

CHOICE FOR ALL?
CHARTER SCHOOLS AND STUDENTS WITH DISABILITIES

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In order to assess the extent and quality of special education services in charter schools in north Texas, the researcher examined data submitted to Texas' Public Education Information Management System (PEIMS), and conducted qualitative interviews with selected charter school administrators. Five cornerstones of the Individuals with Disabilities Education Act (IDEA): zero reject, individualized education program (IEP), appropriate assessment, free appropriate public education (FAPE), and least restrictive environment (LRE), were utilized in the assessment of quality. Levels of expertise in federal disability law and fiscal barriers were explored, as well.

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God sometimes takes us places we've not planned. I now find myself entering an exciting phase of life in which I will be able to continue to help students with disabilities, yet from a different direction. May I do His will.

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CHAPTER I

INTRODUCTION TO THE STUDY

Background

In order to understand the controversy surrounding charter schools and students with disabilities, it is helpful to understand the background of the charter school movement. To grasp the events that led to the evolution of public charter schools, it is useful to review the historical context and philosophical undercurrents leading to the current clamor for school choice. The popularity of school choice has its roots in diverse circles. Cookson (1994), for example, traces the origins of the movement to discontent with liberal reforms of the 1960's, and an alliance between conservative political voices and religious evangelicals. Morken and Formicola (1999), cite the economic policies of President Ronald Reagan, and couple the attraction of personal choice with an alliance that has developed between fundamentalist Protestants and Roman Catholics. Levin (1999) discusses the contributions of minority parents, African-American community activists, and politicians of color to the expansion of the movement.

The discussion which follows briefly reviews the history of America's public education system to differentiate the development of public and private education in this country, and then looks at the factions that have united in support of the choice agenda. An understanding of some of the historical differences between public and private schools will foster an enhanced appreciation of the charter school movement. A brief review of the relevant and prevailing political climates, and the executive, legislative, and judicial developments precipitating school choice will follow. The incarnation of public

charter schools, an outgrowth of the school choice movement, may then be fully appreciated.

Roots of Public and Parochial Schooling in the United States

The history of public schools in the United States reflects a tradition of white Protestant religious and political values (McAfee, 1998; T. H. Williams, Current, & Freidel, 1964). Indeed, the first legislation establishing schools was passed in Puritan Massachusetts in 1647, and required all towns of fifty or more families to provide a teacher of reading. The purpose was to ensure that all children learned to read and understand the Bible and local laws (J. W. Guthrie & Reed, 1991). An understanding of Biblical teachings was believed to protect one from the snares of the “old deluder Satan,” thus offering protection to the society at large (J. W. Guthrie & Reed, 1991, p. 49).

Public education spread slowly throughout New England, and remained an almost exclusively Northern institution until after the Civil War (J. W. Guthrie & Reed, 1991; Knight, 1913/1969; McAfee, 1998; T. H. Williams et al., 1964). After the war, Abraham Lincoln’s Republican Party sought to expand the public school system throughout the nation. Compulsory schooling was seen as a vehicle to eliminate the class alienation that remained after the abolition of slavery (Knight 1913/1963; McAfee, 1998). Public schools were also viewed as a tool to morally revitalize the nation in the aftermath of war, and the Protestant majority in the Republican Party endorsed the inclusion of Bible reading and Protestant hymn singing into the daily routine. Accordingly, local public school boards and teachers throughout the nation made these practices and Protestant Christian values an integral part of every student’s educational experience until well into the twentieth century (J. W. Guthrie & Reed, 1991; McAfee, 1998; Spring, 1998).

Catholic schools serving primarily Catholic communities appeared in the United States prior to 1860, yet nothing resembled a separate parochial school system. The Roman Catholic educational establishment arose in response to an infusion of Protestant religious practices, such as Bible reading, into public schools (Bryk, Lee, & Holland, 1993; Buetow, 1970; Henig & Sugarman, 1999; McAfee, 1998; Spring, 1998). By 1884, America's Catholic bishops had directed all local parishes to erect a school to provide Catholic schooling to Catholic children, and commanded parish families to enroll their children in these parochial schools (Bryk et al., 1993). The vast majority of America's schools were either Protestant (public) or Catholic by 1920 (Bryk et al., 1993; Spring, 1998).

Reconstruction Republican desire to eliminate class alienation via public education died as the result of racism (Knight 1913/1969; McAfee, 1998). The elections of 1874 brought the loss of the House of Representatives to the Republican Party, primarily due to widespread reaction against a proposal to mandate racially integrated public schools (Knight 1913/1969; McAfee, 1998; T. H. Williams et al., 1964). The topic of racially mixed schools gradually disappeared from party rhetoric after the elections, and the seeds were planted for the race-based dual public school system that emerged in the South (Knight 1913/1969; McAfee, 1998; T. H. Williams et al., 1964). In 1899, the Supreme Court validated "separate but equal" schooling by extending the Plessy v. Ferguson decision to public education, and segregated education remained the norm throughout the South until the early 1960s (J. Kemerer, 1999; Spring, 1998; T. H. Williams et al., 1964).

Liberal Reforms Contribute to the Choice Movement

African-American schools were in many ways unequal, however, and segregated schools were declared unconstitutional in 1954. At that time the Supreme Court held in Brown v. Board of Education of Topeka (1954) that “separate” education is unjust. In 1955, that same court decreed that local school authorities must take steps with “all deliberate speed” to end racial separation. Still, local authorities balked, and the dismantling of schools for African-American students took more than a decade (J. Kemerer, 1999, p. 11; Levin, 1999). Reacting to these radical changes, Southern parents faced with the abolition of segregated education withdrew their children from public schools and established private academies with state funds (Bulman & Kirp, 1999; Cookson, 1994; Henig & Sugarman, 1999; Levin, 1999; National Governors’ Association Center for Policy Research, 1986). These academies, financed indirectly with public funds in the form of “tuition grants” (Levin, 1999, p. 267), have been characterized as the nation’s first true experiment with school choice (Cookson, 1994). This experiment resulted in a “massive withdrawal” of white students, as well as financial support, from the existing public schools. In one county in Alabama the private academies took their enrollment from students within the highest socioeconomic levels, and left the public schools not only racially isolated, but economically stranded, as well (Levin, 1999, p. 267).

President Lyndon Johnson and the Reverend Martin Luther King, Jr. sought integration through court decision and legislation throughout the 1960s. In 1971, the Supreme Court held in Swann v. Mecklenburg Board of Education (1971) that school district-provided transportation was an appropriate means to achieve desegregation.

Disenchantment with forced bussing bred discontent among even those who supported integration in theory (Levin, 1999).

Besides desegregation and forced bussing, there were other issues that bothered conservative Americans. The decisions of the Supreme Court in Engel v. Vitale (1962) and School District of Abington v. Schempp (1963) and Murray v. Curlett (1963), that the long held tradition of prayer and Bible reading in public schools had no place there, offended many and outraged Protestant fundamentalists (Cookson, 1994; Farmer, 1987; McCarthy, 1990). Also feared was what many viewed as a growing trend to permit sex education in the schools. According to Cookson (1994), even more insulting to some conservatives was the appearance that the same educators who banished prayer often supported sex education. It was alleged that the public schools were promoting a religion of "secular humanism," which denied the existence of God (Farmer, 1987, p. 127; McCarthy, 1990; Pierard, 1987). These societal changes had nothing to do with academic achievement or school efficiency, but taken together, led to unhappiness among members of the far right, who increasingly found fault with public education (Farmer, 1987; McCarthy, 1990; Pierard, 1987).

The Market Model

In 1962, economist Milton Friedman published Capitalism and Freedom, in which he proposed a system of state-funded vouchers that would enable students to attend privately operated schools at public expense. By its very nature as a governmental bureaucracy, Friedman argued, public education is an affront to the ideals of freedom and marketplace accountability. Friedman's plan had little effect on public policy at the time it was proposed. Cookson (1994) attributes this to the prevailing liberal political climate Henig (1994) writes that the far-reaching changes of the 60's had not, as yet, affected the

lives of enough Americans to significantly tarnish the image of the public schools, which remained generally well-regarded. Friedman's words were dismissed as "ultraconservative," (Bulman & Kirp, 1999, p. 125; Henig, 1994) and did not resurface until 1980 when President Ronald Reagan challenged the educational establishment and brought the ideas of Friedman into the Oval Office.

The 1983 publication of A Nation at Risk: The Imperative for Educational Reform, by the National Commission on Excellence in Education, a panel created by Reagan's Secretary of Education Terrel H. Bell, precipitated concern about the state of public education in this country like nothing since the Soviets' successful launch of Sputnik twenty-six years before (Bracey, 1994). In ominous sounding language, A Nation at Risk warned us that, "Our once unchallenged preeminence in commerce, industry, science and technological innovation is being overtaken by competitors throughout the world" (National Commission on Excellence in Education, 1983, p. 5). This widely-publicized document clicked off a litany of ways in which American schools were deficient. These deficiencies appeared to surface not only when American students were compared with those of other industrialized nations, but also when compared to American students of past years. That the research was questionable seemed ignored by the media and many politicians (Albrecht, 1984; Bracey, 1994; Gardner, 1984; J. W. Guthrie & Reed, 1991). Rather, the message that was delivered to the American citizenry was that its schools were direly lacking, and its future adults would be unable to compete effectively in a world economy. The conclusion reached by many was that since America's public schools were not successful, serious reform was the only choice.

With a Republican administration in place that valued reduced governmental control and "trickle down" economics, some have suggested that the U.S. Department of

Education, itself under fire, took advantage of the nation's concern for its schools by pushing for reforms that reflected the economic philosophy of the administration. This it did by strongly advocating a system of school choice, in which competition, it was asserted, would result in improved schools of all sorts . . . public and private. In fact, Cookson (1994) writes that during the 1980s, the Department dramatically shifted its emphasis away from the public schools and toward private education and school choice.

Amidst a climate favorable to the market model, choice made its first major political breakthrough at the National Governors' Conference in 1986 (Cookson, 1994). Democratic as well as Republican governors expressed enthusiasm for the choice movement. The report of that conference, Time for Results, makes a case for "true choice" among public schools, in order to "unlock the values of competition in the marketplace." Schools that compete for students, teachers, and dollars, it was alleged, will make the changes necessary for success (National Governors' Association Center for Policy Research, 1986, p. 13).

Reagan educational policies were for the most part continued under President George Bush. Bush included several choice provisions in his reform proposals known as "America 2000" (Cookson, 1994; Pearson, 1993). Among these were vouchers to give parents without the means to enroll their children in private schools the financial assistance to do so. According to McKinney (1993), Bush endorsed public school choice and referred to its expansion as a "national imperative" (p. 667). Writing in 1993, Pearson cautioned against moving too quickly along the path to choice legislation, yet added that "given the speed at which choice legislation is being passed in the state legislatures and the enormous political pressure building nationwide with the consensus between the Bush

administration and the private sector, the mere task of slowing the process is intimidating” (Pearson, 1993, p. ix).

Perhaps nothing was more significant to the movement, however, than the 1990 publication of Politics, Markets and America's Schools by John Chubb and Terry Moe (Bulman & Kirp, 1999; Cookson, 1994; Morken & Formicola, 1999). Chubb and Moe utilized survey data (the High School and Beyond 1980 Sophomore Cohort First Followup [HSB], and the High School and Beyond Administrator and Teacher Survey [ATS]) to argue convincingly of the need for reorganization of the current educational model to one that emulates the market. They cited effective schools research to enumerate the characteristics of effective schools and emphasized the importance of parental involvement to a child's education. Then, citing A Nation at Risk, the “Coleman Study” (J. S. Coleman, Hoffer, & Kilgore, 1982) which alleged the nation's Catholic schools were outperforming public, and the highly publicized decline in scores of the Scholastic Aptitude Test (SAT) as proof, Chubb and Moe asserted that effective change will not come from within because the bureaucracy has a vested interest in maintaining things as they are. Only a total reorganization of public education, they wrote, one that makes use of competition, offers hope of improving the situation and developing America's human capital.

Some researchers disputed these arguments (Cookson, 1994; Smith & Meier, 1995). Noting wide variability in the organization, curriculum and pedagogy of the nation's public schools, Cookson (1994) argued against the allegation that reform cannot take place under the traditional governmental structure, and took issue with the “shaky statistical foundation” Chubb and Moe used to argue their case (p. 86). To strengthen his position, Cookson (1994) discussed a subsequent study co-authored by the same Coleman

of the “Coleman Study,” in which students attending choice schools did not fare as well as students attending private schools or neighborhood public schools.

Smith and Meier (1995) put the institutional theory promoted by Chubb and Moe to the test by empirically measuring linkages between their organization, competition, and school performance variables. Using regression models to predict correlations between institutional theory and choice, they found little to support the market model. The relationships predicted “by school choice advocates by and large failed to appear” (Smith & Meier, 1995, p. 56.)

Nevertheless, publication of the Chubb and Moe book aroused a great deal of interest. Business people, policymakers, and educators looking for answers to the questions raised in A Nation at Risk (1983) took note of their theories. School choice was embraced by individuals previously indifferent to the topic, and became a rallying cry for an unlikely alliance of Christian fundamentalists, Catholics, and free market enthusiasts.

A Curious Coalition

An unlikely coalition has grown up around the issue of school choice. Free market enthusiasts, Protestant evangelicals, Catholics, and inner city African-Americans have united in support of the movement (Coleman, 1998; Henig, 1999; Herrick, 1998; Levin, 1999; Wells, Lopez, Scott, & Holme, 1999). Entrepreneur enthusiasts value competition coupled with less governmental control as the vehicle for academic improvement.

Protestant evangelicals are wary of teachers and textbooks sympathetic to teachings that they consider “secular humanism,” and may prefer to send their children to private schools teaching their own religion (Herrick, 1998; McCarthy, 1990, p. 467). Catholics and conservative Protestants alike see school choice in the form of governmental vouchers as a means to increasing school enrollment and financing schools (Morken & Formicola, 1999;

Levin, 1999). Levin (1999) reports that minority parents, whose children attend schools with few resources and fully credentialed teachers, view choice as an escape from a deteriorating system, which Kozol (1991) has clearly documented.

Public School Choice and Charter Schools

Charter schools are schools of choice within the public sector. The first charter schools were proposed in the late 1980s and were the indirect result of discouragement accompanying the release of A Nation at Risk. That decade brought a wave of reform efforts that swept the nation. Solutions to our educational crisis that were proposed and implemented included competency tests for teachers, stiffer graduation requirements, extended school day and year, increased homework, and criterion-referenced tests designed to determine readiness for promotion and graduation (Cookson, 1994; J. W. Guthrie & Reed, 1991). Site-based decision-making was employed to counter the bureaucratic controls cited by Chubb and Moe (1990) (Carruthers, 1998; J. W. Guthrie & Reed, 1991). Politicians, noting what some believed to be the superiority of private education, resurrected Friedman's market model and the concept of private school tuition vouchers (Cookson, 1994; Henig, 1999; Morken & Formicola, 1999). Magnet schools, within district schools of choice with specialized curricula, were praised for the element of choice they offered to parents and students while promoting desegregation (Glascock, Robertson, & Coleman, 1997). Indeed, in January of 1988 President Reagan chose a public magnet school as the setting for a stirring speech on the benefits of school choice (Henig, 1999, p. 70).

Coinciding with these developments, educator Ray Budde (1988) proposed what he called "charter" schools, modeled after the charters awarded fifteenth century European explorers specifying the expectations of both the explorer and his sponsor (Carruthers,

1998; Nathan, 1996; National Education Association [NEA], 1998a). Budde envisioned contracts awarded to educators in exchange for academic results. His idea might have died, had it not been attractive to the president of the American Federation of Teachers, Albert Shanker (Carruthers, 1998; Nathan, 1996; NEA, 1998a). In a spring 1988 speech to the National Press Club, Shanker reiterated Budde's thoughts and enthusiastically endorsed his proposals (Glascock et al., 1997; Nathan, 1996; NEA, 1998a). Incorporating the market model into public education was attractive to those who viewed competition as the answer to school improvement, and the concept of charter schools began to appear in policy discussions.

Budde's vision calls for schools that provide the benefits of both public and private education. State and taxpayer financed, they operate under a contract that allows some degree of state deregulation in exchange for the freedom to innovate (Finn, Bierlein, & Manno, 1996; Henig & Sugarman, 1999; Nathan, 1996; Parkay & Stanford, 1998; Wells et al., 1999). Proponents cite accountability as integral to the contract, and most legislation calls for the revocation of the charter if the school does not meet accountability standards (Blakemore, 1998; Cookson, 1994; Nathan, 1996, Parkay & Stanford, 1998; R. Rothstein, 1998). R. Rothstein (1998), Levin (1999), and Archer (2000b), however, conclude that accountability is elusive. Not all schools administer the same tests, and no consensus exists as to the objective measurement of educational outcomes.

Regardless of an arguably elusive accountability standard, both Republicans and Democrats support charter schools (Archer, 2000a; Matwick, 1996; Nathan, 1996). Republicans see them as a step toward a market model and away from stifling bureaucratic controls. Democrats view them as an alternative to publicly funded private

school vouchers (Brownstein, 2000; F. Kemerer, personal communication, August 1999; Matwick, 1996).

Minnesota Leads the Way

Minnesota passed the first charter school legislation in the United States, and the first charter school was opened in 1991 in St. Paul (Glascock et al., 1997; Nathan, 1996; Parkay & Stanford, 1998). Aimed at returning 16 to 21-year-old students to school, City Academy sought to prepare students for post-school vocations (Nathan, 1996). The first private school to convert to a charter school was Bluffview Montessori School in 1993 (Glascock et al., 1997).

“Boutique” Schools

The mission and curriculum of charter schools varies widely. Some schools seek to provide a rigorous college preparatory curriculum, some target students deemed at risk of failure, some emphasize a “back to basics” approach (R. Rothstein, 1998, p. 3), some target specific ethnicities and cultures (Levin, 1999; Rhim & McLaughlin, 1999; Toch, 1998) and others are designed to serve students with specific disabilities (U. S. Department of Education, 1997). Some schools' curriculum imposes selectivity on enrollment. McLaughlin, Henderson, and Ullah (1996) report that if the purpose of the school is college preparation, for example, schools in some states may require a valid IQ of 130 or better. The most commonly occurring schools are those presenting an integrated, interdisciplinary curriculum, those that are technology-based, and those that stress a “back-to-basics” curriculum (Medler & Nathan, 1995, p. 6). As of May 2000, 36 states, Washington, DC, and Puerto Rico have passed legislation authorizing charter schools (David Ogden, U.S. Charter Schools, personal communication).

Parental Involvement

Several writers have noted that an uncommon degree of commitment to the success of the school and its educational product have been observed on the part of staff and parents (e.g., Blakemore, 1998; Finn, Bierlein et al., 1996; Nappi, 1999; Nathan, 1996). Parents are often involved in the chartering process, and are integrally involved in the running of the school (McLaughlin et al., 1996). Some institutions actually require that parents volunteer for a specified number of hours. One school, for example, requires that parents commit to a minimum of 20 volunteer hours per semester (Manno, Finn, Bierlein, & Vanourek, 1997; Finn, Bierlein et al., 1996; McLaughlin et al., 1996).

