



# Texas Public Charters Prepare Special Education Students to Achieve Ambitious Goals

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Texas public charter schools are providing special education students with the tools they need to reach their highest potential. According to Texas Education Agency data, special education students enrolled in Texas public charter schools have higher reading proficiency growth, more inclusion in general education classrooms, and a greater likelihood of attending college.

In Texas, our findings on reading proficiency growth and charter special education inclusion in general education classrooms contrast with national data. For example, data from the National Center for Education Statistics from 2016 show public schools nationwide place just over 60% of their special education students in general education classrooms, which is almost identical to Texas data in traditional public schools. By contrast, **Texas public charter schools place 92% of their special education students in inclusion settings.**

This is especially significant, considering the segregation many special education students endured for decades.

Before the U.S. Congress passed the Individuals with Disabilities Education Act (IDEA) in 1990, many schools segregated children with disabilities into separate classrooms. This led to low academic expectations and social stigma for special education students.

Notably, **Texas public charters are enrolling twice the rate special education graduates in college as traditional public schools.** This means that Texas public charters are also sending a higher rate of special education students to college than higher-income, progressive states like Minnesota.

# Public Charters and ISDs Enroll Similar Rates of Special Education Students

State and federal law prohibits discrimination in admissions against special education students. As a result, Texas public charters do not know whether their students have special needs until after enrollment. In 2018–19, special education students in Texas public charters constituted an average of 8.5% of the overall population, a rate slightly lower than the 10.3% in traditional public schools. The public charter rate is lower, in part because parents of students with severe disabilities tend to enroll their children in larger ISD schools under the assumption that they are better-resourced. These parents tend not to choose smaller public charters or smaller ISDs.

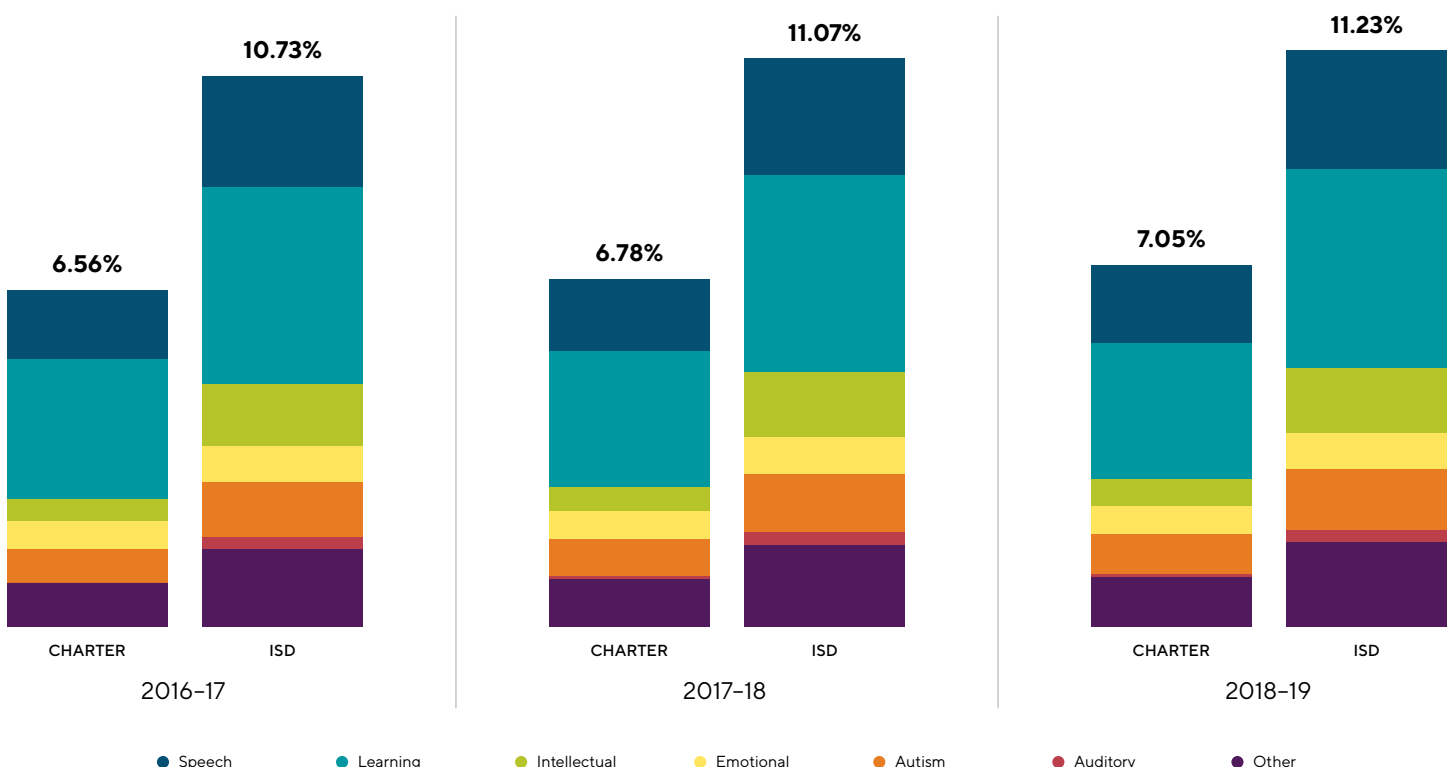
All public schools—charter and traditional—with enrollment between 500 and 1,000 children tend to have lower percentages of special education students. Public charters just happen to have more children in campuses with 500 to 1,000 students relative to traditional public schools.

