

Charter School Equity, Growth, Quality, and Sustainability Study

Strategic Importance of the Issue

Charter schools hold great promise for educating students with disabilities, who have long been marginalized by low expectations for academic progress and exclusionary classroom settings. To date, however, this promise has not been fully and consistently realized, with access and academic outcomes for students with disabilities in charter schools lagging behind their peers enrolled in traditional public schools.¹ While some charter schools have leveraged their autonomy to develop noteworthy programs for students with disabilities, these examples are exceptions rather than the rule.²

The failure of charter schools to build, scale, and sustain effective educational options for students with disabilities threatens to leave the educational opportunity gaps these students face in traditional public schools unchallenged and unaddressed. It can also result in devastating long-term academic, mental health, and behavioral setbacks, as when students with disabilities enroll in charter schools that are unprepared to meet their needs.³ For students of color, multilingual learners, or those living in poverty who also have a disability, charter schools' struggles to educate students with disabilities threaten to compound the disadvantages that historically marginalized students already face and for which charter schools have committed to rectifying.⁴

Research Inquiry

The Center for Learner Equity (CLE) conducted the *Charter School Equity, Growth, Quality, and Sustainability Study* to 1) identify how the experiences of students with disabilities shape the sector's sustainability and 2) examine key stakeholders – including state policymakers, authorizers, charter schools, and related support organizations – role in shaping conditions that influence how charter schools enroll and educate students with disabilities. A 12-member technical working group of subject matter experts advised on the overall study methodology and served as reviewers for the five stakeholder reports. The Bill & Melinda Gates Foundation provided funding for the research. Views expressed here do not necessarily reflect positions or policies of the foundation.

CLE took a multi-pronged approach to the study. We scanned journalistic reports published since 2009 that covered issues at the nexus of charter schools, special education, and students with disabilities, identifying 174 examples in total. We also interviewed 11 key practitioner experts selected based on their knowledge about the charter sector and challenges affecting the education of students with disabilities in charter schools. We used these data to identify and explore actions taken by stakeholders (i.e., states,

¹ Lancet, S., Rhim, L. M. & O'Neil, P. (2022). [Enrollment of Students with Disabilities in Charter Schools and Traditional Public Schools](#). Center for Learner Equity; Stanford, L. 2023, June 6). [Charter Schools Now Outperform Traditional Public Schools, Sweeping Study Finds](#). *Education Week*.

² See for example: Lake, R. J. (2010). *Unique schools serving unique students: Charter schools and children with special needs*. National Charter School Research Project, Center on Reinventing Public Education, University of Washington; Center for Learner Equity. (2022). [Enabling Meaningful Inclusion: Lessons from School Leaders](#)

³ Center for Research on Education Outcomes. (2023). [As a Matter of Fact: The National Charter School Study III 2023](#); Lancet, S., Rhim, L. M. & O'Neil, P. (2022). [Enrollment of Students with Disabilities in Charter Schools and Traditional Public Schools](#). Center for Learner Equity; Arundel, K. (November 2, 2022). [Students with Disabilities Continue to Lag Behind Peers on NAEP](#). K-12 Dive; Waitoller, F. R. (2020). *Excluded by Choice: Urban Students with Disabilities in the Education Marketplace*. Teachers College Press.

