

# CHARTER SCHOOLS AND STUDENTS WITH DISABILITIES

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**Charter schools must accept students with disabilities, but are not equally accommodating.** Independent reviews, school handbooks, and descriptions on school's websites will help you determine which schools are more supportive of students with disabilities.

**Independent school review sites like [Insideschools.org](https://insideschools.org)** can give a clearer understanding of the student experience with statistics about the student body, student achievement, and about how many students with disabilities attend the school.

**School handbooks** (generally available on a school's website) give you a sense of the school's vision, policies, and expectations, so you can consider how the environment will work for your child. Look for key words and ideas in the handbook (responsibility, diversity, rigor, etc.) the description of the school, its mission, and how they address the following:

- **Special Education:** All schools have special education services, but their handbook will not be specific. Don't assume specific programs (ICT, 12-1, etc) are available. Always ask.
- **Discipline:** If a handbook devotes multiple pages detailing its discipline policy, it may indicate an inflexible, 'no-nonsense' approach, which could be a concern if your child has behavioral challenges.
- **Promotion and holding students over:** Discuss the charter school's promotion policies and the process that leads to retention for a child with an IEP - what intermediate steps are taken and at what point are parents brought into the conversation.

## **Take tours, meet the staff, and ask:**

- What specific special education services are available for students with disabilities?
- What are the academic and behavioral expectations?
- What is the school's approach to discipline?
- Do most students with disabilities remain at the school through graduation?
- What athletic and extracurricular opportunities are available, and are they linked to academic/behavioral requirements?

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## **Know Your Rights Under IDEA:**

Charter schools are public schools that are privately managed. They are required to provide special education services. However, a charter school determines the type of services it will provide and may not offer all programs. The New York City Department of Education is responsible for providing services and programs when the charter school does not. Parents have the right to, and should, contact the Committee on Special Education to request evaluations, reopen cases, submit requests, or get assistance.

The Department of Education has primary responsibility for all the steps in the special education process as well as the delivery of services. Children with disabilities who attend charter schools and their parents retain all rights and protections under Part B of IDEA just as they would if the children were enrolled in other public schools.

## **Special Education:**

All procedural safeguards apply, including access to Special Education Mediation, Impartial Hearings & State Complaints. Parents have the right and should contact the Committee on Special Education to request evaluations, reopen cases, submit requests, or get assistance.

## **Complaints About How the School is Run:**

Complaints about how the school is run can be made to the school's Board of Trustees, the authorizer of the school, then the Board of Regents. Charter schools follow their charter or plan of operation, not necessarily all NYS or NYC DOE regulations.