Texas Joins the Movement

Texas entered the school choice arena with passage in 1995 of legislation authorizing public charter schools. That statute, part of Texas Senate Bill 1, found in the Texas Education Code (TEC), Section 12 (Texas Education Agency [TEA], 1998), set the process in place by which 17 open-enrollment schools were opened to students during 1996-1997 (Taebel, Barrett, Brenner et al., 1997). During the academic year 1999-2000, 150 charter schools were in operation in Texas (U.S. Charter Schools, 1999). Although state law permits three different varieties of charter (campus or campus program remaining part of a local district, district conversion [Texas Education Code (TEC), Chapter 12, Subchapters B and C], and open-enrollment [Subchapter D]), by far the most popular has been the “open enrollment” charter school, which is a free-standing school, one with no affiliation to a local school district, and which functions, in fact, as its own district or “local education agency” (LEA) (TEA, 1998).

Students with Special Needs

In Texas as elsewhere, the rapid expansion of the charter school movement has alarmed advocates for students with disabilities who are concerned that the needs of these students may not be met (L. F. Rothstein, 1999; Szabo & Gerber, 1996; Zollers & Ramanathan, 1998). Charter school proponents have either not addressed the issue, or they have written in glowing terms that assume all students' needs can be met appropriately (Finn, Manno, & Bierlein, 1996; Vanourek, Manno, Finn, & Bierlein, 1997). Legal experts are united in the opinion that charter schools that deny adequate service delivery, intentionally or unintentionally, are inviting litigation (Hubley & Genys, 1998; McKinney, 1998; Semple, 1995).

Purpose

The purpose of this study was to determine the extent and quality of service provision to students with disabilities in Texas' charter schools. The validity of concerns gleaned from the literature and the identification of specific needs of charter directors and administrators were a secondary focus of the research.

Significance

Information derived from this research may prove helpful to charter school educators seeking to provide quality services to all students. The study may benefit policymakers who hope to improve choice legislation, and the Texas Education Agency (TEA) and regional Education Service Centers as they work to provide assistance to charter school directors. Finally, these findings may prove helpful to parents of students with disabilities who desire the best educational experiences for their children.

Also significant is the contribution of this study to the limited body of literature on charter schools and students with disabilities. The researcher is aware of no

comprehensive study done, to-date, on the quality and extent of special education services offered to students with disabilities enrolled in Texas' charter schools. It is hoped that this work inspires additional research into the topic.

Assumptions

The study was conducted under the assumption that the charter schools contacted would be helpful to the researcher. It was further assumed that school directors and administrators would provide answers that were honest and forthright in a desire to further quality education for students with disabilities who seek to pursue their education in a school of choice.

Limitations

The relatively small sample of schools studied has affected the generalizability of the results. The quantitative component was limited to those charter schools located within the state of Texas. The qualitative component was limited to interviews with seven charter school administrators who were receptive to the researcher and the interview process. The nature of certain questions may have encouraged respondents to paint a positive picture of their school, and the researcher was forced to rely upon those remarks. Further, the response effects bias that occurs when respondents wish to please the interviewer may have limited the generalizability of the findings (Gall, Borg, & Gall, 1995).

An unforeseen limitation to the accuracy of the quantitative component of the study has been the TEA's policy concerning the release of exact figures on special education student counts. Because the release of numbers smaller than five is seen to jeopardize confidentiality requirements, these numbers are withheld.

Research Questions

Fiedler and Prasse (1996) cite six underlying concepts that form the “foundation” of the Individuals with Disabilities Education Act Amendments of 1997 (IDEA) (p. 37). These include (a) zero reject, (b) individualized education program (IEP), (c) free, appropriate public education (FAPE), (d) least restrictive environment (LRE), (e) appropriate evaluation, and (f) due process and parental involvement. Considered cornerstones of the law, these principles have been utilized as quality indicators to measure program efficacy in charter schools. Because the first five components speak directly to service provision, this researcher has measured quality in terms of FAPE, which speaks to zero reject and a continuum of placements, LRE, and appropriate assessment/IEP. The research questions correspond with these indicators, thereby allowing for an assessment of program quality while addressing the concerns of advocates. The following research questions have guided the study:

1. To what extent are students with disabilities served in the public charter schools of Texas, and in north Texas in particular?
2. To what extent do charter schools in north Texas adhere to a policy of zero reject?
3. To what extent are students with disabilities who desire to attend public charter schools in north Texas assured FAPE?
4. To what extent are students with disabilities who attend public charter schools in north Texas served in the LRE?
5. To what extent are appropriate assessments performed, and are appropriate IEPs developed from those assessments and/or existing records?

Definition of Terms

Several terms have been used in this document that were deemed necessary to the understanding of the discussion. These include terminology utilized by policymakers to describe aspects of the school choice movement, and terminology commonly understood by the special education community.

1. Admission, Review and Dismissal Committee (ARD): This is the Texas term for a committee of school officials and parents who have responsibility for developing the IEP and placing the child in an appropriate program (F. Kemerer & Walsh, 1996).
2. Assessment procedures: The process of collecting data to make responsible decisions about students (Lange, 1997).
3. At-risk charter school: A school whose mission statement indicates its intent to provide a second chance to students who have been unsuccessful in traditional public schools (Patrick, 1999). An at-risk charter school is one in which at least 75% of students meet the state definition of "student at risk of dropping out of school," as detailed in the Texas Education Code, Chapter 29, Subchapter C (TEA, 1998).
4. Behavior intervention plan (BIP): A document, often accompanying an IEP, that specifies the steps to be taken to ameliorate inappropriate behavior(s). A BIP includes positive strategies, program modifications, and supplementary aids and supports required to address disruptive behaviors (Gable, Quinn, Rutherford, Howell, & Hoffman, 2000).
5. Charter school: A publicly sponsored school, one that is organized by groups of parents, teachers, or entrepreneurs, that is essentially free of direct administrative control by the government, yet is held accountable for achieving certain levels of student performance (Cookson, 1994; Parkay & Stanford, 1998; Wohlstetter & Anderson, 1994).

6. Charter statutes: Laws authorizing charter schools, as enacted by a legislative body (F. Kemerer & Walsh, 1996). Most statutes passed by the Texas Legislature that directly affect education are found within the Texas Education Code (TEC; TEA, 1998).

7. Continuum of placements: A variety of instructional arrangements and placements to meet the needs of students. Typical continuums range from full inclusion with students without disabilities to special classes, exclusively. A typical model includes full inclusion, less than 50% of the instructional day in special education, more than 50% of the day in special education, self-contained placement in special education classes on a neighborhood campus, self-contained placement on a separate special education campus, and residential treatment. Although there is a strong preference for inclusion in the IDEA, not every child will be served appropriately in a general classroom. The continuum is intended to ensure that an educational placement and program will be available to meet the unique needs of each student with a disability (McKinney, 1998).

8. Evaluation and re-evaluation (“re-eval”): A comprehensive individual assessment of a student’s learning strengths and weaknesses. Evaluation serves two purposes: determining eligibility for special education and providing information relevant to intervention (Kauffman, 1997). Section 614 (a)(2)(A) of the 1997 Amendments to IDEA states, “A local educational agency shall ensure that a reevaluation of each child with a disability is conducted if conditions warrant a reevaluation or if the child’s parent or teacher requests a reevaluation, but at least once every 3 years. . . .”

9. Federal disability law: Any of the various federal statutes designed to protect individuals with disabilities. Those that affect public schools include Title II of the Americans with Disabilities Act of 1990 (ADA), Section 504 of The Rehabilitation Act of 1973 as amended, and the IDEA (McKinney, 1998).

10. Free appropriate public education (FAPE): All local education agencies (LEA), including Texas' open-enrollment charter schools, are responsible for providing FAPE to all individuals with disabilities between the ages of 3 and 22. Section 300.13 of the regulations to the 1997 IDEA defines FAPE as (a) special education and related services that are provided at public expense, under public supervision and direction, and without charge, (b) meet the standards of the State Education Agency (SEA), (c) include preschool, elementary and secondary students, and (d) are provided in conformity with an IEP. Section 504 and Title II of the ADA also mandate FAPE for those who qualify under those statutes (McKinney, 1998).

11. Individualized education program (IEP): A written document for each child with a disability that is developed, reviewed, and revised in accordance with section 1414(d) of Public Law 105-17 (IDEA, 1997).

12. Least restrictive environment (LRE): The placement of the student must allow for the student to interact with his or her nondisabled peers to the greatest extent appropriate in light of the nature and severity of the disability (F. Kemerer & Walsh, 1996).

13. Local Educational Agency (LEA): "The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or for such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools" (IDEA, Section 602[15][A], 1997). In Texas, the LEA is the local school district or the open-enrollment charter school.

14. Non at-risk charter school: A school whose mission statement indicates its intent is to serve traditional public school students. In some cases, this population is viewed as high-achieving, and the curriculum may be considered college preparatory (Patrick, 1999).
15. Open-enrollment charter school: A type of charter available under Texas Senate Bill 1 (1995), granted by the State Board of Education (SBOE), which does not restrict student enrollment to those living within school district boundaries (Patrick, 1999). By Texas law, open-enrollment charter schools are autonomous, “free-standing,” entities, totally responsible for their own operation.
16. Part B funds: Federal funds that are allocated to states documenting compliance with the requirements of IDEA (IDEA, 1997).
17. Procedural safeguards: Written notice required before a school initiates a change, or refuses to initiate a change, in the child’s identification, evaluation, or educational placement. Procedural safeguards ensure parental access to student records, and a right of review to the state education agency, as well (L. F. Rothstein, 1999).
18. Quality of service provision: Fiedler and Prasse (1996) cite six underlying concepts that form the foundation of the IDEA. These include zero reject, IEP, FAPE, LRE, appropriate (nondiscriminatory) evaluation, and due process and parental involvement. Because the first five components of the foundation speak directly to service provision, quality will be defined in terms of zero reject, assessment/IEP, FAPE, and LRE.
19. Related services: Special transportation and other noninstructional services necessary for a child or adolescent to benefit from an educational program. These include such things as occupational therapy, physical therapy, counseling, and speech therapy (IDEA, 1997) .

20. School choice: Public policies that allow parents and students their choice of schools. Cookson (1994) defines “school choice” as a “multitude of student assignment plans” that vary in operational procedures, but have as their common denominator the hope or requirement that students and their families will become actively engaged in selecting schools.

21. Services to expelled students: The 1997 amendments to IDEA require that children who have been suspended or expelled must continue to be provided FAPE, although an alternative education setting may be appropriate (McKinney, 1998).

22. Texas Education Agency (TEA): The agency that administers public school policy for the state of Texas. The agency is directed by the commissioner of education, and is responsible for those functions specified in the Texas Education Code, Sections 7.021, 7.055, and others (TEA, 1998).

23. “Zero reject”: An education cannot be denied on the basis of a disability. This is the cornerstone of FAPE (Fiedler & Prasse, 1996).

CHAPTER II

REVIEW OF LITERATURE

An essential first step in conducting any research study is to examine the existing literature base on the topic. Charter schools are a recent phenomenon, and while there exists a wealth of information on the philosophy and development of the movement, there is relatively little data on school effectiveness (NEA, 1998b; R. Rothstein, 1998; Smith & Meier, 1995), and still less on service provision to students with disabilities (Hubley & Genys, 1998; Lange & Ysseldyke, 1998; McLaughlin et al., 1996). This review focused on charter schools and their legal and moral obligation to students with disabilities. The articles reviewed were organized into three major headings: those written by legal scholars, those written by educators and advocates, and a review of state charter school statutory law as it pertains to special education. The literature was located through a search of the Educational Resources Information Center (ERIC) and the Dissertation Abstracts International. Other information was gleaned from the U.S. Department of Education, the Texas Education Agency (TEA), and the personal files of Drs. Lyndal M. Bullock and Frank R. Kemerer at the University of North Texas.

Concerns of Legal Analysts

There is no question that public charter schools are subject to federal disability law to the same extent as other public schools. Federal disability law affecting public education includes the Americans with Disabilities Act (ADA), the Rehabilitation Act of 1973 as amended in 1998, and the Individuals with Disabilities Education Act Amendments of 1997 (IDEA). The IDEA contains two provisions related to charter

schools that plainly articulate their responsibilities to students with disabilities (Sections 613 [a][5] and 613[e][1][B]). The implementing regulations to IDEA also contain a number of provisions designed to clarify the law regarding public charter schools (Section 312 [a][b][c][d]). It should be noted that, whereas individual states may excuse charter operators from some or all of their own laws or regulations in order to foster autonomy, provisions of federal law may not be waived (Ahearn, 1999; Fiore & Cashman, 1998; Hubley & Genys, 1998; National Association of State Boards of Education [NASBE], 1996).

A number of legal writers have expressed concern about the requirements of federal disability law, particularly the IDEA as reauthorized in 1997, in the context of school choice. McKinney and Mead (1996) posed several pertinent legal questions. Among these is the extent to which local education agencies (LEA) are drafting and implementing ethical and legally defensible programs of choice for students with disabilities as they are created for other students. Other concerns included the extent to which parents of children with disabilities are involved in choosing a school, and the degree to which the student assignment process differs for students with special needs. Three issues are critical, they asserted, in addressing these questions. They include determining (a) if existing procedures mesh with those required by the IDEA and reflected in the existing individualized education program (IEP), (b) if the schools are prepared to uphold the mandates of IDEA as well as the anti-discrimination requirements of Section 504 of the amended Rehabilitation Act, and (c) if it is possible to create an equitable parental choice program that achieves the mandates of both laws. These writers listed four principles that must be followed to be in compliance: (a) disability status cannot be used as a criterion for noneligibility, (b) state education agencies must

recognize that their obligation under both Section 504 and the IDEA to provide a free and appropriate public education (FAPE) to eligible children cannot be abrogated by allowing parents the latitude to choose schools, (c) reasonable steps must be undertaken to ensure that the school of choice provides a continuum of services, and (d) procedures used for parental choice must not diminish procedural rights guaranteed under either Section 504 or the IDEA (McKinney & Mead, 1996).

Heubert (1997) reported that charter schools have a great many rules to follow regarding curriculum, pedagogy, employment, facilities, and financing as a result of the federal disability laws under which they must operate. In fact, in two important respects, autonomous public charter schools, such as Texas' open enrollment schools, may "paradoxically have greater obligations than most traditional public schools to serve students with disabilities" (p. 303). Heubert asserted that because charter schools are distinctive, they cannot deny admission without denying the right to a distinctive education. For example, a school offering a cosmetology program may not deny entrance to a student with a disability without denying access to cosmetology training. In Heubert's words, "Precisely because these schools are distinctive, 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 greater duty than traditional public schools to admit and serve students with disabilities" (p. 331).

McKinney and Mead (1996) addressed the issue of placement by a multi-disciplinary (IEP) team (required by the IDEA), versus school choice. McKinney (1993) related that the Office of Special Education Programs (OSEP) of the U.S. Department of Education ruled in 1990 that Indiana's parental choice provision "runs afoul" (p. 668) of

the Part B regulations that require all placement recommendations to be made on the basis of the IEP.

Students with disabilities may be the victims of discrimination as they seek to access choice programs, McKinney (1993) wrote. McKinney and Mead (1996) recommended that school districts offering choice (a) ensure that choice plans do not categorically exclude students with disabilities, (b) recognize the continuing obligation to provide FAPE, (c) design child-centered programs consistent with FAPE, (d) maximize equity within choice, (e) determine which special education accommodations can be effectively provided on site, and which services cannot, and make arrangements for all, and (f) ensure that choice procedures in no way contaminate the procedural safeguards of the IDEA.

Hubley and Genys (1998) wrote that “there has been no comprehensive effort to date to explore the way that charter school statutes and federal disability law fit together,” (p. 1) or do not. This paradox has not been investigated by the U.S. Department of Education, charter school proponents, or advocates for students with disabilities. It is the responsibility of the State Education Agency (SEA), according to these writers, to ensure that children with disabilities enrolled in charter schools are afforded the substantive and procedural protections required by the IDEA. Therefore, it is essential that the SEAs establish methods to efficiently and effectively monitor and evaluate charter schools.

McKinney (1998) warned charter school applicants that the definition of disability under Section 504 of the Rehabilitation Act is broader than that under the IDEA. Whereas the IDEA delineates nine specific categories of disability under which students must fall (Section 602[3][B]), the Rehabilitation Act defines an individual with a disability as one with a physical or mental impairment substantially limiting one or more major life

activities, one with a record of such an impairment, or one regarded as having the impairment (Section 7[20][B]). Examples include children with attention deficit hyperactivity disorder (ADD/ADHD), students with contagious diseases, and students recently hospitalized (McKinney, 1998).

Semple (1995) cautioned those who wish to open a charter school to insist on a corporate structure that limits liability to individuals, and to purchase insurance. Liability regarding special education requirements can be “crucial” (p. 24), and is an area that has been problematic in schools that show a reluctance to channel needed resources into special programs. Semple reminded school directors that due process standards related to federal law remain applicable even if state rules and district policies are waived.

McKinney (1996), wrote that responsible officials in Arizona were unable to respond when asked the numbers of students with disabilities who applied, were admitted, and/or were served in charter schools in that state. Moreover, during the first six months of the 1995-96 academic year, parents filed three complaints with the Arizona state education agency, and one with the Office of Civil Rights (OCR) that alleged pre-existing IEPs were not being implemented.

Hill (1999), a proponent of schools of choice, reported that federal agents charged inclusion oriented charter schools with violating the civil rights of students previously assigned to special programs. Advocates for students with disabilities, he charged, may be trying to “preserve a regime of regulation whether or not disabled children and their parents have deliberately chosen the kinds of instructional environments available in charter schools” (p. 157). The clear implication was that enforcement of federal disability statutes threatens the viability of the charter school movement.

Concerns of Educators and Advocates for Students with Disabilities

It appears that the choice movement, and the evolution of charter schools as a form of choice, was begun without consideration of students with disabilities (Ysseldyke, Lange, & Algozzine, 1992). Indeed, Szabo and Gerber (1996) reported that in April 1995, only four of twelve state charter laws specifically mentioned special education. The primary motivation, on the other hand, seems to have been finding a means to “raise the bar” of academic achievement (Hubley & Genys, 1998; Nathan, 1996; NEA, 1998a; Rider, 1998). With limited data available, however, proponents of school choice have relied on anecdotal evidence to contend that schools of choice, including charters, are facilitating increased achievement (J. Guthrie, 1998; Nappi, 1999; NEA, 1998b; R. Rothstein, 1998; Smith & Meier, 1995; Zigmond, 1999). This researcher has found numerous articles, particularly by proponents of the movement, that omit mention of service to students with special needs (e.g., Bulman & Kirp, 1999; Marks, 1995; Morken & Formicola, 1999; Nappi, 1999; Rael, 1995; Schlaes, 1998; Viteritti, 2000; J. Williams, 1998). Additionally, a number of articles and policy documents make mention of special education as a requirement, and that schools may not discriminate against students on any basis, including disability, and leave it at that (Ahearn, 1999; Rhim & McLaughlin, 1999).

