Charter Schools and Special Education Enrollment Rates

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LOYOLA UNIVERSITY CHICAGO

CHARTER SCHOOLS AND SPECIAL EDUCATION ENROLLMENT RATES

A DISSERTATION SUBMITTED TO
THE FACULTY OF THE GRADUATE SCHOOL OF EDUCATION
IN CANDIDACY FOR THE DEGREE OF
DOCTOR OF EDUCATION

PROGRAM IN ADMINISTRATION AND SUPERVISION

BY
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CHICAGO, ILLINOIS
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LIST OF ABBREVIATIONS AND ACRONYMS

ADA - Americans with Disabilities Act
FAPE - Free and Public Education
IDEA - Individuals with Disabilities Educational Act
IEP - Individual Educational Plan
LEA - Local Education Agency
SEA - State Education Agency
ABSTRACT

There is a growing concern that public charter schools, as publicly funded entities, which are mandated to ensure FAPE and IDEA, are lagging significantly behind public non-charter schools, when it comes to special education student enrollment. This potentially creates an unbalanced special education student ratio between public non-charter schools and public charters. This dissertation examines the enrollment rates of special education students between public charters and public non-charter schools in a large, metropolitan American school district, over a five-year period. This body of work examines causality and the effect of enrollment data along with the potential implications.
CHAPTER I
INTRODUCTION

Throughout history, there has been continued conversation and debate centered on the exact recipe for quality, public education. From the onset, programs and curriculum have continually been explored, debated, critiqued and studied to enhance a positive educational experience. As public education continued to explore ways and means to better serve its students, the charter school concept was envisioned and established by educators to provide a more meaningful education to students needing a non-traditional experience. Over the past 20 years, charter schools have become a prominent, experimental option in public education.

Charter schools are separate, general education schools created within any district with a clear mission, or charter, which drives the education for all students attending. In the year 2000, Manno, Finn, and Vanourek, created the following definition:

A charter school is a public school open to all who wish to attend (without regard to race, religion, or academic ability), paid for with tax dollars (no tuition charges), and accountable for its results to an authoritative public body (such as a state or local school board) as well as to those who enroll and teach in it. (p. 474)

During the early 1980s, teacher and union organizer, Albert Shanker, noted that the traditional school setting was failing a large group of students. He developed the
concept of charter schools to address, “… those who were disengaged, who dropped out of school, or who sat sullenly in their classrooms, apparently indifferent to instruction” (Ravitch, 2013, p. 156). His hope was to create a nontraditional school and classroom setting which “…would be free from the usual regulations, and teachers would be free to come up with their own ideas to help these youths” (p. 157). Thus, there would be more opportunities to engage students in the learning process through alternative teaching methodologies. The overall idea was based on the notion that this alternative school, “…would have a charter for a set period of time, would work with the students who were at high risk for failure, and at some point its work would be done” (p. 157). In addition, Swanson (2004) followed the research of Manno et al. (2000), a few short years later with further explanation of the policy stating that per the U.S. Charter Schools 2000 set of guidelines, each are granted an operating license for a three-to five-year time period. It is during this time the school must meet the goals stated in the original charter to avoid revocation. Swanson reiterates the premise of a charter school, “They operate from a ‘charter’, which is a written document detailing the school’s mission, program, goals, students served, methods of assessment and ways to measure success” (p. 34).

All of these charter school definitions have attempted to help the general public understand the newest possibilities in educating, what started as, the disenfranchised learner. Public education continually aims to change in order to meet the needs of all its students. The charter school concept was an alternative concept to traditional education, which had educational merit, coming from the heart of professionals wanting to meet the needs of their uninvolved constituents.
However, charter schools have more recently become a means for any district or group wanting to create their own school, curriculum, and operating standards to ‘charter or privatize’ a school. Charters could open for a myriad of reasons, not just based on the needs of a group of unengaged students. Financial weights can be eliminated, as charters are able to establish themselves with their local districts and use public funds. Numerous public, charter schools have been quickly established as differing groups with their own agendas saw the option as a way to control the educational environment and processes of a given group or assembly of students. Public charter schools continue to establish themselves as an alternative to the opportunities available in local, public education for any group, not just for those who felt disenfranchised. By 2013, Cowen and Winters reported over 1.5 million students were attending more than 5,000 charter schools nationwide (p. 2). As each year continues, charter school numbers increase.

The charter school option has rapidly become popular for several reasons. On first appearance, they seem to be the best of all worlds. They have a connection with a local public school(s), as they are a charter burgeoning out from the district. Yet, unlike their parent school district, they are not bound by most state mandates and assessment regulations. They can identify the needs of their students and deliver an educational experience without a great deal of regulatory oversight. Jay Heubert (1997), a Harvard researcher, was one of the original evaluators of public charter schools. He originally emphasized charters’ connection but non-reliance on local district’s rules and regulations. At first look, public charter schools present as advantageous alternatives. The schools are primarily publicly funded. Their operating money comes from the overall budgets of the
school districts in which they reside. Though they take public money, a charter school is not required to adhere to most state regulations and standards in the same capacity as non-charter public schools, differing in at least four key features: It (a charter school) can be created by almost anyone (e.g., educators, parents, and community groups); it is exempt from most state and local regulations, essentially autonomous and self-governing in its operations; it is attended by youngsters whose families choose it and staged by educators who are also there by choice; and it risks being closed for not producing satisfactory results (Manno et al., 2000, p. 474). In addition, Ravitch (2013) states that charter schools can become basically whatever the community needs or wants them to be with few restrictions or requirements for discipline, admissions, financial oversight, teacher evaluations, or teacher certification; the only regulations which apply to charter schools as they do to other public schools are those pertaining to health and safety (p. 159).

Probably, the greatest operating advantage is that charter schools need to raise very little money as they are considered part of the regular, public school district, using their share of the district’s money. Financial operating needs are often the greatest obstacle of opening any type of school or business. Charters are able to open knowing they have an immediate and continual financial source, the taxpayers of their state and local district.

In addition, they create their own mission and school guidelines. Public charters base their achievement on student outcomes, while their statutes provide relief from local and state regulations (Heubert, 1997). Heubert also implies that part of the reasoning
behind limiting state and local regulations is to increase creativity, experimentation, and innovation in charter school classrooms. These positive attributes are commendable especially when it comes to alternative educational techniques and have become a rallying cry for continued charter development.

The aforementioned rationales in favor of charter schools are meaningful and give anyone interested or involved in education pause. Everyone wants every child to reach his/her academic potential. Through experimentation, public education in America has stated it is willing to try almost any reasonable idea to achieve this outcome.

However, as the charter school movement soared, this privatization of public education has caused some concern. As the establishment of unregulated charters spread and many groups and individuals began taking advantage of the lack of regulations to advance their own school concepts, many former charter school supporters, noted numerous educational concerns and turned against the idea. These included Albert Shanker, who in 1993, realized that his vision for providing educational opportunities to at-risk students would become an unregulated vehicle for privatization (Ravitch, 2013, p. 157). Nevertheless, the charter school model had already taken hold throughout the country. As the concept of educational freedom was realized in charter schools, other long fought, equitable educational battles were being discarded. Some of those include the licensure of teachers, curricular mandates and the inclusion of students with special needs. It is the inclusion of those students with special needs within charter schools, which this research will investigate.
Theoretical Framework

One of the major questions plaguing charter school viability is their inclusion of students with special needs and their overall compliance with federal statutes and laws, in regards to those students. Throughout the American trajectory of public education, special education laws and mandates are relatively new. It will surprise most that mandated, public education for students with special needs did not appear until the 1970s. Public Law 94-142 (1974) basically states that any child with any special need should and must be educated. Each child has the right to be given a free and public education no matter the cause, definition or needs of their disability. Up until that law, there were no mandated requirements for any school district to teach every child. A school district could simply turn them away if they desired or felt they could not meet the child’s needs.

Since the inception of special needs mandates, there have been many laws passed encompassing education for all children, inclusionary of all disabilities. Almost all of these regulatory mandates [i.e., Individuals with Disabilities Education Act (IDEA); Free and Appropriate Public Education (FAPE) etc.] are federal statutes. The evolution of placement for students with needs, from its inception to present day, is centered on the concept of inclusion within the general education population. Each one of these federal mandates uses the language of ‘least restrictive’ when identifying placement for special needs students. The words, least restrictive environment (LRE), signal that a student who has a disability should have the opportunity to be educated with non-disabled peers, to the greatest extent appropriate.
As stated earlier, charter schools receive their funding from the pool of federal and state money given to the local school district in which they are located. “Charter schools are publicly funded, autonomous schools that operate under a contract that specifies the characteristics of the educational program that will be offered and the population of students that will be served” (Rhim & McLaughlin 2007, p. 1).

However, the rules differ from state to state regarding the particulars when it comes to charter school funding.

State charter school laws define the rules that govern charter schools in a specific state. The laws specify how charters may be granted, how funds will be provided to schools, and, perhaps most important, the extent of autonomy extended to the schools. State laws also specify whether each individual charter school is also its own local district or whether the school is part of a local school district. (Rhim & McLaughlin, 2007, p. 2)

Each state’s legislative body determines the governing rules and financial commitment to their own charter schools. These variations in state-by-state rules and regulations have given many school districts autonomy in making decisions regarding the funding of the charter schools in their own jurisdictions.

While it may seem unimportant that both charter schools and public non-charter schools are publicly funded, this is not the case. Additional funding for special education is often overlooked or underestimated in the decisions of financial allocations. Anything customized or individualized is generally going to cost more. Special education is no exception. Additional certified staff along with specialized equipment can become
costly. In this regard alone, charter schools appear to have struggled with the concept of funding to meet the special needs of some students.

The general oversight of all charter schools, primarily resides with state laws and regulations. In addition, overarching federal regulations are also applicable. Lange, Rhim and Ahearn (2008) explain the issue of governance.

Charter schools operate as independent Local Education Agencies (LEAs) (i.e., school districts) or as part of LEAs under charters granted to individuals or groups (usually parents, teachers, or community organizations). In actual practice, there are many variations of implementation of the LEA status with variations usually defined in formal or informal agreements. In all cases, charter schools are permitted various degrees of autonomy that typically involve relief from select state or local laws or regulations. These schools cannot however, be excused from following federal laws. (p. 12)

So, states have the option to be creative with their state compliance regulations however, federal laws are not negotiable.

Federal laws govern special education statutes and related services for every school (Lange et al., 2008). “Precisely how federal law applies and what obligations a charter school has with regard to students with disabilities lie at the intersection of federal, state and contract law” (Green & Mead, 2004, p. 145). To date, charters appear to still be grappling with compliance of both federal and individualized state mandates. All districts have interpreted the melding of their individual state statutes with federal laws, differently.
Federal law is clear when it comes to compliance for students with disabilities in any school accepting public financing.

The Individuals with Disabilities Education Act, (IDEA 1974) applies to each public school in the U.S., including charter schools. Under IDEA, the federal government offers State Education Agencies (SEAs) money with which to serve children with disabilities. SEAs that accept these funds must comply with the IDEA’s substance and procedural requirements and are ultimately responsible for ensuring that all children with disabilities residing in the state receive the services and other benefits to which the IDEA entitles them. In a state that accepts IDEA funds, local education agencies (LEAs) must comply with the IDEA and make services available to students with disabilities in whatever geographic area the LEA covers (Huebert 2002, p. 5).

All charter schools, which accept public funds, are therefore mandated to comply with IDEA, along with the Free and Public Education Act (FAPE), section 504 of the Rehabilitation Act of 1973, which protects the rights of individuals with disabilities in programs and activities that receive federal financial assistance.

Section 504 states that,

No otherwise qualified individual with a disability in the United States shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. (IDEA, 2004)
Federal statutes make it clear there should be no exclusion of any student based on any reason pertaining to their disability, for any entity that accepts and receives federal tax dollars.

An issue of special education compliance becomes overwhelmingly apparent in regard to charter schools and these federal regulatory restrictions. According to federal regulations, any school that receives any portion of federal funding must comply with federal guidelines and laws. Although charter schools offer some advantage, they have often been ill equipped (either by program, personnel or mission) to meet the needs of students with disabilities (Swanson, 2004). Heubert (1997) sites multiple federal jurisdictions that mandate compliance.

According to the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA 1990), and the equal protection guarantees of the Fifth and Fourteenth Amendments to the U.S. Constitution, charter schools may not discriminate against any student based on disability. (p. 322)

To date, charter schools throughout the country have overwhelmingly struggled to provide these mandated services to students with identified special needs.

Currently, there are many comparisons, explanations and conversations surrounding charter schools and their partners, the non-charter public schools, with regards to students who have diagnosed special needs, their individualized compliance with federal laws and their efficacy to the student population of their community. Several issues emerge in relation to charters and their history with students identified
with special needs: limiting the enrollment of students with special needs for a variety of reasons, disciplining students inappropriately without guidelines, and accepting public funding, which includes federal subsidies that are tied to special education compliance. (Rhim & O’Neal, 2013) Almost all of the newly opened charters receive public funds to operate, diverting money from their local public school systems. These issues all raise questions about the extent to which charters comply with IDEA, FAPE, and ADA (Americans with Disabilities Act) while still receiving funding through their districts.

Framing the Research Questions

The country has spent years of professional energy working towards equity and an inclusionary experience for students with special needs. As charter schools have emerged as an educational alternative in public education, is it possible that are they thwarting federal mandates for inclusion while accepting federal funds without providing services or is their original mission of educating the outlying students viable and positive?

Another, somewhat auxiliary concern regarding charter school enrollment relates to exactly which population of students they are enrolling. As stated earlier, public charter schools have recently begun to be recognized as a viable alternative to general public education. All states have opened some form of charter school option. Charters are often allowed to enroll selectively on the basis of the school’s particular mission (Rhim & McLaughlin, 2007). Looking back, the original mission of charters was to serve those students who were not engaged in a traditional school experience. Nonetheless, communities and educators have questioned the intent and mission of some
charter schools. In many cases, charters have been enrolling the exact opposite, those students who were high achieving. Cowen and Winters (2013) wonder if charter schools are being allowed to “cream” the most advantaged students away from the public sector. Each charter school operates independently, choosing its own, independent criteria for enrollment. Such a selection processes opens the question as to whether charter schools are disproportionately enrolling high-achieving students and leaving behind the students with Individual Educational Plans (IEPs) and special needs.

Some suggest that charter schools, as selective entities, enroll students with special needs at the beginning of a school year, not to limit their federal funding and or compliance with federal inclusionary laws. Then, through a variety of means, reduce their special needs population by the end of the school year in order, prior to reporting academic data, to keep their academic scores within a higher range. Thus, potentially proving their viability as a charter and publishing higher academic achievement.

All of the aforementioned questions suggests further study, not within the scope of this dissertation, with regard to the acceptance of students with special needs in public education, primarily those of public charter schools.

**Purpose of this Study**

The purpose of this dissertation study is to explore the enrollment data of students with special needs within the ranks of charter schools as compared to the enrollment of special needs students in general non-charter public schools. While this concern is overarching throughout the country, this dissertation will focus on comparing and
contrasting the special needs enrollment data, between public charter schools and public non-charter schools, of a large, urban school district, within a five-year time span.

This study will examine the degree to which charter schools have become selective or not, by comparing and analyzing the yearly reported enrollment data of students with special needs with their non-charter counter parts for five consecutive years.

**Research Questions**

This study examines school district data to address the following questions:

- To what extent does the enrollment of students with special needs at public charter schools vary from public non-charter schools within this urban school district?
- What, if any, pattern(s) emerge based upon the yearly data of enrollment of students with special needs within both school type settings?

**Significance of the Study to the Field of Educational Leadership**

This study seeks to enrich understandings of the enrollment practices of charter schools with regard to students with special needs, and their compliance with federal laws. This inquiry may potentially shed light on public money allocations to charters through IDEA and FAPE appropriations. Are some charters being selectively exclusive, passively thwarting federal mandates when it comes to special education enrollment?