Each public charter district is required to ensure that parents of special education students know that its schools are ready and able to provide a full range of services for their

children. For example, ECI Academy charter school with three locations in Texas displays a “Special Education” tab on its website that details all the services they provide to special education students. ECI Academy also posts many resources to educate parents on their rights, and the direct contact information of all special educators, in case parents have questions or concerns.

There is some evidence that efforts like these are paying off, and parents are taking notice. According to a 2017 study through the University of Texas at Austin, many parents of special education students choose public charter schools because they believe their children will be pushed harder to reach their full academic potential. However, according to that same study, parents who do not choose charter schools cite concerns over facilities and perceptions of a lack of access to the full spectrum of special education services. These concerns are based on myths about public charter schools. The diagram on the next page illustrates the services special education students receive in Texas public charters, from application and enrollment to the classroom.

Trend by Year of Enrollment by Major Disability Category





## Public Charters Provide All Required Special Education Services

Texas public charters, like all public schools, must follow the Individuals with Disabilities Education Act (IDEA) and all Texas laws protecting students with disabilities. Therefore, like all other public schools, Texas public charters must immediately connect special education students to services when they enroll. Children receive services from State Board for Educator Certification (SBEC) certified special education teachers, who work with general education teachers to ensure students receive all accommodations in their Individualized Education Plans (IEPs). Public charters, like traditional public schools, also organize Admission, Review and Dismissal (ARD) committees that meet periodically to ensure student IEPs are adequate in helping special education students achieve their growth goals.

Texas public charters provide special education students the same manifestation hearings as traditional public schools for major discipline offenses to determine whether

a misbehavior was due to their disability and require special disciplinary consideration. And like all other public schools, Texas public charters provide services like financial literacy training to special education students to help them prepare for college and the workplace.

Like all other public schools, Texas public charters respond to feedback from parents on the services their special education students receive. If parents believe their children are not receiving the services guaranteed under federal and state law, they can file a complaint with the charter campus and board. If parents do not feel the charter campus or board has resolved their concern, they may file a formal complaint with the Texas Education Agency. If a charter district does not provide special education services guaranteed by federal and state law, the Education Commissioner could revoke their charter. Traditional public-school districts do not face this same risk.

Brooke Lucero is a special education teacher at Great Hearts Northern Oaks in San Antonio. She is seen here with Justin, a 4th grader.



# Special Education Enrollment and Services in Texas Public Charter Schools



The charter recruits students and students complete an application.

YES

Does the charter have spaces available?

NO

The charter enrolls all students until spaces are filled.

The charter places students on a wait list and conducts a lottery for open spaces.

Charters learn students' special education status.

## SPECIAL EDUCATION GRIEVANCE PROCESS

## IN-CLASS SPECIAL EDUCATION SERVICES

Parents file a complaint with the district if required services are withheld.