Not surprisingly, educators and advocates for students with disabilities are concerned that charter school operators may be unprepared to meet the requirements of the law. They point to the potential for discrimination against students with disabilities, a lack of expertise in service delivery, a lack of experience with legal requirements, isolation that may result when students with disabilities are educated in segregated environments, and limited funding resulting in inadequate programming (Council for

Exceptional Children [CEC], 1999; Lange & Ysseldyke, 1994, 1998; L. F. Rothstein, 1999; McLaughlin & Henderson, 1998). Yet, parents of students with disabilities seek schools of choice for their children. The reasons parents seek choice, each of these specific concerns, and some additional concerns of educators and policymakers are examined below.

Why Schools of Choice?

L. F. Rothstein (1999) noted that parents of students with disabilities express the same motivations as other parents who desire an alternative to the neighborhood public school. Lange and Ysseldyke (1998) studied the reasons parents of students with special needs elect choice options. They found that 64% of respondents felt their child's educational needs were better met in the choice school, 41% indicated their child would receive more individual attention in the smaller atmosphere, 40% were either (a) unhappy with their child's former school, or (b) wanted their child to attend the same school as his/her friends or siblings, 38% felt the special education teachers in the new school, "keep me better informed," (p. 259), 36% were looking for a "fresh start" for their child (p. 259), 33% found "more options in special education programs" (p. 259), and 33% believed the teachers to be better in the school of choice.

Carruthers (1998) studied the reasons parents of students with disabilities select charter schools, specifically. She found, as well, that parents are motivated by the same factors as parents of students without disabilities. These include characteristics of the new school, underlying philosophy of the charter school, indicators of school success, and support for the unique needs of students. Safety has also been cited as an important consideration (Levin, 1999). Parents of students with disabilities express appreciation for the smaller class size offered in charters, and a belief that the child's emotional needs will

be of greater concern in a smaller environment (Carruthers, 1998; McLaughlin & Henderson, 1998).

Potential for Discrimination?

Yet, students with disabilities may not be gaining equal access to charter schools. Carruthers (1998) found that the percentage of students with disabilities receiving special education in Colorado charter schools is less than the state average. Zollers and Ramanathan (1998) reported that charter schools run on a “for-profit” basis serve far fewer students with significant disabilities than do local school districts (p. 299). Zollers (2000) cited two methods schools use to exclude students with disabilities. First, some who gain admission by lottery are overtly barred from admission once their complicated disabilities are discovered; and second, some students are returned to their former districts after admission because the charter school declares it has no suitable program for them. Zollers (2000) and R. Rothstein (1998) asserted that it is a common practice for charter school directors to engage in “counseling out” expensive or difficult students by suggesting that the child or adolescent would be better served elsewhere. Students with disabilities can be expensive to educate yet, “Parents of students with complicated disabilities shouldn’t need another IDEA to give them a choice in public education” (p. 304), wrote Zollers and Ramanathan. R. Rothstein (1998) reported that charter schools may be able to effectively limit special education obligations with recruitment and counseling procedures that formally meet requirements but discourage the enrollment of students with IEPs. McKinney (1998) called such counseling measures “clearly inappropriate” (p. 571).

The National Education Association (NEA) (1998b) reported that in 1997 a quarter of all newly organized California charter schools enrolled no students requiring

special education. Of those well established “conversion” charters, once operated as private schools, only 6% enrolled students with special education needs. Similarly, in Arizona the NEA reported that during the 1995-1996 school year, only 17 of 46 charter schools served students with disabilities, and only 262 of nearly 7,000 students enrolled were served in special education. In Massachusetts, 50% of charter schools had no students with special needs during the 1995-96 academic year (NEA, 1998b).

Substantiating this finding, Medler and Nathan (1995) asked charter school operators to delineate all services available to students. Of 110 schools responding, only 74 offered special education. Seventy-two percent of charter schools surveyed by the NEA (1998a) reported that they were prepared to serve students with disabilities. The National Study of Charter Schools found that in eight of ten states studied, charters served a lower percentage of students with disabilities than traditional public schools. The disparities were greatest in Massachusetts, Michigan, Colorado, and California (U.S. Department of Education, 1997). Finn, Manno et al. (1996) found that almost 5% of charter school students did not have the legally required IEPs. Teachers were expected to meet the needs of all students, few specialized staff members were hired, and few pull-out programs were offered for students with specific needs (Finn, Bierlein et al., 1996). Henig (1999) wrote that even when one includes charter schools designed for students with specific disabilities, the 1997 national survey found that students with disabilities were underserved. Although a roughly proportionate number of students from low socioeconomic backgrounds attended, reports from the schools indicated that before enrollment, 7% of students received services under the IDEA, compared with 10 percent nationwide (Henig, 1999).

The lower percentage of students with disabilities mirrors the situation nationally. Data from the U.S. Department of Education (1997) indicated that in all states but Minnesota and Wisconsin, which host numerous schools designed to serve children with specific disabilities, charter schools enrolled a lower percentage of students with disabilities than did their traditional public school counterparts. Overall data for the 1998-99 school year suggested that charter schools, including those for students with specific disabilities, served 3% fewer students with disabilities than all public schools combined (8% versus 11%). The percentage of students with disabilities in charter schools and all public schools was within 5% in most states, with Ohio enrolling 5% more students with disabilities in charter schools, and Alaska, Connecticut, Delaware, Louisiana, Michigan, and New Jersey enrolling at least 5% fewer (U.S. Department of Education, 2000).

Also according to the Department of Education, approximately 1,745 students with disabilities were enrolled in charter schools in Texas during 1997-98, roughly 9.4% of all students. This compared with 443,341 students with disabilities in the traditional public school system, or approximately 11.4% (U.S. Department of Education, 2000). This represented a significant increase over 1996-97, at which time only 4.5% of students were served in special education, despite 68% of all students considered "at-risk" (Taebel, Barrett, Chaisson et al., 1998, p. 16).

Zollers and Ramanathan (1998) suggested that those charter schools run by corporations on a for-profit basis (e.g., Sabis, Edison, and Advantage) are guilty of denying services to students with disabilities. They interviewed parents of students with special needs and community members, as well as charter school, school district, and governmental employees (Ramanathan & Zollers, 1999), and found that those schools may, in fact, discriminate against students with disabilities. These writers asserted that the

profit motive is a significant underlying reason for these practices. They argued that for-profit charter schools in Massachusetts have “engaged in a pattern of disregard and often blatant hostility toward students with more complicated behavioral and cognitive disabilities” (p. 299).

Charter School Access to Students with Behavioral Disorders

A search of the databases of the Educational Resources Information Center (ERIC) and Dissertation Abstracts International has revealed no research done specific to students with emotional/behavioral disorders (E/BD) served in public charter schools. Charter schools enroll students who have been unsuccessful in traditional educational environments, and some schools target students at-risk of dropout or failure. It is considered likely, therefore, that students with behavioral disorders are attending public charter schools. Indeed, a study by McLaughlin and Henderson (1998) indicated that charter school directors reported large numbers of children with “learning and/or behavior problems” attending their schools. The directors attributed the “intensive individualized education the students need” to the high numbers enrolled (p. 105).

To what extent, then, are these public schools of choice serving students with emotional disabilities? In addressing this question, some have expressed concern that schools may be limiting the enrollment of students with behavioral disorders by suggesting to parents that their child's needs might be better met in the traditional public schools (Dykgraaf & Lewis, 1998; R. Rothstein, 1998; U.S. Department of Education, 1997; Zollers & Ramanathan, 1998). McLaughlin and Henderson (1998) wrote that charter school directors in Colorado reported hesitance to enroll students with challenging behaviors. One school, with plans to expand from Grade 6 to Grade 8, decreed that no new students would be admitted in order to limit the admission of students with behavior

problems. These writers found it ironic that while proponents describe them as “schools of last resort,” it appears that the neighborhood public schools are the ones who are assuming this role for students with troublesome behaviors.

In hopes of limiting this role, a Lansing, Michigan superintendent took a stand in 1998 against accepting students ejected from a local charter school because they had committed various offenses, including assault on school personnel. The superintendent claimed that requiring district schools to provide an education for students deemed too dangerous for the charter schools allows the charters the ability to selectively exclude difficult students (NEA, 1998b).

In fact, state educational statutes sometimes allow charter schools to exclude students with behavior problems. The Texas Education Code (Texas Education Agency [TEA], 1998), for example, enables charter directors to exclude students with a “documented history of criminal offense, juvenile court adjudication, or discipline problems under TEC, Chapter 37, Subchapter A” (Section 12.111[6]) (TEA, 1998). Disciplinary offenses delineated under Chapter 37 of the Texas Education Code involve known violations of the LEA’s student code of conduct, which vary widely between school districts. Because a history of behavior problems may indicate an emotional/behavioral disorder, and because federal law overrides state statute, schools that screen out applicants with a history of disciplinary incidents may be acting illegally. This, however, has not yet been tested in court (L. F. Rothstein, 1999).

Positive Behavioral Supports in Charter Schools

Despite the lower percentage of students with disabilities served nationwide, however, there are reports of charter schools that serve significant numbers of students with disabilities, and do a good job. McKinney (1998) wrote that many schools have

welcomed children with disabilities, and are promoting programs to provide positive academic and social supports pursuant to the IDEA. Zigmond (1999) followed students at Seven Hills Charter School in Massachusetts through their day, and was positively impressed with the programs available to all students, including those with disabilities, who make up 17% of the school's population. Zigmond pointed out that, unlike Texas, Massachusetts' state charter law exempts charter schools from serving those students with disabilities significant enough to require self-contained classes.

Charter schools are small and class sizes are often small, as well. McKinney (1998) and the NEA (1998a) reported that about 60% of charters enroll fewer than 200 students. Parents have expressed gratitude for the personal attention that is possible, as a result (McLaughlin & Henderson, 1998). An argument can be made that some students with mild disabilities requiring special services in the larger environment may be able to succeed without special education in the more intimate setting (McLaughlin & Henderson, 1998; McLaughlin et al., 1996). Indeed, it is reported that some students transfer into charter schools to avoid special education, and that it is not uncommon for parents to fail to notify schools that their child received special education services in the previous environment (Rhim & McLaughlin, 1999). Nevertheless, McLaughlin and Henderson (1998) reported that there is wide variability in service provision, and that some schools do a good job meeting the unique needs of students.

Sufficient Expertise to Provide Services?

A study conducted by the Education Commission of the States (1995) found that at the time of publication, charter school directors in seven states felt unprepared to accept the challenges of students with disabilities. Other researchers found special education to be particularly challenging to newly-opened schools (Glascock et al., 1997;

McLaughlin & Henderson, 1998; Rider, 1998; Vanourek et al., 1997; Vernal, 1995).

Specific concerns cited were numbers of students served, funding, allocation of funds, and responsibility for providing services. Grutzik (1997) noted a lack of familiarity with special education forms and procedures. Vernal (1995) echoed the concerns of L. F. Rothstein (1999) regarding a lack of expertise in service delivery. Particularly troubling was the fact that charter school administrators were often unfamiliar with the rules of special education funding, and unaware of the procedures and costs of testing and evaluation.

Unanticipated expenses such as those associated with special education, testing, and evaluation add to already burdensome start-up costs (Fiore, Warren, & Cashman, 1999; Matwick, 1996; Urahn & Stewart, 1994). Lange (1997) wrote that many charter schools open their doors without a formal plan in place for serving students with special needs. Rather than an integral piece of the initial planning, competing interests and expenses may relegate special education to an afterthought.

Familiarity with Legal Requirements?

An article appearing in the October 25, 1996 issue of The Special Educator suggested that charter school operators are unaware of their obligations under the law, and that they will continue to be so until litigation or complaints to the Office of Civil Rights (OCR) focus more attention on special education issues. The technical skills necessary to implementing the IDEA are not trivial, the article continued, and it is critical that states provide sufficient assistance (Blanchette, 1997; Charter Schools and Special Ed Law, 1996). The U.S. Department of Education (1998) reported that relatively few charter school operators are trained educational administrators. The lack of graduate training presents particular problems because relatively few charter school directors are

“conversant with the requirements of IDEA or other federal disability law” (p. 2), and may have to hire someone to teach them, particularly regarding the IDEA (Vernal, 1995).

Not only are few charter school directors trained educators, but Bomotti, Ginsberg, and Cobb (1999) interviewed teachers in 16 charter schools across Colorado and found that the school board, made up primarily of parents, actually runs the school. “Parent control of the school is excessive...many want to pick the textbooks and don’t know how to do it,” (Bomotti et al., 1999). Similarly, Wells et al. (1999) studied schools in which parents write school policies, provide resources, determine who enrolls, and discipline students. One wonders if the parents who run the school are conversant with special education law.

The Council for Exceptional Children (CEC) published a statement that supports charter schools, but emphasizes the need for schools to abide by the same anti-discrimination and federal disability laws as all other public schools. According to the statement, charter agreements must identify the parties responsible for the cost of special education, related services, and building renovations. Finally, CEC cautioned that standards applied to educating children with disabilities must be the same as those applied elsewhere, with monitors consistent with those determining compliance in other schools (CEC, 1999). Lange (1997) reiterated that despite talk of deregulation, no state may waive requirements of federal law, and warned school operators to obtain complete information regarding disability statutes pertinent to education, just as they must for other applicable federal requirements.

Sufficient Funding?

Requirements of disability law may tax young, free-standing charter schools already facing financial difficulty, however. Charter schools in Texas have no designated

capital funds and cannot assess taxes (C. Ausbrooks, personal communication, February 1999; Taebel, Barrett, & Chaisson et al., 1998). Building acquisition and restoration, as well as other start-up costs, can be particularly burdensome (Hill, 1999). Texas' open enrollment charter schools operate as independent LEAs, and as such are fully responsible for all services provided by the larger, more experienced school districts. If students with special needs are to be provided appropriate services, there will need to be increased funding (McKinney, 1998; L. F. Rothstein, 1999). A change in the funding formula may be necessary. The funding that is provided to the states through IDEA provisions is based on a per pupil count multiplied by the average cost of educating a child with a disability. One child requiring residential placement can financially devastate a struggling charter school. CEC called upon Congress to appropriate funding to 40% of the excess costs of providing special education and related services. This level, which has been authorized since 1981, would benefit students and educators in charter schools as well as traditional schools (CEC, 1999).

Bierlein and Fulton (1996) and Zollers and Ramanathan (1998) reiterated fears that one or more expensive special needs students could "break the budget" of a financially strapped charter school (p. 3). Henig (1999) wrote that despite the fact "charters so far seem to be bearing less than their full share of such children," (p. 87) charter operators fear children with expensive special needs. In Henig's words:

It is not clear whether wariness about taking on such students is attributable to reluctance to do what is necessary to meet their genuine needs or to fear that the attendant federal or state regulations would force the school into unnecessary expenses or modifications of its operations (p. 105).

Free-standing charter schools are required by law to provide a continuum of placements and related services to meet the needs of students who require them, and they can be expensive (Ahearn, 1998; Lange, 1997; McKinney, 1998). Related services may include visits to a physician, psychologist, or outside counselor, and the charter school, as LEA, must assume financial responsibility, if the services of these professionals are recommended by the IEP team. Glascock et al. (1997) reported that some schools have to use money designated from the general operating fund to pay for appropriate special education expenditures. The National Association of State Boards of Education (NASBE) (1996) suggested that the programmatic needs of students with disabilities may not be adequately considered in charter school legislation.

The transportation associated with related services can be costly, as well. Although all public schools are eligible for federal funds under the IDEA, concerns have been raised as to whether the charter schools are receiving their share. Blanchette (1997), in testimony before the Subcommittee on Early Childhood, Youth and Families, Committee on Education and the Workforce of the U.S. House of Representatives, reported that a variety of barriers make it difficult for schools to access IDEA funds. These include inconclusive enrollment and student eligibility data submitted to states before funding decisions are made, the time commitment required, and the costs involved in applying for the funds. Blanchette surveyed 30 schools, and found that one-half of survey respondents received IDEA funds. Of those schools operating as independent LEAs, however, only two-fifths were receiving IDEA-related funding. Further, one-third of those schools surveyed did not apply for funds or services. When asked why, the charter directors replied (a) they were too busy, (b) they were not eligible for the funds, (c) they were unaware of the availability of the funds, or that (d) applying for the funds

was costlier than the amount they would receive. McLaughlin and Henderson (1998) wrote that some directors hesitate to report students with special needs, saying that all students need individual learning plans. Interestingly, however, more than two-thirds of the charter operators surveyed indicated they feel they receive an equitable share of the funding.

The impact of students with special needs on a charter school budget is frequently raised as a barrier to the fiscal viability of the schools (Bierlein & Fulton, 1996; Fiore et al., 1999; U.S. Department of Education, 1998; Urahn & Stewart, 1994). Many schools contract for related services, which can be expensive. Newly hired directors may need to hire someone to teach them the intricacies of federal disability law, particularly regarding the IDEA (Fiore et al., 1999; Matwick, 1996; Urahn & Stewart, 1994; Vernal, 1995).

Special education funding matters are managed best, according to Rhim and McLaughlin (1999), when the charter school operates as part of a local school district. Fortunately, according to Bierlein and Fulton (1996), Fiore et al. (1999), and the U.S. Department of Education (1998) there have been no reported instances of the closure of a charter school as the result of special education expenditures.

Litigation

Perhaps there have been no schools to close as the direct result of special education expenditures; however, more than one charter school has suffered as a result of not spending the money on accommodations required by the IDEA, the Rehabilitation Act of 1973 as amended, and the ADA. In April of 1997, the Boston Renaissance Charter School became the first autonomous charter school to be subject to a complaint filed with the OCR ("Charter Schools: Practical and Legal," 1998; Henig, 1999; Hubley & Genys, 1998; McKinney, 1998). The case involved a kindergarten student who was experiencing

behavioral difficulties. At the school's request, the child was evaluated by a physician and placed on medication to treat ADD/ADHD. Despite pharmacological intervention the difficulties persisted, prompting educators to attempt several behavioral accommodations. These included a change of class, a shortened academic day, and an assessment for special education. The assessment found the child to be ineligible for services under IDEA, but eligible for Section 504 accommodations under the amended Rehabilitation Act of 1973. A 504 plan was initiated, but little improvement was forthcoming. In October of his second grade year, the school announced that the student was subject to a hearing that could culminate in a long-term suspension or expulsion. The parents withdrew the child from the school, re-enrolled him in the local school district, and subsequently filed a complaint with the OCR.

The OCR in its investigation found that the charter school had violated Section 504 and Title II of the ADA by failing to notify the parents of their procedural rights, failing to provide regular education supplementary aids and services as per Section 504, and failing to offer a full continuum of special education services. It was ruled that the school shortened the student's day without a compelling medical or educational reason to do so, and failed to notify "beneficiaries and others" that it does not discriminate on the basis of disability (McKinney, 1998, p. 574).