Subsequently, with respect to educational leadership practices, enrollment guidelines might be scrutinized in order to ensure more equity. In addition, policies may change or leaders of schools could be swayed to act differently.
Shealy, Sparks, and Thomas (2012) explore schools’ overall obligations toward social justice and state that it is educational leaders’ charge to ensure that charters include those with special needs in their educational milieu, especially if their achievement scores are to be compared with those of the general public schools. Charters often state that they provide a quality education over their public school counterparts, especially in urban environments. This practice of comparing test scores of charters that potentially limit IEP student enrollments and non-charter public schools that enroll all students, is largely unknown. One hope of this study is to shed some comparative light on special education enrollment data, providing an equal opportunity for conversation, not only around a reflection of assessment scores but the population of students taking those exams.

This inquiry also questions the concerns around the issue of school funding. Federal subsidies stipulate that public tax dollars should only be given to schools that equally comply with the laws. McKinney (1996) writes,

Charter schools cannot discriminate against students with disabilities. Whether a charter school is considered part of a regular school district, however, has profound implications for (1) the legal entity responsible for providing appropriate programming for students with disabilities, and (2) how and where such services will be provided. Regardless of whether charter schools are legally autonomous units, they are bound by Section 504 of the Rehabilitation Act of 1973 [Section 504], and the Americans with Disabilities Act (ADA). Section 504 prohibits discrimination on the basis of disability by any agency that receives federal financial assistance. Every state is a recipient of federal funds, and
therefore all public school districts, including charter schools wholly funded by the state, are bound by the language of Section 504. Where charter schools are not considered separate school districts, but rather part of a program within a traditional school district, the antidiscrimination focus of Section 504 and the ADA intersect with IDEA to form a legal framework within which the charter school operates. (p. 23)

McKinney’s assessment of Section 504 and ADA requirements questioning the LEA argument prove the necessity of this study to assess the reality of enrollment data. Unfortunately, the lines of compliance and educational opportunity appear to blur as charters have evolved. Furthermore, remembering one of the initial statements of this dissertation, all who care want to find the elusive answer to helping each and every child reach their academic potential. The country has an insatiable appetite for the positive answer to this question, especially within poor, urban areas. Charters have been touting themselves as the possible solution. Our nation has been willing to try this educational alternative but can charters educate all students, including those with disabilities?

Many researchers note the apparent inequity and ambiguity of charters when it comes to the enrollment of students with IEPs. Lange et al. (2008) state the following regarding the issue,

Charter schools, although a stage for potential educational reform and innovation, remain subject to federal laws regarding the education of students with disabilities. As they intersect with federal law, the variance of state charter laws and policy surrounding the provision of special education creates a challenging
context for helping charters to meet mandates. (p. 12)

Lange et al. (2008) continue their concern around educational accountability, a tenet of the charter movement, and special education services. On face value, it almost appears that the original precept of charters, to help the disengaged student, was turned upside down and those students have possibly been the ones left behind.

Lange et al. (2008) reiterate that while charters remain under federal laws the states’ policy issues, decisions and education of students with disabilities, in charter schools, remains unregulated. They point out that the lack of uniformity continues the ambiguous nature of federal law compliance. They also affirm that accountability, the tenet of the charter school movement, is lost with the issue of special education integration. Morando Rhim and O’Neill (2013), who work for the National Center for Special Education in Charter Schools, recently released a document addressing the issues that are apparent within their agency nationally.

Two decades into the evolution of the charter sector, we have witnessed exciting innovations and expanded opportunities for students in large urban districts, midsize suburban districts, and remote rural communities. Yet, to date, the sector has not effectively leveraged its autonomy to intentionally develop exemplary programs and services for a specific group of students who learn differently: students with disabilities. (p. 4)

Clearly, the question of accountability and equity, for students with special needs, is still debatable.

Charter schools rapid evolution appears to expose the concerns of educating
students with special needs in relation to federal funding compliance. In addition do charters have an ethical obligation to attempt to educate all students, no matter their need, as a public, educational representative?

This study attempts to analyze the enrollment of students with special needs within public charter schools and non-public charter schools in a large, urban school district. The implications for educational leadership are clear and possibly inform the landscape of charter school services, personnel, programming and their student populations. Our educational leaders, locally, state wide and even in the federal government, are the people making policy and ensuring finances for schools to operate. One of the hopes of this study is to engage those leaders in conversations regarding the heterogeneous and diverse mixture of our schools, albeit public charter or public non-charter, with particular emphasis on students needing special education. For this reason, these leaders should be informed and aware of the demographic of students being educated in their schools, and fight for the changes necessary to rectify the incongruence.
CHAPTER II

REVIEW OF LITERATURE

This review of literature explores the current practices of public charter schools in regards to students requiring special education. The literature was selected because it focuses specifically on charter schools current practices of enrollment in relation to students with special needs. The literature review of the aforementioned areas provides the framework for this study. Through the research of local and national enrollment data, compelling patterns emerge. In addition to the analysis of enrollment data, another meaningful concept is the correlation between federal funding for special education and the enrollment rates of students with specific needs.

National Enrollment Research

Within every grouping of our society, a certain percentage of the population exists with unique challenges and/or special needs. Schools are no exception. The average percentage of students with identified special needs hovers at approximately 13% nationwide (NCES, 2016). As special needs identification increases, so does our societal tolerance. Public buildings comply with disability accommodations and workplaces encourage understanding. Schools have also mirrored societies increased acceptance of those with special needs. Over the past 30 years, the integration and inclusion of students with special needs, in general education classes, has become a cornerstone of public education ideology. School districts throughout the country have increased their
inclusionary methodology with Response to Intervention (RtI), a new least restrictive, tiered level of support) and Least Restrictive Environment (LRE) mandates. The established mantra nationwide is to educate students with special needs amongst their peers, whenever possible.

As charter schools increase in number and influence, questions remain regarding their acceptance rates of students with special needs and the overall percentages of these identified students, for which they educate. As charter schools emerged as an educational alternative their admissions and education of students with special needs became a query. Research done by Rhim and McLaughlin (2001) report that a national study from RPP International’s 2000, found that the percentage of students with disabilities reported in a survey of charter schools was about 8%, while it rose to 11%, or higher, for non-charter public schools in the same states (Rhim & McLaughlin, 2001).

As an educational entity could they/would they embrace the inclusionary decree, which was increasing throughout all societal public entities? One of the variables predicting charter school success into the American public school landscape long term appears to be dependent on the answer of charters enrollment and appropriate education of students with special needs.

The GAO (Government Accountability Office, 2012) found that charter schools enrolled fewer students with special needs than traditional schools. The 2012 GAO data report illuminated that the enrollment percentage in charter schools was 8-12% while overall the total inclusionary number of all disabilities and needs in traditional public
schools, is higher. Ahearn (2001) through a national study, showed an underrepresentation of students with disabilities in charter schools.

Another study concluded that charter schools enrolled a higher percentage of students with special needs than traditional public schools but based its findings on an unorthodox definition of special needs students by including categories for students “who do not now have an IEP but probably would have at conventional public schools” and “other students with serious learning impediments” (Manno et al., 2000, p. 81). Overarching data throughout the country shows a large discrepancy in admission of students with needs into charter schools.

One of the most compelling manifestations regarding charters, and the inclusionary edict, is the entire process of admissions. There are no federal, uniform standards specifically for charters with regards to admission and retention of students with special needs. However, charters are expected to comply with all federal statutes and laws just as any other public school or entity accepting federal funds for operating. As stated earlier, any school receiving any portion of federal funding is mandated to comply with all federal laws and guidelines. Subsequently, most state legislatures have created their own charter school regulations. Although school districts primarily run by their governing state body, federal laws are preemptive.

Due to operating with less educational restrictions than their non-charter school counterparts, interpretation can be mixed for students with special needs. Charters original intent was to serve the disenfranchised student. Notwithstanding, the opposite could prove itself to be true. Lange and Lehr (2000) wrote,
Because of the liberty to operate with increased autonomy, it is conceivable that charter schools can provide a more individualized program of education; however, it is also possible that freedom from regulation may distance charter schools from implementation special education service in accordance with due process and federal guidelines. (p. 142)

Charter schools have had the opportunities to offer programming which is unique, gearing more towards a child’s needs. However, the literature to date appears to imply they may be moving towards more restrictive offerings.

In addition, questionable admissions/enrollment practices for charter schools have not been exclusive to students with special needs. Although, not a focus of this research it is noteworthy that other groups have raised concerns. Bulkley and Fisler (2013) state that charter schools have historically struggled with equity. They stipulate, “Charter school equity issues include racial composition of student bodies, provision of services for students with special needs, recruitment and admissions practices, and availability of resources for school serving different student populations” (p. 330). Estes (2003) echoes the growing concern of charter schools exclusion of students with special needs, “In light of the growing movement [charter schools] legal commentators remind public charter school operators that no student with a disability may be denied freedom of choice, nor the services and protections assured by federal disability law” (p. 369). Continually, charter schools are faced with what appears to be a difficult position. Can they operate under the guidelines of their own ‘charter’, creating a school under their own mission statement while abiding by federal statutes based on non-discrimination? Charter schools
anywhere can offer a mission for student’s educational success with their own admissions criteria. However, the equity question continues to shadow charter schools as they are mandated to be inclusionary due to federal emolument.

Acceptance Procedures

Most public charters advertise that they have lottery-based acceptance procedures. This would imply that any student with special needs has an equal opportunity to be enrolled as any other student. Sarah Karp from Catalyst Chicago (2012) reports, Rachel Shapiro, senior attorney for the disability rights group Equip for Equality, says she has worked with parents who have applied for charter seats and won the lottery, only to be told, even before they enroll, that the school can’t serve their child. In addition, many schools have elaborate applications that weed out potential high needs students.

This statement brings into concern the lottery-based initiative. Lotteries only work if they are truly random. If there are exclusionary practices once the lottery is held, the implications of equity in the admissions process is suspect.

Arsen, Plank and Sykes’ (1999) initial research speaks to the elaborate application procedures for some prospective students of charter schools. These extensive application procedure, involving many interviews, detailed paperwork and other steps, leaves administrators the opportunity of rejecting students they feel are not suited for their schools. Due to the regulations and laws for public charter schools differing for all 50 states, individual school districts have the ability to manipulate criteria. One can argue their differences in regulations help them meet their own needs. Another can argue that
differing regulations assist to create ambiguity, especially with issues such as acceptance requirements (i.e., on site essays, normed academic performance or intensive records reviews).

In addition, specific conditions can be arbitrarily placed on applications. Welner (2013) explored some of these application initiatives. This can be in regards to any number of stipulations, “Equity concerns arise whenever a publicly funded opportunity is provided to a more fortunate group of children but denied to others, even if that skimming takes place within a disadvantaged community” (p. 3). He continues by citing numerous educational questions, all of which will differentiate the applicants. Thus, if answered honestly, will expose those applicants with special needs.

Admission equity questions continue as charters grow both in overall numbers and influence. The concern that some students have an admissions advantage over others persists. Furthermore, this concern appears to be on a collision course with federal mandates and the overall public consensus of inclusion in schools.

**State Variations with Enrollment/Admissions**

Each state is allowed to differentiate their governing set of rules for charter schools. This variable understanding is important to grasp when dissecting the overall notion of inclusion and the obligation public charter schools have to its implementation. States are creating the operating laws for their charters and each state is creating a differing set of obligations. Due to the fact that states are creating the regulations for charter schools it would be prudent to study their individual precepts. Primarily, this reporting will be focused on the admissions of students with special needs into charter
schools within several states examples. In addition, it is important to keep in mind the federal guidelines of IDEA. Salient facts from a sampling of states highlight concerns regarding the variations of regulations.

Some states used charter entries to delineate students based upon some financial considerations. Michigan is a state with many charters both in rural areas and urban cities. In the late 90s, 75% of the charter schools in Michigan offered no special education services, while only 1% of their budget was allocated to students with needs (Arsen et al., 1999). Swanson (2004) who also looked at all the research from the Arsen et al.’s (1999) study, suggested that school choice policies were such that incentives were created for charter schools, which recruited low-cost students and excluded those with high-cost needs. The study stated that the cost to educate a student with moderate special education needs is far more the any average pupil. The conclusion implied charters were forgoing enrollment of students with needs for financial reasons. Rhim, Ahearn, Lange, and McLaughlin (2003) also found some evidence that in the state of Michigan, Charter schools avoided educating students in the upper grades (high school primarily) with a social sorting technique, due to the financial increases of educating special needs students. As a result, charter schools actively excluded such students, which also means that they enjoy lower costs and higher profits. (p. 40)

These allegations are concerning and thought provoking as we consider the obligation of education to educate all students.
Charter schools have long decried that they did not have the resources for students with unique challenges or needs. In 2011, Elizabeth Drame published a study out of Wisconsin. She surveyed and analyzed independent charter schools. Even though she reported a low response rate, she divulged that, “some charter school operators, particularly urban and independent LEAs, experience many difficulties with fulfilling their obligations toward their students with disabilities” (p. 60). Her study suggests that in Wisconsin they have been struggling with helping those with unique needs, in charter schools. The lack of support, which appears to be focused around differing issues, is nonetheless, apparent.

Similarly, Bracey (2003) reports that in California, opponents of charters alleged that Edison (a charter school consortium) was reducing the number of special education students, through admissions and transfers, sending those students to other schools, and recruiting students that would score academically higher. This practice of accepting higher scoring students and rejecting those with more needs could be a reason their academic scores were continuing to rise.

Academic comparisons are often made between charters and non-charters, with charters often touting higher academic excellence. However, their touted advantage might also be a major contributor to potential discrimination and exclusion. Sarah Karp (2010), working for the Bazelon Center for Mental Health Law, filed a complaint with the U.S. Department of Justice claiming, “Washington D.C. charter schools discriminate against students with significant needs” (p. 6). Ms. Karp states the concern clearly.
The characteristics that make charters attractive may inadvertently contribute to
the problem. Charter schools are intended to be innovative and freewheeling,
divorced from district regulations and red tape, and with their own unique rules
and philosophies. But that model can collide with the mandate to serve students
with special needs, whose IEP must be followed, regardless of the charter’s set-
up. (p. 7)

As Karp suggests deregulation for the sake of innovation possibly exudes the federal laws
creating issues with equity and fairness.

While Karp’s (2010) research may be set in communities like Washington D.C.,
her statements connecting regulations is potentially relevant for charter schools
throughout the country. The overall tenet of the charters is to be free of any precept.
Some would argue that the federal regulations bind their abilities, unfairly. Where
freedom from state regulation and federal rules potentially collide is under the guise of
discrimination.

Often, states inflate their charter school special education data by reporting
overall percentages of students with IEPs (Individual Educational Plans). However,
some charters in these states are enrolling high numbers of low incident needs, possibly
skewing the overall data and perception. The graphs below (Baker, 2012) were created by
the Education Law Center using publicly reported data on public school enrollment
demographics, in two cities in Pennsylvania.

With regard to students eligible for special education, the data demonstrates that,
even when charter schools are serving high numbers of students receiving special
education overall, those students are disproportionately students with stereotypically “mild” and less costly-to-serve disabilities [speech and language impairment or specific learning disabilities]. (p. 1)

These two graphs from Pennsylvania (Baker, 2012) illustrate another query regarding special needs student admissions within public charter schools. If a public charter is admitting students with special needs, students might be presenting with mild to moderate special needs, primarily in speech and language and mild learning disabilities. This possible practice represents an additional point of study, as to the reasons certain types of students are admitted over others. However, the inquiry continues to be relatively evident, questioning if public institutions are selectively discriminating against a select segment of the student population.

Within an impressive study of New Jersey schools in 2004, Martin concludes that charter schools are not servicing students with disabilities in compliance with federal laws (pp. 327-395). This study squarely addresses the overall concern of federal mandate compliance. Martin also makes an impressive case that under section 504 of Rehabilitation Act states any agency receiving federal funds for any purpose, may have to forfeit any public funds it receives for operating if disabled persons are excluded. His reporting reiterates a reoccurring theme. Are charter schools not taking their share of students with special needs and are they denying them the opportunity for the type of education any student would receive in a charter school?
Figure 1. Philadelphia Pennsylvania Public Schools – Disability Proportions

Figure 2. Pittsburgh Pennsylvania Public Schools – Disability Proportions
Addressed more thoroughly in the rationale section of this paper, some states have relied on the argument that local affiliated school districts (LEAs) are ultimately responsible for educating students with special needs. They argue that as long as ‘a’ school in the district educates the child to his/her appropriate plan of needs, FAPE (Free Appropriate Education) is satisfied. Estes (2004) performed a quantitative data collection from Texas and found that although her study had some limitations, the education of children with special needs was done more outside the charter system than in. Ms. Estes approaches the subject of LRE (least restrictive environment) and states, “If an appropriate education within a choice context is available to some, it must be available to all. Students with disabilities and their parents have a right not only to equal access but also to quality, comprehensive, effective programming” (p. 265).