Charter teachers provide accommodations and modifications in IEPs.

Charters request students' permanent records.

If the charter does not resolve parent concerns, parents file the complaints with TEA.

When SpecEd students violate codes of conduct, charters create and/or follow a BIP.

Charters give teachers copies of their SpecEd students' IEPs.

If students commit a major offense, charters conduct manifestation hearings.

Charters complete ARDs for each SpecEd student.

Charters automatically re-enroll returning SpecEd students.



## Texas Public Charters Have More Special Education Inclusion

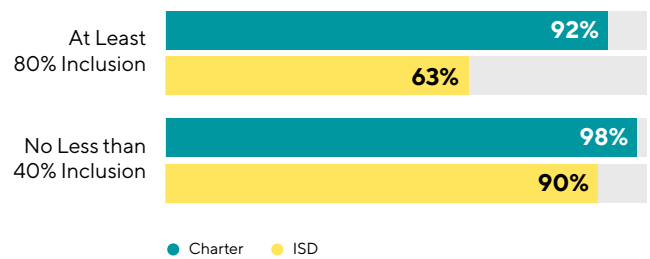
One major purpose of the Individuals with Disabilities Education Act (IDEA) is to ensure that schools include special education children in as many general education classrooms as possible. The State of Texas adopted a performance plan with a goal to integrate each special education student in general education classrooms 80% of the time. This 80% goal means that schools only separate their special education students for remediation purposes when absolutely necessary. **9/10 of Texas public charters are meeting this inclusion goal, compared to 6/10 traditional public-school districts.**

The Texas performance plan also requires public schools to integrate each special education student in general education classrooms for at least 40% of the time. **Almost 100% of Texas public charters are meeting this inclusion goal.**

One assumption for these inclusion rate differences could be that charter special education students have less

severe disabilities, making inclusion easier. However, the evidence does not support this. The rates of emotionally disturbed children, who can be sometimes difficult to integrate in general education, are the same for public charter and traditional public schools in Texas. Therefore, non-charter students should be no more difficult to integrate than charter students.

Percentage of School Districts Meeting the State Inclusion Standards



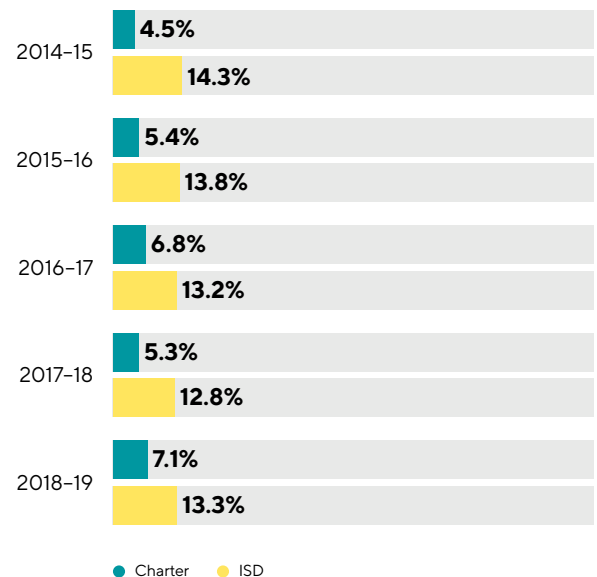
## Texas Public Charters Assign ISS to Fewer Special Education Students

Texas public charters look for ways to address minor violations such as chronic tardiness to keep students in class. This is especially critical for special education students.

As a result, Texas public charters have assigned ISS to an average of 6% fewer of their special education students for the past five years. **This means that Texas public charters assign 40% fewer ISS to special education students than traditional public schools.**

These statistics suggest there is an opportunity for all public schools to examine ways to rely less on ISS as a consequence for minor misbehavior among all students, especially special education students whose progress depends on inclusion in general education classes. Many special education students have historically been excluded from general education classrooms, making it difficult for them to develop social skills necessary to function in their communities upon graduation.

