ABSTRACT
Charter schools in San Diego, Los Angeles, and Oakland enroll, on average, fewer students with disabilities than schools that are operated by San Diego Unified School District (SDUSD), Los Angeles Unified School District (LAUSD), and Oakland Unified School District (OUSD). In addition, charter schools in these three districts enroll fewer students with the most severe disabilities—who generally require the greatest resources to serve—than do district schools. This enrollment disparity produces a disproportionate gross fiscal impact for these three school districts because special education is funded on a per-pupil basis, rather than based on need.

The full report can be found at http://www.cta.org/StateOfDenial

INTRODUCTION
Public school district officials and advocates for students with disabilities have long alleged that charter schools do not enroll students with disabilities at levels comparable to those of district schools—a claim that has been borne out by several recent studies.¹

For the first time, our analysis quantifies the extent of this disparity in special education student enrollment between school districts and the charter schools they authorize in three California school districts: San Diego Unified School District (SDUSD), Los Angeles Unified School District (LAUSD), and Oakland Unified School District (OUSD). We found that across the three districts in the 2016–17 academic year, on average students with disabilities made up only 11.01 percent of the enrollment in charter schools, while comprising 14.27 percent of enrollment in district schools.

Further, although districts and advocates for students with disabilities have long observed that charter schools enroll students with disability categories that are less severe—and therefore less costly to serve—than do public school districts, very little research has been done to assess to what extent this might be true. Our analysis found that of those students enrolled, and when compared to enrollment in district schools in their authorizing school district, charter schools were serving a significantly smaller share of students with the most severe disabilities, including a persistent under-enrollment of students with autism, intellectual disabilities, multiple disabilities, and orthopedic impairments.

(continued)
Finally, in California, where special education funding is calculated on a per pupil basis—with no allowance for how many students with disabilities are enrolled, nor for the severity of their disabilities—California school districts potentially carry a significant disproportionate cost of providing mandated services to students with disabilities due to these enrollment disparities. We estimated, for the first time, the gross fiscal impact of these disparities on SDUSD, LAUSD, and OUSD and found that they are significant—totaling between $64.52 million and $97.19 million at the three districts combined. (See the full report for a detailed discussion of methodology.)

**ENROLLMENT DISPARITIES OF SPECIAL EDUCATION STUDENTS**

Our analysis of special education data for academic year 2017 found that charter schools as a group in San Diego, Los Angeles, and Oakland enrolled a significantly smaller share of students with disabilities than did district schools (11.01% vs. 14.27%).

Our analysis also found that charter schools in each district enrolled students with disabilities at significantly lower rates overall than district schools. This enrollment disproportionality was greatest in Oakland where charter schools enrolled students with disabilities at roughly half the rate of district-run schools (7.67% vs 13.58%). In Los Angeles, the average enrollment disparity between charter schools and district schools was slightly smaller, yet still significant (11.11% vs 14.16%). Finally, in San Diego, charter schools enrolled a smaller share of students with disabilities (12.96% vs 15.07%), albeit not at a statistically significant lower rate.
STATE OF DENIAL: California Charter Schools and Special Education Students

SPECIAL EDUCATION ENROLLMENT IN CHARTER SCHOOL CHAINS & STAND-ALONE SCHOOLS

While our analysis was focused on comparing charter school enrollment to public schools in their authorizing school district, the datasets we obtained also allowed us to look at enrollment of students with disabilities in a number of Charter Management Organizations (CMOs)—or chains of charter schools—around the state. What we found was that while 12.11 percent of statewide California students had an identifiable disability, and between 13 percent and 15 percent of the cohort school districts students did, many of the CMOs we analyzed had a calculated enrollment of students with disabilities below 10 percent.

Aspire Public Schools—a statewide charter school chain with total student enrollment over 14,000, and with schools in two of three cohort districts—enrolled only 8.61 percent students with disabilities. KIPP Charter Schools, Inspire Charter Schools, and Rocketship Public Schools all enrolled more than 5,000 students in multiple districts across the state, yet had special-needs enrollment below 10 percent. In fact, of the largest charter school chains, Inspire (7.05 percent) and Rocketship (7.34 percent) enrolled among the lowest percentage of students with disabilities across the three authorizing districts.