The least restrictive environment (LRE) is an important universal distinction. Many charters use this mandate as a reason to not include students with needs, stating that they are not capable of meeting the needs of students thus they are not the least restrictive. This argument would be valid if the school was private and was operating on non-public taxes. Through federal dollars, each public school is required to provide the capacity for a least restrictive environment.

Fabricant and Fine (2012) also report on the equity of enrollment in state of New York. They report, “… on average, charters enroll fewer than half the proportion of special education populations of regular school districts” (p. 45). This research continues to align with other states, reporting that in New York, public charter schools are
accepting less than half of the special needs students’ regular public schools are admitting.

Sammy Mack, of NPR reports that the Center of Reinventing Public Education (at the University of Washington) in 2013 released a study suggesting that the New York City Charter schools are much less likely to serve students with disabilities. In 2005, Carnoy, Jacobsen, Mishel, and Rothstein talk about teachers who are referring students to charter school placements, ‘…who were more able than their peers’ (p. 60). It is possible that certain unwritten cultures emerge. Are New York City teachers given information or directives to refer more capable students to charters? What is the possible criterion they are given and by whom?

Mack (2013) continues his research comparing Florida schools to what was discovered in New York. The research states that the exclusion of these students is a national trend. John O’Connor (2011) reports that Florida too, does not serve students with disabilities in charter schools, anywhere near that of traditional schools. “Statewide, 86% of charter schools do not have any students classified as severely disabled. That’s despite state and federal laws that require charter schools to give equal access to these students” (p. 2). O’Connor continues with the dilemma.

But for students with disabilities, there’s a [charter school] loophole. Where special education students attend school is determined by their IEP (Individual Educational Plan). The student, his/her parents, educators and therapists, develops the IEP plan. Students are not allowed to be in a situation or school where the plan developed cannot be implemented. (p. 5)
O’Connor (2011) continues by suggesting that because most charters do not have the resources to implement that plan, the students are referred back to the traditional public school.

O’Connors’s (2011) facts point out a known, educational reality. An IEP document is the blueprint upon which the services, goals and objectives for each students learning path are created. This blueprint must be followed under the law. Each school is mandated to provide the supports and educational modifications mandated in the IEP. Within all public school settings, any and all supports stated in an IEP must be provided. Numerous public school districts, throughout the country, have been obligated to provide special accommodations (i.e., wheelchair accessibility, one on one assistants, braille readers etc.) for unique needs. Their reliance on federal dollars mandates compliance and FAPE (Free and Appropriate Public Education) for every student.

One concern voiced throughout the aforementioned state literature brings up a question. If charter schools are allowed to continually reject students with needs, are they possibly creating a two tiered, segregated system, predominantly special needs in one school setting, all others in charters? Some countries, such as China, create tiered educational systems purposefully. Students with special needs are tracked from an early age. Is that an educational practice we wish to consider here in the United States? Also, how many of us can cite a story of a special needs person who struggled with some disability pre-college, yet because of integrated opportunities became quite competent within a chosen field?
In studying individual state acceptance and enrollment procedures, within Louisiana, the school system in the city of New Orleans has become the ‘ground zero’ for the charter phenomenon and the closest system the United States has to a two tiered school placement district. The school district of New Orleans is prime for examination in regards to this issue. “Currently, no city in the United States has a higher percentage of students enrolled in charter schools than New Orleans” (Boston Consulting Group, 2007). New Orleans public schools are a dream for charter school advocates and a microcosm for educational examination in relation to the entire charter school experiment. All of the concerns mentioned in other states, are evidenced within this city’s school system.

Prior to Hurricane Katrina 2005, New Orleans schools reported low test scores and even lower graduation rates. Politicians and school officials were consistently at an impasse, leaving failing schools and students in the crosshairs.

The devastation of Hurricane Katrina left many school buildings damaged or completely decimated. Students and staff were displaced. After Katrina destroyed the majority of the school buildings, the state and local authorities assumed control of all the school system, establishing charters throughout the city. Displaced students were allowed to attend schools of their choice.

Within a relatively short about of time, these schools became selective as their funding was based upon test assessments. Students with lower assessment scores found it increasingly difficult to gain admission to charter schools. T.E. Morse (2010) states that potentially, New Orleans charter schools could be engaging in the ‘unintentional exclusion’ of students with special needs. Morse attributes this to the overall system of
not having enough time to put into place the infrastructure for programs for children with special needs. He also states, that, “Presently, two separate systems-New Orleans Public Schools (NOPS) and the Recovery School District (RSD) - have been created” (p. 170). Even if unintended, two separate systems are being implemented; one track for students with needs another for those who can excel more independently. As a nation, we need to be cognizant of the ramifications of these decisions for future students.

Recently, there was a long-standing class action lawsuit, filed by parents in New Orleans, stating that the school district has created a two-tiered system with students in special needs in the NOPS and all others in RSD (P.B. v. Pastorek: filed in 2010). In 2014, the case was settled with the students having an opportunity to register, (however not automatically be accepted) at any charter school in the New Orleans School District.

N.L. Wolf (2011), who has been studying the New Orleans school district, implies that the success of this school reform movement in New Orleans is timely and important. Both the proponents and those in opposition of charter schools are focusing their attention on New Orleans. Interested parties are watching to see if these publicly funded charter schools will meet state expectations by improving performance of a historically low-performing student population.

Wolf (2011) continues by presenting evidence examining the similarities and differences between the public schools of New Orleans and the new explosion of charter schools in relation to their practices of providing services to those students with disabilities. She continues her argument noting differences in admission and educational provisions between RSD (Recovery School District) traditional and charter schools. She
states that the differences are due to ‘financial and academic contingencies’. Wolf clearly states the issue,

Charter schools function as market-driven entities with no incentive to welcome academically or behaviorally challenging students. Problematic students negatively affect academic outcomes and fiscal viability. The decision to spend more money to support a single student with disabilities posed a quandary for the charter leadership. Functionally, the charter system has been dis-incentivized to include difficult and costly students. However, charter schools are mandated by IDEA to admit and provide services to students with disabilities. (p. 386)

Each charter schools it appears, is left to make their own enrollment decisions regarding students with disabilities.

N. L. Wolf (2011) clearly states the basic issue not only resounding in New Orleans schools but throughout the country when it comes to the practices of charter schools. Wolf also discovered that students with disabilities were denied admission to charter schools. In addition, traditional schools openly accepted all students.

RSD documents and state charter law specifically stated that students were not to be denied admission to charters based on disability. However, reports of students with disabilities being denied admission appeared in the interviews with district personnel, parents, parent advocates and community activists as well as the document reviews. (p. 391)

This revelation implies that possibly a different story is evident.
Further research within the New Orleans schools by Sarah Karp reports (2012) that the Southern Poverty Law Center and a coalition of activists filed a lawsuit against the Louisiana Department of Education alleging that charter schools in New Orleans were discriminating against students by failing to provide them with needed services. In a similar study, Danielle Dreilinger (2013), who writes for the Greater New Orleans newspaper, reported on the lawsuit filed by parents of students with needs against the New Orleans Schools and their struggle to educate students with disabilities. The case has been extended for several years while the students’ education was unsettled. After years of being decentralized, the state (charter school) defendants were, “failing to comply with their statutorily imposed duties to monitor, supervise and remediate known problems with special education in New Orleans and to ensure compliance with federal prohibitions against the discrimination of students with disabilities” (Dreilinger, 2013). This is yet another report suggesting that statutory responsibilities are disregarded.

Charter schools appear to consistently be faced with a quagmire of operating with federal subsidies yet thwarting the directives that are mandated.

In 2011, Garda wrote an analysis for a law journal regarding charter schools in New Orleans. He described the organizational structure of the New Orleans schools pre and post Katrina. One of the eventualities of the post Katrina charter school movement was the practice of allegedly creaming off the best students, into selective enrollment charters, leaving those with needs or less desirable characteristics to remain in the regular schools. This practice is clearly suspect if your system is accepting federal money to operate, and clearly New Orleans was relying almost totally on federal funds, post
Katrina’s devastation to the city. Garda stated concern regarding what he called, ‘tiering’ students. He expressed concern about the new charter schools and their selective enrollment momentum.

It is possible that the choice to enroll in an OPSB (Orleans Parish School Board) school will not be widely available given the fact that many OPSD charters continue to use the selective admissions processes of their magnet predecessors and that OPSB, unlike RSD (Recovery School District), is not required to provide transportation for its students. (p. 145)

This issue brings forth a minor, yet substantial concern for parents who now seek a different educational opportunity for their child. In order to gain enrollment in a selective charter, would a parent need to be responsible for transportation? This brings into question the concern of more impoverished families and their ability to personally transport their children to school. It also reinforces Garda’s concern of tiered educational experiences. The eyes of the nation continue to watch and monitor New Orleans schools, assessing their path through the maze of state and federal mandates and the districts resolution to the aforementioned concerns.

All of these state variations create a confusing American picture of special education admission realities in charter schools. Comparative statistics throughout the states can appear sketchy, unreliable and subjective. However, two realities clearly emerge; special education admission varies greatly, state by state, and each states federal compliance data is in need of clarity.
Throughout these state cases several rationales are projected for potential reasons of exclusion: Higher fiduciary costs (Fiduciary Rationale), lower test scores (Academic Rationale), LEA’s responsibility (LEA Rationale) and lack of resources (Lack of Support Rationales). This study continues by exploring those rationales.

**Potential Rationales for Charter School Exclusion of Special Needs Students**

**The Academic Rationale**

A typical mantra of any charter school touts higher academic achievement over a traditional school. This is often the main selling point to the charters viability. If their students do not perform well, their ‘charter’ or existence could be revoked. Charters often promise to increase student achievement by way of raising test scores. Charter schools have found multiple ways to thrive and achieve testing accountability. Unfortunately some of these methods involve utilization of exclusionary practices (Shealey et al., 2012). Charters often have incentives and disincentives tied into testing systems (Swanson, 2004). In addition, Howe and Welner (2002) add that revocation of school charters (licensures) has happened when academic achievement is not substantial. Thus, a charter school that recruits students who perform better on high-stakes tests often gains the benefits of financial rewards and publication of results as evidence of instructional excellence. The opposite is true for charter schools that enroll students who perform poorly on high-stakes tests. So, the very viability of a charter school could actually depend on the limited enrollment of students who struggle to learn with ease and without accommodations.
Once again, authors make the claim that many critics of charter schools claim that charter schools ‘cream’ the most capable students leaving remaining students for traditional public schools (Cowen & Winters, 2013). They also question, that if this is indeed the case, the charters are setting up and unequal access to high-quality education, raising the questions of economic and social advantages given to children of parents with more means.

In addition, charters generally have an overall mantra that they are set to be academically high achieving. Zimmer and Guarino (2013) cite three reasons charters wouldn’t want special needs students in their classrooms: (1) potential lower academic scores, (2) more expensive to educate, (3) accountability pressures. These authors also divulge that, “…charter schools will ‘cream skim’ the best students from TPS (Traditional Public Schools), leaving the more challenging students behind for TPSs to educate” (p. 463). Although their research found that special needs students were exiting charter schools they could not empirically conclude that it was from being pushed out, by the schools themselves. They claimed, “Even in cases in which there is a relatively high level of low-performing students transferring out of a school there could be very plausible explanations for these students exiting other than being pushed out” (pp. 473-475). This implies that more research needs to be done. Charters and their non-charter counterparts along with parents clearly need to divulge why more low-achieving students are not being served as widely as other populations of students.

However, per a recent study by the University of Minnesota Law School (2014), the higher academic mantra of charters was recently questioned by a study of charters
within the Chicago Public Schools. Their study showed Chicago charter schools scored lower on academic achievement tests overall in comparison with regular non-charter schools, throughout the city of Chicago. They also noted,

The percentages of students not taking the reading, math and science tests are roughly twice as high in charters. While this does not necessarily mean that more low-performing students are not included in the test results, it does mean that the potential exists. (University of Minnesota Law School, 2014, p. 11)

Thus, do the demands of higher academic achievement even materialize for charters? Are we comparing similar types of students? There are potentially many questions surrounding the academic reporting accuracy of any charter school especially when the reporting comes in comparison to a non-charter.

**The Fiduciary Rationale**

Teaching any student with special needs requires financial resources. Welner and Howe (2005) speak about the real (financial) and subjective costs to educating students with special needs. These perceptions have some charter schools avoiding the enrollment of these students.

As with anything more customized, the price will generally be more. Anything more than the usual or typical would potentially cost more. The education of students with needs will require additional resources: professionally trained educators, equipment, specialized materials, alternative instruction, etc. All of these require financial resources. Due to the fact that charters can be selective in their enrollment, the fiduciary
responsibilities are a key factor of exploration in the admission or non-admission of students with special needs.

The Lack of Retention Rationale

In addition to an exhaustive, admission process, special needs students who are enrolled in charters and who present as potentially low achieving might be asked to leave. Others are ‘counseled out’ [A phrase now given to charters for the practice of asking certain students to leave] after they have arrived (Cowen & Winters, 2013; Swanson 2004). Weil (2009) states that, “Charter schools can cleverly use ‘screening mechanisms’ and admission tests to decide who is admitted to a charter school” (pp. 251, 252). He also argues that the idea of a lottery of admission (which in theory sounds equitable) is skirted within charter schools.

Many authors and researchers suggest that some charter schools have fallen into the strategy of admitting IEP students and later in the year, asking them to leave. This practice has been strategically called, ‘counseling out’ (Estes, 2000; Silver, 1998; Zollers & Ramanathan, 1998). This practice involves consultations with parents whereas administrators advice the parents to take their children to another school. The practice of ‘counseling out’ students with disabilities either formally or informally is illegal per the federal laws under IDEA. Some charter schools have been dissolved by their state educational agencies for such exclusionary tactics. Edison schools in San Francisco have been accused of encouraging students with special needs to transfer out. Per this practice (and others that were in noncompliance), the Edison Schools in San Francisco was closed and their licenses revoked in April 2001 (Harris, 2003; Swanson, 2004).
Counseling out is sometimes conducted in an informal manner, while some schools have a more formal protocol. Zimmer and Guarino (2013) and Karp (2010) state that the pushing out or ‘counseling out’ of students occurs in subtle ways through telling families to seek a better fit for their child’s educational needs or implementing very strict disciplinary consequences for unattainable goals or requiring unachievable academic goals. It was noted that one particular charter requires parents to sign a Waiver of Responsibility, which acknowledges, “that (the charter school is) not equipped, nor do they offer special education services” (Ahearn, 2001, p. 20; Swanson, 2004, p. 40). Estes (2000) speaks about the Texas Education Code in particular which allows charters to exclude children with discipline problems. This practice can be a slippery slope as these public charters now act as private selection schools while operating with public money.

Welner and Howe (2005) provide evidence of counseling students with disabilities away from charter schools. Lacireno-Paquet, Holyoke, Moser, and Henig (2002) imply that charter schools would engage in practices that helped their market value. These practices would include enrolling top students, and excluding, “cropping” those with learning needs. These practices would most likely improve the students’ scores and outcomes for those schools and help with costs because their schools would not need to provide services for those with needs.

Karp (2012) sees another problem, “…charter school staff who cling to the school’s strategies and ‘push out’ students who cannot conform, even if they have a diagnosed or suspended behavioral disability. Often the issue is one of discipline” (p. 5). She also reports,
Rodney Estvan, education advocate for Access Living, an organization for people with disabilities, says he worries about the “ghettoization” of special education students. With selective enrollment, magnet schools and now the better charters to taking in a higher share of special education students, more of those students will be concentrated in neighborhood schools. (p. 5)

Implied by both Shapiro and Estvan is the notion that students with special needs will be marginalized in relation to their educational services. Students with diagnosed special education needs are already approaching the educational system with some reality of deficit. These authors imply that the system could potentially impose more restrictions for educational quality and parody.