Accordingly, the school was compelled to submit a "corrective action plan" to the OCR. In this document it was agreed that the school would review policies regarding length of school day, continuum of services, and disciplinary procedures for students with disabilities. The school agreed to provide supplementary aids and services, notice of non-discrimination, and materials informing parents of their rights. To resolve the dispute, the school was required to reimburse the child's parents \$4,232 for child care, remedial

tutoring, and occupational therapy (Henig, 1999; Hubley & Genys, 1998; McKinney, 1998, p. 574).

In March of 1999, Texas' special education hearing officer found in Jason L. v. Seashore Learning Center Charter School of Corpus Christi, Texas, that the rights of a ten-year-old student had been violated. Jason, a child with an orthopedic impairment requiring the use of a wheelchair, entered Seashore Learning Center with a pre-existing IEP that, according to the findings, was not implemented in the charter school. Further, Jason's parents charged that they had been forced to privately engage an assessment specialist to determine the nature of their son's learning disabilities in reading and math. It was ruled that the charter school had failed to provide occupational therapy as stipulated in the IEP, failed to provide an assistive technology evaluation, and failed to assess Jason's learning disabilities in a timely manner. It was also noted that Jason was denied adaptive P. E. as prescribed in his IEP, and that he was unable to access certain campus buildings and the playground due to architectural barriers. Evidence was presented that the school was in noncompliance with Title II of the ADA and the IDEA.

The hearing officer ordered Seashore Learning Center Charter School to immediately remove all architectural barriers, implement all special education services necessary to fulfill the IEP, perform an assistive technology evaluation, and secure the evaluator's presence at all Admission, Review and Dismissal (ARD) meetings. The school was also ordered to reimburse Jason's parents for privately provided services, provide the child with an individualized reading program consistent with his disability, and provide one year of compensatory education in occupational therapy (Jason L. v. Seashore Learning Center Charter School, 1999).

Isolation in Segregated Environments?

The Metro Deaf School in Minnesota utilizes American Sign Language as its primary means of communication. The charter educators at the Metro School believe that instruction presented in a student's principal language results in increased achievement. Despite the innovative approach to learning taken by this school, Lange and Ysseldyke (1994) and L. F. Rothstein (1999) urged caution in regard to segregated environments. Separate schools for students with specific disabilities isolate students, undermining the inclusionary spirit of the IDEA (L. F. Rothstein, 1999). To date, however, specialized charter schools have not been challenged in court, and are considered legal (Alex Medler, U.S. Department of Education, personal communication, May 23, 2000). Schools that exclude students with disabilities will also result in segregated environments, L. F. Rothstein (1999) warned.

Other Areas of Concern to Educators and Advocates

Creaming

Szabo and Gerber (1996) expressed the fear that charter schools have the potential to become elitist institutions catering to the academically gifted at the expense of students with special needs. Of particular concern to traditional educators is the possibility of "creaming," also known as "skimming." (J. Kemerer, 1999; R. Rothstein, 1998; Taebel, Barrett, Chaisson et al., 1998; Vanourek et al., 1997). "Creaming" refers to the withdrawal of the best and brightest students to schools of choice, leaving only those students most difficult, and most expensive, in the public school system (R. Rothstein, 1998; Smith & Meier, 1995; Taebel, Barrett, Chaisson et al., 1998). Although Texas' charter schools are technically open to all students, it has been observed that parents who explore choice options demonstrate a concern for educational quality that may influence

their children to be academically motivated (F. Kemerer, personal communication, September 1999; R. Rothstein, 1998). However, according to research conducted by Taebel, Barrett, and Chaisson et al. (1998), creaming has not occurred in Texas.

Perhaps the best and brightest students have not been skimmed from Texas' neighborhood schools, but schools of choice drawing from the enrollment ranks of neighborhood schools can significantly effect funding. Jimerson (1998a; 1998b) discovered that traditional school districts losing substantial numbers of students to choice lost local revenue and associated state aid. This resulted in larger classes, programming cuts, deteriorating facilities, and greater burdens surrounding the cost of special education.

Transportation

Another worry concerns the logistics of special education transportation (Lange, 1997). The IDEA requires LEAs to provide transportation, if needed, for a child to benefit from special education (Section 602[22]). This includes travel to the educational setting and back, between settings (such as from the school to the site of contracted instruction), in and around the campus, to and from related services provided outside the school, and to extracurricular activities equal to those provided to nondisabled students (McKinney, 1998). Urahn and Stewart (1994) and Vernal (1995) cited transportation difficulties as particularly vexing to Minnesota's charter schools. In that state, local school districts provide special education services to charter school students. Bus service is unavailable in the summer months, however, thus precluding innovative calendars (Vernal, 1995).

Rhim and McLaughlin (1999) reported that transportation requirements of charter schools are typically consistent with those of traditional public schools. When state level policymakers were asked about issues pertaining to the transportation of students with

disabilities, they replied that while bussing can be a sizable expense and individual schools may have problems negotiating arrangements, it is not a major issue. NASBE (1996) reported that Colorado and Illinois are two states requiring charter school applicants to include a description of the proposed transportation plan in their charter application.

Resentment

Political struggles between those who support charter schools and those who do not can impact the classroom. Hassel (1997) cited resentment toward charter schools as a complication that impedes the delivery of services to students with disabilities. For example, in the aftermath of a bitter political feud, the administrators of one school system in Massachusetts refused to provide student records until well after the beginning of the academic year, thereby hindering the charter school's attempts to plan for special education needs.

Teacher Shortage

Another concern is the shortage of special educators nationwide, and the fear that sufficient personnel will be unavailable to support students with disabilities who exercise choice options (McLaughlin & Henderson, 1996; L. F. Rothstein, 1999). Although individual state statutes may waive the requirement that charter school teachers be certified, the IDEA requires certification of special educators (Section 653[c][D]; NASBE, 1996). Szabo and Gerber (1996) cautioned charter applicants to ascertain the availability of special education professionals.

Specific Disabilities

It has been difficult for this researcher to obtain data on the particular types of disabilities presented by students enrolled in charter schools. When asked, school

directors reported large numbers of students with learning disabilities and behavior problems (McLaughlin & Henderson, 1998; McLaughlin et al., 1996). The U.S. Department of Education (1997) described one school designed to serve students with “learning disabilities and developmental delays,” and another that serves as a “regional center for orthopedically handicapped students” (p. 2). Very little data has been found that delineates students and/or programs by disability category, however.

State Charter Statutes Pertaining to Students with Disabilities

Ahearn (1999) wrote that while all states have enacted rules and regulations pertaining to IDEA, no states have adopted special education regulations specific to their charter schools. Pennsylvania, at the time of writing, however, was reviewing proposed regulations to specify how compliance with federal law would be ensured. In April 1995, only four of twelve state charter laws specifically mentioned special education (Szabo & Gerber, 1996). Rhim and McLaughlin (1999) studied charter statutes in Arizona, California, Colorado, Connecticut, Florida, Louisiana, Massachusetts, Michigan, Minnesota, New Jersey, North Carolina, Rhode Island, Texas, Wisconsin, and the District of Columbia. They and NASBE (1996) reported that all of the laws contain general anti-discrimination language, and that most have specific language forbidding schools from discriminating against students with disabilities. Additionally, the charter laws in seven states require schools to specifically target students labeled “at-risk” or “academically low achieving” (p. 4). When asked whether charter applicants include plans for special education in their application, Rhim and McLaughlin (1999) found that nine of the fifteen states sampled require a general statement regarding commitment to federal disability law. In only one state are applicants required to submit their special education plans for review by the state special education consultant.

States with charter statutes have developed a variety of documents providing information to individuals interested in applying for a charter, but only about half of the states have written policy documents relating to students with disabilities (Ahearn, 1999). An August 1998 examination of materials provided by all charter states to their applicants revealed that Texas is one of twenty states that provide written special education guidelines upon request (Ahearn, 1999).

NASBE (1996) observed that only one state specifically stated the need to include students with disabilities in its charter school legislation, and that most statutory language relates to funding mechanisms rather than promoting the inclusion of students with disabilities. An important provision in all state legislation pertains to waivers of state education code. All states permit some waivers in keeping with the underlying philosophy governing the charter school concept, yet most include strong statements regarding adherence to state and federal law (NASBE, 1996).

Pertinent to disability law, twenty-two states surveyed in early 1998 addressed the issue of liability in their statutes. Texas and Rhode Island grant some immunity from liability, equal to that of school districts, to their charter schools. Minnesota and Pennsylvania, on the other hand, hold charter schools solely liable for all actions related to the operation of their schools (Fiore & Cashman, 1998).

A Look at Texas' Law and Application

An examination of materials provided to Texas' charter school applicants confirms the findings of Rhim and McLaughlin (1999) regarding anti-discrimination language. When one calls TEA to request an application for an open-enrollment charter school, one is mailed an 87-page booklet containing an application form, procedures for

applying, selection criteria, the text of the state statute, and other documents as required by the State Board of Education (SBOE). Also included are specific instructions that delineate which documents are considered most important. Conspicuously absent from this listing are documents pertaining to special education (SBOE, 1999).

However, special education and the anti-discrimination clauses of federal disability law have recently received renewed attention in Texas' application process. The copy of the state statute included in the packet contains an anti-discrimination clause designed to protect persons with disabilities and other disenfranchised members of society (Section 12.111[6]) (TEA, 1998). New to the process is the addition of a document (November, 1999), "Application Questions to be Reviewed by Review Committee." This document contains questions regarding special education preparedness. Applicants are asked to describe their school's plan to accommodate students through the implementation of such required components of IDEA as Child Find, confidentiality safeguards, procedural safeguards, ARD committee meeting notification, assessment, development and implementation of the IEP, least restrictive environment (LRE), transition planning, personnel certification, and services to expelled students (SBOE, 1999, pp. 45,46).

Less encouraging is the "Open-enrollment Charter School Application Evaluation Scale," used to grade or rate charter applications. It is observed that of a potential 200 points for a perfectly prepared application, the maximum number of points allotted for this item is 15, which encompasses requirements for IDEA, Section 504, and the state's dyslexia program. Indeed, it is noted that an application with no mention of special education planning could receive 185 points.

If an application lacking adequate consideration of disability law is awarded a charter, however, there are three conditions that may result in the revocation of that charter. These include failure to satisfy accountability provisions, failure to satisfy accepted standards of fiscal management, and failure to “comply with Texas Education Code, Chapter 12, Subchapter D or federal law or rule” (SBOE, 1999, p. 12). Failure to comply with the ADA, the IDEA, or the Rehabilitation Act of 1973 as amended are, therefore, grounds for closing the school.

The Charter School Resource Center of Texas is an organization dedicated to the “formation and successful operation of state and district charter schools across Texas” (Charter Resource Center of Texas, 1999). This organization maintains a website designed to assist persons wishing to open a charter school. An examination of this site reveals a page of “Application Suggestions,” that delineates seven areas of primary concern to application reviewers. This page excludes any mention of plans for special education. A second webpage entitled “Educational Program,” does include a reminder (one of nine) to list the populations to be served, and to explain the manner in which that service will be provided (Charter School Resource Center of Texas, 1999, Educational Program).

Conclusion

The dilemma for educators and policymakers is the intersection of discrepant priorities with the law. For example, charter school proponents envision individual, autonomous schools that foster innovative and effective educational practices for students, while special educators are concerned that the rights of students with disabilities are protected. The highly regulated legal requirements of the IDEA, Section 504 of the Rehabilitation Act, and the ADA are designed to ensure that protection, yet these

requirements do not permit the level of autonomy desired by charter school proponents. Legal analysts foresee many potential avenues of litigation as a result of conflicting ideologies, lack of expertise, or budgetary shortcuts. Financial considerations related to federal disability law can severely strain the purse strings of fledgling charter schools. Why, then, is there evidence that charter school directors are not requesting the IDEA funds that are available to them (Blanchette, 1997)?

Do students with disabilities seek choice in Texas? Are they served in charter schools? Are their needs met? This study has provided answers to questions concerning the availability and status of special education services to students with disabilities attending charter schools in Texas. Hopefully, the results will facilitate improved educational outcomes for children and youth who seek educational choice in the public sector.

CHAPTER III

METHODOLOGY AND PROCEDURES

The purpose of this study has been to evaluate the degree to which students with disabilities are served in Texas' public charter schools, assess the quality of those services, and identify areas of need. Concerns voiced by advocates of individuals with disabilities and legal analysts will be addressed as to their relevance for Texas. This chapter describes the methodology of the study, and is organized as follows: (a) research questions, (b) subject selection, (c) quantitative procedures, and (d) qualitative procedures.

Research Questions

The review of literature has revealed that special educators and advocates for students with disabilities are concerned that charter schools lack the resources and the expertise to adequately meet the needs of students. Legal analysts have observed many avenues of potential litigation regarding charter schools and federal disability law, and charter school proponents appear to assume that all students' needs can be met adequately. The research questions were designed to address the areas of concern gleaned from the literature, the researcher's personal concerns regarding students with disabilities and choice, and concerns raised in an interview with Ms. Phyllis Gandy, the Director of Student Support Services at Education Service Center, Region XI in Fort Worth, Texas.

Fiedler and Prasse (1996) cite six underlying concepts that form the foundation of the IDEA. These cornerstones of the law will be utilized to measure quality of service provision in charter schools. The quality indicators include zero reject, IEP, FAPE, LRE,

appropriate (nondiscriminatory) evaluation, and due process and parental involvement. Because the first five components of the foundation speak directly to service provision, quality has been measured in terms of FAPE, which speaks to zero reject and the continuum of placements, LRE, and appropriate assessment/IEP. The research questions were designed to correspond with these five indicators.

The following research questions have guided the study:

1. To what extent are students with disabilities served in the public charter schools of Texas, and in north Texas in particular?
2. To what extent do charter schools in north Texas adhere to a policy of zero reject?
3. To what extent are students with disabilities who desire to attend public charter schools in north Texas assured FAPE?
4. To what extent are students with disabilities who attend public charter schools in north Texas served in the LRE?
5. To what extent are appropriate assessments performed, and are appropriate IEPs developed from those assessments and/or existing records?

Subject Selection

Charter Schools Statewide

The Public Education Information Management System (PEIMS) is a database utilized by the state of Texas to collect all of the information necessary for the legislature and the Texas Education Agency (TEA) to “perform their legally authorized functions in overseeing public education” (TEA, 2000b, p.1). All local education agencies (LEA) and public charter schools are required to submit data concerning student demographics, academic performance, personnel, finances, and organization to PEIMS (TEA, 2000b).

The researcher has requested and utilized data obtained from PEIMS to determine (a) the percentage of students with disabilities attending public charter schools in Texas, (b) the types of disabilities ascribed to students attending charter schools in Texas, and (c) whether the information varies by region. For the purposes of the study, the data is limited to the 142 schools active in 1999-2000, for which TEA provided records to the researcher. All figures are accurate as reported on December 1, 1999.

Interview Subjects

With approval of the doctoral committee, the researcher contacted charter school administrators in north Texas for the purpose of securing permission for, and scheduling, in-depth interviews. The names of the administrators were obtained from the 1999-2000 Directory of Active Charter Schools, provided by TEA (TEA, 2000a). The researcher received permission to proceed from the University of North Texas Office of Research Services, Committee for the Protection of Human Subjects (See Appendix A). All administrators were contacted initially by telephone. The study was explained, and those willing to be interviewed were assured of anonymity. Study participants signed the research consent form before commencement of the interview.

Six interviews were held with 7 individuals. These included 2 headmasters, 2 principals, 2 directors of special education, and 1 assistant principal/director of special education. Because some administrators are responsible for more than 1 school, 20 charter schools are represented in this portion of the research. All of the schools are located within Texas, and the majority (17) are located within Regions X and XI. The schools represent diverse student bodies in terms of socioeconomic status, racial demographics, and student age. One school serves preschool aged children, three of the schools enroll grades K-12, and a number of schools are designed for secondary students,

exclusively. Two of the administrators operate schools enrolling middle to upper income families living in predominantly white neighborhoods, one of which is a “conversion” charter, a school previously operated as a private school. One administrator runs a school in which the majority of students are white, and come from lower middle to middle income “working class” homes. Several of the schools have been chartered as “at-risk” schools, meaning that at least 75% of their students are classified “at-risk of dropping out of school,” according to the Texas Education Code, Chapter 29, Subchapter C (TEA, 1998). All of the at-risk schools enroll a racially diverse student body. One at-risk school is located in a “rough” inner city neighborhood, and serves a student body that is 94% African-American and 6% Hispanic. None of the schools represented in this research were chartered to serve students with specific disabilities, exclusively.

Quantitative Procedures

The researcher requested and received PEIMS data from TEA, and converted reported numbers to descriptive statistics that answer research question 1 (extent of service provision to students with disabilities), and prompt concerns in regard to question 2 (zero reject).

Qualitative Procedures

Qualitative procedures have been utilized to verify the quantitative findings and analyze the remainder of the research questions. In this study, the qualitative research was designed to identify reasons for the statistical findings, and provide information to facilitate the assessment of special education program quality. A series of six in-depth interviews was conducted with seven north Texas charter school administrators. The interviews took place at the convenience of the school personnel, and ranged from 1 hour and 15 minutes to 1 hour and 45 minutes in length. Each was audiotaped and transcribed.

Accuracy of the data collected was verified through the process of “member checking” (Gall, Borg & Gall, 1996; Glesne, 1999). Member checking allows respondents the opportunity to review a copy of their transcribed comments before data analysis is conducted. If inaccuracies are noted, corrections are made. Two interview subjects requested changes to their transcripts.

For the purposes of the study, an open-ended, semi-structured interview was conducted. Semi-structured interviews utilize interview guides with questions prepared in advance, yet allow for new avenues of inquiry to emerge (Glesne, 1999; Gall et al., 1996; Mahoney, 1997). To maximize information collection, the researcher utilized “depth probes” (Frey & Oishi, 1995; Glesne, 1999, p. 93; Mahoney, 1997). Depth probes, or “probes,” are designed to elicit rich information. They include “Tell me more,” or “Anything else?” statements, strategically timed silences, and questions arising from a comment made by the interviewee (Frey & Oishi, 1995; Glesne, 1999, p. 87). The interview questions have been included as Appendix B.

Assessment of Quality

“Quality” is a difficult concept to measure. Studies that identify effective special education programming cite appropriate assessment, IEP goals that are tied to desired outcomes, ongoing program evaluation, and qualified instructional personnel (e.g., McLaughlin, 1993; Mellard, Clark, & Reduque, 1992). Because most public charter schools in Texas have been in operation for less than three years and special education procedures are new, ongoing program evaluation was not addressed as a prerequisite to quality. Further, since certified special educators are in short supply nationally, creating burdens for both traditional and charter schools (e.g., McLaughlin & Henderson, 1996; L. F. Rothstein, 1999), program quality was not measured on the basis of certification.

However, zero reject, least restrictive environment, FAPE, and assessment that is tied to IEP goals and objectives was addressed (Fiedler & Prasse, 1996; Hammill & Bartel, 1986; Kauffman, 1997; Lerner, 2000).