Local Los Angeles chains Celerity Education Group and the New Designs Education Group enrolled less than 10 percent students with disabilities—with New Designs particularly low at 6.86 percent. In San Diego, only 8.94 percent of students at Albert Einstein Academies chain had disabilities. In Oakland, American Indian Model Schools’ three schools enrolled less than three percent students with disabilities—the lowest of all the charter school chains we analyzed.

<table>
<thead>
<tr>
<th>Charter Network</th>
<th># Schools</th>
<th>Total Student Enrollment</th>
<th>%SWD</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Accelerated Schools</td>
<td>3</td>
<td>1,728</td>
<td>9.78%</td>
</tr>
<tr>
<td>American Indian Model Schools</td>
<td>3</td>
<td>1,048</td>
<td>2.86%</td>
</tr>
<tr>
<td>Amethod Public Schools</td>
<td>6</td>
<td>1,540</td>
<td>6.36%</td>
</tr>
<tr>
<td>Aspire Public Schools</td>
<td>35</td>
<td>14,401</td>
<td>8.61%</td>
</tr>
<tr>
<td>Albert Einstein Academies</td>
<td>2</td>
<td>1,409</td>
<td>8.94%</td>
</tr>
<tr>
<td>Celerity Educational Group</td>
<td>6</td>
<td>3,088</td>
<td>9.42%</td>
</tr>
<tr>
<td>Compass Charter Schools</td>
<td>3</td>
<td>885</td>
<td>4.52%</td>
</tr>
<tr>
<td>Education for Change</td>
<td>6</td>
<td>3,084</td>
<td>7.72%</td>
</tr>
<tr>
<td>Inspire Charter Schools</td>
<td>5</td>
<td>7,392</td>
<td>7.05%</td>
</tr>
<tr>
<td>KIPP Charter Schools</td>
<td>25</td>
<td>10,731</td>
<td>9.98%</td>
</tr>
<tr>
<td>New Designs Educational Group</td>
<td>2</td>
<td>1,370</td>
<td>6.86%</td>
</tr>
<tr>
<td>Rocketship Public Schools</td>
<td>12</td>
<td>5,897</td>
<td>7.34%</td>
</tr>
</tbody>
</table>

This under-enrollment of less than ten percent students was not limited to charter school chains: it was also persistent in stand-alone charter schools that are unaffiliated with any chain. Some charter schools on the list have both a very large reach and a long history, like the Vaughn Next Century Academy.
Learning Center in Los Angeles, one of California’s first charter schools, which enrolled nearly 3,000 students in 2017, of whom only 6.68 percent were students with disabilities—well under half the percentage enrolled in LAUSD schools. Similarly, the Preuss School in San Diego—which received its charter authorization in 1999—enrolled only 3.68 percent students with disabilities.

<table>
<thead>
<tr>
<th>Charter Network</th>
<th>Total Student Enrollment</th>
<th>%SWD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goethe International Charter (LAUSD)</td>
<td>434</td>
<td>7.14%</td>
</tr>
<tr>
<td>Granada Hills Charter High (LAUSD)</td>
<td>4,662</td>
<td>7.70%</td>
</tr>
<tr>
<td>Iftin Charter (SDUSD)</td>
<td>423</td>
<td>4.02%</td>
</tr>
<tr>
<td>Larchmont Charter (LAUSD)</td>
<td>1,432</td>
<td>9.50%</td>
</tr>
<tr>
<td>Montague Charter Academy (LAUSD)</td>
<td>898</td>
<td>8.24%</td>
</tr>
<tr>
<td>Oakland Military Institute, College Preparatory Academy (OUSD)</td>
<td>683</td>
<td>7.17%</td>
</tr>
<tr>
<td>Oakland School for the Arts (OUSD)</td>
<td>779</td>
<td>8.34%</td>
</tr>
<tr>
<td>Palisades Charter High (LAUSD)</td>
<td>2,982</td>
<td>8.99%</td>
</tr>
<tr>
<td>Port of Los Angeles High (LAUSD)</td>
<td>979</td>
<td>9.60%</td>
</tr>
<tr>
<td>Preuss School UCSD (SDUSD)</td>
<td>816</td>
<td>3.68%</td>
</tr>
<tr>
<td>The O’Farrell Charter (SDUSD)</td>
<td>1,689</td>
<td>9.30%</td>
</tr>
<tr>
<td>Urban Discovery Academy Charter (SDUSD)</td>
<td>485</td>
<td>8.66%</td>
</tr>
<tr>
<td>Vaughn Next Century Learning Center (LAUSD)</td>
<td>2,906</td>
<td>6.68%</td>
</tr>
<tr>
<td>Vista Charter Middle (LAUSD)</td>
<td>415</td>
<td>6.99%</td>
</tr>
</tbody>
</table>