NPR reporter, Anya Kamentz (2014) wrote that charter schools can improve their scores and viability to remain open by, ‘systematically counseling out or pushing out students with learning disabilities or special needs, or encouraging low-performing students to get GEDs.’ Additionally, Miron (2011) reiterates the all too prevalent theme imply that there is considerable evidence that charter schools actively discourage families from enrolling disabled children in their schools. In addition, the report states that if somehow these students do enroll, they are counseled out to find a different educational setting.

This research is similar to others reported. Depending on the school, the administration, the mission and the generalized population, students with needs are scrutinized and evaluated for a potential fit. This process is typical of what occurs in a private school enrollment process. However, the influx of federal dollars to support the
public, educational system of charter schools raises a compliance examination with FAPE in mind. These concerns raise moral, institutional and ideological issue of including those children with special needs into our general schools and an overall compliance with federal laws and regulations.

The aforementioned situation is followed by another point of interest. Karp (2012) found that one out of every ten, charter school student transfers out, for one reason or another. The reasoning behind these moves could be hard to disaggregate with clarity and accuracy; however, the potential exists that the charters were not meeting the needs of that student.

The largest study on this topic was commissioned by the U.S. Department of Education, with the report published in 2000. That study found a pattern of charter school systematically counseling out students with disabilities rather than making accommodations and providing the required services and supports; administrators at one-fourth of the charter schools in the student reported having advised parents that the school was not a good fit for their disabled children.

In addition to the concept of counseling students out of their placements, charters have also been known to strategically wait until after their states count day; an arbitrary date set by each state in which each district reports their demographics. Gerald Bracey (2003) reports that some charter would enroll students until they pass a day called, ‘count day’. This day differs for each state, and determines the financial compensation for the district per the students enrolled. After this day, districts have reported that charters often will send some students back to the regular, public schools. Bracey suggests that, “The
charters get the money and the public schools get the students” (p. 95). This statement suggests another potentially disproportionate issue. If a charter school receives additional funding for a student with needs and then the student enrolls in a non-charter does the additional funding follow the child and how accurate is the distribution?

**The LEA Rationale**

An additional defense some charter schools propose for their lack of special education enrollment, originates from their ties to their Local Education Agency (LEA) or local school district. Some charter schools make the argument that they are under the umbrella of their local community district. They maintain that their affiliated school district will serve the needs of any student they cannot. The charter school can then determine the needs they are unable to serve and defer those students to their local public school. However, there appears to be a prodigious concern with this argument. The optics of this rationale sheds light on potential discriminatory selection. Do public charter schools intend to operate independently on some preferred issues such as curriculum and acceptances while claiming a dependency on their LEAs when it comes to serving students with special needs?

Rhim et al. (2003) make a logistical chronology for why this reasoning is invalid. They site federal laws and regulations, which provide additional funding for students with disabilities. This funding assists in retaining unique and individualized resources. States then pass on these additional resources to local school districts. These authors continue to expand upon the federal-state-local mandates that challenge the concept of local, autonomous school (Rhim et al., 2003). They continue the argument against the
notion that an individual school, just because it has proclaimed itself a charter of the local
district, is exempt from these federal mandates.

However, charter schools are public schools, even if they are autonomous and
they carry the same legal responsibility to adhere to civil rights statutes such as
the IDEA. This responsibility includes providing services to students with a wide
range of disabilities that many range in severity from mild to profound. (pp. 142-
143)

From all corners of the country and all educational affiliations there are continued
admonishments regarding public charter schools and their special education admissions
(or lack thereof).

There have been some attempts to solve the issue of students with special needs
and the districts they are affiliated. Rhim and McLaughlin (2001) and Rhim, Ahern, and
Lange (2007) state that there can be a shared link between the two (charter school and
their LEA) entities. It can be stated that the defined responsibilities are stated between
the two. However, the linkage between the charter schools and the regular public schools
can vary differently between states and even local municipalities.

There are others who also confront the LEA argument. McKinney (1996)
reiterates that, charter schools are participating within the traditional public schools
special education process as individual school sites. He continues by stating, “Few of the
25 states that have passed charter school legislation have addressed or resolved the issue
of whether charter schools are separate school districts or part of a regular school district”
(p. 2). This leaves charter schools without clear direction or instructional mandates.
Hence, they are able to create a scenario of enrollment (or exclusion), which they determine, best meets their own aspirations.

As questioned previously, are charter schools autonomous on the issues they deem appropriate while relying on public funding to operate? Are they deciding which federal rules and regulations to follow and which they won’t, abdicating to their local districts when convenient? When it comes to standardizing their own curriculum and non-participation with state assessments, charters will consider themselves their own LEA. However, when it comes to educating a student with special needs, a charter might then refer to a local school in the district as its LEA. Is this distinction fair and appropriate?

Swanson (2004) clearly states the philosophical division,

Those who argue in favor of charter schools providing superior education cite issues such as heightened parent satisfactions, small class size, improved test scores, dedicated teachers, and inclusion of all students. Others argue the opposite, claiming that students with disabilities are denied the services charter schools supposedly are designed to provide. (p. 36)

There is a continuing argument as to whose responsibility it is to educate students with special needs and can any school, no matter its title, make those decisions while taking federal money to operate?

Another argument in favor of charters accepting students with special needs, as opposed to the local LEA, points to the idea that just because a child has a diagnosed need does not mean that the particular advantages of a school cannot be instrumental in
their learning. Lange (1997) points out that there are many students with IEPS and a diagnosed learning issue who might succeed in a charter environment. Estes (2000) eludes to the possibility that a “skillful teacher armed with a repertoire of modification techniques may be able to accommodate some students with mild disabilities, if the student/teacher ratio is significantly reduced and there is sufficient consultative support from special education personnel” (p. 378). McLaughlin, Henderson, and Ullah (1996) also address concerns regarding equal access to charter schools for those children with needs in Colorado, citing that some charters can offer specific instructional approaches, including more individualization. Bulkley and Fisler (2003) wrote, “There has been continual tensions between the autonomy emphasized by charter school advocates and the highly regulated field of special education policy” (p. 331). These educational approaches can be supportive to those needing special education and could potentially meet their needs. The unique operating and educational standards of a charter could be just what would benefit the educational growth of a special needs student over a more tradition setting offered within the LEA.

Once again, however, the issues relating to federal regulations come into question. Which school is responsible and who makes that decision? “Generally although charter laws define the legal status of charter schools, they do not specify which educational entity is responsible for providing special education. Should it be the district, home school or the charter school?” (Lange et al., 2008 p. 16). Which school is ultimately responsible for the education of the special needs students and who is to say which system will best serve them? If the charters were established to support the
disenfranchised who struggled with a traditional system shouldn’t charters be accepting more special students into their ranks, rather than less? These questions beg further inquiry and continue to be one of the main reasons the general population is looking to charters for answers to best serve their students.

**Lack of Support Rationale**

There is a clear rationalization, from a parental viewpoint concerning educational support. If your child received a special diagnosis and additional supports are needed for successful learning outcomes, would you place your child in an environment upon which those supports were not offered? Most parents would not enroll their child without the needed supports. However, parents also generally believe that no matter what the disability, their child should have access to quality education. In addition, most accommodations within an IEP are mandated as a potential equalizer. These accommodations are put in place to potentially give the student with needs equal access. According to Swanson (2004), “Lack of appropriate knowledge and planning leads to dire consequences for children with disabilities who attend charter schools” (p. 36). She talks about complaints filed, in a charter school that was presumably unprepared to provide support for students’ with special needs. Shealey et al. (2012) point out that charters have been accused of turning away students based upon depleted budgets, inadequate staffing and inefficient facilities.

Farber (1998) noted that in some cases students, who exhibit problem behavior in charter schools, were placed in self-contained settings where no academic curriculum was offered on a continual basis. Therefore, even if you are enrolled in a charter, with an IEP,
there is no guarantee that your child will get the education she/he deserves. These self-contained classrooms typically were staffed with teachers who did not engage in effective teaching strategies (Zigmond, 1999). Zigmond continues by offering that both practices (being excluded and lack of academic rigor) wander far from the premise that charter schools offer better services than non-charter public schools, for any student with special needs.

Miron and Nelson (2002) continue the discussion regarding mild disabilities in charter schools. They write, “Most children with disabilities in charter schools fall into two categories: speech and language impairments and learning disabilities” (p. 89). This primarily could be because resources for other disabilities are limited. The disabilities of learning, speech and language are more easily addressed under traditional curricular guidelines.

Another concern regarding the education of students with needs in charters comes down to the detail of how the students are actually being educated. Inclusion practices (generally meaning educating special needs students right alongside their peers) that are touted as being appropriate for students in charter schools actually mean in some schools, that groups of students sit on stairs outside a classroom to work with special education staff on given assignments. Others sit in a corner of a classroom working with special education teachers on unrelated curriculum. A researcher of education, E.A. Swanson (2004) voices, “These practices are certainly a far cry from innovative educational and instructional techniques” (p. 39). Swanson echoes what many who are monitoring the
charter evolution are noticing. Even if a special needs student is enrolled in charter school, they are often isolated and not fully integrated into the classroom experience.

Special education inclusionary instruction has moved far beyond the ‘separate but equal’ philosophy. The current educational environment for teacher licensure programs for special education instructors present a plethora of methodologies in adaptation, differentiation and remediation of curriculum. Education now provides standardized practices and curriculum for including these students in all other aspects of the general education experience. Separate but equal does not apply in current educational practices.

Compliance with Federal Regulations

As stated in the beginning of this proposal, the concept of special education inclusion into general education has been relatively recent. In January 2011, Daniel Kiel published an article in the Journal of Law about the integration of children with special needs, within public education. He explored the modern evolution of the public education of students with special needs. As recently as the early 1970s, children with needs of all kinds were excluded from public education. In 1975, the Individual with Disability Education Act (IDEA 1975) included, many the first time, children with disabilities who had previously been excluded. The overall purpose of IDEA was (is) to ensure that all students with disabilities are entitled to a Free and Public Education (FAPE) with relation to special education and related services to meet their own unique needs and prepare them for independent living (IDEA 2004, Section 1400).

Within the statute of IDEA, is a section explaining the mandates of a Free and Appropriate Public Education (FAPE). The statute creates a comprehensive definition.
“Special education and related services - (A) have been provided at public expense, under public supervision and direction, and without charge; (B) meet the standards of the state educational agency; (C) include an appropriate preschool, elementary school, or secondary school education in the state involved; and (D) are provided in conformity with the individualized program (IEP). [FAPE §1401 (9)]

This explanation of FAPE helps with the understanding as to why the inclusion of students with special needs is crucial to compliance with the law.

Since the IDEA statute was enacted, public education has spent years creating inclusive, rigorous educational opportunities for all students with any special needs, within their home districts. It would appear that charters should be no different. Many have voiced concern over the past 20 years, that charter schools are ignoring federal inclusionary law, particularly IDEA, when it came to admission and retention of students with special needs (Shealey et al., 2012).

Charter schools primarily are responsible for adhering to the guidelines of their states charter laws, which manifest themselves in different ways, depending on the state and the LEA (Rhim et al., 2007). In contrast, federal law governs the guidelines of special education (Heubert, 1997; Rhim et al., 2007). Students with disabilities possess all their equal education rights when they are attending public charter schools as in any other public school (Lange & Lehr, 2000). The rigorous mandates of federal law have now become subsumed with state legislation and the autonomy of the charter school
movement. Special needs children, and their families, are now caught in the crossfire of these two legislative entities.

With the increased emphasis of accountability, in both charter schools and public non-charter schools, families of students with disabilities and special needs have been caught in the middle of reform movements (Lange & Lehr, 2000). This accountability concept in the admissions of students with needs is also a key to compliance with special education law. Monitoring this federal accountability of inclusion for all institutions accepting federal financial support along with admissions issues in tandem is part of this study. The lack of federal oversight for compliance with the law and the variability in the state charter laws, make monitoring the compliance and progress of special education within charter schools, difficult and confusing (Lange et al., 2008). Lange et al. found that charter schools’ main concern was with “interactions between federal special education mandates and state charter school laws” (p. 19).

McKinney and Mead (1996) were two of the first researchers who burst on the scene with concerns about the legal ramifications of charter schools and federal disability law. They particularly invoked the Individuals with Disabilities Education Act (IDEA) and their concerns to which Local Education Agencies (LEAs) (i.e., school districts) were establishing and implementing charter school special education programs, in particular the legal and overall ethical characteristics. They invoked several concerns. One question relates to the existing procedures within the school’s compliance with IDEA requirements and/or any given students Individual Educational Plan (IEP). They also point out concerns regarding the formal guidelines that each school has as part of their
school foundation, an obligation to uphold the mandates of IDEA and Section 504 of the Rehabilitation Act of 1973. Finally, the authors ponder whether parents are given the opportunity to participate, with their children who have needs, in the choice of charter schools with equal compliance of both aforementioned laws (McKinney & Mead, 1996).

The following year, Jay Heubert (1997) postulates a strong argument against the somewhat perceived discriminatory policies of charter schools. He cites two strong reasons for the overall inclusion of special needs students within the charter school environment. First, he makes an impassioned plea to the ethics of inclusion.

Precisely because these schools are distractive, however—and because students with disabilities would not be similarly educated if assigned to different schools—those who operate charter schools and other unusual educational programs have a great duty than traditional public schools to admit and serve students with disabilities. (p. 331)

Secondly, he talks about compliance with IDEA and makes a case that even though compliance is more expensive than not, it is cheaper to do it in house than within a separate facility (Heubert, 1997, p. 332).

It is important throughout this literature review, to again restate that under our government of laws, all agencies that accept federal money to operate are expected to comply. According to the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA) and the equal protection guarantees of the Fifth and Fourteenth Amendments to the U.S. Constitution, no charter school (no public school anywhere) can discriminate
against any student with special needs (Heubert, 1997). This expectation is clear that through multiple statutes, no agency receiving any federal money can discriminate for any reason.

Heubert (1997) continues to create an understanding between federal and state educational responsibilities. States are given funds from the federal government for the specific use for children with needs. If the state (which all 50 do) receives these funds they must disperse the money to the local districts, which must appropriate these funds for specific children with needs whether they are in a charter school or not. In addition, the school’s governing board must agree in advance to abide by IDEA to receive a federal charter school grant. Thus, based on the law of IDEA and the agreement of funding, every charter school must follow all of the rules and regulations stipulated within the law of IDEA (Heubert 1997).

Students in all schools are encouraged to thrive. Public non-charter schools have to continue to create viable educational experiences for all students who register and enter their doors. As we have seen, some literature suggests thrive or transfer. Both Wieselther (2013) and Winerip (2011) also found this to be the case in more recent years. Once again, the spirit of IDEA for both authors also implies that several of the nation’s leading charter schools (who are praised for high [academic testing] marks) are the schools that are leading the way in discrimination against students with needs. L. F. Rothstein (1999) simultaneously concludes that separate schools is a form of segregation and not in the spirit of the current inclusionary methodology; let alone the law of IDEA (2004) which states that all students should receive a similar education.
Although often granted autonomy from their connecting schools district, charter schools are still beholden to federal and civil rights laws and statutes (Huebert, 1997). Rhim et al. (2007) evaluated the current practices of charter schools in compliance with federal law and found that few charter schools are effectively addressing the multitude of needs that are apparent with children of disabilities.

When looking towards the federal government for clarity, The Government Accountability Office, a federal regulatory department (GAO, 2012) additionally reports that students with needs are being discouraged because services are too costly. They also report that, “Some charter schools do not identify disabilities or document special education services, but rather provide interventions, ‘informally’ without including them on students’ IEPs.” They also found that some charters are giving placement exams which some say are specifically designed to be frustrating to students’ with disabilities and discourage enrollment (GAO, 2012). The most interesting fact that GAO reports is that, “There is no comprehensive data to determine the extent to which charter schools may be discouraging students with disabilities from enrolling or the extent to which such practices actually contribute to differences in enrollment levels” (p. 13). These enrollment levels are precisely what this study intends to explore. Are the enrollment levels of special needs students significantly different within a large, metropolitan school district?

