her time with PCPS, her primary responsibilities included the oversight of 29 charter schools which served more than 15,000 students. Her passion for quality public education fueled her enthusiasm and involvement in FACSA for the past six years.

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Critical Role District Level Authorizers Perform

- District level authorizers authorize the majority of charter schools in the United States

- Ensuring equity for all students is important to authorizers and they want to be more effective in their monitoring and oversight approach

- District level authorizers have expressed strong support for state specific tools and templates

California, Florida and Colorado all have a district led authorizing structure

40% of all authorizers and 30% of all charter schools in the entire United States are in our three states

Charter Authorizing Organizations are filling a critical authorizer support role for district authorizers

National Network for District Authorizing leverages expertise and resource sharing

Innovative Tools

 California
  - Interface with intermediate educational units
- Colorado
  - Model Contract and Special Education MOU
  - Website Review & Models
- Florida
  - Capacity Interview Toolkit

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Interface with Intermediate Educational Units

- Also known as Educational Service Agencies (ESA)
- Vary by state: BOCES, ESD, ESC, ROE, RESA, CESA, etc.
- California:
  - County Offices of Education (COE)
  - Special Education Local Plan Areas (SELPA)

Interface with Intermediate Educational Units

- COEs:
  - Oversight, support, training for school districts in areas including special education and charter authorizing
  - Direct services to some students
  - Charter authorizing directly
  - Appeals of charter denials

Interface with Intermediate Educational Units

- Supports to districts via COEs
- COE training, resources, networking, direct special ed services
  - COEs on their own – regional network, trainings
    - Sometimes include charter schools as well
  - COEs with CCAP
    - COEs regional "hubs" of communication, conveners
    - Help identify priority needs by region
    - Collaborate on targeted training

Interface with Intermediate Educational Units

- SELPAs:
  - Under state law, school districts and COEs must form regional groups to develop regional special education service delivery systems
  - Today about 135 statewide
  - Charter schools not their own LEA for special education purposes belong to the SELPA of their school district
  - Charters that are LEAs may apply to join a SELPA
  - Several SELPAs formed to serve charter schools statewide – most by COEs

Interface with Intermediate Educational Units

- SELPAs and authorizing
  - Constraint on advice on a particular case: SELPAs include charters
  - Advantages: Not authorizers, but work closely with charters
  - Technical advice, e.g., on development of toolkits
    - Applications
    - Annual reports
    - Contracts

Interface with Intermediate Educational Units

- Larger point: especially for small authorizers, leverage not only intermediate educational units, but other public and private entities that have oversight authority -- and/or just insight on serving students with disabilities
  - Federal and state agencies, advocacy groups, attorneys, parents
  - Information sharing about charters, authorizers
- Establish regional or state norms that set shared expectations above and beyond legal and authorizer requirements

Interface with Intermediate Educational Units

Relate to toolkits and resources:

- Consult with entities in developing toolkits to benefit from their expertise

- This avoids with any constraints with tension of roles

- Important question: what would help them?

- Another important question: alignment and avoidance of duplication for schools

CACSA Standard Charter School Application & Rubric
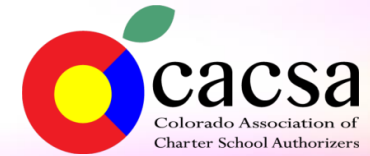
- ❏ Extensive material on students with disabilities;
- ❏ Incorporated materials from NACSA/Center for Learner Equity Guidebook;
- ❏ Extensive treatment of issues related to students with disabilities:
  - ❏ Human Resources
  - ❏ Curriculum and Assessment
  - ❏ Professional Development
  - ❏ Administration
  - ❏ Facilities
  - ❏ MTS/Rti

Colorado Context

- 61% lack descriptions of how they enroll students with disabilities

- 45% lack descriptions of how they enroll students overall

- 63% don't describe how they educate students with disabilities

- 10% publish enrollment policies with elements that could be interpreted as exclusionary without anti-discrimination clauses

- 18% of application forms ask whether a student has a disability with no anti-discrimination clauses or statements of purpose to help parents understand how information might impact applications

Website Checklist:

- ❏ An anti-discrimination statement on the main page or on the enrollment page of the website.