**ENROLLMENT DISPARITIES OF STUDENTS WITH DISABILITIES MOST LIKELY TO BE SEVERE**

Because general enrollment only tells part of the story about whether charter schools are meeting their obligations to serve special education students, we also analyzed special education data that relates to the severity of disability for students in charter schools, as well as in their authorizer districts. What we found is that in Los Angeles, Oakland, and San Diego, charter schools under-enroll students with disabilities that generally require greater supports and more expensive accommodations, when compared to schools in their authorizing school district.

In fact, within each district we analyzed, charter schools routinely enrolled students with intellectual disabilities, students on the autism spectrum, and students with an orthopedic impairment—all categories that often require greater supports and more expensive accommodations—at lower percentages than their authorizing districts. The result was, of course, that these students with the highest needs were concentrated in district schools.

Conversely, our analysis shows that the students with disabilities who were enrolled in charter schools were concentrated in categories considered less severe than those enrolled in district schools. Charter schools in all three districts studied revealed a relative surfeit of students in the Specific Learning Disability and Other Health Impairment categories defined by the Individuals with Disabilities Education
Act, both overall considered to be mild to moderate in severity, and less expensive to serve. (See Appendix B of the full report for a description of the disability categories analyzed.)

**LAUSD**

In LAUSD, we found that students with an intellectual disability, an orthopedic impairment, or a visual impairment were enrolled in charter schools at roughly a quarter of the rate at which they were enrolled in district-run Los Angeles Unified schools. For students on the autism spectrum, there was a nearly eight percentage point difference in the average enrollment as a percentage of special education students between the charter schools and district schools.

**OUSD**

Oakland charter schools enrolled students with autism and students with intellectual disabilities at less than half the average rate of district schools. Notably, students with an orthopedic impairment and those who were identified as deaf were not enrolled in any charter school within Oakland during the 2017 academic school year.

**SDUSD**

In San Diego, we found that students on the autism spectrum made up a smaller share of the special education enrollment within charter schools compared to district schools by more than six percentage points. Students with an intellectual disability made up more than three times the average share of special education students in San Diego’s district schools than in charter schools. Unlike in Oakland and Los Angeles, where charter schools did not enroll a statistically significantly greater share of any moderate to severe disability than district schools, in San Diego, charter schools served a greater share of students classified in the disability category emotional disturbance, with less than a percentage point difference.
Last year, 16-year-old Kahlil played the lead role of Jean Valjean at a Berkeley Playhouse Teenstage production of *Les Misérables*. He finished the 10th grade through classes at a local community college, where he had a 3.50 GPA. But two years ago, Kahlil was far from the confident young man he is today, when his parents pulled him out of 8th grade at Oakland School for Arts (OSA), a charter middle and high school.

In 5th grade, Kahlil was diagnosed with a disability called auditory processing disorder after his teacher and his mom, Tracy, noticed that he was having trouble with schoolwork. Tracy said that it seemed like he was really trying to do the work, but often didn’t quite know what the work was. Kahlil was given an Individualized Educational Plan (IEP) at his district-run public school. But in 6th grade, he enrolled at OSA.