Many have voiced the concern that students with disabilities will be discriminated against with such issues as: the isolation of educating special needs students separately, (in separate classes or facilities), limited funding for programs, the lack of experience
with the legal stipulations of the law (on both the administrative and teacher realms), and the limited expertise of teacher training (Council for Exceptional Children, 1999; Estes, 2000; Lange & Ysseldyke, 1998; Rothstein, 1999). Swanson (2004) states that it is clear that special education law mandates certain criteria such as curricular adaptations, disability service needs, and appropriate teacher certification.

The concern continues in relation to federal laws that govern the education of children with disabilities and define public school districts as being local education agencies (LEAs) (Heubert, 1997). All LEAs are held responsible for addressing all of the needs and educational supports for those students with disabilities. Blackwell (2013) continues to make the case for the legal ramifications of every school providing services to students with special needs. He does so by creating a chronology, citing policy references: 1973, Rehabilitation Act, Section 504, ensuring that any agency receiving federal funds may not discriminate and that students will have equal access in all aspects of schooling; and the IDEA Act of 2004, which provides the legal foundations for students to be guaranteed a free an appropriate education in the least restrictive environment. Blackwell continues to voice,

The extent to which charter schools are responsible for fulfilling the mandates of these laws is dependent on whether they are regarded as being LEAs. Multiple authors have examined the legal implication of the federal statues and contend that charter schools that operate independently from school districts are considered LEAs and are therefore subject to the provisions of federal laws and regulations. (p. 76)
Basically, if a charter school operates independently, it is its own LEA, required to follow all federal laws. This issue is where much of the debate exists. Are charters their own LEAs or are they a part of a larger district?

In a continuance of concerns regarding adherence to regulations, Hubley and Genys (1998) explore the question of compliance with IDEA, primarily because there is no federal effort to compile information that would find out how charter schools are complying with the federally mandated laws for those with special needs. There is no over-site. This brings in the question of the state’s obligations and their responsibilities in implementation of the federal mandates. They conclude that it will be up to each individual state to implement the federal laws, including IDEA and ADA along with the rules freeing charter schools of traditional mandate.

Although 20 years old, Lange’s (1997) manual, *Charter Schools and Special Education: A Handbook*, became a cornerstone document for charter school operation, organization and compliance. In this text, she emphasizes that federal legislation cannot be waived by any state and that all charter schools and administrators must comply with the statutes of federal disability legislation just as they would any other legislation. This text is still widely used for confronting charters with irregularities.

In addition, Blackwell (2013) supports the argument that charter schools have the same responsibilities of compliance as any school. He maintains,

Guidance from the U.S. Department of Education (2004) indicated that although charter schools operate with a larger degree of autonomy than public school districts, these organizations are still subject to federal laws and regulations.
governing public education. Based on this information, charter schools are responsible for educating students with disabilities to the same extent as public school districts. (p. 76)

Blackwell (2013) also states that although charter schools may be enrolling students with needs they still may not be complying fully with federal law obligations. The percentage of special needs students within charter schools, in most states is well under those in general public school districts. Also, students who are admitted, with IEPs, have mild or very moderate disabilities. Potentially, these students can be serviced in any classroom with mild differentiation on the teacher’s part. Estes (2000) has a more detailed approach, precluding that every student with a diagnosed disability shall not be denied the freedom of school choice and the protections given to them by special education law and federal disability law, even in charter schools.

There have even been attempts by certain states to argue around the inclusionary federal laws. Vergari (2002) exposed that the city of Milwaukee, Wisconsin attempted to declare that the schools it had which were chartered, were not public, thus they were not bound by IDEA (p. 147). The charge and all appeals were denied emphatically. “The DPI (Department of Public Instruction) was unwilling to consider any compromise on the issue” (p. 148). Milwaukee schools were threatened with, “withholding federal funding, that might occur should the state be found in violation of Section 504 of the Rehabilitation Act for failing to be certain that charter schools were providing a free, appropriate, public education” (p. 148). This implies that already, through the courts,
Charter schools are being reprimanded for not providing a free and appropriate education to students with special needs.

O’Connor (2011) quotes Joy Zabala, a special education teacher who works at the Center for Applied Special Technology in Massachusetts. She brings up the statement that is now pertinent: “Charter schools, as part of the public school system, have no more ability to opt out of providing a particular service than any other part of the public school system” (pp. 2-3). This statement is another comment on the reality that many within the school systems are noting. Charter schools appear to be optng out of their obligations to support students with needs.

Charter schools need federal dollars to operate, they are also market base driven to provide a certain product, but federal guidelines require them to admit a population of student that has the potential to negatively affect their bottom line. Thus, they are caught in a potential, possible quandary. If they comply with federal guidelines, their preferred viability might be compromised. If they don’t comply, they could lose their charter and be closed.

In conclusion, the relative newness of public charter schools within the American educational landscape and their capacity to enroll and educate students with special needs comes under intense scrutiny. Within the literature review, there appears to be a growing hypothesis implying that charter schools are not enrolling an equitable number of special needs students. In addition, some observers are questioning charters responsibilities to the overall general population of the American student. Federal statute compliance also comes under review.
Clearly, there is overwhelming literature questioning the practices of charter schools in relation to their enrollment and subsequent education of students with special needs. This query creates a potentially new dilemma for the entire public educational system in the United States. Are we creating a two-tiered educational system: Special needs students in one type of schooling and non-special needs in another? Or, are we just experiencing growing pains of a system that is diversifying and will eventually find equilibrium with enrollment of all types of students? The future of how and where we educate all of our children will in part reverberate on the resolution of the charter school enrollment issue.
CHAPTER III
RESEARCH DESIGN AND METHODOLOGY

The primary focus of this research was to potentially ascertain whether there exists a significant discrepancy in the enrollment data of special needs students attending public charter schools in comparison to non-charter schools within a large, urban school district. This chapter was constructed on the conceptual framework outlined in Chapter II. This study compared, contrasted and analyzed the enrollment data of public charter schools and non-public charter schools within the large, American, urban district.

Research Questions

• To what extent does the enrollment of students with special needs at public charter schools vary from public non-charter schools within this large, urban school district?

• What, if any, patterns emerge based upon the yearly data of enrollment of students with special needs within both school type settings?

Data Methodology Plan

This research quantitatively analyzed the yearly enrollment data of students receiving special education (categorized as Diverse Learners on the districts data base) comparing public charter and public non-charter schools within this school district.

First, this research assessed and analyzed the beginning enrollment data of special needs students within both school type structures (public charter and public non-charter...
The data was collected from 578 public charter and public non-charter schools over five consecutive years.

There was a comparison of multiple statistical, comparative points:

1. High school charter totals in comparison to high school non-charter enrollment percentages.
2. Elementary charter totals in comparison to elementary non-charter enrollment percentages.
3. Charter totals in comparison to non-charter percentages and an analysis in totality.

The data also presents proportional differences between the enrollments of students with special needs enrolled in both charter and non-charter schools. In addition, the charter vs. non-charter schools, in their entirety were compared as whole entities, with the intent to again analyze if the enrollment data between the two groups of schools maintains some statistical value. When comparing charter schools to non-charter schools, this study used the entirety of each type of school as a whole entity. This comparison of groupings intended to analyze the enrollment data between both types of schools in a statistically comparable manner. This study compared the overall yearly totals and percentages (mean averages) of charter vs. non-charter enrollment data each year separately and as an overall reporting average of the five years, together.

**Data Sampling Plan**

A large, urban school district was the focus of concentration in this research. The first consideration was that the district has a relatively large sampling size of both charter
and non-charter schools. Some urban, national districts, such as those in New Orleans, Louisiana, are primarily all charter while other systems have few to no charter schools in their district. With the availability of a large sample size, this district made an excellent district to study. Currently, there are 86 charter schools and 492 traditional, non-charter schools in this study.

This district also represents a large urban area with prolific socio-economic diversification lending itself to multiple possibilities for analysis. This demographic array could potentially yield covariant effects on the data. In relation to the economic and racial diversity, along with its large urban size, this district represents a reasonable sampling of current acceptance data. The sampling size allows for multiple points of awareness, assessing trends and patterns displayed in the data collected.

Data Collection Plan

This research obtained data available from all 578 schools, charter and non-charter, typically reported at the beginning of each school year (annual first 20 days reporting, known as Count Day) within the diversification of learner disclosures. This data is reported and available on the public database. This data answered many of the questions regarding the possible differences, non-differences, deviations and discrepancies between the public charter and public non-charter schools enrollment of students with special needs. This data was also collected for the purpose of creating an awareness of the overall enrollment of students with special needs.

Several school types were excluded from the study, to keep the data comparisons as equitable as possible. These exclusions include charter schools, which are privately
funded, and non-charters, which enroll only special needs students. (Within the public non-charters there are several schools which sole population is special needs. These schools were excluded from this study, as they were not primarily general education schools, the focus of this study.)

In addition, schools are fluid entities. Families move in and out and school identifications change. Special education is also an ever changing dynamic. In this particularly large, urban district, schools close and others open yearly. Any school that was closed or opened during the five-year span was eliminated from the study. The attempt was made to only analyze the same schools over the five-year span. In addition, several single schools with very specific missions were also eliminated from the study (i.e., Military Academy, etc.). Any school, which was not categorized as a public charter or public non-charter and was not available for data collection over the five-year span, was also eliminated.

An explanation of this process of elimination is below:

In 2011-12 there are 683 schools listed in the database. By 2013-14 only 615 schools are listed.

- 14 schools that existed in 2011-12 no longer existed in 2012-13 data.
- 54 schools that existed in 2012-13 no longer existed in 2013-14 (all are public with the exception of the last one which lists as public one year and then as public charter the next).
  - In total, 68 schools that existed in 2011-12 no longer existed in 2013-14.
    (Those schools were then eliminated from the study.)
In addition, 37 other schools were also eliminated at the onset of the study due to their eliminating identification (i.e., Military Preparation, Private Charter funded by a private company or source, Full Special Education Designated Centers, etc.). Each of these schools had a specific delineation eliminating it from the overall pool of data. Once all of the non-conforming schools were eliminated, schools remaining for analysis were a total of 578.

The students in the study were assessed through three major points of analysis: First, several co-variants were analyzed to determine any correlative effects on the basic research questions. Secondly, there is an overall comparison of charter vs. non-charter school in their totality. Finally, there is a comparison of high schools and elementary schools.

**Data Analysis Plan**

This study looked at the enrollment data as the dependent variable (Diverse Learners as of Count Day) over five years (2011-2016). Three were identified (2011-12; 2012-13; 2013-14) using a MANOVA Repeated Measures analysis, while two more years of study, using a different assessment (PARCC) by the school district for years (2014-15; 2015-16) were analyzed. Trends and patterns of enrollment were studied based on averages, looking for statistically significant correlative results.

In this model the independent variables were as follows:

- School Type (public non-charter school or public charter school)
- Grade Level (K-8 and high school)
The dependent variable (repeated measure) was the special education enrollment rate over time. This was measured at two intervals: Years (2011-12, 2012-13, 2013-14) and (2014-15, 2015-16). This study calculated the numbers of student enrollment, over this five-year period within the following categories: elementary and high school percentages, and a final analysis of overall totals.

Within the publicized data, co-variant data was also available and analyzed against the independent variables, assessing potential correlations.

Covariates (4)

- Student population that is Bilingual
- Student population that is African American
- Student population on free-reduced lunch
- Student population at, or exceeding, ISAT (Illinois State Achievement Tests) of PARCC (Partnership for Assessment of Readiness for College and Careers) standards

Over the five-year span of study, this analysis researched whether there exists significant statistical differences to suggest any type of inequity of enrollment of students with special needs in non-charter vs. charter schools. In addition to studying a comparison of the yearly enrollment between both types of schools, there are some independent (covariant) factors, which might play a significant, determining role in the outcomes. The independent factors (listed on the schools data base) were examined individually and became part of the overall model, to conclude if any had an impact on the data as independent variables. The independent variables are: Percentage Free and
Reduced Lunch (to indicate a poverty variability), ISAT or PARCC (assessment/academic achievement tool), percentage non-white (to indicate minority status) and percentage bilingual (to indicate non-English speaking). These independent variables were compared to the enrollment data for both categories (charter and non-charter) to assess if there was a possibly a high correlation of outcomes.

In addition to the data already presented above, a correlation matrix was developed. Due to the fact that this study embraces a variety of variables, a correlation matrix indicates any positive or negative correlation between all combinations of variables. The two categorical variables – level of school and type of school – were entered into the regression equations as ‘dummy’ variables. Dummy coding assigns a value of 0 to 1 category and a value of 1 to the other category. In this case K-8 schools had a value of 0 and high schools had a value of 1; public charter schools were given a value of 0 and public schools a value of 1. In addition, single (*) asterisks show increased correlation while double (**) asterisks show a very high correlation. The threshold for single asterisk is * Significant at the 0.05 level or less (2-tailed)

**Significant at the 0.01 level or less (2-tailed).

**Limitations of the Data Collection**

Clearly, this study is limited due to the data set and limitations based upon the fact that this is solely a quantitative methodology. By limiting the study to the data analysis, the human story is lacking. Personal stories from parents would enhance these results. Clearly, interwoven personal accounts, relating the experiences by particular families would expose the effect of these current practices on students and parents.
In addition, this data may not be robust enough to describe the complex issues surrounding the enrollment of students within any given school. Schools are living entities, which are forever changing. Students move in and out throughout any given year along with staff and administrative changes.

One of the assumptions made in this dissertation equates students with special needs as having been issued an Individual Educational Plan (IEP). The engagement of an IEP states that most likely, the needs of the child warrant additional services in order for the child to benefit from education. There are students with some needs who never receive an IEP for a myriad of reasons. Although those children are important to any educational study and system they are not a part of this study.

**Conclusion**

First, the overall comparisons and data analysis of the public charter schools vs. public non-charter enrollment of students with special needs was analyzed and scrutinized. The data was questioned as to its validity, inviting conclusions and impressions.

Secondly, there was an analysis of each covariant and a potential statistical significance to the study. As each covariant was analyzed it was compared to the other variables and the overall statistical portrait emerging from the data. If for any reason, the covariant showed no statistical correlation, it was eliminated. If there was evidence of a statistical correlation, the covariant was analyzed to ascertain its importance on the overall data collected.
This study intended to use an average of the measures of each covariate over each year and a total percentage of the five years combined.
CHAPTER IV
RESULTS

This study compared and contrasted the special education enrollment data, between these two types of schools (charter and non-charter) over a five-year span (2011-2016).

The questions of the study to be answered are:

1. To what extent does the enrollment of students with special needs at public charter schools vary from public non-charter schools within this large, urban school district? If there is a difference and if so, is it statistically significant?

2. What, if any, pattern(s) emerge based upon the yearly data of enrollment of students with special needs within both school type settings?

This large, urban district publishes all of its yearly data on an online database. Although this information is readily available, it does not appear that the data was ever disseminated and correlated in this manner. The overall intent is to determine if there is a statistical significance between special education enrollment between charter and non-charter schools and if any noteworthy trends emerge.

Research Findings

While exploring the research charter/non-charter enrollment question, other variables were also represented within the database of information. These co-variants were included within the study to ascertain any possible connection and/or additional
explanation of the findings. The first goal of the study was to assess the viability of the co-variant factors. Each reporting statistic on the overall enrollment numbers was added to determine a possible correlation, positive or negative. Those factors were: (1) Academic Achievement Scores, (2) Percentage of African American students, (3) Percentage of Bi-lingual Student, (4) Percentage of students on Free or Reduced Lunch (Lower Income). These four co-variants were then analyzed to peruse their possible relation to the enrollment of special education students within school type (charter vs. non-charter) and school level (elementary K-8 grades versus high school, 9-12 grades). The total number of schools that had complete data on all variables in the analysis was 578.