Method of Data Reduction

Once the researcher was satisfied that the data collected was accurate and of sufficient substance, the responses were analyzed for recurring patterns and themes with the aid of the software package dtSearch (1998), available from DT Software, Inc. DtSearch (1998) is text retrieval software commonly used by researchers in the fields of sociology, anthropology, and health care to analyze qualitative data (Gittelsohn, J., Pelto, P. J., Bentley, M. E., Bhattacharyya, K., & Jensen, J. L., 1998). Data reduction was accomplished through the creation of an index of approximately 4,000 terms, excluding conjunctions and articles (a, an, the). The researcher scrutinized the index for terms considered relevant to the research, and discarded those terms considered irrelevant (e.g., business, toes). The following terms, and variations thereof, were identified as important to the purposes of the study:

Table 1

Index of Relevant Terms

access	diagnose	information	personnel	short
accommodate	discipline	infraction	physical	skill
address	disorder	integrate	portable	social
administer	disturb	interpret	program	special
aide	dyslexia	intervene	progress	speech
alternative	emotional	isolate	psychology	strategy
ARD	enable	LD	punish/punitive	strength/strong
arrangement	evaluate	legal	reassess	structure
assess	exam	legislate	refer	suspend
assist/assistive	exempt	mainstream	regulate	swear
autistic	expel/expulsion	mandate	reject	therapy
behavior	function	mental	remediate	threaten
BIP	gain	misdiagnose	require	tourette
categories	general	mislabeled	resource	train
collaborate	group	modify	restrictive	transfer
compliant	guide/guidance	noncompliant	retard	treat
consult	hearing	noninclusive	safeguard	tutor
continuum	identify	option	segregate	violate
contract	IEP	orthopedic	separate	warn
counsel	incident	OT	serve	weak/weakness
curricular	include	palsy	setting	wheelchair
detention	individual	pathology	severe	workshop

After identifying relevant terms, the researcher categorized them to correspond with specific research questions. For example, “identify,” “assess,” “refer,” and “IEP” were four of the terms chosen to correspond with research question five, “To what extent

are appropriate assessments performed, and are appropriate IEPs developed from those assessments and/or existing records?”

Dtsearch was then utilized in the construction of concatenated data sets. This was accomplished by combining the grouped terms and entering them in a series of concept searches. Searches of this type may be customized to yield all comments within 75 words of each relevant term. Printing the references and their associated text in relation to each research question facilitated the analysis of data. This enabled the researcher to draw conclusions to answer the final four questions guiding the study.

Terms Combined in Data Concatenation

Table 2

Question 2: Zero Reject

access/accessible	disorder	legislation	swear
autistic	expel/expulsion	noncompliant	threaten
behavior	incident	punish/punitive	tourette
compliance	information	reject	violation
detention	infraction	severe	warn/warning
discipline	legal	suspend/suspension	wheelchair

Table 3

Question 3: FAPE

access/accessible	emotional	OT	segregate
arrangement	hearing	palsy	self-contain
assistive	homebound	PT	serve
autistic	hospital	pathology	setting
behavior	IEP	personnel	specialist
BIP	individual	physical	speech
category	legal	portable	structure
compliance	mandate	regulated	tourette
consult	mentally	resource	tutor
continuum	option	retardation	train
disorder	orthopedic	safeguard	workshops

Table 4

Question 5: Assessment/IEP

accommodate	counsel	IEP	physical	serve
address	curricular	incident	program	shorten
administer	diagnose	individual	psychology	skill
alternative	enable	interpret	punitive	specialist
ARD	evaluate	intervene	reassess	speech
assess	exam	learning	records	strategies
assistive	exempt	LD	re-eval	strength/strong
autistic	function	legal	refer	therapy
BIP	gain	mentally	remediate	train
collaborate	guidance	modify	require	transfer

consult	hearing	MR	retardation	treatment
contract	identify	pathology	safeguard	weakness

Summary

Presented within this chapter are the procedures by which the study has been conducted. PEIMS data has been collected from TEA, and the extent of students with disabilities reportedly enrolled in Texas' charter schools has been calculated. Qualitative data has been collected through the use of semi-structured interviews, and analyzed with dtSearch, a text retrieval program recommended for use with qualitative data. Recurring patterns provide insight into the descriptive statistics.

CHAPTER IV

RESULTS

This study has sought to determine the extent of special education service provision in charter schools in Texas, and north Texas in particular, identify needs, address concerns gleaned from the literature, and assess the quality of service delivery in a variety of charter schools. Data provided by the Texas Education Agency via the Public Education Information Management System has been examined to determine the extent of service. Qualitative interviews to complement the findings have been conducted in an effort to measure quality, determine needs, and assess the validity of concerns found in the literature. The data review and the questions for the in-depth interviews were both designed to answer the following research questions:

1. To what extent are students with disabilities served in the public charter schools of Texas, and in north Texas in particular?
2. To what extent do charter schools in north Texas adhere to a policy of zero reject?
3. To what extent are students with disabilities who desire to attend public charter schools in north Texas assured FAPE?
4. To what extent are students with disabilities who attend public charter schools in north Texas served in the LRE?
5. To what extent are appropriate assessments performed, and are appropriate IEPs developed from those assessments and/or existing records?

Analysis of PEIMS Data

An examination of two reports provided by the Texas Education Agency, (a) Texas Public School Districts including Charter Schools, Disabled Students Receiving Special Education Services by Disability and Age, Fall 1999-2000 PEIMS Data, and (b) Texas Public School Districts Including Charter Schools, Student Enrollment by Grade, Sex, and Ethnicity, Fall 1999-2000 PEIMS Data, sought to determine (a) the percentage of students with disabilities attending public charter schools in Texas, (b) the types of disabilities (by percentage) ascribed to the students attending those schools, and (c) whether the numbers vary by region. Estimated figures for all requests were forthcoming. Because TEA combines all data submitted by local education agencies, and does not distinguish between traditional independent school districts and public charter schools, the same information was supplied for traditional school districts. The data gleaned from PEIMS has allowed the researcher to answer research question 1, and has raised additional questions in regard to question 2.

Research Question One

In order to calculate the percentage of students with disabilities served, it is necessary to determine total student enrollment and enrollment of students with disabilities. Acquiring accurate data regarding numbers of students with disabilities educated in public charter schools has proven impossible, however. Many charter schools do not submit special education information, and TEA does not release exact figures for those that do. In order to ensure the confidentiality of students with disabilities, TEA does not release special education student counts under five. A determination of special education enrollment is particularly problematic, therefore, because many of the schools are small and enroll fewer than five students with disabilities. Additionally, 50 of the

schools, or 35.21%, did not report special education data for the academic year 1999-2000 (T. Hitchcock, TEA, personal communication, September 12, 2000). Given the data provided to TEA, however, and subsequently to the researcher, it has been calculated that approximately 8.62% of students enrolled in Texas' charter schools during 1999-2000 had identified disabilities.

This figure is misleading unless schools are examined individually. The data has revealed that of the 142 charter schools operating within the state of Texas during the 1999-2000 school year, 92 of them reported enrollment of special education students, and of those 92, 19 reported fewer than 5 students with disabilities. A handful of schools with high numbers of students with disabilities, therefore, skews the mean percentage. The enrollment of students with disabilities in five charter schools in the state, for example, was reported to be above 65%, with one school designed for students with hearing impairments reporting 87.17% students with disabilities. Of those schools submitting data, 47.61% (20 schools) reported fewer than 5% students with disabilities, and 6.52% (6 schools) reported fewer than 2%. If one were to assume that the 50 schools reporting no special education data served no special education students during 1999-2000, one might conclude that in 49.29% of charter schools in Texas, fewer than 5% of students are receiving services. Comparatively, 12.27% of traditional public school students are enrolled in special education.

Disability Categories

The TEA policy of masking student counts lower than 5 complicates interpretation by disability category in charter schools. Examination of the data, however, does reveal that charter schools in Texas primarily serve students with learning disabilities. Students with emotional disturbance, speech impairment, other health

impairment, and mental retardation (in descending order), were also reported. Numbers of students with other disabilities were either not reported or not released.

For purposes of comparison, it might be revealing to note that traditional public schools in Texas serve students who present a larger array of disability categories. The following table illustrates percentages of students served during the 1999-2000 academic year by disability category:

Table 5

Students with Disabilities in Traditional Schools

OI	OHI	AI	VI	DB	MR	ED	LD	SI	AU	DD	TBI	NCEC
1.38	7.7	1.24	.67	.03	5.82	7.23	54.3	19.64	1.14	.13	.19	.45

Note. OI= orthopedic impairment; OHI= other health impairment; AI= auditory impairment; VI= visual impairment; DB= deaf/blind; MR= mental retardation; ED= emotional disturbance; LD= learning disability; SI= speech impairment; AU= autism; TBI= traumatic brain injury; NCEC= noncategorical early childhood

Regional Variation

Data was analyzed according to the specific region of the state from which it was drawn. It was noted that numbers of students attending charter schools vary significantly by region. Six of the twenty TEA designated service regions, those with primarily small or rural districts, had no operational charter schools during 1999-2000. Most of the charter schools in the state are located in urban areas. For the purposes of this study, data for Regions X and XI of north Texas was reviewed closely for numbers of schools, students, and students with disabilities.

Charter Schools in Region X

Region X refers to the nine county service area surrounding Dallas, Texas. PEIMS data was received for twenty-four charter schools located within the region. Those twenty-four schools reported a total enrollment of 6,823 students. The most accurate figure available places special education student enrollment at 329 students, or 4.82% of the charter school students. Services to students with specific disabilities echo those served statewide and include students with (in descending order by number served) learning disabilities, emotional disturbance, speech impairments, and other health impairments. Unlike any other region of the state, Region X is home to a charter school for students with auditory impairments. According to records received by the researcher, 18 of the 24 schools in Region X, or 75%, submitted special education data for 1999-2000.

Charter Schools in Region XI

Region XI consists of ten counties surrounding Fort Worth, Texas. According to records received from TEA, five charter schools were in operation in Region XI during 1999-2000. Total charter school enrollment for the region was 787 in 1999-2000. Three of the schools reported special education students. This constitutes a total enrollment greater than 17, and less than 22, or approximately 2.2% of the total charter school enrollment. One of the schools reported 12 students with learning disabilities, and another reported 5 students with speech impairments. The third school reported fewer than 5 students with special needs.

Charter Schools Represented in the Interviews

One question asked of administrators participating in the qualitative research was, "Tell me about the composition of your student population (e.g., male/female, at-risk,

minority, gifted, disabled?)” The answers to that question suggest that between 6% and 23% of the students attending the administrators’ schools have disabilities. The average percentage, 11.6% of the total enrollment, is considerably greater than the numbers from TEA would indicate. This may be due to the fact that (a) some schools opened initially in the Fall of 2000, and (b) some that have been operational for some time have not reported special education numbers. It is particularly interesting that the headmaster of the school in Region XI with the greatest number of students with disabilities (23%), readily admits that his school reported special education figures for the first time in December of 2000.

Typical of statewide figures, the charter administrators reported that the vast majority of special education students attending their schools have learning disabilities. Other disability categories mentioned included emotional disorders, speech impairments, and mild mental retardation, but very few students with speech impairments and mental retardation attend the schools. No students with hearing or vision impairments are reportedly enrolled in the administrators’ schools, nor are students requiring wheelchairs. Interestingly, secondary programs that are “self-paced and self-directed” report greater numbers of students with emotional/behavioral disorders than traditional academic formats. One administrator attributes this to a shortened school day (4 hours in most cases), and a format that provides for little direct interaction with instructors.

Research Question Two

The term zero reject, according to Fiedler and Prasse (1996), is the foundational precept of the IDEA: an education cannot be denied on the basis of a disability. An examination of PEIMS data for Regions X and XI reveals that ten of the charter schools in north Texas submitted no special education data for 1999-2000, and that four of them served fewer than five students with disabilities. Combining the regional totals reveals

that 4.58% of the students in north Texas' charter schools have disabilities. This figure prompted concern that students with disabilities are turned away or counseled to go "elsewhere" because of their disabilities, and was scrutinized by qualitative means.

Most schools utilize an interview process to introduce prospective parents and students to the programs offered by their schools. When asked to describe this process, and whether it differs for students with disabilities, most asserted that they are "honest" with parents. When asked to elaborate, they explained that they tell parents what they offer, explain the programs, and relay some of the advantages and disadvantages of their instructional model. They then describe their inclusive format, and tell the parents that there are no separate classes for students with disabilities. The enrollment decision is then left to the parents. One director admitted to the researcher that he didn't "know what he would do" if a student with moderate or severe mental retardation were to apply to his school, because there is no continuum of placements. However, none of the administrators report that students are turned away, and most seem genuinely willing to accept students with special needs.

It should be noted here that charter schools in Texas have "permission" to deny enrollment to students with a history of behavior problems (TEC, Section 12.111[6]) (TEA, 1998), and one administrator acknowledged that her school's charter allows for that. Because the IDEA (34 C.F.R. § 300.527 [b]) requires that schools provide services to students for whom there is a suspected disability, and students with a history of behavioral incidents may be exhibiting symptoms of emotional disorders, serious questions are raised concerning the legality of this clause in the Texas statute.

The researcher utilized dtSearch (DT Software, Inc., 1998) to analyze the comments of subjects regarding three components of zero reject: (a) school accepts all

who wish to enroll regardless of disability, (b) school is wheelchair accessible, and (c) school does not expel without providing services. The following table illustrates the findings:

Table 6

Research Question 2: Zero Reject

Interview 1 Interview 2 Interview 3 Interview 4 Interview 5 Interview 6

Accepts all	# X	X	X	X	X	X
wheelchair accessible				X	X	*X
No expulsion without services	X			X		X

Note: The asterisk (*) indicates that one of the interviewee’s schools is not wheelchair accessible. The pound sign (#) indicates the administrator does not feel prepared to serve students with significant disabilities.

Research Question Three

Research question three pertains to the degree to which the charter schools studied provide a free and appropriate public education to their students with disabilities. To attempt to measure FAPE, the researcher looked at two components of the IDEA: the continuum of placements and the IEP.

In order to meet the individual needs of students, the IDEA stipulates a full continuum of alternative placements (34 C.F.R. §300.551[1999]; Fuchs & Fuchs, 1995; Hallahan & Kauffman, 1994; Kauffman, 1997; Lewis & Doorlag, 1999; Maloney, 1995). All twenty schools represented in this study operate within a full inclusion format, and

none maintain a continuum of placements. Two directors, however, stated that they are ready to initiate a more restrictive environment for students if one is “needed.”

Fielder and Prasse (1996) and the U.S. Department of Education (1997) define FAPE in terms of a legally designed IEP. All but one of the administrators indicated that in his school IEPs are developed within an ARD meeting according to state mandates. The administrator who indicated otherwise is actively involved in recruiting an educational diagnostician to perform and interpret assessments, and is unable to proceed with IEP meetings until one is found. The following table illustrates the findings in regard to FAPE:

Table 7

Research Question 3: FAPE

	Interview 1	Interview 2	Interview 3	Interview 4	Interview 5	Interview 6
Continuum						
IEP	**	X	X	X	X	X

** indicates that there is currently no assessment specialist on staff.

An argument can be made that where there is no continuum of placements, there can be no development of an appropriate IEP (e.g., Diamond, 1993; Hallahan & Kauffman, 1995; Kauffman, 1995; Morse, 1994; Rimland, 1995). Kauffman (1995) asserts that even those students with mild disabilities, and certainly those with significant disabilities, may be best served in separate environments.

Research Question 4

Another mandate of the IDEA is that students must be educated in the least restrictive environment. This requires that the placement of the student must allow for

interaction with nondisabled peers to the greatest extent appropriate in light of the nature and severity of the disability (F. Kemerer & Walsh, 1996). Because all of the schools operate under a total inclusion model, all of them allow for students with disabilities to interact with nondisabled peers 100% of the school day. Whether total inclusion provides for FAPE, however, depends upon the needs of the individual child (Hallahan & Kauffman, 1995; Kauffman, 1995; Morse, 1994; Rimland, 1995).

Research Question Five

The final research question asks to what extent appropriate assessments are performed, and if appropriate IEPs are developed from those assessments and/or existing records. Because the qualitative component of this research is based upon interviews that the researcher conducted with charter school administrators, the answer to this question must remain subjective. Most interviewees were anxious to present a positive image of their school(s). All but one insisted, therefore, that the proper procedures were in place to account for the development of an appropriate IEP. When asked specific questions regarding pre-referral interventions, referral procedures, and behavior intervention plans (BIP), certain discrepancies became apparent, however. The following table illustrates the presence of components of the assessment process considered essential to the development of an appropriate educational program:

Table 8

Research Question 5: Assessment/IEP

	Interview 1	Interview 2	Interview 3	Interview 4	Interview 5	Interview 6
Pre-referral intervention	*X		X		*X	*X
Referral	X	X	X		X	X
Assessment	#	X	X	*X	X	X
BIP	X	X	X		X	X
IEP	**	X	X	X	X	X

Note. Categories marked with an “X” are an indication that the interviewee described the process. The asterisk (*) indicates the process has been explained to the teachers, but either has not been implemented, or the interviewee admitted it is poorly understood. The pound sign (#) indicates that the headmaster is currently seeking an educational diagnostician to conduct assessments. The double asterisk (**) indicates that the pre-existing IEP is utilized because there is no assessment specialist available.

A wide variability in expertise exists among the administrators. Federal disability law, including IDEA, has proved challenging to three of the individuals interviewed. One individual who wears the title, “Director of Special Education,” has no formal training in special education and admits that he relies on consultants hired by his school. Another administrator’s school has operated for quite some time as a private institution, and he reported that his staff is currently learning to “formalize” the special education assessment/referral process according to state guidelines. Three of the administrators have prior experience in traditional public education, and are quite well versed in special education policy and procedures.

CHAPTER V

DISCUSSION, IMPLICATIONS AND RECOMMENDATIONS

Discussion

This study sought to determine the extent and quality of service provision to students with disabilities in Texas' charter schools. The validity of concerns gleaned from the literature and the identification of specific needs of charter directors and administrators were noted as a secondary focus to the research. A brief summary of the findings follows.

Extent of Service

The research questions were designed to measure the extent and quality of service to students with disabilities. An examination of data submitted to PEIMS and provided by TEA has shown that approximately 8.62% of students enrolled in Texas' charter schools during 1999-2000 had identified disabilities. It is important that one look at schools individually, however, to understand that a handful of schools skews the mean percentage.

Quality of Service

Fiedler and Prasse (1996), declared that six underlying concepts are cornerstones of the IDEA. Of those principles, the ones that speak directly to service provision were utilized in the measurement of quality. Those are zero reject, FAPE, LRE, appropriate assessment, and IEP. The following is a brief synopsis of the findings.

Zero Reject

The schools involved in this study utilize an interview process during which the parents of all prospective students are informed of the school's programs, instructional format, and services. If the parents desire that their children attend after hearing an "honest" description of the special education program and the services that are offered, the schools accept those students. All of the schools are not wheelchair accessible. Because the state's statute allows schools to reject students with a history of behavioral difficulties, the charters of some of the schools are written in such a way that the schools may reject students, without providing services, if the student breaks an agreement to meet behavioral expectations.