Kahlil had worked hard to get into OSA’s theater program. But according to Tracy, 6th grade was really a difficult year for their whole family because of academics. Kahlil would come home without really knowing what had gone on in his classes. It would take him—with help from Tracy—two to five hours every night to get through his homework. In Individualized Educational Plan (IEP) meetings with the school staff, Tracy had no idea what services Kahlil could, or should, get to support him adequately, and would just agree to everything the school suggested. “OK, these are the experts,” Tracy thought, “they know what they are doing.” What the school provided, however, was clearly not helping Kahlil.

By 8th grade, both Kahlil and Tracy were completely burned out. Neither of them had it in them to put in hours of study time at home anymore. It was clear that Kahlil wasn’t getting the support he needed. Tracy asked the school to have someone check in with Kahlil for all his classes to make sure he understood the assignment and knew how to complete it. She also asked for approval for Kahlil to take his academic classes at a local community college but continue his arts education at OSA. The school denied both requests.

According to Tracy, the special education director of OSA had a different proposal. He told Tracy that he didn’t really see Kahlil going to college after high school, and suggested that her son could do high school diploma-track work, rather than college-track work. Tracy was stunned and scared. She suddenly realized that the school hadn’t been trying to help Kahlil succeed because they didn’t think he could. “My son and I came as the perfect student-parent contribution to his education,” Tracy said. “He wanted to succeed. As an 11 year old, he had put in two to five hours a day studying. I sat and helped him. I wasn’t not participating … if the school is also putting in their part, It seems like he should be able to succeed.”

Kahlil’s confidence was shaken, and he was suffering from depression and anxiety. Kahlil, who already had his heart set on a “dream school,” was doubting that he could even attend college at all. It was clear to Tracy that he needed a break. At the end of the year, Tracy pulled her son out of OSA. Read more of Tracy and Kahlil’s story on page 13 in the full report.
THE COST OF SPECIAL EDUCATION ENROLLMENT DISPARITIES FOR CALIFORNIA DISTRICTS

There is a high cost to California school districts as a result of how unequally charter schools enroll both special education students in general and students with hardest-to-serve disabilities in particular. This cost is borne by districts as a result of California’s formula for funding special education, which distributes funding roughly on a total per pupil basis, with no accounting for whether or not a student has a disability, or the severity of their disability.

We estimated, for the first time, the gross fiscal impact of these disparities on SDUSD, LAUSD and OUSD and found that they are significant—totaling between $64.52 million and $97.19 million at the three districts combined.7

Cost of Overall Disparity of Special Education Enrollment in Charters

<table>
<thead>
<tr>
<th>District</th>
<th>Cost of Overall Disparity of Special Education Enrollment in Charters</th>
<th>Cost of Overall Disparity + Severity Disparity of Special Education Enrollment in Charters</th>
</tr>
</thead>
<tbody>
<tr>
<td>SDUSD</td>
<td>$5.10 million</td>
<td>$12.49 million</td>
</tr>
<tr>
<td>LAUSD</td>
<td>$50.90 million</td>
<td>$74.65 million</td>
</tr>
<tr>
<td>OUSD</td>
<td>$3.15 million</td>
<td>$10.01 million</td>
</tr>
</tbody>
</table>

In Los Angeles, our analysis found that as of the 2016-17 school year, the under-enrollment of students with disabilities in LAUSD-authorized charter schools is costing the school district at least $50.09 million—when factoring in just the disparity of overall special education enrollment—and as much as $74.65 million annually when the severity of disabilities of students is also included. In Oakland, we found the gross fiscal impact of this under-enrollment to OUSD is between $3.15 million and $10.01 million annually. Finally, in San Diego the estimated gross fiscal impact for the under-enrollment of special education students in charter schools ranges from $5.10 million to $12.49 million each year.
SPECIAL EDUCATION FUNDING AS A SOCIAL INSURANCE PROGRAM

One way to understand why there is a cost to California school districts when charter schools under-enroll students with disabilities is to think of the federally guaranteed right to special education, accompanied by additional state and federal funding for that right, as a type of social insurance program. Under this insurance program, all families and all schools are insured against the higher costs of educating a child with special needs. In California’s funding structures for special education, level of need is pooled—just as in an insurance program. Pooling of need allows the higher costs of services for students with disabilities to be offset by the lower costs for general education students.