Although there are numerous reasons a student might be identified as special needs, the data in this study, throughout all years of comparison, consistently showed achievement levels and special education identification as being highly correlative. This strong correlation seems logical. Students are often recommended for special education due to academic concerns. Therefore, there would be a strong correlation between those two variables. The percentage of students whose achievement scores struggled to meet or exceeded adequate, academic achievement levels and percent special education students enrolled showed an extremely high correlation. The significance between the two variables was consistently co-dependent. The interpretation can be made that lower achievement levels and higher levels of special education enrollment are highly correlated. The aforementioned information became a dominant rationale for dropping the achievement scores as an independent variable from the analysis of information.
In addition, based on the testing for the full model (see Appendix A), the percent of the student population composed of bilingual students was also dropped from the analysis for all five years. This was due to extremely high correlations between the data representing bilingualism and percentage of African-American. The correlation between these two variables was at or over .70 for each year. Additionally, the variable added an insignificant amount of explanation to the regression model (less than one percent in all years) with the exception of 2015-2016. [However, in 2015-2016 there was a tremendous amount of missing data on that variable (81 schools had no data within that variable category) so the comparisons of 2015-16 with other years were not valid.] Given that the bilingual variable did not seem to be a good predictor for any year except the one with the missing data, it was better to exclude this variable from the model, which then allowed a comparison of the same schools over the five years. Therefore, the final reduced model for analysis, for all schools included four independent variables included:

- Percent of student population that is composed of African American students;
- Percent of student population receiving free or reduced lunch;
- Level of school - K-8 vs. high school;
- Type of school - public charter vs. public non-charter.

All remaining independent variables consistently correlated to special education at a significant level (p < .05) indicating a significant correlation between special education and each variable. This study then, assessed the remaining two variables with the school level, grades (K-8) and (9-12) and school type (charter and non-charter).
Results of the Multiple Regression Analysis

The tables below show the simplified results of the reduced model for each year. Included in Appendix A are the full models from each year for comparative purposes.

All of the tables of analysis below show statistically significant lower special education enrollment in charter schools. In addition, all four to the co-variant factors corroborated the discrepancy. As significance levels are expected to be .05 or less, this data reveals levels substantially less than .05 for all combinations of co-variants in the model, from the addition of only one variable, through two, three, and then four variables. This appears to imply that within the urban school district used in this study, special education numbers are significantly lower in charter schools than in non-charter schools, reaffirming the implications from the literature review. There are more students with identified special needs enrolled in non-charter schools, compared with the schools total populations, than in charter schools.

The tables below are explained as follows: The Adjusted R Squared value is the amount of variation explained by each variable in the equation. As each variable is introduced, there is a statistical analysis as to its effect on the enrollment questions.

The middle columns contain the F-value for the overall model at each stage of the testing and to the significance of the model. In all cases the F-value is significant for each variable assessed. This significantly improves the prediction of the percentage of the special education student population as each variable is introduced.

The last two columns of the tables show the regression coefficients for each variable, when all four independent variables are included in the model. These values
also predict the significant levels of correlation. Reported are both the raw regression coefficient (the B value) and the standardized coefficient. Due to the fact that the levels of variables are not the same (percentage of student body for ethnicity and free and reduced) and a simple 0/1 value for the categorical variables, the standardized coefficient would be the one used to calculate a regression equation. These important statistics help account for differing totals of students within each variable. Each factor as it is introduced in the model, increases the student’s likelihood of requiring special education.

Below, lists the analysis results comparing the percentage of each independent variable to determine if it is a significant contributor to the model and to special education enrollment. With only one exception (the percentage of Free and Reduced Lunch 2011-12), the addition of each independent variable increases the percent of explained variation in special education enrollment and it does so at a significant level. The elementary school variable (K-8) was the only variable that was a semi-significant contributor to the model throughout all five years of the data. (There could be many explanations, such as students are potentially identified at differing ages.) All other variables became more powerful predictors as the years progressed from 2011 to 2016. Therefore, we can state that each variable is a significant contributor to understanding special education enrollment within schools.

In addition, while studying the high school data, school type brought the Adjusted R^2 down in three of the five years. As a regression model statistically decreases, the predication that the results are less a result of chance, improves. Therefore, school type (charter vs. non-charter) has an effect as students move from K-8 to high school.
## All School Totals – Reduced Model (N = 578)

### Table 1

**School Year 2011-12: All School Totals - Reduced Model**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>ANOVA F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.011</td>
<td>7.268</td>
<td>0.007</td>
<td>7.268</td>
<td>0.007</td>
<td>.010/.086</td>
<td>0.036</td>
</tr>
<tr>
<td>%Free Reduced Meal</td>
<td>0.015</td>
<td>3.197</td>
<td>0.074</td>
<td>5.246</td>
<td>0.006</td>
<td>.012/.045</td>
<td>0.097</td>
</tr>
<tr>
<td>School Level</td>
<td>0.07</td>
<td>35.599</td>
<td>0</td>
<td>15.574</td>
<td>0</td>
<td>.035/.293</td>
<td>0</td>
</tr>
<tr>
<td>School Type</td>
<td>0.098</td>
<td>18.294</td>
<td>0</td>
<td>16.606</td>
<td>0</td>
<td>.026/.175</td>
<td>0</td>
</tr>
</tbody>
</table>

### Table 2

**School Year 2012-13: All School Totals - Reduced Model**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>ANOVA F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.018</td>
<td>11.648</td>
<td>0.001</td>
<td>11.648</td>
<td>0.001</td>
<td>.012/.107</td>
<td>0.008</td>
</tr>
<tr>
<td>%Free Reduced Meal</td>
<td>0.029</td>
<td>7.231</td>
<td>0.007</td>
<td>9.503</td>
<td>0</td>
<td>.026/.100</td>
<td>0.014</td>
</tr>
<tr>
<td>School Level</td>
<td>0.102</td>
<td>47.799</td>
<td>0</td>
<td>22.784</td>
<td>0</td>
<td>.037/.308</td>
<td>0</td>
</tr>
<tr>
<td>School Type</td>
<td>0.132</td>
<td>16.677</td>
<td>0</td>
<td>21.724</td>
<td>0</td>
<td>.024/.164</td>
<td>0</td>
</tr>
</tbody>
</table>
Table 3

*School Year 2013-14: All School Totals - Reduced Model*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>ANOVA F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
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</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.024</td>
<td>15.44</td>
<td>0</td>
<td>15.44</td>
<td>0</td>
<td>0.014/.115</td>
<td>0.004</td>
</tr>
<tr>
<td>%Free Reduced Meal</td>
<td>0.039</td>
<td>9.958</td>
<td>0.002</td>
<td>12.819</td>
<td>0</td>
<td>0.034/.137</td>
<td>0.001</td>
</tr>
<tr>
<td>School Level</td>
<td>0.125</td>
<td>57.127</td>
<td>0</td>
<td>28.423</td>
<td>0</td>
<td>0.041/.325</td>
<td>0</td>
</tr>
<tr>
<td>School Type</td>
<td>0.142</td>
<td>12.76</td>
<td>0</td>
<td>24.944</td>
<td>0</td>
<td>0.022/.142</td>
<td>0</td>
</tr>
</tbody>
</table>

Table 4

*School Year 2014-15: All School Totals - Reduced Model*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>ANOVA F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.028</td>
<td>17.732</td>
<td>0</td>
<td>17.732</td>
<td>0.001</td>
<td>0.013/.104</td>
<td>0.009</td>
</tr>
<tr>
<td>%Free Reduced Meal</td>
<td>0.065</td>
<td>23.519</td>
<td>0</td>
<td>20.972</td>
<td>0</td>
<td>0.053/.195</td>
<td>0</td>
</tr>
<tr>
<td>School Level</td>
<td>0.148</td>
<td>56.964</td>
<td>0</td>
<td>34.33</td>
<td>0</td>
<td>0.041/.314</td>
<td>0</td>
</tr>
<tr>
<td>School Type</td>
<td>0.158</td>
<td>8.309</td>
<td>0.004</td>
<td>28.153</td>
<td>0</td>
<td>0.018/.113</td>
<td>0.004</td>
</tr>
</tbody>
</table>
Table 5

School Year 2015-16: All School Totals - Reduced Model

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>ANOVA F Value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.025</td>
<td>15.833</td>
<td>0</td>
<td>15.833</td>
<td>0.001</td>
<td>.012/.089</td>
<td>0.026</td>
</tr>
<tr>
<td>%Free Reduced Meal</td>
<td>0.09</td>
<td>42.217</td>
<td>0</td>
<td>29.592</td>
<td>0</td>
<td>.070/.234</td>
<td>0</td>
</tr>
<tr>
<td>School Level</td>
<td>0.149</td>
<td>40.661</td>
<td>0</td>
<td>34.642</td>
<td>0</td>
<td>.037/.268</td>
<td>0</td>
</tr>
<tr>
<td>School Type</td>
<td>0.157</td>
<td>6.268</td>
<td>0.013</td>
<td>27.787</td>
<td>0</td>
<td>.017/.098</td>
<td>0.013</td>
</tr>
</tbody>
</table>

For all reported years above, with the exception of 2011-2012, all variables represent as statistically significant contributors to special education enrollment. For the 2011-2012 data (red highlight), the free-reduced variable does not add to any patterning within the data. However, in the cases of all the other variables, in all other years, the significant levels show .05 or less (even in many, a .01 or less), supporting the strong correlation between the independent variables and special education enrollment.

Within the 2011-2012 table, the adjusted R squared indicates that identified African American students account for only one percent of the variance of the student population composed of special education students. While this is a small percentage, this variable is both theoretically and substantively important. African American student percentages and special education presents as highly correlative and both become significant contributors to the overall model.

Additionally, the coefficient associated with the variable in the four variable models is significant. It does not become insignificant even when we control for all other variables.
The total variation explained in the dependent variable (percentage of special education students enrolled) are represented in the Adjusted R Squared percentage that shows for the final variable added to the regression model. For instance, in 2012-2013 using the four independent variables in the model explains about 13% of the variance. So, this information indicates that knowing the percentage of African American enrollment in a school helps us predict the special education enrollment even if the schools we are examining are constant on all other factors, e.g., schools are all K-8, have the same free/reduced enrollment, and are all public charter. Also, in this case the direction of the relationship is positive indicating that higher enrollments of African American students will produce higher special education enrollments.

When analyzing the free and reduced variable we see that the Adjusted R Squared increases less than 1% (only .5%) and that the increase is not significant (.074); additionally the coefficient/standardized coefficient for free and reduced is also not significant. However, adding the variable of school level (K-8 or 9-12) increases the Adjusted R Squared by almost 6% and adding school type variable (charter or non-charter) increases it almost 3% (2.8%) more. Both changes are significant and both coefficients are also significant.

For the remaining years all of the variables are significant predictors in the model and, interestingly, free and reduced seems to increase in predictive power over time. So in 2012-2013 the variable adds another one percent to the explanation, in 2013-14 it adds 1.5% more, in 2014-15 that increases to 3.3%, and by 2015-16 it is adding 6.5% more to the explanation. The higher the school’s percentage of Free/Reduced Lunch the higher
special education enrollment. This might imply that economics might play a role in special education enrollment.

The strongest correlation of special education enrollment is represented at higher, grade levels. Schools with older students (7th, 8th graders and high school students) tend to consistently have higher special education enrollments. One possible explanation is that some students may not be identified as special education until later in their academic career. There could be cumulative effects as well. A borderline student that does not get the support continues to fall further and further behind.

School type (charter vs. non-charter) consistently appeared to have a strong association to special education enrollment but only at the K-8 level. The implication is strong suggesting that higher special education enrollments tend to come from non-charter school. There appears to be a diminishing affect as students move to high school.

In addition, the kurtosis of the charter school data shows a higher spike, grouping around the mean. This potentially indicates less outliers in their population of students. In other words, the data is demonstrating increased conformity in the overall population of students they enroll. Non-charter, public school data flattens out, inferring more differences and a greater amount of outliers within their data collection. Thus, the enrollment evidence, which is presenting a greater dispersion of students with IEPs, corroborates the interpretations stating non-charters are enrolling a broader spectrum and higher numbers of students with special needs. The non-charter school data can also be interpreted as a stronger predictor of the general population as the kurtosis increases.
## Correlation Matrices – All Schools and Grade Levels (N = 578)

### Table 6

**School Year 2011-12: Correlation Matrices for All Schools and Grade Levels**

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Level</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
<td>.736**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free / Reduced</td>
<td>.278**</td>
<td>.148**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Level</td>
<td>0.066</td>
<td>-.280**</td>
<td>.098**</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>-.071*</td>
<td>0.055</td>
<td>-.104**</td>
<td>-.218**</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>% Special Education</td>
<td>.112**</td>
<td>-.107**</td>
<td>.102**</td>
<td>.252**</td>
<td>.100**</td>
<td>1</td>
</tr>
<tr>
<td>N</td>
<td>578</td>
<td>578</td>
<td>578</td>
<td>578</td>
<td>578</td>
<td>578</td>
</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance
### Table 7

**School Year 2012-13: Correlation Matrices for All Schools and Grade Levels**

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Level</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
<td>-.737**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free / Reduced</td>
<td>.261**</td>
<td>.156**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Level</td>
<td>0.061</td>
<td>-.279**</td>
<td>.117**</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>-.067*</td>
<td>0.075</td>
<td>-.128**</td>
<td>-.218**</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>% Special Education</td>
<td>.141**</td>
<td>-.120**</td>
<td>.143**</td>
<td>.291**</td>
<td>.077*</td>
<td>1</td>
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<tr>
<td>N</td>
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<td>578</td>
<td>578</td>
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<td>578</td>
</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance

### Table 8

**School Year 2013-14: Correlation Matrices for All Schools and Grade Levels**

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Level</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
<td>-.728**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free / Reduced</td>
<td>.262**</td>
<td>.193**</td>
<td>1</td>
<td></td>
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<tr>
<td>School Level</td>
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<td>-.274**</td>
<td>0.042</td>
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<td></td>
</tr>
<tr>
<td>School Type</td>
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<td>.112**</td>
<td>-.100**</td>
<td>-.218**</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>% Special Education</td>
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<td>-.091*</td>
<td>.167**</td>
<td>.307**</td>
<td>.05</td>
<td>1</td>
</tr>
<tr>
<td>N</td>
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<td>578</td>
<td>578</td>
<td>578</td>
</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance
Table 9

*School Year 2014-15: Correlation Matrices for All Schools and Grade Levels*

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Level</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
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<td></td>
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<tr>
<td>% Bilingual</td>
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</tr>
<tr>
<td>% Free/Reduced Meal</td>
<td>.290**</td>
<td>.168**</td>
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</tr>
<tr>
<td>School Level</td>
<td>0.061</td>
<td>-.261**</td>
<td>0.071</td>
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</tr>
<tr>
<td>School Type</td>
<td>-0.061</td>
<td>0.059</td>
<td>0.091</td>
<td>-210**</td>
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<tr>
<td>% Special Education</td>
<td>.173**</td>
<td>-.083*</td>
<td>.237**</td>
<td>.310**</td>
<td>0.023</td>
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</tr>
<tr>
<td>N</td>
<td>578</td>
<td>578</td>
<td>578</td>
<td>578</td>
<td>578</td>
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</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance

Table 10

*School Year 2015-16: Correlation Matrices for All Schools and Grade Levels*

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Level</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
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</tr>
<tr>
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<td>-.703**</td>
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</tr>
<tr>
<td>% Free/Reduced Meal</td>
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<td>.207**</td>
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<tr>
<td>School Level</td>
<td>.107**</td>
<td>-.308**</td>
<td>.192**</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>-0.067</td>
<td>0.049</td>
<td>-.136**</td>
<td>-197**</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>% Special Education</td>
<td>.195**</td>
<td>-.048</td>
<td>.304**</td>
<td>.277**</td>
<td>0.022</td>
<td>1</td>
</tr>
<tr>
<td>N</td>
<td>497</td>
<td>497</td>
<td>497</td>
<td>497</td>
<td>497</td>
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</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance
Disaggregated Correlations Data K-8 Elementary Schools –

All Five Years: 2011-2016

Table 11

School Year 2011-12: Disaggregated Correlations Data K-8 Elementary Schools

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
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</tr>
<tr>
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</tr>
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<td>% Free/Reduced</td>
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<td>0.184**</td>
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</tr>
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<td>School Type</td>
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<td>-0.013</td>
<td>-0.109**</td>
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<tr>
<td>% Special Education</td>
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<td>0.202**</td>
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<td>455</td>
<td>455</td>
<td>455</td>
</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance

Table 12

School Year 2012-13: Disaggregated Correlations Data K-8 Elementary Schools

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
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<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
<td>-0.783**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free/Reduced</td>
<td>0.266*</td>
<td>0.198**</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>-0.036</td>
<td>0.009</td>
<td>-0.130**</td>
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<td></td>
</tr>
<tr>
<td>% Special Education</td>
<td>0.067</td>
<td>-0.048</td>
<td>0.065</td>
<td>0.180**</td>
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<td>455</td>
<td>455</td>
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</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance
Table 13

*School Year 2013-14: Disaggregated Correlations Data K-8 Elementary Schools*

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
<td>-.775**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free/Reduced School Type</td>
<td>.285**</td>
<td>.210**</td>
<td>1</td>
<td></td>
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</tr>
<tr>
<td>% Special Education</td>
<td>0.082</td>
<td>-0.013</td>
<td>.135**</td>
<td>.176**</td>
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<td>455</td>
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</table>

*indicates 0.05 significance  
**indicates 0.01 significance

Table 14

*School Year 2014-15: Disaggregated Correlations Data K-8 Elementary Schools*

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
<td>-.783**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free/Reduced School Type</td>
<td>.299**</td>
<td>.191**</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Special Education</td>
<td>.086*</td>
<td>-0.002</td>
<td>.191**</td>
<td>.148**</td>
<td>1</td>
</tr>
<tr>
<td>N</td>
<td>455</td>
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<td>455</td>
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</tr>
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</table>

*indicates 0.05 significance  
**indicates 0.01 significance
Table 15

School Year 2015-16: Disaggregated Correlations Data K-8 Elementary Schools

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
<td>-.739**</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free/Reduced Meal</td>
<td>.246**</td>
<td>.287**</td>
<td>1</td>
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<td></td>
</tr>
<tr>
<td>School Type</td>
<td>-.032</td>
<td>-.028</td>
<td>-.107*</td>
<td>1</td>
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</tr>
<tr>
<td>% Special Education</td>
<td>.106*</td>
<td>0.031</td>
<td>.227**</td>
<td>.132**</td>
<td>1</td>
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</tbody>
</table>

N = 386

*indicates 0.05 significance  
**indicates 0.01 significance

Disaggregated Data from Totals – High Schools – All Five Years: 2011-2016

Table 16

School Year 2011-12: Disaggregated Data from Totals - High Schools

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
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<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free/Reduced Meal</td>
<td>.198*</td>
<td>.225**</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
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<td>0.033</td>
<td>-.02</td>
<td>1</td>
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</tr>
<tr>
<td>% Special Education</td>
<td>.314**</td>
<td>-0.028</td>
<td>.288**</td>
<td>0.096</td>
<td>1</td>
</tr>
</tbody>
</table>

N = 123

*indicates 0.05 significance  
**indicates 0.01 significance
### Table 17

**School Year 2012-13: Disaggregated Data from Totals - High Schools**

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
<td>1</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
<td>-0.702**</td>
<td>1</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>% Free/Reduced Meal</td>
<td>0.202*</td>
<td>0.241**</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
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<td>0.074</td>
<td>-0.048</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>% Special Education</td>
<td>0.332**</td>
<td>-0.026</td>
<td>0.369**</td>
<td>0.096</td>
<td>1</td>
</tr>
<tr>
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<td>123</td>
<td>123</td>
<td>123</td>
<td>123</td>
<td>123</td>
</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance

### Table 18

**School Year 2013-14: Disaggregated Data from Totals - High Schools**

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
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<td></td>
</tr>
<tr>
<td>% Bilingual</td>
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</tr>
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<td>% Free/Reduced Meal</td>
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<td>0.294**</td>
<td>1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>-0.118</td>
<td>0.164*</td>
<td>-0.141</td>
<td>1</td>
<td></td>
</tr>
<tr>
<td>% Special Education</td>
<td>0.376**</td>
<td>0.03</td>
<td>0.315**</td>
<td>0.036</td>
<td>1</td>
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<td>123</td>
<td>123</td>
<td>123</td>
<td>123</td>
<td>123</td>
</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance
Table 19

*School Year 2014-15: Disaggregated Data from Totals - High Schools*

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>% Free/Reduced Meal</td>
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<td>.248**</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>-0.111</td>
<td>.085</td>
<td>-0.094</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>% Special Education</td>
<td>.400**</td>
<td>-0.008</td>
<td>.440**</td>
<td>0.004</td>
<td>1</td>
</tr>
<tr>
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<td>123</td>
<td>123</td>
<td>123</td>
<td>123</td>
</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance

Table 20

*School Year 2015-16: Disaggregated Data from Totals - High Schools*

<table>
<thead>
<tr>
<th></th>
<th>% African American</th>
<th>% Bilingual</th>
<th>% Free/Reduced Meal</th>
<th>School Type</th>
<th>% Special Education</th>
</tr>
</thead>
<tbody>
<tr>
<td>% African American</td>
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<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Bilingual</td>
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<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>% Free/Reduced Meal</td>
<td>.215*</td>
<td>.283**</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>-0.089</td>
<td>.065</td>
<td>-0.116</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>% Special Education</td>
<td>.374**</td>
<td>0.127</td>
<td>.480**</td>
<td>-0.004</td>
<td>1</td>
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<tr>
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<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
<td>111</td>
</tr>
</tbody>
</table>

*indicates 0.05 significance  
**indicates 0.01 significance

This information both within the total data represented and disaggregate (high school and elementary) clearly shows strong correlative data between most of the
variables and special education enrollment. Students who are identified as African American and those who report to be on Free and Reduced Meal represent a high correlation with special education. The tables also show a strong correlation between special education within non-charter school enrollment. In the reverse, the percentage of bilingual students, largely of Latino and Asian ethnicities, appear to have a positive correlation with charter school enrollment.

The overall findings for this study exposes trends throughout the five years of analyzed data. There is evidence, with just a few exceptions, showing significant discrepancies between the enrollments of special education students within public charters vs. those entering public non-charters. The data reflects a significant correlation between the variable of special education enrollment and almost every independent variable. This affirms much of the literature, which states that charter schools are enrolling significantly less students with special needs than their non-charter school counterparts. In reverse, these variations indicate that public non-charter schools are enrolling proportionally more students with special needs than charter schools.

The model is supported throughout the years of data, indicating that special education enrollment is highly predicted by any of the following variables: African American declaration, free and reduced lunch and school type (non-charter). This compilation of data therefore presents as a significant predictor of special education enrollment percentages, in those variables. In addition, as non-charter enrollment increases, so does the percentage of special education students.
As free and reduced lunch allocation increases, the more likely the students requesting that subsidy are not enrolled in a charter school. This is another interesting outcome of the data. Are more impoverished students, no matter what their ethnicity, either not being enrolled or not applying to charter schools? Why does this negative correlation exist? Another interesting revelation appears in the data, with the exception of 2015-16, the data suggests that the higher the percentage of bilingual enrollment the lower the special education enrollment. Does this imply that bilingual students are less likely to need special education accommodations? Or are there other explanations?

Further study of the correlation matrices, produced several interesting aspects which were consistent with the reduced model of variable statistics. Indicated in the data, were direct positive correlations between special higher special education percentages and non-charter schools (i.e., the higher the percentage of special education the more likely it came from a non-charter school). This corroborates the initial hypothesis within the literature review implying that non-charter schools are enrolling a greater number of students with special needs.

In conclusion, the data reveals many answers to the research questions. The data in this study reveals the special education enrollment of students within public charter schools overall, is significantly lower than that of non-charter public schools. Public, non-charter schools are enrolling an overwhelming higher number of students with special needs over their charter school counterparts. In addition, all four combinations of variables in the model (% African American students, students with free and reduced lunches, school level and school type) demonstrate a statistically significant higher
enrollment of students with special needs in non-charter public schools over public charters.
CHAPTER V

FINDINGS, CONCLUSIONS, IMPLICATIONS, AND LIMITATIONS

Findings and Conclusions

The data in this study, collected and analyzed from an American urban city, concurred with the literature reviewed; public charter schools enroll fewer students with special needs than their counterparts, public non-charter schools. While there are many charter schools which enroll an equal or greater percentage of special needs students in correlation to the non-charter schools, it was a point of this study’s data that charter schools are on average enrolling less than the national average of 13%. (GAO 2012) The literature demonstrated that charter schools do not enroll special education students at the rate or quantity of non-charter schools. This study corroborated those literary reports, for the school district selected in this dissertation. In addition, charter schools that operate using American tax dollars may likewise be violating federal laws and statutes. If the data analyzed in this study is indicative of wider trends, it might be suggested that this investigation continue within other school districts.

Simply put, year after year the representative data shows that special education eligible students are consistently enrolled at a lower rate in charter schools.
Implications

After analyzing charter and non-charter enrollments we can see that charter schools, within this city, did not enroll an equal proportion of students with identified special needs as their non-charter school counterparts. The discrepancy in enrollment could mean non-charter schools will need to enroll, educate, and support more students with special needs. This research also suggests that charter schools, while operating with federal subsidies, are potentially being selective. If the results from this study mirror the numbers of other school districts, the larger school system may need to redefine its expectations for charter and non-charter schools.

The data collected and the literature review from this study shows the need for educators and school district to question the reasons for low special education enrollment numbers in charter schools. The literature review exposed both quantitative and qualitative rationales for charter school enrollment practices throughout the entire country. In contrast, this research analyzed a longitudinal study of one large school district over a five-year period. Both revealed that charter schools had a disproportionately low special education enrollment.

In addition, if charter schools continue to grow in numbers across the nation, non-charter schools may see an increasing number of special education students as more independent, non-special needs peers transfer to the charter options.

As seen in the literature review of this study, modeling behaviors from peers enhances the education of special needs students. Conversely, the rigorous selection and “counseling out” of students with special needs from charter schools creates more self-
contained exclusionary student bodies. (Swanson, 2004) The advantage that special education students might have received from being educated with their peers is reduced if these students are disproportionately represented in non-charter schools. The mandate of the least restrictive environment cannot be fulfilled if special education students are not allowed in the same schools/classrooms as those without identified special needs.

In addition, evidence from this study indicates that charter schools are not enrolling equal percentages of minority students or children who qualify for free and reduced lunches. This suggests that a large number of minority and/or impoverished students may be excluded from charter school options.

Within the five years reduced model, with relative consistency, a significance of .01 or lower indicates that these variables are excellent predictors of special education enrollment. One implication of this finding might suggest that much of the literature stated in the review is accurate. The literature review implies that charter schools are not enrolling an equal percentage of students with special needs, while many operate using Federal subsidies. The implications within this data are meaningful. What are the reasons for the significant lack of special education enrollment compared to their public counterparts and are they in violation of IDEA when they accept federal subsidies while not enrolling an equivalent percentage of students with special needs?

As the data is scrutinized further, it appears that the percentage of African American students have more than a correlational relationship with special education identification. A second conclusion can be drawn from this study. Potentially, minority status can also be highly correlated with special education eligibility. The data also
suggests that a significant amount of minority students are not enrolled in charter schools. There appears to be an overall, consistent lack of enrollment of African American students, in general, in charter schools.

In addition, it appears that elementary schools (K-8) report greater numbers of special education student enrollments than high schools (9-12). The obvious reason might be based upon the knowledge that most students with some significant special education are identified as needing some academic support prior to high school.

If the results of this study reflect the practices of most charter schools around the country, and if charter schools continue to grow, state/federal mandates of standardized operations along with governmental oversight could become greatly diminished or even obsolete. We are a country that prides ourselves on innovation. Yet, oversight and regulatory demands keep our institutions healthy and available for all. There is an achievable balance between creative, spontaneous education and compliance with guidelines and standards. Federal laws and statutes provide a framework of equity for every child. They provide the guidelines to ensure that all students are entitled to a Free and Appropriate Education (FAPE), not just for those who find it easy to access. Yet, some continue to marginalize those who are disenfranchised. A disproportionate number of special education students in charter schools could become a tolerated concession for the success of students with privileges such as wealth and/or ability.

This study hopefully provides more insight into the educational practices of students with special needs, creating more dialogue about America’s inclusionary and/or exclusionary educational practices.
As a society, we have promised FAPE to all students, no matter their income level, intellectual capacity, special need(s) or ethnicity. A public education can become an equalizer where any student can overcome personal circumstances alongside a heterogeneous group of peers. In many circumstances, the least restrictive educational environments have been the cornerstones of those successes. If the current charter school enrollment trend(s) continues, are we putting some of the successes at risk?

The results of this study have seven major implications. First, public charter schools overall have an advantage to potentially implement selective enrollment strategies. Second, non-charter schools potentially have a higher special needs percentage. This might be in part due to the fact that public schools must accept every student within their jurisdiction. Third, higher monetary demands are potentially placed on non-charter schools to educate the higher percentage of students with special needs. Fourth, African American students are under-represented in charter schools and present a higher correlation with special needs identification. Fifth, students on Free and Reduced Lunch are under-represented in charter schools. Sixth, federal dollars are equally distributed to charter schools, questioning IDEA funding violations if students with needs are not enrolled/included. Finally, the seventh point implies that current charter school enrollment practices potentially thwart inclusionary, least restrictive mandates, if students with needs are under represented.

Given the findings of this study, teachers and school administrators must consider the student population they serve and the overall implications to their constituents. Whether they are teaching or leading a charter or non-charter the needs of their students
possibly become more homogeneous. In addition, parents must become educated consumers of their local school districts, especially those parents of children with identified student needs. They must question and consider the type of educational environment they would want for their children to experience.

**Limitations**

Despite attempts to keep the data found in this study as free from bias or error as possible, there are several limiting factors may affect research of this kind; sample size of the study, alpha level, statistical testing and effect size. Given that this study makes correlations and comparison based on trends within a single urban school district, there are opportunities for additional associations.

It’s important to note that not all or every charter school falls into the category of not supporting, educating and enrolling students with special needs. One limitation of this study was to compare the charters of this school district as one whole entity. Thus, some individual school data would be lost in the conglomerate. There are many charter schools, which support these students in totality. In addition, there were outlying schools (those which reported no special needs enrollment and those reporting high enrollment percentages). These schools were included in the total study. [Those charters that solely support students with special needs as stated in the methodology section, were eliminated from the study, as were the non-charter special needs schools.]

Another argument could be made that the data didn’t accurately account for bilingual students, due to missing data from the school system, throughout the years chosen for the study. Similar studies may help create a more richly complex view of the
connection between charter and non-charter schools’ enrollment numbers. While this study identifies correlations between charter schools and fewer special education students, other studies might investigate the ways special education enrollment changes depending on the nature of the school district.

Alpha levels, which determine the likelihood of attaining a significant result from the data, seem appropriate in this study. The data from this study shows a useful finding in most of the categories analyzed. These categories demonstrate recordable, consistent data, and maintain their value over time, which brings a conclusion that the data is not significantly altered by discrepancies in the numbers used. However, more studies could collect more recent data to assess whether non-charter school are continuing to enroll more special education students than their charter counterparts, and they might engage the data from other school districts, both large and small. Doing so would help substantiate that the findings of this study are useful and accurate.

Similarly, the effect size found in this study corroborates the claims that non-charter schools enroll a higher number of special education students. This study reveals significant differences between the two types of schools. However, more research throughout other school districts would be helpful to correlate against this data collection.

In addition, this study clearly relies on the accurate reporting from each school. There have been subjective reports from other major cities citing misleading representation of accurate reporting of students with special needs. While it is difficult to follow up on these reports, this study assumes that the numbers published by each school is generally accurate and meaningful. It is not an objective of this study to determine
whether schools are publishing accurate data; while this might be a useful and worthwhile aim, it cannot be undertaken in this work. In addition, the actual data of students enrolled with special needs by the end of each school year would be vital to truly assess if there is even a great discrepancy between the enrollments of students with special need in public charters vs. non-charters, as opposed to just the count day reporting.