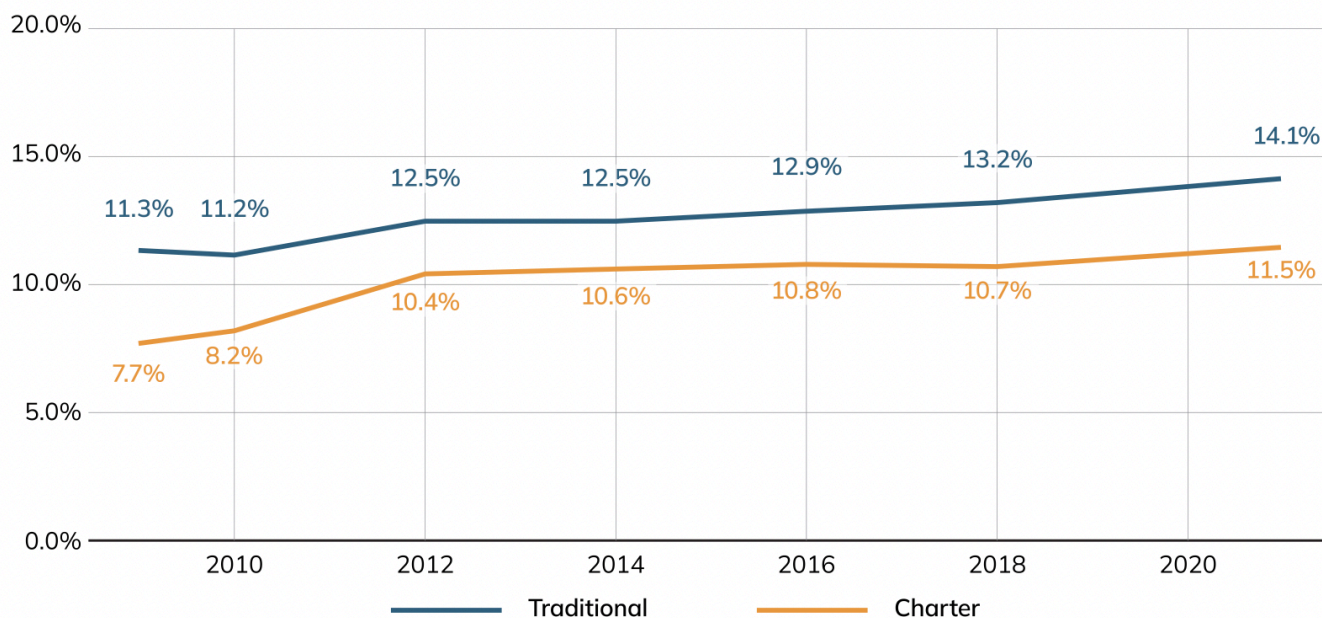
⁴ Waitoller, F. R., & Maggin, D. M. (2020). Can charter schools address racial inequities evidenced in access to the general education classroom? A longitudinal study in Chicago public schools. *Remedial and Special Education*, 41(3), 127-138.

authorizers, nonprofits, individual schools, and charter management organizations) to improve students with disabilities' experiences in charter schools. The consequent reports highlight the context and practices of these key groups with recommendations that support education improvements for students with disabilities. A fifth report is an information-rich case study of a dynamic charter ecosystem based in Washington state. We also conducted a literature review to elevate research-based high-leverage practices for students with disabilities that have positively impacted all students, emphasizing BIPOC students.

Key Findings

- **Enrollment is an imperfect proxy for equity**, but charter sector growth trends reflect in part the degree to which families perceive charter schools to be a viable option for their children, including those with disabilities.⁵
 - Charter school enrollment has increased at a **steady pace** for the past decade.
 - Enrollment of students with disabilities **has not kept pace** with the sector's steady growth.
 - Without interventions, this difference will likely **continue**, resulting in an even more significant equity gap in the coming decade.

Figure 1. Percentage of Enrolled Students Receiving Services Under IDEA by School Sector (2008-2021)



Sources:

- Data from 2008-2010 is from the Government Accountability Office. (June, 2012). [Charter Schools: Additional Federal Attention Needed to Help Protect Access for Students with Disabilities](#).
- Data from 2012-2021 is from the U.S. Department of Education, Office for Civil Rights, 2012-21 Civil Rights Data Collection

⁵ Lancet, S., et al.. (2022). [Enrollment of Students with Disabilities in Charter Schools and Traditional Public Schools](#). Center for Learner Equity.