FAPE

Provision of a free, appropriate, public education is often defined by the recommendations within an individual child's IEP (Fiedler & Prasse, 1996; Heumann & Hehir, 1998; Kupper, 1997). A number of professionals in the special education field argue, however, that an appropriate IEP cannot be designed without the availability of a continuum of alternative placements (e.g., Diamond, 1993; Hallahan & Kauffman, 1995; Kauffman, 1995; Morse, 1994; Rimland, 1995). Therefore, for the purposes of this research, FAPE is measured according to the presence of an IEP (ARD) committee to form goals, objectives, and suggest strategies in the preparation of an IEP, and a continuum of placements from which to carry out those recommendations.

All of the schools studied convene an IEP committee and write IEPs based on previous records and current assessments. None of the schools maintain a continuum of placements, although two administrators report that there are provisions in place for the establishment of a continuum, "should one become necessary."

LRE

At the time of this research, all of the schools educate their students with disabilities in the mainstream. While it may, therefore, be assumed that the mandate for LRE is met, there is disagreement as to whether this constitutes appropriate education for all students. Most of the administrators interviewed, however, appear confident that the needs of their students are met appropriately within an inclusive setting.

Appropriate assessment/IEP

A wide variability in understanding of the referral, assessment, and admission process exists among the administrators. The researcher asked interviewees about these steps in the referral process: pre-referral interventions, referral procedures, assessment, development of the IEP, and utilization of the BIP. Most of the schools incorporate at least four of the five components in their IEP process, but pre-referral intervention procedures are lacking in two of the schools and reportedly inadequate in three. Efficiency and efficacy of the IEP process remains a subjective judgment, but two of the administrators are well-versed in special education procedures.

Concerns in the Literature

The literature is replete with the writings of educators and advocates who fear that the operators of public charter schools have neither the funds nor the expertise to adequately serve students with special needs. All but one administrator agreed that finances were a significant concern to their day-to-day efforts to run their schools, hire sufficient personnel, and pay for related services. As to expertise, two of the administrators are well-versed in special education law and procedures, two have administrative experience in traditional public schools and are relatively knowledgeable

regarding special education, and two admit they lack a sufficient knowledge base and rely on outside consultants for help.

Needs of Schools

The needs of local charter schools echo the concerns cited in the literature. Additional funds are necessary to run schools and provide special services, and expertise is limited in regard to federal disability law in general, and IDEA specifically. It appears that most of the schools are unprepared to serve students with disabilities that are significant enough to preclude instruction in the general curriculum, and there are no resource room or self-contained classes for students who would benefit from those arrangements. Although two of the directors mentioned staff development regarding pre-referral and referral procedures, more appears to be needed, as is confirmed by the concatenated data. Facilities lack accessibility. One school's administration and staff lack expertise regarding the development of Behavior Intervention Plans, and it is suggested that training in Functional Behavior Assessment would benefit all of the charter schools, just as it benefits traditional schools. Further, the statements made by three individuals suggest that staff development is needed to educate operators regarding disciplinary procedures for students served under the IDEA.

Implications

While most special education students currently enrolled have mild disabilities, it is difficult to conceive of appropriate programming for students with moderate to severe mental retardation or autism without a continuum of services. Shared service arrangements for charter schools, similar to those operating in rural school districts, might provide a means by which expertise and facilities could be shared. They might also provide an avenue by which a continuum could be offered, and the needs of students with

significant and/or low incidence disabilities more adequately met. Another option might be for small, individual schools to combine students and services. The regional education service centers should provide assistance that will better equip the schools to serve all students effectively, in addition to offering assistance with legal and paperwork requirements.

To offset the shortfall of funds, one administrator mentioned that staff development might be geared toward grant writing. More than one administrator reported that TEA must carefully audit schools for compliance with IDEA, and for fiscal accountability. Poorly run, mismanaged schools reflect negatively on those that are not.

Recommendations

Further research is needed to determine long term outcomes. Longitudinal case studies of individual students would determine if those outcomes are positive. The charter school movement has been reality in Texas since 1995, and schools have been in operation long enough to pursue this type of data.

A comparative study in which service provision within traditional schools is weighed against that in charter schools would be helpful to efforts to evaluate the success of the movement. Such a study would be easier to undertake with general education students than with special education, however, because standardized test scores could be compared. Many students with disabilities are currently exempt from state mandated standardized tests.

APPENDIX A
LETTER OF CONSENT

UNIVERSITY^{of} NORTH TEXAS

Office of Research Services

April 10, 2000

Mary Bailey Estes
4808 Winding Oaks Court
Arlington, TX 76016-1708

RE: Human Subjects Application No. 00-064

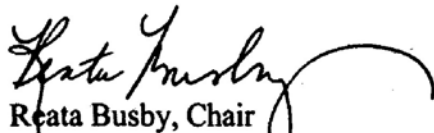
Dear Ms. Estes,

Your proposal titled "Choice For All: Charter Schools and Students with Disabilities" has been approved by the Institutional Review Board and is exempt from further review under 45 CFR 46.101.

Enclosed is the consent document with stamped IRB approval. Please copy and use this form only for your study subjects.

The UNT IRB must re-review this project prior to any modifications you make in the approved project. Please contact me if you wish to make such changes or need additional information.

Sincerely,



Reata Busby, Chair
Institutional Review Board

RB:sb

APPENDIX B

PILOT STUDY

Pilot Study

Charter Schools and Students with Disabilities: A Comparison

Mary Bailey Estes

University of North Texas

EXECUTIVE SUMMARY

School choice is a topic of national concern as political candidates and parties seek the support of those dissatisfied with the state of public education. As a result, the number of charter schools, a form of choice available through the public sector, is growing rapidly. In order that charter schools provide educational experiences that are equitable and meet the mandates of law, they must open their doors to students with disabilities and meet their educational needs. This report presents the results of a small study contrasting special education service provision in two public schools in the Dallas/Fort Worth metropolitan area.

Methodology

In-depth interviews were conducted with two individuals: the director of special education for a Dallas area cooperative of charter schools, and the principal of a traditional public elementary school in the Dallas/Fort Worth metroplex. The interview questions were designed to assess program quality according to indicators identified by Fiedler and Prasse (1996). These indicators consist of principles that are the foundation of the IDEA. In theory, schools that successfully fulfill these mandates meet the requirements of law and thereby provide a framework for quality educational programs (Fiedler & Prasse, 1996). These principles include zero reject, individualized education program (IEP), free appropriate public education (FAPE), least restrictive environment (LRE), appropriate assessment, and due process and parental involvement. For the purposes of this study, quality has been defined in terms of FAPE, which speaks to “zero reject” and the continuum of placements, LRE, and appropriate assessment/IEP, those

components most closely tied to service provision. The complete transcript of each interview session is provided at the end of this report.

Although dissimilar, these two schools are bound by the same legal requirements pertaining to disability law. The special education director's remarks are in reference to a particular charter school located in a highly populated area of north Dallas. The State Board of Education approved the charter of this school in September of 1998, and it opened its doors to students in January of 1999. The interview was conducted in September of 2000, and the questions and comments refer to academic year 1999-2000. This is an at-risk charter school designed for students between the ages of 16 and 21 who are seeking their high school diplomas. It is the policy of the school to provide individual work packets to students to complete on their own time, and the school charter was granted with that format in mind. These packets hold assignments designed to cover specific course content. Students who successfully complete a packet receive credit for that course. It should be mentioned that in her position as director of the cooperative, the director was in a position to observe "from the outside in," and therefore was, perhaps, more objective than the traditional principal who works from within the school and is responsible for its operation.

The traditional public school is a K-6 elementary school in an equally populated area within the Dallas/Fort Worth metropolitan region. The school has been in operation sixteen years. This is the principal's second year at the school, and her second year as a principal. According to criteria set forth in Section 29.081 of the Texas Education Code (TEA, 1998), 28% of the school's students are designated at-risk.

Findings

The first interview was held with the special education director. During the interview it was revealed that officials of this charter school, although reportedly well-intentioned, did not meet the quality indicators during the 1999-2000 academic year. A discussion of the deficiencies noted will center around the indicators previously reviewed. The traditional elementary school, on the other hand, appears to meet the quality criteria.

FAPE

A free and appropriate public education (FAPE) consists of instruction that is geared to the needs of the child. Therefore, placement decisions must be individualized and based on the student's IEP. Kauffman (1997) reminds educators that by law, schools must provide a full continuum of alternative placements. To offer one type of educational setting for all students is, therefore, illegal (Kauffman, 1997; Lerner, 2000). When the special education director was asked if she feels confident that her school is well-prepared to meet the needs of students with mild, as well as significant disabilities, she commented that the effort is made, but the facility does not have the proper "set-up" to meet student needs, and there are no certified special education personnel on site. Further, she remarked that the teachers at the charter school do not understand the IEP process, and have difficulty comprehending the need for instruction geared to student needs, rather than course requirements.

In regard to "zero reject," it is encouraging that as a rule, students are not discouraged from enrolling in the charter school as a consequence of their disabilities. The director feels that this may be due in part to the fact that many parents and prospective students choose not to reveal the fact that there is an identified disability. It

was noted that in one instance a child with “behavior problems” was discouraged from enrolling, but the director feels that it may have been for the best since the school is not equipped to serve students with behavior disorders. This is in accordance with Texas law permitting charter schools to refuse to grant admission to students with a history of behavior problems as defined in the Texas Education Code, Chapter 37, Subchapter A” (Section 12.111[6]) (TEA, 1998). The comment was made that students with behavioral problems may have been encouraged to leave the school, as well. Students with “visible” disabilities, such as orthopedic impairments, have not yet sought to enroll in this charter school. It should be mentioned that the young age of the school may affect its expertise with matters of disability law.

In contrast, when the traditional principal was asked if she feels confident that her school is prepared to meet the needs of students with both mild and significant disabilities, she agreed enthusiastically that her school is well-equipped to serve all students. The school serves students with learning disabilities, speech impairments, emotional/behavioral disorders, and other health impairments. A full continuum of placement options, ranging from full inclusion in the regular classroom to the self-contained special education classroom is available to meet the individual needs of students. Further, a number of support options lie between these placement extremes. The school district takes pride in the programming it provides for students with all types of disabilities, mild to severe. Although there are no classes for students with orthopedic impairments or severe mental retardation on this particular campus, the district provides classes for those students, and transports students to the school located closest to the child’s home where those programs are offered. In this sense, the nature of the student’s

disability does not affect the provision of services. There is no interview process associated with student enrollment, rather the students are automatically enrolled in the school if they live in the service area, and students may choose to attend that school from another enrollment area if the school is not filled to capacity. The local school district provides all related services as recommended by the IEP committee.

LRE

By definition, LRE is that setting in which the student is enabled to interact with his or her nondisabled peers to the greatest extent appropriate in light of the nature and severity of the disability (Kemerer & Walsh, 1996). As mentioned previously, the traditional public school offers a full continuum of service options. Class placement is determined by the admission, review, and dismissal (ARD) committee according to the student's perceived needs. The degree of student/teacher interaction is also addressed by the ARD committee.

The charter school, in contrast, offers only one instructional arrangement, that of full inclusion with students without disabilities. While this may be considered the least restrictive environment because it is located within the regular classroom, thus maximizing contact with students without disabilities, it raises questions in regard to FAPE. The director expressed concern for those students who require a more restrictive environment in order to meet success. Further, without instructional options, this format may preclude the enrollment of students who need additional structure.

Assessment/IEP

When asked about the assessment process, the traditional principal described a sequence of steps beginning with pre-referral interventions designed to minimize the need

for special education, followed with a parent conference, assessment (testing) procedures, and deliberation by the ARD committee. The principal feels confident that the ARD committee seeks to design the educational program that is most appropriate for the student in terms of placement and instruction based on the assessment findings. As stipulated in the 1997 amendments to the IDEA, Functional Behavioral Assessment (FBA) is conducted by the school or special education counselor for all students referred with behavioral difficulties, and a Behavior Intervention Plan (BIP) is written that prescribes steps to alleviate the problem behavior. The principal stated that she feels very confident that her school is fulfilling the mandates of the IDEA to the greatest extent possible, and cited district officials upon whom she can call for additional help.

Assessment procedures at the charter school have been nonexistent because there have been no referrals to special education during the academic year. Teachers received staff development on the merit of pre-referral interventions for struggling students and referral to special education. According to the director, however, there have been no pre-referral strategies, referrals, or new admissions to special education at this school. The special education department seeks to serve students with an identified disability who enroll, however, as soon as they learn of these students. An ARD meeting is scheduled at which time an IEP is designed that reflects modifications deemed appropriate to the student, in light of the curriculum and format of the school. The director expressed frustration at the lack of individual attention given to students with special needs. Students reported that they were not receiving modifications as stipulated in the IEP. There were no Functional Behavioral Assessments performed, or Behavior Intervention Plans prepared for students with behavioral difficulties, because none were requested.

This she attributed to a lack of staff training. The teachers in this particular school were uncertified, as permitted by state law, and only one teacher, briefly employed by the school, was working toward special education certification. When asked if there are officials upon whom she can call for assistance with special education concerns, specifically the Texas Education Agency or Region X Education Service Center, she indicated that while these agencies were immensely helpful initially, subsequent contact with them has been discouraged by the charter operators.

Recommendations

Although these schools serve students who differ in age, and profess different missions, the legal requirements are the same. The interviews suggest that the traditional public school is skilled at providing services required by the IDEA, and that sufficient expertise is available from the local district should a situation arise that requires assistance. Special education guidance is available to charter schools through the regional Education Service Centers. In this particular case, however, the director is discouraged from seeking the help that is offered.

Charter schools are varied and individual. It is suggested that additional research be conducted to ascertain if deficiencies found in this particular instance are unique to this particular school, or not. Additional interviews should be held with charter school officials in order to make this determination. If deficiencies exist elsewhere, the reasons for those should be identified. Also needed is an awareness of specific areas in which training is required. Additional interviews will facilitate the development of relevant in-service training.

Charter school legislation in Texas is five years old, and most schools have been

in operation for three years or less. Operators may be inexperienced with disability law. If school choice in the public sector is to be a viable means with which to educate the state's children and adolescents, all children must be offered that choice, and schools must be prepared to serve those with disabilities, as well as those without. This research is seen as a stepping stone to that end.

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APPENDIX C
INTERVIEW GUIDE

INTERVIEW GUIDE

1. Would you describe the focus of your school? (b) For what purpose was it chartered?
2. (a) Tell me about the composition of your student population (e.g. male/female, at-risk, minority, gifted, disabled)? (b) Classify your students with disabilities according to disability category.
3. How well prepared do you feel your school is to serve students with mild disabilities (in terms of facility, personnel, resources)?
4. How prepared is your school to serve students with significant disabilities (e.g. emotional/behavioral, orthopedic, or other disability that might necessitate a self-contained classroom)?
5. In what way does the nature of the student's disability affect the availability of service?
6. Describe the interview process utilized with prospective parents and students.
7. Describe the way in which this process differs for families of students with disabilities.
8. In what ways are students served (i.e., by contract personnel, by school personnel, by agreement with the local school district)?
9. How confident do you feel that the services you provide are appropriate as required by federal mandates?
10. Tell me about the continuum of services provided by your school.
11. Do you prefer to place students with age appropriate peers, or by ability level? (c) Why?
12. To whom do you turn for assistance with special education issues?
13. What types of assistance do you seek (e.g. curricular, behavior intervention, legal)?

14. Describe the manner in which students with pre-existing IEPs receive recommended instructional modifications and related services?
15. Tell me about the procedure you use in retrieving special education records from previous schools.
16. What insights do you have regarding the attitudes of educators, parents, and students toward special education in the charter school?
17. Describe the pre-referral intervention procedures, referral and assessment procedures, procedures for developing IEPs and Behavior Intervention Plans (BIP).
18. What disciplinary methods do you normally employ, and do these differ for students with disabilities?
19. Describe the process by which you request and receive special education funds.

APPENDIX D
INTERVIEWS

INTERVIEW ONE

The first interview was conducted with the headmaster of a charter school located in a metropolitan area of north Texas. This school is located within the Region XI Education Service Center service area, and has two campuses, approximately six miles apart. The headmaster is in his first year of service. He is a former public school administrator in a large urban school district.

What grades do you serve?

Headmaster: We have grades K-5 here, and 6-9 at the other school.

Uh-huh. Could you tell me a little bit about the focus of your school? I know that every charter school is chartered for a purpose.

Headmaster: This school was originally set up to cater to a specific subgroup of people, and that is people who are interested in a classical education. How people define that word “classical” differs from person to person in this school. I believe the person who founded the school intended it to mean western civilization. In fact, it says it in the charter. It says the school was designed to focus on western civilization. They never use the term...what they’re *really* saying is “back to basics”... and what they’re defining “back to basics” as is .they’ve got this mythical golden age of education which everybody harkens back to, but it never existed. And, the way things used to be done. The curriculum that used to be. And so, what they’ve done is they’ve adopted a number of things. In the charter, and you can download our charter off of the web. We have a wonderful webpage. You can download our charter off there. And it talks about classical education, western civilization, core knowledge, Hillsdale curriculum, IBO certification...uh...and some other things. The charter itself is written rather naively, by the founder’s own estimation...it is written rather naively. For instance, they thought they could become a 100% core knowledge school. Core knowledge, if you’re not familiar with it, was developed by E. D. Hirsch, who made his fame with a book called Cultural Literacy, and his whole premise is that public education has gotten away from the memorization of the collection of a certain body of facts that makes us all Americans. Multi-culturalism is fine, but we need this core of knowledge, this flagpole that we all march around. We can do our own dances, but we’re all marching around the same flagpole. This is E. D. Hirsch in a nutshell...E. D. Hirsch’s concept. So, he’s published in addition to Cultural Literacy, these more lofty books. He’s published these, and they go K-6th, and it has in there... This is pretty much a DWEM curriculum...dead white European males. And, and we get criticized for it. In fact, Kathy Brown, who’s an apologist for the public school system, writes an article for the Fort Worth Star-Telegram, freelance, has said, you know, charter school rules allow schools like (name’s school) to choose curriculums that are not inclusive and do not celebrate other cultures.

Hm.

Headmaster: So, there is of course the undertone that we are all racists. And I would tell you that some of the people who set this school up, indeed, probably, if you started digging into them, were racist. Uh...they intended this to be a white, private school. This was everybody’s biggest fear. This charter school...everybody feared that the legislation that allowed charter schools to be...what they feared was that it would enable white flight. Well, indeed, this is not what’s happened. If you look at the TEA data on charter schools, 78% of all charter schools are at-risk. And, this one, indeed is...its complexion is changing. It’s upsetting some people and they’re running, but I will educate all children. Last year all children were not educated in this building. And we can segue into the special ed...I’ll let you go on to your next question. But, that is precisely...this school is not set up to serve all children. This school was set up to serve advanced, academically advanced students.

Well, actually that is my next question. Tell me about the composition of your student population (e.g. male/female, at-risk, minority, gifted, disabled)?