Finally, it must be conceded that any study of schools and students necessitates the quantifying of people that are neither static nor homogeneous, even within a group. Each student, special education or otherwise, has their own particularities which may be lost in the data. Student relocation and school openings and closures may likewise obfuscate the patterns found in such a large urban school district. Conclusions are thus harder to draw simply from the numerical data found in a published school report. This study attempted to only study schools and their student body, which remained unchanged, however individuals were not qualified, leaving a margin of potential discrepancy. In addition, the entire premise of special education is to prepare a student with the needed tools and compensatory skill sets in order to reach a level of equity with their peers. Skrtic (1991) was one of the first of many to research and state the importance of equitable education for students with special needs. Since his extensive research, many have corroborated the benefits to all students, when diverse learners are integrated in a learning environment, together.

There is potential that some of the students identified in the diverse learners category, eventually were declassified from the special education rosters, as they moved
up in grades, due to the fact that they internalized the needed compensatory skills
classifying them as a diverse learner. Those individual human stories were not captured
in this study, though they demonstrate the difficulties of analyzing data based in static
categories.

As the American educational system evolves, additional studies must be done to
understand the ways the educational system operates for all students. Additional,
rigorous research and corresponding changes within our school districts will help to
ensure that students receive a free and appropriate education during their primary and
secondary years of schooling.
APPENDIX A

FULL REGRESSION MODELS FOR ALL SCHOOLS
Full Model (Number of Schools = 578 with exception of 2015-2016)

Table A1

*School Year 2011-2012: Full Regression Models for All Schools*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.011</td>
<td>7.268</td>
<td>0.007</td>
<td>7.268</td>
<td>0.007</td>
<td>.016/.135</td>
<td>0.082</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.01</td>
<td>0.755</td>
<td>0.379</td>
<td>4.02</td>
<td>0.018</td>
<td>.017/058</td>
<td>0.461</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.021</td>
<td>7.314</td>
<td>0.007</td>
<td>5.147</td>
<td>0.002</td>
<td>.012/045</td>
<td>0.384</td>
</tr>
<tr>
<td>School Level</td>
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<td>30.735</td>
<td>0</td>
<td>11.744</td>
<td>0</td>
<td>.035/.293</td>
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</tr>
<tr>
<td>School Type</td>
<td>0.097</td>
<td>18.503</td>
<td>0</td>
<td>13.383</td>
<td>0</td>
<td>.026/.175</td>
<td>0</td>
</tr>
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</table>

Table A2

*School Year 2012-2013: Full Regression Models for All Schools*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.018</td>
<td>11.648</td>
<td>0.001</td>
<td>11.648</td>
<td>0.001</td>
<td>.019/.163</td>
<td>0.032</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.017</td>
<td>0.322</td>
<td>0.571</td>
<td>5.978</td>
<td>0.003</td>
<td>.020/068</td>
<td>0.382</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.036</td>
<td>12.647</td>
<td>0</td>
<td>8.282</td>
<td>0</td>
<td>.019/073</td>
<td>0.157</td>
</tr>
<tr>
<td>School Level</td>
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<td>0</td>
<td>17.313</td>
<td>0</td>
<td>.040/.327</td>
<td>0</td>
</tr>
<tr>
<td>School Type</td>
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<td>16.498</td>
<td>0</td>
<td>17.525</td>
<td>0</td>
<td>.024/.163</td>
<td>0</td>
</tr>
</tbody>
</table>

Table A3

*School Year 2013-2014: Full Regression Models for All Schools*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.024</td>
<td>15.44</td>
<td>0</td>
<td>15.44</td>
<td>0</td>
<td>.030/.244</td>
<td>0.001</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.024</td>
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<td>0.343</td>
<td>8.168</td>
<td>0</td>
<td>.047/.157</td>
<td>0.041</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.04</td>
<td>10.205</td>
<td>0.001</td>
<td>8.934</td>
<td>0</td>
<td>.018/070</td>
<td>0.172</td>
</tr>
<tr>
<td>School Level</td>
<td>0.132</td>
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<td>0</td>
<td>22.92</td>
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<td>.045/.362</td>
<td>0</td>
</tr>
<tr>
<td>School Type</td>
<td>0.147</td>
<td>11.209</td>
<td>0.001</td>
<td>20.905</td>
<td>0</td>
<td>.020/.133</td>
<td>0.001</td>
</tr>
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Table A4

*School Year 2014-2015: Full Regression Models for All Schools*

<table>
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<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.028</td>
<td>17.732</td>
<td>0</td>
<td>17.732</td>
<td>0</td>
<td>.030/.236</td>
<td>0.003</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.031</td>
<td>2.644</td>
<td>0.105</td>
<td>10.213</td>
<td>0</td>
<td>.048/.155</td>
<td>0.05</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.067</td>
<td>23.225</td>
<td>0</td>
<td>14.814</td>
<td>0</td>
<td>.035/.128</td>
<td>0.015</td>
</tr>
<tr>
<td>School Level</td>
<td>0.152</td>
<td>58.323</td>
<td>0</td>
<td>26.8</td>
<td>0</td>
<td>.046/.351</td>
<td>0</td>
</tr>
<tr>
<td>School Type</td>
<td>0.163</td>
<td>8.442</td>
<td>0.004</td>
<td>23.407</td>
<td>0</td>
<td>.018/.114</td>
<td>0.004</td>
</tr>
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</table>

Table A5

*School Year 2015-2016: Full Regression Models for All Schools*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.036</td>
<td>19.652</td>
<td>0</td>
<td>19.652</td>
<td>0</td>
<td>.038/.274</td>
<td>0</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.05</td>
<td>8.229</td>
<td>0.004</td>
<td>14.084</td>
<td>0</td>
<td>.064/.201</td>
<td>0.014</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.103</td>
<td>29.898</td>
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<td>19.905</td>
<td>0</td>
<td>.043/.150</td>
<td>0.01</td>
</tr>
<tr>
<td>School Level</td>
<td>0.157</td>
<td>32.839</td>
<td>0</td>
<td>24.102</td>
<td>0</td>
<td>.041/.302</td>
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</tr>
<tr>
<td>School Type</td>
<td>0.167</td>
<td>6.946</td>
<td>0.009</td>
<td>20.904</td>
<td>0</td>
<td>.019/.111</td>
<td>0.009</td>
</tr>
</tbody>
</table>

*Note.* N=497 (due to missing data on the %Bilingual variable for this school year).
APPENDIX B

FULL REGRESSION MODELS FOR ELEMENTARY SCHOOLS
### Table B1

**School Year 2011-2012: Full Regression Models for K-8 Schools**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova F Chg</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>-0.001</td>
<td>0.558</td>
<td>0.456</td>
<td>0.456</td>
<td>0.103092</td>
<td>0.346</td>
<td></td>
</tr>
<tr>
<td>%Bilingual</td>
<td>-0.002</td>
<td>0.328</td>
<td>0.567</td>
<td>0.442</td>
<td>0.246376</td>
<td>0.168</td>
<td></td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0</td>
<td>10.205</td>
<td>0.153</td>
<td>0.978</td>
<td>0.026/.116</td>
<td>0.078</td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>0.041</td>
<td>11.209</td>
<td>0</td>
<td>5.83</td>
<td>0.033/.208</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>

### Table B2

**School Year 2012-2013: Full Regression Models for K-8 Schools**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova F Chg</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.002</td>
<td>2.054</td>
<td>0.153</td>
<td>2.054</td>
<td>0.093023</td>
<td>0.675</td>
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</tr>
<tr>
<td>%Bilingual</td>
<td>0</td>
<td>0.021</td>
<td>0.884</td>
<td>1.035</td>
<td>0.240740</td>
<td>0.285</td>
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</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.002</td>
<td>1.617</td>
<td>0.204</td>
<td>1.23</td>
<td>0.298</td>
<td>0.262</td>
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</tr>
<tr>
<td>School Type</td>
<td>0.037</td>
<td>17.657</td>
<td>0</td>
<td>5.371</td>
<td>0.030/.196</td>
<td>0</td>
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</tr>
</tbody>
</table>

### Table B3

**School Year 2013-2014: Full Regression Models for K-8 Schools**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova F Chg</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.005</td>
<td>3.104</td>
<td>0.079</td>
<td>0.456</td>
<td>0.555555</td>
<td>0.346</td>
<td></td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.009</td>
<td>2.998</td>
<td>0.084</td>
<td>0.442</td>
<td>0.465753</td>
<td>0.168</td>
<td></td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.014</td>
<td>3.213</td>
<td>0.074</td>
<td>0.978</td>
<td>0.026/.173</td>
<td>0.078</td>
<td></td>
</tr>
<tr>
<td>School Type</td>
<td>0.048</td>
<td>17.428</td>
<td>0</td>
<td>5.83</td>
<td>0.033/.194</td>
<td>0</td>
<td></td>
</tr>
</tbody>
</table>
Table B4

*School Year 2014-2015: Full Regression Models for K-8 Schools*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.005</td>
<td>3.362</td>
<td>0.067</td>
<td>3.362</td>
<td>0.067</td>
<td>0.1</td>
<td>0.781</td>
</tr>
<tr>
<td>%Bilingual</td>
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<td>4.996</td>
<td>0.026</td>
<td>4.194</td>
<td>0.016</td>
<td>0.25</td>
<td>0.519</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.032</td>
<td>9.322</td>
<td>0.002</td>
<td>5.955</td>
<td>0.001</td>
<td>.049/.226</td>
<td>0.001</td>
</tr>
<tr>
<td>School Type</td>
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<td>12.943</td>
<td>0</td>
<td>7.82</td>
<td>0</td>
<td>.026/.165</td>
<td>0</td>
</tr>
</tbody>
</table>

Table B5

*School Year 2015-2016: Full Regression Models for K-8 Schools*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.009</td>
<td>4.336</td>
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<td>4.336</td>
<td>0.038</td>
<td>.011/.088</td>
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<td>0.001</td>
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<td>0.001</td>
<td>.011/.039</td>
<td>0.709</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.055</td>
<td>7.034</td>
<td>0.008</td>
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<td>.051/.211</td>
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</tr>
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<td>8.221</td>
<td>0</td>
<td>.028/.159</td>
<td>0.001</td>
</tr>
</tbody>
</table>

*Note.* N=376 (due to missing values on % Bilingual for specific schools).
APPENDIX C

FULL REGRESSION MODELS FOR HIGH SCHOOLS
Full Model (N=123 with exception of 2015-2016)

Table C1

**School Year 2011-2012: Full Regression Models for 9-12 High Schools**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.091</td>
<td>13.277</td>
<td>0</td>
<td>13.277</td>
<td>0</td>
<td>.081/0.542</td>
<td>0</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.163</td>
<td>11.356</td>
<td>0.001</td>
<td>12.885</td>
<td>0</td>
<td>.316/.328</td>
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</tr>
<tr>
<td>%Free Reduced Lunch</td>
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<td>1.362</td>
<td>0.245</td>
<td>9.07</td>
<td>0</td>
<td>.049/.110</td>
<td>0.269</td>
</tr>
<tr>
<td>School Type</td>
<td>0.18</td>
<td>3.023</td>
<td>0.085</td>
<td>7.674</td>
<td>0</td>
<td>.018/.144</td>
<td>0.085</td>
</tr>
</tbody>
</table>

Table C2

**School Year 2012-2013: Full Regression Models for 9-12 High Schools**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.103</td>
<td>15.01</td>
<td>0</td>
<td>15.01</td>
<td>0</td>
<td>.071/.472</td>
<td>0.001</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.181</td>
<td>12.579</td>
<td>0.001</td>
<td>14.513</td>
<td>0</td>
<td>.227.241</td>
<td>0.075</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.207</td>
<td>4.861</td>
<td>0.029</td>
<td>11.607</td>
<td>0</td>
<td>.099/.222</td>
<td>0.025</td>
</tr>
<tr>
<td>School Type</td>
<td>0.22</td>
<td>3.068</td>
<td>0.082</td>
<td>9.623</td>
<td>0</td>
<td>.018/.141</td>
<td>0.096</td>
</tr>
</tbody>
</table>

Table C3

**School Year 2013-2014: Full Regression Models for 9-12 High Schools**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R2</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.134</td>
<td>19.921</td>
<td>0</td>
<td>19.921</td>
<td>0</td>
<td>.099/.646</td>
<td>0</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.273</td>
<td>24.1</td>
<td>0</td>
<td>23.912</td>
<td>0</td>
<td>.397/.415</td>
<td>0.001</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.276</td>
<td>1.556</td>
<td>0.215</td>
<td>16.534</td>
<td>0</td>
<td>.054/.128</td>
<td>0.169</td>
</tr>
<tr>
<td>School Type</td>
<td>0.274</td>
<td>0.601</td>
<td>0.44</td>
<td>12.509</td>
<td>0</td>
<td>.008/.062</td>
<td>0.44</td>
</tr>
</tbody>
</table>
Table C4

*School Year 2014-2015: Full Regression Models for 9-12 High Schools*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.153</td>
<td>23.103</td>
<td>0</td>
<td>23.103</td>
<td>0</td>
<td>.095/.566</td>
<td>0</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.279</td>
<td>22.1</td>
<td>0</td>
<td>24.616</td>
<td>0</td>
<td>.278/.312</td>
<td>0.013</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.31</td>
<td>6.357</td>
<td>0.013</td>
<td>19.262</td>
<td>0</td>
<td>.119/.242</td>
<td>0.011</td>
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<tr>
<td>School Type</td>
<td>0.308</td>
<td>0.69</td>
<td>0.408</td>
<td>14.582</td>
<td>0</td>
<td>.009/.063</td>
<td>0.408</td>
</tr>
</tbody>
</table>

Table C5

*School Year 2015-2016: Full Regression Models for 9-12 High Schools*

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Adj. R²</th>
<th>F Chg</th>
<th>Sig F Chg</th>
<th>Anova – F value</th>
<th>Sig. F Value</th>
<th>B/Beta</th>
<th>Sig of tv</th>
</tr>
</thead>
<tbody>
<tr>
<td>%African American</td>
<td>0.132</td>
<td>17.694</td>
<td>0</td>
<td>17.694</td>
<td>0</td>
<td>.110/.614</td>
<td>0</td>
</tr>
<tr>
<td>%Bilingual</td>
<td>0.349</td>
<td>37.411</td>
<td>0</td>
<td>30.508</td>
<td>0</td>
<td>.383/.449</td>
<td>0</td>
</tr>
<tr>
<td>%Free Reduced Lunch</td>
<td>0.375</td>
<td>5.532</td>
<td>0.021</td>
<td>23.036</td>
<td>0</td>
<td>.114/.226</td>
<td>0.018</td>
</tr>
<tr>
<td>School Type</td>
<td>0.372</td>
<td>0.384</td>
<td>0.537</td>
<td>17.274</td>
<td>0</td>
<td>.007/.047</td>
<td>0.537</td>
</tr>
</tbody>
</table>

*Note.* N=111 (due to specific schools with missing values on %Bilingual).


Individual with Disabilities Educational Act, §1400 (s) (1) (A) (2006).


Silver, K. O. (1998, November). Charting the course for special education in charter schools: How straight the course, turbulent the waters, and prepared the crew? Conversation session presented at the annual meeting of the Teacher Education Division of The Council for Exceptional Children, Irving, TX.


VITA

Mary Racansky Lind is the daughter of Alice and Charles Racansky. She was born in Chicago, Illinois on July 12, 1957. She currently resides in a suburb of Chicago with her husband. Her two children are grown with careers of their own.

Mary Racansky Lind attended public school in Chicago through twelfth grade. She then attended the University of Illinois at Chicago, transferring to the University of Montana for one year. She returned to complete her undergraduate work, in 1981 at Northeastern Illinois University with a Bachelor of Arts in Special Education. In 1995 she was awarded a Masters in Education in Curriculum and Instruction and then in 1999 she earned her Certificate of Advanced Study in Supervision and Administration along with her Type 75 School Administrative Certificate. Both were awarded from National-Louis University.

Mary Racansky Lind has worked in the field of education for the past 40 years. She began her career as an educator of students with special needs in several districts on Chicago’s North Shore. After a 30 year teaching career, she moved to a private school as their Transition Coordinator for two years and then to a therapeutic day school for middle school and adolescents with severe emotional disabilities, as their Educational Director.

Mary Racansky Lind continues to be active on numerous, local education boards along with being an active member of the Loyola Community.
DISSENTATION COMMITTEE

The Dissertation submitted by Mary Racansky Lind has been read and approved by the following committee:

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