

RESEARCH NOTES

From the UFT Research Department

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SPECIAL EDUCATION in CHARTERS and DISTRICT SCHOOLS

In January, the UFT released *Separate and Unequal* showing that New York City's charter schools serve far fewer students eligible for free lunch and English language learners than the regular district schools in their neighborhoods.

At the time, we were unable to conduct a similar review on special education. Comparing the various types of special education enrollments in charters and district schools was not possible, because unlike the regular district schools, charters do not report their percentages of special education students by need level. Last December, the union requested documents containing this data from the NYC Department of Education under the Freedom of Information Act. The DOE has yet to respond. But a FOIA request to the state education department in February produced the documents in March.

The documents—invoices for specific special education services submitted to the state by the charter schools—allowed us to count charters' special education students in three “need” or service categories, mirroring the organization of publicly-available data on special-ed students in district schools. The invoices we obtained frequently contained contradictory or ambiguous data. (One school reported more special education students than its total enrollment.) We excluded some such data, and gave the benefit of the doubt to the charter when possible. (See the Methodology section for more detail.) Once we cleaned the data, the picture was unambiguous.

Findings in a Nutshell

Our findings confirm that charter schools enroll a smaller percentage of special education students than do district schools. But more importantly, charter schools do not enroll the same kind of special ed students as the district schools. While special education enrollment in charters grew over the last year, the special ed students who attend charters have much lower levels of disability than their special ed counterparts at neighboring district schools.

Practically none of the 57 charters we reviewed enroll “self-contained” students, the highest category of need, who must be taught in separate classrooms with one teacher for every 6 or 12 students. Very few enroll “collaborative team teaching” students, who are educated in mixed classrooms with two teachers, one a specialist. These two higher-need categories of special education students by and large attend district schools. Students who require the less-intensive “related services,” such as speech or physical therapy, are by far the most prevalent special education type in the charters.

Need Levels: How special education services are determined

The services a special education student receives are dictated by his or her Individualized Education Plan (IEP), in three broad categories of need:

--**Self-contained students** must attend school in separate classrooms. The IEP usually specifies either a 12:1 student to teacher ratio, a 6:1 ratio, or a 12:1:1, which requires a special ed teacher and paraprofessional for every 12 students in the room. They join their general education peers for limited activities, such as lunch or assemblies.

--**Collaborative Team Teaching (CTT)** classrooms include up to 40 percent special education students and 60 percent general education. They are taught by two teachers, one general education and the other a specialist in special education.

--**Related services (RS)** children receive support services from specialized teachers, typically a certain number of periods a week, according to their IEP. These may include counseling, speech or hearing, occupational therapy, physical therapy or other specially designed support services.

By the Numbers: Special Ed Enrollments Citywide and in Charter-Heavy Neighborhoods

In 2008-09, the 57 charter schools for which we had data had an average special education enrollment of 11 percent, while citywide, district schools enrolled 16 percent.

Citywide, five schools out of the 57 charters we looked at had students in self-contained classrooms, compared with 33 percent of district special education enrollment. Collaborative team teaching made up only 7 percent of charter special ed enrollment, while 24 percent of district special needs students were in such classes. Related Services accounted for 90 percent of charters' special ed enrollment, versus 42 percent of special ed students in city district schools.

Zeroing in on the distribution of special education students in the 38 charters located in Harlem, the South Bronx and Central Brooklyn, the three neighborhoods with the highest concentration of charters, we found an even more pronounced trend (Table 1). In both the 2007-08 and 2008-09 school years, the charters in those areas served virtually no self-contained students, while such students comprised 40 percent of the special education population at neighboring district schools (Districts 4 and 5 in Harlem, Districts 7 and 9 in the South Bronx, and Districts 14, 16, 19, 23 and 32 in Central Brooklyn).

Table 1. Distribution of Special Education Students by Need Category: Charters and District schools in Harlem, South Bronx and Central Brooklyn

Type of Special Ed Student	2007-08 School Year		2008-09 School Year	
	% of Enrollment Charter Schools	% of Enrollment District Schools	% of Enrollment Charter Schools	% of Enrollment District Schools
Self Contained	0%	42.4%	0.6%	39.7%
CTT	6.0%	17.1%	7.1%	20.6%
RS	93.4%	40.6%	91.7%	39.7%

Almost 92 percent of charter students in these targeted neighborhoods require only related services. CTT students accounted for 7 percent of charter special ed enrollment versus 20.6 percent in the district schools.