Headmaster: Right. We have 19 special ed. students. Uh...nineteen students under the special ed. umbrella. Last year there was a Down's student here. She did not come back this year, I would venture to say... for very good reasons. I think she was... the family was discouraged from coming here last year. I think that it was made very clear that if they cared about the child, they would not send her here, because we didn't have the facilities. I wasn't there for any of these conversations, I just kind of feel that this.

Right. This is your first year?

Headmaster: This is my first year. I was hired a week before school started. So, and there was...this place went through some serious growing pains. We were all over the papers. I don't know how familiar you are with (this city), but we were all over... They went through...the founder left in the very beginning, because of disputes with the board. They went through two, actually three headmasters. One headmaster was fired. He had quite a reputation in the area, and he was fired. The next headmaster ended up firing four teachers, uh..non-renewing, four teachers. Because all teachers are on "at-will" contracts. It's a double edged sword. I can let them go at a moment's notice without justification. They can walk on me (snaps his finger) like that. Which isn't an issue if you conduct, treat, people like human beings. But they were not treated as human beings, and therefore, he let them go. They got mad, and went and dug up dirt on him, something to do with child molestation.

Hm.

Headmaster: And, this made the papers and this place was swarming with reporters, parents, and people were breaking in and going through files..everything like that, and so it was a nightmare, and it was all over the papers. Uh..there was just some really...but in spite of all of that, these kids did a marvelous job on the TAAS test. And there is a certain anti-TAAS group here...people running from the TAAS. It's a strange place to run because we are legally obligated to give the TAAS. Nevertheless, we've not addressed...my job does not rise or fall based on how children do on the TAAS, and these kids did very well last year. But, this place is not set up to serve special ed. kids. Right now, our upper school is probably 30% Islamic. Uh... The reason for that is that an Islamic school closed down very close to the other school...it's on (names street), right north of (names local university)...and the Islamic school closed down, and then the...we're very attractive to anybody interested in smaller settings. And we're attractive to home schoolers, and there's a lot of Islamic home schoolers, as well. That immediately set off alarms in all those people that were here last year, because of uniforms...we're in uniforms. They require uniforms to be bought from a specific place...Parker's. The first time it's challenged, it's going to be overthrown, but it's certainly not going to come from me.

Uh-hm.

Headmaster: But, it's about 30% Islamic...they've been very nice.

They have a problem with the uniform based on their religious beliefs?

Headmaster: Yeah, they have to have...we required them to have them specially made by Parker's so that they covered the parts of the body that they were supposed to cover. And, then they've made certain req..you know, they've asked to be allowed to be let out of music class, which (name's local school district) fought that battle a long time ago, and they let them go out of class. I do not let them get up and down from class every time the music is played. I do let them get out of music class, as long as one of the parents of these Islamic students comes in and tutors those children during that time. If they don't show up, then they go into music class. They don't have to participate, they go into music class. And, the Islamic parents are very, very amenable to all of that. So... we have a growing population of African Americans. I don't know what our stats are because we just got... we're getting new software in that's going to be around to track all of that. Last year they had no software. They weren't interested in tracking all that. So, this is one of the things I'm having to change. We have a growing population of African Americans, we have a few Hispanics, we have some LEP students, here, but no ESL program. But, we will have, once I finish putting it in.

You have a huge challenge ahead of you.

Headmaster: I have a tremendous challenge. It's a...I have to undo everything that was done last year, pretty much. We might as well be starting from ground zero, in terms of serving a different population and educating all children. Because even the children...even the slower children weren't educated last year. Because the fifth grade taught the sixth grade textbooks, the sixth grade taught the seventh grade textbooks, and so on. And if you have any mobility rate whatsoever, the end result of that is disastrous, because you've got children coming in that are completely, totally lost.

Sure.

Headmaster: So, I put a stop to that. This has created somewhat of a backlash. It's a very political job, believe me.

I'm sure that it is.

Headmaster: Like a mine field.

You mentioned last year that there was one child with Down syndrome. The children that you have this year with disabilities...are they mostly children with learning disabilities?

Headmaster: Right. Learning disabilities...speech issues. Uh...ADHD...mild things like that.

I think you may have answered this question. The next one is how prepared to you feel your school is to serve students with mild disabilities.

Headmaster: Not prepared at all. I don't want to over...I don't want to exaggerate its lack of efforts last year, because they did have a diagnostician come in. They did have services, and they had an aide in for the Down's girl. All that they were required to. But, what I found out from the TEA audit was that it was done very poorly. Uh...it was done very poorly, and a lot of the folders were not kept in order.

Uh-hm.

Headmaster: Some of the ARDs were not done properly.

Uh-hm.

Headmaster: It was never...there was confusion about what was resource and what was mastery assistance.

Hm.

Headmaster: There was a lot of confusion.

Right. So, since you feel that they were not prepared to serve students with mild disabilities...my next question dealt with more severe disabilities. Obviously, there were no accommodations for children with significant disabilities?

Headmaster: None. You know, that is a real good question. I don't know what I would do if somebody with a severe disability.....I was at (names high school) for four years. , and (that high school) has one of the premier skills, severe and profound programs, in the district, and it was large. So, that was one of my...I oversaw, from an administrative point of view, I oversaw those programs. And, I don't know what I would do if I got... if a parent truly wanted one of those children in this building. I would almost be put in a position of having to say, "Look...we... (shakes his head)..."

Right.

Headmaster: I mean...which is not an appropriate response...but, we just can't do it.

Right.

Headmaster: I could not serve that child.

And yet, by law, you're required to.

Headmaster: We're obligated to. And if they really wanted to push it, I suppose they could shut us down, if we had to...because the special ed. funding that we get is not adequate to put a lot of those programs in. And, our funding is so limited as it is. We get \$4,000.33 on average, per child.

Right.

Headmaster: Compare that to (names local school district) funding of about \$10,000 by the time property tax and building allowances and all of that is taken into account... it's about \$10,000 per child, so we're drastically underfunded, and then you talk to apologists for charter schools and they would tell you that charter schools are set up to fail, financially. And nobody intended for them to survive. Uh...I don't know whether that is true or not. I won't engage in, sort of a... professional paranoia, but nevertheless we are underfunded...drastically underfunded. Hence, a limitation on facilities, professional facilities.

Right.

Headmaster: We are dependent upon grants.

Right.

Headmaster: Most grants are earmarked. My hands are tied in a lot of ways.

Right. Well, let me slip over, then, to my last question. The last question on my list is, "Describe the process by which you request and receive special education funds."

Headmaster: Uh-hm. We..uh...of course, we're entitled to all of the titled money that might come our direction for special ed. Comp money...we are entitled to...of course, we have a weighted ADA (funds based on average daily attendance) uh...I think we got \$18,000 last year for special ed. services.

Uh-hm. Next to nothing.

Headmaster: Next to nothing. And some of that I...this year I'll probably channel that into...the gentleman who teaches our Spanish, also doubles as our teacher of record. But, you know, there is a difference between certification and qualification. He's a good man, and he is certified, but he just doesn't have a lot of experience in the area. He's willing to learn, but it automatically...what I've had to do is call in some friends of mine and pay them, subcontract them, to go through our folders, catch us up on the most recent paperwork, help us put together referral processes, content mastery..uh..processes..

Uh-hm.

Headmaster: ..which is in the works, now. I've had to call in other people.

Yeah. It appears to me from the data I've received from PEIMS, that some charter schools do not report their special ed. students. And one source at Region XI told me she thinks that is because they do not want to deal with the red tape or take the money.

Headmaster: I don't know. We report ours. No, we report ours....I think information needs to flow.

Uh-huh.

Headmaster: I don't know if the charter school experiment, in the end, is going to be viable or not. It is an experiment. I think it needs to be given the opportunity to survive, and it needs to be put on a level playing field, which currently it is not.

Uh-hm.

Headmaster: You can not accurately...because all the report cards...the most recent report cards are pretty dismal, overall.

Right. Well, actually I wrote a paper on it...a literature review for one of my classes...and I made a recommendation in that paper...in the conclusions part...that if the politicians and the legislature are committed to charter schools, they need to cough up the money to serve the kids with disabilities...

Headmaster: Right.

And I also suggested that the State Board of Education, or whoever reviews the charter application, ought to make special education preparedness a prerequisite to granting a charter. Does that make sense to you?

Headmaster: Yeah, and I don't think that there's a lot of attention paid...I think it's changing. As TEA gets in there and investigates the charter schools, and of course they have a division that's doing...and we just went through ours. As they do that, I think we will see more accountability. One of...here's what's going to be the doom of the charter school concept: In an effort to give parents a choice, you know...allow them freedoms, they didn't establish a lot of accountability and guidelines, originally. So, people submitted their applications and they were, sort of, rubber stamped through.

Uh-hm.

Headmaster: There is no way that if anybody had reviewed our charter, that it should have been passed.

Really?

Headmaster: They're talking about IBO certification within one year. Well, IBO won't look at you until you've graduated a class. That's a ridiculous, impossible achievement. So, I don't think it was reviewed...uh...very carefully. There's no accountability. But, as TEA now is realizing there needs to be some accountability here, but as they establish accountability, here come the strings...so they're taking away the freedom, they're taking away the very things they were giving away.

Right.

Headmaster: ...because the two concepts are diametrically opposed.

(At this point, we were interrupted as the result of a behavioral incident which required the headmaster's input. The researcher observed that the headmaster took note of the child's special education status before proceeding with disciplinary action. When asked about discipline regarding special education students, the headmaster responded as follows.)

Headmaster: It's really interesting... these special ed. parents...and they are not ignorant of special ed. law, but they have given up...they have come to expect less...and accept less...just to have their children in a smaller environment.

Right.

Headmaster: In other words, they are indirectly telling me that they think the benefits of having their children in a small environment outweighs all the benefits of these high expense...these expensive services

in the districts.

Right. That's interesting.

Headmaster: And what is interesting....some of the research that is coming out on charter schools is... despite what the researchers are saying...parents are very thrilled with the charter schools...top to bottom. They are thrilled to death with them, which is sort of...an interesting difference.

Uh-huh. The small student/teacher ratio and individual attention available.

Headmaster: They think it outweighs most all of the benefits that might come with being in a larger setting...having the funding, having the services, counseling, all of that kind of stuff. They'd rather have them in the smaller setting.

I understand.

Headmaster: And, they also have more access to me, and a louder, more effective voice.

Right.

Headmaster: Because not..not any administrator could do this. You have to be accepting of a lot of voices. I mean...this is a parent movement. To destroy the voice is to destroy the spirit of what created it.

Uh-huh.

Headmaster: It wouldn't work. I'd lose people. I have to play the private and public school game in a kinda weird way here. 'Cause I've got to keep tail hens in the sea, which means I've got to play the private school game.

And this is not one of my prepared questions, but I've heard it said that private school parents, because they pay for the education, tend to like to run the school...and I suspect that is true of charter schools, as well, because they help to get the school off the ground.

Headmaster: Yeah! Oh, yeah... and that's why you've got to put a structure in place that will keep all that in check; allow it to happen, but keep it in check. It's a very, very thin line. And, hence, I'm instituting a site-based decision making committee, and all those kinds of things, which will allow that voice to happen. Our board meetings are fascinating, because there's an exchange that occurs between parents and the board that you would never see at a (names local district) board meeting. Never.

Hm.

Headmaster: They have little formalities, like cards you're supposed to fill out, but pretty much it's a free, open exchange between parents. They look just like any board meeting, but back and forth.

We probably need a little bit more of that down at central office (laughs).

Headmaster: Maybe.

In what way does the nature of the student's disability affect the availability of service, and describe the interview process utilized with prospective parents and students. Does it differ for students with disabilities?

Headmaster: Interview process?

Is there an interview process that takes place with prospective parents?

Headmaster: Prior to enrollment?

Prior to enrollment.

Headmaster: It's called a pact and advisory conference. A parent comes to our door to fill out...expresses an interest...fills out an application, schedules a meeting with me and comes in, and I tell them about the curriculum, and about uniforms, and I take them on a tour of the school. And, one of the questions that I ask is, "Is your child a special ed. student?" And they tell me, and a lot of times they just flat ask me. And then we talk about special ed. services, and I am very, very open....like right now I don't have a diagnostician.

Uh-huh.

Headmaster: They're few and far between, and expensive on top of that. So, I'm in the process of trying to get one of those. I've just hired a...I've just signed a contract with a speech therapist, finally, so those services will kick up very quickly. But, yes, I talk with them about the needs, and also our direction...where we hope to be.

Uh-huh.

Headmaster: Our TEA final report, based on the on-site visit done two weeks ago, will reflect the school's movement in a positive direction regarding special ed. services. But, we got cited on almost every indicator possible, in terms of special ed., and we actually did a lot in preparation... posting signs, and going through folders, and taking the discipline out of the child's folder, and going through and looking to see that the ARDs were...which ones were out of date, and which ones need to be done...all that kind of stuff. But we still got hit on.

But you're very open to working with students with disabilities, whereas in the past, do you think they would have been counseled out?

Headmaster: Yeah...very definitely...in fact, I know they would. They would have flat said something like, "We really don't have the services for your child, maybe you'd better look into a... special ed."

In what ways are students served? By contract? I know you said you contracted with some people to come in and look through the folders.

Headmaster: Well, yes, I've contracted with some people to come in and help clean up the mess that was created last year. Also, we are opening up a content mastery lab that will be open for two hours a day. Unfortunately, we won't be able to run it like most districts, where it's open all day. It's very expensive. But, for two hours a day the lab will be open and special ed. students will be allowed to come in and get more individual help...to be sent down by teachers if they need...according to their IEP, whatever their IEP is, and my teacher of record is responsible for seeing that each teacher is supplied with the students' latest IEP, behavior modifications, all that.

Right.

Headmaster: The big issue now, that we just went through with the last report cards, is the difference between modifications and accommodations.

That's confusing everywhere, I think.

Headmaster: ...which seems to be shifting ground. I got a different answer from TEA than what the ISD has trained me. And, also...it's just strange, I mean they say that if it's a totally different curriculum, it's a modification. But, anything you do with the same curriculum, whether it be shortened assignments, or whatever... is accommodations.

Okay (laughs).

Headmaster: Okay, that's fine...(laughter)..just tell me what to do, because it depends on whether or not the teachers are very ...they want to put an "M" on there. You know, they're not doing the same amount of work, so they want to put an "M" on there to indicate... "hey". You know, that's a teacher thing. I dealt with that at the high school, too. That's a teacher thing. They think it's not fair. It's not fair for Johnny over here to do level work, and this kid over here who's not doing the same level work...they want to put an "M" on it.

Yeah, well that's kinda universal. How confident do you feel that the services you provide are appropriate as required by federal mandates? I believe you said you're working in that direction.

Headmaster: Yeah, we're working in that direction. Right now they're not, at all.

And, tell me about the continuum of services provided by your school. You're starting with the content mastery lab. I say, "You're working in that direction?"

Headmaster: Uh-huh. Working in that direction, as well.

Do you prefer to place students with age appropriate peers, or by ability level, and why?

Headmaster: Ability level...that seems to be the...I don't know if it will remain that way, but it's certainly the thrust for now. And that's not just special ed. kids. The idea...actually, the idea that I tend to keep is that each child in this building will have an IEP, whether they be under the special ed. umbrella, or not. That is actually in our charter. People laugh at that, and they think that...because it is a Herculean task...but I think in a school of 274 kids, which is what we have now, that we should be able to do that. We should be able to set up a...so that a child's report card reflects their progress against their own goals...goals established by parents, teachers, and as age appropriate for kids. And, that I hope to have in place by next year. It will be a very time consuming thing. In fact, we'll probably spend our second semester trying to develop that...have those meetings with the parents, developing goals for the following year. It also allows me to get some sort of educational commitment from parents to return the following year.

Uh-huh.

Headmaster: Which is something that... I have that game that I have to play.

Actually, I think that's an exciting concept. It is time consuming.

Headmaster: It's time consuming...very time consuming, but I think a report card is more meaningful in the end... I mean I'm...I don't harp on it a lot, but I tend to be very much a total quality management, Deming, Peter Senge type of guy, and this has always been my thrust and my educational philosophy... and I have even tried to do away with grading altogether, in a junior high, particularly, that I was at for awhile. I was not successful, I mean that's a paradigm shift and a half.

Uh-huh.

Headmaster: And, it's not supported by universities. And so, that becomes a problem, as well. Uh...and I have been through, you know, exactly what does a grade mean? You know, in the long run.

Uh-huh.

Headmaster: So, if you had a grade that was simply a reflection of a child's progress against his or her own IEP, I think it's more meaningful.

Right. To whom do you turn for assistance with special education issues?

Headmaster: Friends...people I have worked with in the special education department at (names local school)

district)...

Right.

Headmaster: uh ...Region XI has been very helpful... my teacher of record, which is internally, my teacher of record which has his special ed. certification, and a certain degree of knowledge...uh.. I turn to my sources in TEA. I turn to my mother, who is a superintendent, was, now a senior lecturer at A&M, but she still has a wealth of information.

Do you ever call TEA directly?

Headmaster: Not on special ed. issues. Not yet, anyway.

What types of assistance do you seek...curricular, behavior intervention, legal?

Headmaster: Legal, mainly. Legal...uh, behavior intervention..behavior intervention... I primarily... I've got my PRIM back here ...

Right.

Headmaster: ..and that's been very effective. I also have it on software.

Actually, that's one of my questions...whether there are pre-referral interventions that are undertaken, you know, before a child is referred to special education.

Headmaster: Yeah..we have..

You have a referral process?

Headmaster: We have one that's being instituted, yes. I mean, referral processes in which we do...We get evaluations and feedback from the teacher, the classroom teacher, and...You know, one of my challenges was that I'm not used to this elementary school stuff. I'm primarily a secondary guy, so my question was, "Do you refer to the kindergarten?" I don't know.

Right.

Headmaster: At what level do we start doing this?

Yeah (laughs).

Headmaster: I mean I've got kindergartners throwing stuff, and all this kind of stuff...so what do you do?

(At this point, the interview is interrupted for a fire drill. The session resumes following the drill.)

Tell me about the procedure you use in retrieving special education records from previous schools.

Headmaster: Uh..the same...it would be the same request format that we use for retrieving any records. I mean, we have a...of course, they're asked on a form, "Is your child special ed.?" If yes, then, when we request the records, we also request the records for special education.

Do you have any trouble getting them?

Headmaster: Uh...you know, I don't know if that's come up this year. Because most of our new special ed. kids, and we haven't actually ARDed anybody into special ed. this year.... we will. But all of them that I'm familiar with came out of home schooling environments, and so the testing that is being made available is

all private testing. Which, of course, we can accept if we choose to, but we haven't had the issue come up, so I couldn't answer that.

Okay. Describe the manner in which students with pre-existing IEPs, those who enter with an IEP already, receive their recommended instructional modifications and related services.

Headmaster: Every special ed. student that enters in... their IEP is reviewed. My teacher of record will call an ARD, and then the IEP is reviewed, and it's determined whether or not a new one needs to be made. Now, that's very problematic now, because we have no diagnostician to go through, to actually evaluate any testing or anything like that. So, we usually end up using the IEP that was used previously, and then (names special education teacher) distributes that to the teachers along with any behavior modifications.