- **Failures to equitably educate students with disabilities in charter schools have serious negative impacts on the health and political sustainability of the charter sector.** Charter schools subject to public complaints about how students with disabilities are educated face frayed relationships with their communities and weakened reputations with local stakeholders, including their authorizers. But these effects aren't self-limiting. They *ripple* to charter schools in other communities and fuel public narratives that undermine political support for charter schools nationwide.
- **Strengthening charter schools' record of results with students with disabilities can and must be done.** Our research documents the enormous opportunities available to leaders—especially policymakers, authorizers, and funders—in the charter sector to address the needs of students with disabilities. The biggest obstacle to progress costs little in terms of time or money to change: commitment to meeting the needs of students with disabilities based on high expectations for their learning.
- **State policymakers have a poor record of progress in addressing the needs of students with disabilities in charter schools.** While our research uncovered some noteworthy examples of state action (e.g., support for infrastructures, regulatory guidance, and technical assistance), these were limited, and policymakers rarely strived to do more than ensure that charter schools meet their legal obligations to students with disabilities.
- **Authorizers are uniquely positioned to influence educational opportunity gaps for students with disabilities.** Authorizers can influence schools' plans for enrolling and educating students with disabilities directly – through application requirements, review criteria, and hands-on application assistance. Once schools are operational, authorizers can influence schools through the accountability pressures they apply to monitor performance and renewal decisions. However, to date, few authorizers have taken proactive steps to address the needs of students with disabilities or hold charter schools accountable for meeting ambitious learning targets for them.
- **Non-profit organizations (NPOs) can play important roles in strengthening charter schools' commitment to and capacity for the education of students with disabilities.** NPOs influence charter schools by working on the “inside” to strengthen schools' capacity to educate students with disabilities and the “outside” to address systemic challenges that require action by policymakers and courts. However, much of this work hinges on NPOs gaining the cooperation of other actors that shape how charter schools educate students with disabilities.
- **Equity-minded charter schools and CMOs are breaking free from conventional special education delivery models.** While the practices we identified—including universal design for learning, co-teaching, and transition planning—may be familiar to special education educators, charter schools in our study implemented these practices as part of their investments in instructional systems with “flex.” As part of this shift, many of the schools in our sample strengthened general education teachers' ownership over and expertise in meeting the needs of students with disabilities.
- **Charter schools face unique challenges in their work to educate all students equitably.** Limited resources and high stakes, coupled with inadequate systems for measuring and benchmarking the success of students with disabilities, present significant challenges for charter schools. At best, these challenges leave schools without recognition for the extraordinary work they are doing; at worst, they penalize schools for trying to meet the needs of students with disabilities.

- **School and network leaders can create the conditions for equitable practices to take root.** School leaders made clear that while the challenges they confronted in their work were real, they were committed to delivering on their aspirations to educate students with disabilities equitably. School leaders prioritized equity in teacher hiring and invested in teacher skill development to meet the needs of students with disabilities. They created time and space for teachers and multi-disciplinary student support teams to collaborate to meet students' individual needs.
- **Charter networks can help charter schools overcome obstacles related to economies of scale.** CMOs enabled schools to share services and bring more programming in-house, thereby strengthening the continuum of support schools offer students with disabilities.
- **Ecosystem investments such as those documented in Washington State can yield meaningful results.** Publicly available data show that Washington charters often enroll a greater share of students with disabilities than their peers nationally, are more likely to educate students with disabilities in general education classrooms, and these students have greater learning gains compared to nearby traditional public schools. However, variation in enrollment and implementation of equitable practices points to a continued need to strengthen support and accountability for students with disabilities.
- **Established research demonstrating the efficacy of high-leverage practices** associated with assessment, collaboration, instruction, and social, emotional, and behavioral strategies should guide efforts to improve student outcomes.

Our findings point to the enormous possibilities available to charter schools and the organizations that support them to educate students with disabilities. Not only can charter schools meet their legal obligations to students with disabilities, but they can use their flexibility to blaze new paths forward and set new benchmarks for success. With nearly one-in-five public school students identified with a disability, charter schools have an opportunity to rewrite the script on what it means to equitably educate students with disabilities and close the opportunity chasm that threatens far too many young people's access to college, careers, and economic prosperity.

Importantly, our inquiry also shows what happens when charter schools fail to meet their obligations to students with disabilities. Critics of charter schools, ascendant in some state legislatures, have and will continue to use negative examples to threaten the sector's health and sustainability. For that reason, we believe prioritizing the educational experiences of students with disabilities will be essential to continuing to weather hostile politics and rebuilding support for these publicly-funded schools whose promise has always rested in using their freedom of action to achieve better results for students.