- ❏ Language stating that the school serves students with disabilities.

- ❏ Either mission statement that includes language indicating the intention to serve all students, or if the mission statement does not indicate an explicit inclusive orientation, a link to the anti-discrimination statement and commitment to serving students with disabilities.

- ❏ Clear description of the process for enrolling students in general and for enrolling students with disabilities.

- ❏ If the school participates in a centralized, district-administered open enrollment process, a statement explaining the school's participation in the district system and links to the district's relevant website and materials.

- ❏ Pre-admission forms (such as intent to enroll forms, and registration forms if there are no web-linked application materials) that only ask for the minimum required information and do not ask about disability status or status as another protected class unless it is for purposes of a weighted lottery or the school is chartered to serve students with a particular disability. If the school uses information on disability status for such purposes, the forms must include statements clarifying the purpose and limited application of such information.

Anti-Discrimination Statement:

Should be visible on the front page. Its purpose is to affirm the school's responsibility to not discriminate and to provide special education services.

Insert school name does not discriminate on the basis of disability, race, creed, color, sex, sexual orientation, national origin, religion, ancestry, need for special education services, or any other grounds prohibited by law. Insert school name serves students with disabilities and English Learners and provides services to students as required by state and federal law. (Include link to the page where the additional information is posted.)

Examples

Democracy Prep schools are schools of choice. It is our privilege to educate all scholars regardless of identity, socioeconomic status, religion, citizenship, previous academic record, disability, and intellectual ability. Continue reading to learn how to join the Democracy Prep Family!

Examples

Can Montessori accommodate gifted children?
What about children with other special learning needs?

- An advantage of the Montessori approach—including multi-age classrooms with students of varying abilities and interests—is that it allows each child to work at her own pace. students whose strengths and interests propel them to higher levels of learning can find intellectual challenge without being separated from their peers. the same is true for students who may need extra guidance and support: each can progress through the curriculum at his own comfortable pace, without feeling pressure to "catch up."
- We might note that from a Montessori perspective, every child is considered gifted, each in her own way. for every child has his own unique strengths—it is all a matter of degree.
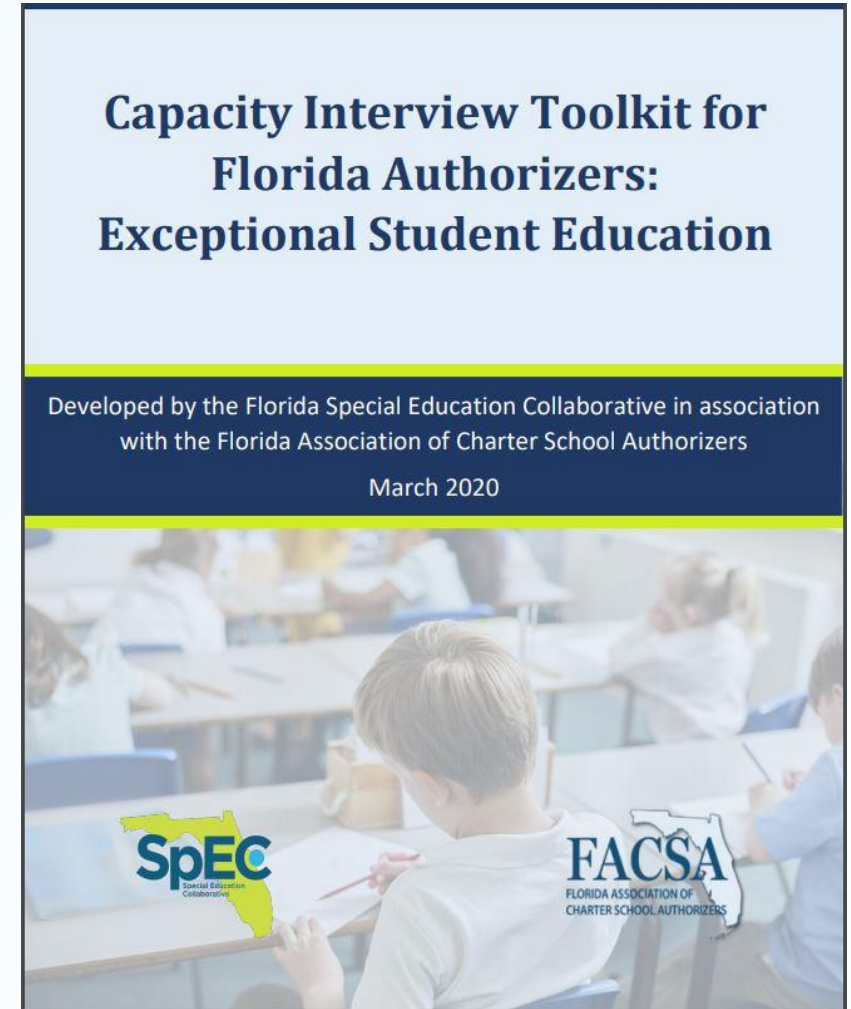
Staff Training Materials