If we think of the right to special education as a type of social insurance program, this is what can happen as charter schools serving lower needs students segment the population.

However, because charter schools enroll students from the same geographic area without enrolling students with the same levels of need, we are left with two unbalanced pools for the social insurance program that is special education: a high-cost pool for the “coverage” offered by public schools that enroll higher percentages of the highest needs students, and a low-cost pool for the “coverage” offered by charter schools that enroll lower percentages of these same students. Because both pools are funded based on total enrollment, rather than based on the level of need of those enrolled, the cost is higher for districts carrying the higher needs students.
CONCLUSION

Advocates for students with disabilities have long held that charter schools do not enroll, and therefore do not serve, students with disabilities at the same levels as public school districts—either in overall enrollment or level of need—which leads to a greater fiscal impact for public school districts.

Our analysis affirms these concerns for the first time in the three California school districts we examined. Because of the structure for funding special education in California—which arguably disincentivizes enrolling students with disabilities in charter schools by funding based on total enrollment, and not need—we have no reason to believe that similar results would not be borne out in other districts throughout the state.

These findings are particularly important at this point in time in California, when a growing body of evidence shows that the rapid growth of charter schools has led to growing fiscal impact for public school districts. As policymakers at all levels of government weigh how to best meet the needs of California students equitably, we hope they will take these findings into account.

CONSIDERATIONS FOR POLICYMAKERS

The aim of our report was to provide an in-depth analysis of special education enrollment to quantify the anecdotal evidence so often cited by public education advocates. However, our analysis affirms the need for policy changes brought forth by advocates that would begin to address the inequities described in this report. The following represent just a few of those proposals:

1. **Increase Federal Funding for Special Education:** Perhaps the most obvious solution to these inequities would be for the federal government to meet its original 1975 obligation to fund 40 percent of public special education costs. This language is already in federal statute and requires only the political will to push Congress to budget the necessary resources. Federal lawmakers should make the original promise the absolute floor, rather than the ceiling, of funding for students with disabilities.

2. **Federal Civil Rights Monitoring:** The Office of Civil Rights within the US Department of Education must independently and proactively monitor student access to and service within charter schools across the nation. While some states are capable of effectively monitoring their education systems for civil rights abuses, the federal government’s total abdication of this power to prioritize equity and access has not, and will not, lead to a safer and more responsive system for students and their families.

3. **Accountability and Oversight by the CA Department of Education (CDE) and Authorizers:** The CDE should hold accountable both the charter schools that are underserving special education students, and the authorizers who are responsible for their oversight. This would not be the first time a state has moved to protect the rights of special education students, as the New York State Education Department’s Office of Special Education recently investigated and concluded the practices at Success Academy Charter Schools were violating the civil rights of special education students under the Individuals with Disabilities Education Act. Both Success Academy and the New York City Department of Education (Success Academy’s authorizer) were held accountable and corrective action was required.8
After a representative from a Futuro Prep charter school visited her daughter’s preschool, Nerey Bautista decided to enroll her soon-to-be kindergartner at the charter school instead of their local public school. After all, the Futuro representative made a compelling case: two teachers per classroom, “better” academic outcomes than the neighborhood school, a promise that her daughter would have “everything she needs” to be successful—all at no cost to families. Nerey was sure she was making the right choice for her child.

Around that same time, Nerey and her husband began to worry that their daughter didn’t seem to be developing verbal communication skills at the rate they were expecting. She asked the charter school representative about this and was repeatedly assured that her daughter would have the focus and support that she needed at Futuro Prep, whatever the challenge. “You won’t need to worry about anything,” the representative told her. In retrospect, Nerey is reminded of the old saying that if something seems too good to be true, then it probably is.