ISS Assignment to Special Education Students



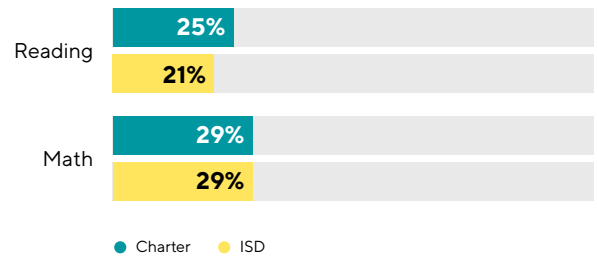
## Public Charters Increase Reading Proficiency for Special Education Students

The Texas Education Agency tracks progress of special education students who meet proficiency standards in math and reading grades 4-8. Meeting these proficiency standards is critical to ensuring that 5th and 8th graders will not be held back a grade.

In 2018, 29% of special education students in both public charters and traditional public schools moved from non-proficient to proficient in math. However, in 2018, **public charters moved an average of 4% more special education students from non-proficient to proficient in reading.**

This 4% constitutes almost 500 more special education charter students who moved from non-proficient to proficient in reading.

Average Rate of Gains in Proficient Students



## Texas Public Charters Send More Special Education Students to College

According to 2017-18 data from the Texas Education Agency, Texas public charters sent a higher percentage of their students overall to college than traditional public schools. However, Texas public charters sent special education students to college at nearly twice the rate of traditional public schools.

This statistic stands in stark contrast to statistics in many other states with comparable sizes of total charter enrollment. For instance, the Minnesota Department of Education reported in 2018 that the state only sent 25% of its special education students to college. Texas public charters sent special education students to college at almost twice the rates of states like Minnesota. Texas public charters' rate is closer to states like California, which sent 45% of all special education students to college in 2018. We chose to

compare Texas to California and Minnesota, because these were the only two other states that post this information on their state education agency websites.

A college education for special education students is incredibly important, considering the existing wage inequalities between people with and without disabilities. According to the U.S. Census Bureau, in 2019, people with disabilities earned only two thirds of the wages of an average worker, regardless of the occupation.

Average Rate of College Enrollment for Special Education Students





## NOTE FROM THE AUTHORS

The statistics appearing in this research brief are based on data obtained from the following Texas Education Agency (TEA) sources: the 2018 District Profile of State Performance Plan Indicators Report; 2018-19 PEIMS Standard Reports; 2018-19 Discipline Data Product Reports; 2018 Snapshot Reports; 2017-18 Texas Academic Performance Reports; and a Public Information Request to TEA.

The rates in this research brief represent either the percentages of school districts (public charter vs. traditional public) or the aggregate special education enrollment rates for public charter versus traditional public-school districts. To calculate the aggregate special education enrollment rates, we first obtained the aggregate number of special education students (public charter vs. traditional public) by disability category via Public Information Request from the Texas Education Agency (TEA). We then downloaded total statewide enrollment numbers (public charter vs. traditional public) through TEA's PEIMS Standard Reports. Finally, we divided the aggregate number of special education students (public charter vs. traditional public) by disability category by either the total statewide enrollment by public charter or by traditional public school.

To calculate the average percentage of special education teachers, the average proficiency gains and the average rates of college enrollment (public charter vs. traditional public), we downloaded rate data by district from the data sources listed above. We then calculated the average rates. One minor

challenge in calculating these rates was the moderate amount of masked data. TEA masks rates when counts are so small that it would be possible to identify actual students. Unmasking this data would be a violation of Family and Educational Rights Privacy Act (FERPA).

We decided to only use unmasked data in this analysis, because masked data counts were so low that they would have created percentages and counts per student that were almost zero. Zero percentages and counts per student would have then lowered averages for public charters much more drastically than for traditional public districts, because public charters have more masked data than do traditional public schools.

If readers have any questions about the statistics or statements in this brief they may contact Dr. Timothy Mattison at [tmattison@txcharterschools.org](mailto:tmattison@txcharterschools.org). Dr. Mattison is TCSEA's Director of Policy and Research.

The reference for the UT-Austin study in this brief is as follows: McCoy, Alexis D., "School Choice for Children with Disabilities: How Parents Choose" (2017). National Youth-At-Risk Conference Savannah. 65. [https://digitalcommons.georgiasouthern.edu/nyar\\_savannah/2017/2017/65](https://digitalcommons.georgiasouthern.edu/nyar_savannah/2017/2017/65)

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