- Provide model language, FAQ, and considerations.
- Video available with expert modeling appropriate communications to parents.
- Framing of materials designed to engage charter staff
  - Assumes good intent
  - Addresses concerns as issues of training and capacity building

Capacity Interview Toolkit- Exceptional Students

- The Florida Association of Charter School Authorizers (FACSA) and the Florida Special Education Collaborative (FLSpEC) conducted a needs assessment during the 2019-20 school year related to issues impacting services to students with disabilities in charter schools.

- The needs assessment led to a recommendation for the development of a guidance tool for authorizer (district) use during capacity interviews.

Capacity Interview Toolkit for Florida Authorizers: Exceptional Student Education

Developed by the Florida Special Education Collaborative in association with the Florida Association of Charter School Authorizers

March 2020

SpEC
Special Education Collaborative

FACSA
FLORIDA ASSOCIATION OF CHARTER SCHOOL AUTHORIZERS

Source: https://flauthorizers.org/resource/capacity-interview-toolkit-exceptional-students/

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Capacity Interview Toolkit- Exceptional Students

Discussion

Red Flags

Guidance

B. Equitable Enrollment of Students with Disabilities

B. The applicant must describe how the school will ensure that students with disabilities will have an equal opportunity of being selected for enrollment in the charter school.

Discussion

Charter Application & Evaluation Criterion – Section 6 Application Prompts – Exceptional Students

The exceptional students section should demonstrate an understanding of the requirements of the school to serve all students and provide a concrete plan for meeting the broad spectrum of educational needs and providing all students with a quality education.[1]

A. Projected Population

A. The applicant is required to provide the school's projected population of students with disabilities and describe how the projection was made.

Discussion

How should a school with no actual student enrollment project the population of students it will serve while demonstrating the intent to serve all students?
An applicant should sufficiently be able to describe a realistic proposal of the number of students with disabilities based on their review and analysis of data within the State, district, and proposed location. Their projection should reflect actual data based on available public reports. If a district has an unusually high incident rate of students with disabilities in comparison to the State average, it would not be reasonable to expect the applicant to have a high rate as well, as there may be systematic issues that exist within that specific district that warrants further exploration.
Specific indicators that should be reflected in the capacity interview are the applicant's understanding of how they derived at their proposed calculation and an understanding of the district and surrounding area's population. If the school does not serve prekindergarten students, this could be a rationale for serving a relatively smaller percentage of students with disabilities if surrounding schools offer prekindergarten ESE programming to students with disabilities.

Indicators or "red flags" that may warrant further discussion include:
The applicant conveys their low number of students is due to the level of service they plan to provide. Examples of concerning statements are as follows:
- We only plan to provide speech services.
- The school only offers general education classes.
- Teachers only serve "251" students.
- The applicant's projection is significantly lower than district and/or State averages.

...student applications

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A clear description of how the school will ensure students with disabilities will have an equal opportunity of being selected for enrollment.

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Critical Role of Training and Support

- Tools and Templates are important but….
- ….critical training and professional development support is essential!

CACSA
- Stakeholders workshop
- Statewide dissemination

FACSA
- Small workgroup input
- Stakeholders workshop
- Statewide dissemination

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N4NDA

NATIONAL NETWORK
FOR DISTRICT AUTHORIZING