Nerey’s daughter entered kindergarten unable to communicate using phrases and speaking with only single words. She and her husband were told by Futuro Prep their daughter’s communication would grow as she progressed through school alongside her classmates, and that they would make sure she had everything she needed. Over the course of the next few months, Nerey’s daughter’s communication skills didn’t improve. Nerey requested an evaluation and asked the school to consider speech therapy. The evaluation determined that Nerey’s daughter was autistic. Soon, Nerey found herself attending a meeting at the charter school to discuss an Individualized Educational Program (IEP) that had been developed for her daughter. That meeting forever changed Nerey’s life as a parent.

During the IEP meeting, Nerey learned that her daughter had been regularly separated from the other students and taken to sit in the school’s main office until the end of each day. There, she was left alone to entertain herself with colored pencils and paper. According to Nerey, this happened “most of the time” she was enrolled at Futuro Prep, “because she was different than the other kids.” The charter school told Nerey that if she remained enrolled, she would likely be left behind the other students.

“It felt like they were not trying to help at all,” she said, “like they just wanted her out of the school.” She felt like she had somehow failed her daughter. She couldn’t believe that her daughter wasn’t receiving the services or the education she had been promised. “Coloring in a coloring book?!” Nerey said, “She could do that at home!” She left the school in tears, feeling incredibly sad and guilty for enrolling her daughter at a charter school without being fully aware of what was going on every day. Read more of Nerey’s story on page 29 in the full report.
4. Re-examine California’s Model for Funding Special Education to Account for Special Education Enrollment Disparities Between Districts and Charter Schools: California’s system of allocating special education funding based on total student population counts, as opposed to targeted counts of students by special education eligibility categories, has led to harmful fiscal impacts for the school districts we studied due to charter schools significantly under-enrolling these students. We have no reason to believe the results would be different for other districts.

This funding model makes two critical assumptions: that need does not vary by network or location, and that all schools are open to serving all students. These assumptions require further serious investigation because the current system actively discourages charter schools from both identifying students with disabilities, and perversely incentivizes the creation of barriers to access through enrollment.

5. Require Charter Schools to Join the Same SELPA as the District in Which They Are Located: California policymakers should return the responsibility of coordinating special education services for charter schools to local Special Education Local Plan Areas (SELPAs), and end the practice of allowing charter schools to opt-out of their local SELPA in favor of remote charter-only SELPAs that are sometimes hundreds of miles away.

As it stands, from a functional perspective, a student moving between schools within the same local area may have inconsistent accommodations and experiences due to schools belonging to different SELPAs. This undermines continuity of services, which is of utmost importance for special education students. This opt-out also undermines the fiscal stability of local school districts which, as our analysis found, are serving a disproportionately larger share of special education students without a larger share of funding.

6. Conduct Educational and Fiscal Impact Analyses When Considering New Charter School Petitions and Renewals: As fiduciaries of their local education agencies, and as elected officials entrusted to protect all students’ best interests, charter school authorizers must make economic and education impact analyses an essential part of both the charter school authorization and reauthorization processes. Elected officials, the authorizing body, and the public must have independent information about the impact of opening a new charter school in an established education community. Information should cover the full learning needs of all students, including essential topics regarding enrollment, retention, discipline, and the financial impact on the community and the neighborhood’s public schools. Districts must be allowed to use the findings of these impact reports as justification for denying new charter school petitions that will have an adverse fiscal impact on district programs and services.

7. Charter School Site-Based Special Education Committees: Coupled with both state and local governance oversight, charter operators themselves can take a proactive role to ensure they are open to and meeting the needs of all children in the community in which they operate. Each charter school campus should create a site-based special education committee. As those who spend the most time with special education students, both educators and parents are uniquely positioned to lead these committees.
VANESSA & ISABEL

Vanessa Aguirre’s daughter, Isabel, went to elementary school at a traditional public school in San Diego Unified School District, where she first was diagnosed with a learning difference in 3rd grade, and received an Individualized Educational Plan (IEP). When Isabel reached middle school, Vanessa decided to send her to The Learning Choice Academy (TLC) because her friends whose kids went there really liked it. She was assured by TLC staff that they would be able to accommodate Isabel’s disability.