Special education enrollment at the 38 charters serving Harlem, the South Bronx and Central Brooklyn increased from 2007-08 to 2008-09, to 1,458 students from 1,010, a big increase compared with a 4.3 percent gain in the neighborhood district schools and 7% citywide over the same time. But as Table 2 shows, even with this dramatic increase, only two charter schools had any students in self-contained settings and only 12 served any CTT students.

Table 2. Number of Charters with Special Ed Students, by Category of Service

Type of Special Ed Student	2007-08 School Year	2008-09 School Year
	Number of Charter Schools	Number of Charter Schools
Self Contained	2	2
CTT	9	12
RS	33	35

Implications

Separate and Unequal found that charter schools enroll far fewer high-poverty students and English language learners than district schools. This brief expands that finding to include special education students. The two reports show that charter and district schools enroll very different types of students.

Special education students typically do not perform at the same levels academically as other students. Last year, special ed students in grades 3-8 scored 41 percentage points lower in English and 33 points lower in math than their general education peers on the state standardized tests. While test scores are not reported separately for the different special ed need categories, we know that schools with more self-contained students generally score lower on the city's Progress Reports. This led the DOE to make adjustments in the Progress Reports for the upcoming year to increase the weighting for higher-need special ed students.

These differences should not be overlooked when comparing the performance of the two types of schools. It's misleading to compare the overall performance of charter schools with surrounding district schools without acknowledging the very real differences in their student populations.

Data Sources and Study Methodology

The charter school data was primarily derived from the NYC Department of Education Charter School bimonthly invoices. We requested this information for 64 charters and received invoices on 61. Specific invoice periods were requested including October 2007, April 2008, October 2008, and April 2009. These invoices provided among other things, special and general education enrollment figures, and for each special education student, the level of service that's received – related services, special education teacher support services, collaborative team teaching and self contained classes. Comparable data is available for NYC district schools in each school's Comprehensive Education Plan (CEP). The CEP only specifies three service levels (it treats related services and SETSS as one category called "all others") and so the charter school data was organized similarly. As we had enrollment data for multiple periods per year for the charters but only one period per year for the district schools (the CEP data provides enrollment as of October 31), for each charter school we used the largest special education enrollment reported.

There were several instances where the invoices were unclear. For instance, there were charter schools that submitted a blank invoice. We assumed that these charters had no special education students. There were 53 students whose charter schools did not provide a service level. These students' service level was treated as related services/all other, potentially overstating this category and understating either the CTT or self contained categories. Some charters appeared to list their students in two sections of the invoice, the service level section, usually as CTT, and a section called Special Education Students Receiving Services in Integrated Settings. To avoid double counting a student (the invoices contained no student identification information), we used the larger of the two numbers as the schools' CTT enrollment. If both sections should have been counted then we have understated the charters' special education enrollment.

We eliminated four charters from our initial pool of 61. Two of the eliminated schools, The Williamsburg Charter High School and John V. Lindsay Wildcat Academy Charter School, were removed because they serve grades nine through 12 and our research was limited to schools serving elementary and middle school grades¹. Brooklyn Excelsior Charter School was also eliminated because its invoice form did not contain the appropriate information. Finally, the NY Center for Autism Charter School was eliminated because its enrollment configuration more closely resembles a District 75 school and our research focused on the mainstream schools located in districts one through 32. In all, the sample consisted of 57 charter schools and 1,057 district schools, all serving elementary and middle school grades.

NYC schools are organized by local school districts rather than communities or neighborhoods. To conduct an analysis at the neighborhood level the schools in certain local districts were reconfigured to represent specific communities. All public and charter schools located within the boundaries of Districts 4 and 5 were defined as Harlem schools. All public and charter schools located in school districts 7 and 9 were defined as South Bronx schools. Central Brooklyn was defined as all public and charter schools located within the boundaries of school districts 14, 16, 19, 23, and 32.

Data Sources

- [Charter school invoices — Oct. 2007](#)
- [Charter school invoices — April 2008](#)
- [Charter school invoices — Oct. 2008](#)
- [Charter school invoices — April 2009](#)

¹ Eliminating the Wildcat Academy does not materially alter our findings since it has only enrolled students receiving RS or SETSS. In the 2008-09 school year, the Williamsburg Charter's special education enrollment consisted of 8.9% self contained and 5.1% CTT, changing our report on the number of schools with self contained students from 2 to 3 and CTT students from 12 to 13.