A month into the first semester, one of the school staff requested to meet with Vanessa because Isabel was behind. They scheduled a meeting, but the TLC staffer called the day before the scheduled date to say that Vanessa had missed their meeting. This happened repeatedly, and each time Vanessa says the staffer told her that she would have to put a letter in Isabel’s file about the alleged missed meeting. It was Vanessa’s understanding that the school has a policy that after a parent misses three meetings, the student can be kicked out of the charter, making these events particularly stressful.

Further, Vanessa found out that Isabel was missing assignments that she had never seen. Two months into the school year, the school staffer showed Vanessa how to access the school’s online portal, where parents and students can see assignments and progress. Vanessa was excited that she could finally get Isabel on track to getting her work done. However, after a couple days of Isabel making good progress on her assignments, they were locked out of the website. The staffer had changed their password, and it took several days to figure out what had happened and make up for the interruption.

What ultimately made Vanessa realize that TLC wasn’t the right place for her daughter was when the special education staff told her, in contradiction of their initial promise, that Isabel’s needs were greater than TLC could accommodate. “I could tell they were trying to squeeze us out from the beginning,” Vanessa says, “but that really clinched it.” Read more of Vanessa and Isabel’s story on page 20 in the full report.

“Vanessa was new to the charter school, so she didn’t know what to expect, and didn’t push back. She now says that if she had one lesson to share with other parents from this experience it would be, ‘Speak up when you think something is wrong.’
LACK OF ACCESSIBLE DATA

One reason why research analyzing purported enrollment disparities between charter schools and their authorizing districts has not previously been performed is because basic, descriptive special education enrollment statistics are prohibitively difficult to obtain.

For our analysis, the necessary information and data gathering took more than six months, dozens of California Public Records Act (CPRA) requests, significant financial costs, numerous follow-up emails and phone conversations, and numerous clarifications and corrections of clear data anomalies that shuffled the researchers between multiple departments at many levels of educational governance.

It took several specially trained researchers 18 months to collect and analyze this data. Parents, especially parents of children with special needs, do not necessarily have the resources or the time to do this work, yet they have an even more pressing need for this information.

With hurdles at every stage of the analytic process, special education data in the state of California is far from accessible to the general public and must be improved. (See the full report for a full description of data issues encountered in our research.)
ENDNOTES


2 Special education funding, as with many other types of state education funding in California, is allocated based on student average daily attendance (ADA). Because of absences, ADA is always slightly lower than the total number of students enrolled in a school district or charter school at any given time. However, because the funding follows the student, we refer to this funding as “per-pupil” for ease of understanding, although this is obviously an imprecise term.

3 Fiscally independent, privately-operated charters schools act as Local Education Agencies (LEAs) that directly receive public education dollars from the state. This distinction is important for any study of the fiscal impact of charter schools, as “affiliated” charter schools are essentially “schools of the district” and are treated as such for budget purposes. Throughout this report, “charter schools” refers to fiscally independent, privately-operated charter schools. “District-run schools” or “schools of the district” include both traditional public schools and fiscally dependent, affiliated charter schools. All charter schools in Oakland and San Diego are fiscally independent from the school district, or “directly funded” by the state. Los Angeles has 70 charter schools that are fiscally dependent on the school district, or “locally funded,” these schools were treated as district schools. See the full report on page XX for a discussion about why the analysis was limited to these particular schools.

4 For this report our research team analyzed complete sets of data pertaining to each authorizing district (not samples) for descriptive and statistical significance.

5 We limited our analysis to charter school chains enrolling over 800 students, and with a presence in at least one of our cohort districts. See the full report on page 34 for more information about our methodology for this analysis.

6 We limited our analysis of stand-alone charter schools to those enrolling at least 400 students, and located in one of our cohort districts. See the full report on page 24 for more information about our methodology for this analysis.

7 See the full methodology for our calculation of the average cost of special education enrollment disparities beginning on page 9 of the full report.

8 New York State Department of Education Office of Special Education Written Decision (2019)

Authors: Anthony LeClair, Data Specialist, UTLA; Elaine Grace Regullano, CPA (inactive), Strategic Research and Analytics Director, UTLA; & Ann Swinburn, Strategic Research Analyst, CTA

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