What insights do you have regarding the attitudes of educators, parents, and students toward special education here?

Headmaster: I think for the teachers it is very positive, for the most part. There are a couple of teachers who...charter school teachers do not have to be certified, so you automatically monitor...I am very fortunate in that most of my teachers are certified. The ones that are not do not understand how to implement an IEP. They don't understand that...a lot of them come from the old school. My analogy that I use when talking to them is, "You know, used to be they were playing a different game on two different fields. Now, they're playing two different games, but they're on the same playing field." In other words, that's inclusion...that's a metaphor for inclusion.

Right.

Headmaster: I mean, they don't understand that it's not the same. These kids are not playing, a lot of times, the same ball game. There are different rules, different everything. It's a different ball game, only what's changed now is it's on the same playing field as everybody else. Where it used to be, years ago when they were in school, they were on a different playing field, altogether. You never even knew they were out there.

Right.

Headmaster: And so, I think that it's very much a challenge. I have one teacher, and she would be a wonderful interview for you if you wanted to go there. She has very limited teaching experience... very frustrated, has a high number of special ed. children in her classroom. I mean she is maxed out. And, she will be leaving us... mutual... 'cause she was set up by the previous administration. They should never have allowed her to even step into that classroom. It's a classroom full of a lot of testosterone, number one, plus there's some challenging children in there.

Uh-huh.

Headmaster: Children who are...there's a kid in there who has about a 140 IQ, but he's got mild Tourette's, and ADHD, and a lot of stuff going on with that kid. He's a problem for her, and I do not have the depth of...I don't have people to give her to mentor. I don't have the training programs to offer her.

Right.

Headmaster: So it's sink or swim. Charter schools are sink or swim. I mean, I can help her when she comes in, but I don't have a mentor program.

Staff development... since you don't have a school district to pull from, I guess you have Region XI...is that your only resource?

Headmaster: That's my only resource...and, you know, even they cost money, a lot of times. I mean, my teachers have not viewed the AIMS video, and that's a violation. I mean, they've got to do that...there's just a lot of things, I don't know...it's just a lot...

Yeah. And parent attitudes toward special education students here at the school?

Headmaster: Yeah..when I first came on board, we had low enrollment due to problems that had happened last year...a lot of people...when I first came aboard, we had a waiting list. A lot of those parents didn't show up...they never intended to show up...It was a backlash from last year. So, I started having parent rallies. I'd go into churches, and (names local hospital) setting up meetings, passing out fliers, advertising in the paper... and prospective parents would show up and I would sell them on the idea of the school.

Uh-hm.

Headmaster: I would also attract a lot of existing parents who just wanted to get to know me, and wanted information. I received multiple emails from people, because I would mention special ed. programs in my spiel...

Uh-huh.

Headmaster.. and I would receive emails saying, "Are we sure we want to attract this element?" "This is really not what (this school) was set up to do...da,da,da," and I received a lot of that. And I responded to each and every one of them: "at (our school) we will educate all children. We will maintain our standards, and we will maintain the esprit de corps in the spirit in which the charter was set up, but by the same token we will educate all children.

And besides that, it's the law.

Headmaster: ..and besides that, it's the law. Wear seatbelts, right, you know? (laughter). Unfortunately, charter schools attract a rebellious type, anyway, so appeal to the law is effective, but it's not the first place you go because they're bucking the system, anyway. They've stepped out of the box...and, see, everything that I do, I have to take that into account. I'm dealing with that mentality. I'm dealing with the mentality of parents who are good people, most of them, who've stepped out of the box. They've challenged the system. The very fact they're here says they're challenging the system.

That's very interesting. I've not heard anybody say that before, but I'm sure that's true.

Headmaster: Yeah...I mean, they're challenging the system. They've stepped out of the traditional box. And, taking advantage of the freedom. These are parents who want freedom.

Uh-huh.

Headmaster: And..the founder of this school...I had lunch with him. He was beggin' to have lunch with me, so finally on Labor Day we sat down in here for three hours and had lunch, and he speaks in very military terms. And I said, you know, Mr.----, I'm not at war. He said, "No, you *are* at war, you just don't know it." I said, "No, I'm not." I said, "I'm not at war. This school isn't a tank, and these children aren't bullets." And he wanted me to respond to every attack in the paper, and everything, and I said, "You know what, in my little notebook I have George Bush's PR... public relations man's, guidelines... and it won't be none if you don't bring none, I mean..."

(Laughter)

Headmaster: ... and you know, there's not a file unless I create one. So I am not responding to every attack on us, and I haven't. But, he is at war with the public educational system. This school is set as an affront, an attack, on the public educational system. And (names founder) is very active, and he's probably going to create another charter in town. You know we have another one opening up at (names Baptist church in town) that's going to be an at-risk charter school, and I'm going to extend my hand once they get up and going, to do anything that I can do to help them, since I'm going through it.

Right.

Headmaster: But, this place was set up as a tool of war, and my thing is, and I wrote an article to this effect..this is not about tribalism, and this is not a time for educators to withdraw into military camps, and trade verbal shots across lines. This is about globalism and the education of children, and if this experiment doesn't work, it will move on to something else.

Uh-hm.

Headmaster: But, as long as it's here, let's try to see...let's be as careful as we can, to make sure that if it doesn't work, the reason it's not working is the concept is bad. Not because it was inadequately funded and inadequately administered.

Right.

Headmaster: I mean, this is not about...and this is my big spiel....it's not about tribalism, it's about globalism and about educating children. And...I get attacked up at UT. There's nobody in my class at UT who's for charter schools. I was pushed into this by (names professor), but nobody in my class is for charter schools.

Hm.

Headmaster: They think it's hurting the public education system. I doubt very seriously if that's the case.

Uh-huh.

Headmaster: There's individual instances... Edgewood, for instance. They had a lot of kids. A lot of their upper echelon kids left to go to a charter school. The charter school failed, and when they were sent back to Edgewood, there was a lot of remediation that needed to be done because the kids were inadequately educated.

Yeah.

Headmaster: So, in that respect it affected that district. But, in terms of funding and what not, we have very little effect on any public school system...individual public school system. We take kids from twelve different districts. So...

And the parents drive them here?

Headmaster: They drive them here.

So, as far as student attitudes toward special education?

Headmaster: They have no opinion.

Okay. You mentioned the PRIM manual, and that's what you go to for pre-referral intervention procedures. I think you described the referral and assessment process as ...you're getting it going.

Headmaster: Yes.

Uh...and the ARD committee writes your IEPs. What about behavior...do you have behavior intervention plans? Do you do Functional Behavior Assessment?

Headmaster: Yes, I mean....yes.

Who draws up the behavior intervention plan?

Headmaster: For the special ed. kids?

Well, for any of them, actually.

Headmaster: If it's a regular ed. kid, then, it would be the teacher and the parent. For special ed. kids, it would be the teacher of record and the parents, and, well, the ARD committee.

Got it. And what disciplinary methods do you normally employ, and do they differ for kids with disabilities? I got a little taste of that, earlier.

Headmaster: That's right. Really, they don't differ at all. I don't have much of a discipline problem. This week has been very much out of the ordinary in that I had a fight yesterday, and that's just, like unheard of around here. I don't have discipline problems to speak of.

That must be nice after being at (names the high school the headmaster came from). (Laughter)

Headmaster: Oh, Lordy, yes...as my wife says...I mean, if I could go one week without getting blood on me. So...

Yeah.

Headmaster: Yeah...there's no difference. I mean I don't do anything any different. I am very sensitive in suspending kids. The only time that I ever consider suspending kids is for fights...for physical contact. And, that has not been an issue until this week.

Uh-huh.

Headmaster: So, other than that, isolation. We isolate them in here. We have them spend some time up here, and that's about all we've had to do, so far.

Right.

Headmaster: We will be setting up here very quickly... we're going to move some carrels out of here and into here, and rearrange this room so there will be some isolation carrels up here.

Uh-huh.

Headmaster: We have no AEP. I mean... I suppose when all's said and done we will end up with expulsion procedures, and what not. But of course with special ed. kids we have a whole different set of rules in regards to that. But, I suppose we do have the ability to expel.

Right. I really appreciate your willingness to speak with me, so much. Thank you.

Headmaster: You're welcome.

My impression is that if this school is going to survive, it is going to be because of you. You seem to know what you're doing.

Headmaster: Well, thank you. I don't know if it will or not. So far, I will say that it's headed up. Uh..I have much to learn. The learning curve is very, very steep. I've walked into a lot of things regarding special ed. that I knew nothing about, and I literally am the superintendent,

Uh-huh.

Headmaster:...the principal, the vice principal, the curriculum coordinator...Up until Susan came, I was the PEIMS coordinator. Up until James came, I was the financial manager.

Uh-huh.

Headmaster: All these things that ISDs hire ten to twelve people to do....that is what I do. That's true of all charter schools.

Let me ask you this, and this is not one of my official questions, but I'm just curious.... but, (names Baptist church) is starting a charter school. Do you think they're going to keep religion out of their curriculum?

Headmaster: The state has been very careful. They are not allowed to file under whatever the tax shelter is. The state is very sensitive to the possibility of that, and they are going to be monitoring that very, very carefully. TEA doesn't want to open up that can of worms.

Uh-huh.

Headmaster: Because that also has been one of the great fears of the opponents of charter schools...that they would be able to establish this very exclusive, non-constitutional environment. Whether it would be noninclusive, such as we were accused of being, or ..I don't know. You know, districts have been, and our founder would tell you this...this is the only thing that made any sense that he told me that day. Districts have been segregated for years, economically. Just look at the way (names eastside high school)'s boundaries are drawn. We segregate economically between the haves and have not's. Look at the border battles that are ensuing over (names a new high school under construction), when you start saying you're going to mix (names eastside high school) with (names westside high school), and (names third high school)... and the fire storm that arose... was it two years ago?... when somebody from (names westside high school) actually said, "I don't know if we want our children to be with those eastside children. Which led to, you know when (names westside high school) came over to play basketball at (names eastside high school), there was a big sign up that said, "Welcome to the eastside!" And, then they came up with those shirts. We had to put a stop to those shirts that said, "I used to go to (names eastside high school), but then my dad got a job."

Oh, that's terrible.

Headmaster: And that's gone on and on and on. So, districts have segregated according to economic boundaries for years. And so this fear that...(names founder) thinks that this fear is unwarranted. (Names newly approved charter school) is going to be primarily black, at-risk, and very few whites...they probably won't send their children there, just by the nature of human beings, and so...and that's going to confirm everybody's fears. Whether it be an African American school, whether it be Caucasian, whatever. They fear they're going to set up little pockets of racial segregation, and intellectual segregation, which TEA pretty much allowed them to do when they set up the at-risk campuses. The ironic thing is that at the at-risk campuses... we're underfunded... they're putting little pockets of the most difficult, expensive, difficult children to teach and then not funding them.

They don't get anymore money than you?

Headmaster: Not that I'm aware of.

Right. I'm not, either.

Headmaster: So, the most expensive, challenging students to teach are now being allowed to group together, and given no more money.

Right.

Headmaster: They're not going to make it. I mean, it's ridiculous.

(The tape ended here. The researcher subsequently thanked the headmaster, again, and assured him that he would be allowed to review the transcript for errors.)

INTERVIEW TWO

The second interview was held with the director of a conversion charter— one that has been in operation for thirty years as a private school, and is in its third full year as an open-enrollment charter school. The school is located on twenty wooded acres which are ideally suited to environmental study. Although located in a major metropolitan area, the setting is tranquil and rustic, and constitutes an escape from the hectic pace of city life. The director, whose career has previously been in private school education, is in his second year at the charter.

Headmaster: I think when you look at charter schools and special ed. services, it will be interesting to see what results you get, because I don't think you always will run into similarities, and yet, you know, we're required by state and federal laws to provide for the students. Uh...in (names school)'s particular case, this was a school being very sensitive to labeling of its students.

Right.

Headmaster: ...because as a private school, many kids came here because they felt damaged by the public schools, and the labeling process and resource rooms. So, it's been...dealing with special ed. here has been a big issue during the last year. We've got a parent meeting on that, (names an official with a private school for children with learning disabilities that is part of a local university) came over, uh...you know, we know we have to follow certain things with the law. But I think one of the big concerns on charter schools is that, "You're going to make us just like the neighborhood school, then why do we exist in the first place? So, I'll be interested..it'll be interesting to see how your results come out, and what suggestions you have, because I'm gonna just lay it on the line where I see some of our problems, and some of the things we are not providing, and also some of the safeguards going on here.

Right.

Headmaster: For example, we don't have a resource room. I don't think that will ever be an option for us. We mainstream kids in inclusive settings. We'll make modifications. We have a special ed. diagnostician who works with the faculty. We do the ARDs. We do the things you legally have to do, but even that has been a big point of controversy among some of the fulltime parents.

Hm.

Headmaster: And this is my second year at (names school). I wasn't here during the first year of the charter, but the founder of the school was here until she retired. Uh...and, so one of my biggest difficulties, I think, was trying to blend people, the old with the new, and trying to look at some of the accountability issues by the state, and things that we have to do, things that we should do, and then there's some areas where, you know, I don't want to do exactly everything that the neighborhood public schools do.

Right.

Headmaster: Because then we lose our original..something.

Let me check the tape.

Headmaster: Sure. (A pause in the tape here as the interviewer checks the recording.)

Headmaster: There will be people that will differ on this. And a lot of the folks that didn't like it have left the school. So, basically you have many of the old-timers now, with the charter school folks, so the composition of the school appears different. Some people thought that we grew to tremendous levels. I think 240, K-12 is still small, and what it's enabled me to do is have a math teacher, have certified science teachers, instead of

someone trying to cover all their bases.

Right.

Headmaster: And, you know, our philosophy hasn't changed. It's having children climb the heights that are their own. But, some of the folks that couldn't get with the charter and the accountability issues, really sought it like a one-room schoolhouse.

Right.

Headmaster: You know, and the kids will take charge of their own education. Uh...all the math in the high school is being taught at the same time, by the same person, who is more of a tutorial.

Uh-huh.

Headmaster: I don't see that.. I guess that's one way to accomplish the goal, but I see a different way of accomplishing it. So, my first year here, the second year of the charter, you had more growth, you had the changeover from the founder to a new director, and I came in and did some consulting here, first, and basically followed through with the plan that people wanted to see changed. They wanted accountability, in fact, they wanted math instructors. Our TAAS scores are going up because of that. But, it was a change of how you did it. And to be perfectly honest with you, I think when I was in the private school sector in this area, (this school) often was perceived as the "tree-hugging" school...make the kids feel good, you know

(Laughter.)

Headmaster: ... and many of them had suffered problems in the public schools, so it's a safe haven. And, I wanted the safe haven quality, but I wanted accountability with it. So I've tried to balance that, you know. It was pretty chaotic here. You can imagine that. I wanted creativity. I didn't want chaos. I wanted creativity with a scope and sequence. You know, I want to look at what the state has and...

Be nurturing.

Headmaster: Yeah, and be nurturing. But, I have worked in education for 23 years. And, to give kids the feeling that everything's fine, where they don't have anything that they've internalized, that they're proud of, a final goal, a final accomplishment...I think that's a very superficial feeling of self-worth. In fact, I don't even think that is helpful. So, there have been some changes here. I see them as changes for the positive side, and probably the last year and a half it's been a lot easier, because people with the same vision are now here. I think anytime a company goes through a changeover...oh, I didn't want to change the philosophy, and I don't think I have. It was probably executed in a different fashion.

Right.

Headmaster: And...you have a lot of people here, even old time teachers...(names the high school principal), the upper school principal, who is ready to leave, because of this...not doing what she wanted us to do. And she was real big on, "If I'm going to run this high school, I want accountability in the high school...I want math teachers, I want science teachers." I keep on going back to that, but that was some of the stuff that came out during my consulting days here. So, actually we have followed through on what people have desired, and our retention rate last year was about 96%. Uh...we have a waiting list of 260, so we must be doing something right to have kept that high...

Right. Well, your whole campus communicates a safe haven. You know, it looks like a place where kids can go and be protected...

Headmaster:...and in that nature, too, people either come here and like it, or it's so different than what they've encountered, in terms of a school setting, that they don't. It's almost...Parents are the ones that decide if it's, or the kids, if it's the place for them or not. It's almost like going to school in a summer camp setting.

But, I don't want it to just be play.

Right.

Headmaster: I want it to be a safe haven where kids take chances, where they make mistakes, but they're learning.

Right. Well, let's go on with my questions. Actually, my first question is for what purpose is the school chartered? What is its primary focus? I know that all charter schools have a charter in which they spell out their goals and purposes.

Headmaster: You were given a brochure.

Yes.

Headmaster: That probably will summarize it.

Okay.

Headmaster: It's a school where kids can climb the heights that are their own. It's an open-enrollment charter where there was continuity with the private school day, like that it wasn't a selective, elitist type of private school.

Right.

Headmaster: And, so you had kids here with learning needs. You had some very bright kids. Typically, the twist was, and it still is, if you wanted a more individualized learning gap, and valuing the thinking process...people..instead of just a bunch of worksheets.

Uh-hm.

Headmaster: People look to (this school)...uh, we have four models that we look at, The Carnegie Basic Skills list, Arthur Anderson's School of the Future, Montessori, and one of my favorite models is Howard Gardner. I think you're looking at multiple intelligences...

I like Howard Gardner.

Headmaster: ...how to get kids to...Let me give you an example of my...I still teach a history class, and here's an outline of what we're doing right now...and, you will see a lot of Howard Gardner's ideas in that.

Thank you.

Headmaster: You know, he doesn't exclude kids from paper and pencil activities. They do so many things for a "D", "C", "B", and "A", but it's structured so that you have the paperwork, you have the quizzes, you know, the reading of the chapters...the pretty traditional things. And, then, for the "A" project, and I do encourage kids to try to go for a "B" or an "A," you're getting into some choices. Whether it's more on the artistic level or sports, or....I have one boy who shows llamas, and he's going to make a toga for his llama for his project.

(Giggles)

Headmaster: So, he has the basic skills.

Uh-hm.

Headmaster: You know, he will have demonstrated that by passing the quizzes and reading the chapters,

and answering the questions. But, he also has a way to make it come alive.

Uh-hm.

Headmaster: And, hopefully, then, what that does is give him an interest in history. He has a knowledge base in history, but he also wants to extend the activities.

Right. This looks like a lot of fun. Could you tell me a little bit about the composition of your student population, in terms of male/female, and at-risk, minority, gifted, and students with disabilities?

Headmaster: I'm going to have you talk when you leave to Michelle, our registrar. She's pretty good with that. I don't want to give you wrong figures. Uh...I can tell you we draw from 18 different districts. Our minority count is up to about 9% from 4%, so we're proud of how it's doubled, but it still needs to go further. We need more diversity on that front. On the learning side, we have about 25% of the kids that would have special needs. Uh...on the gifted side, we've added AP courses, probably about 11 or 12%...not quite a bell curve, if there is such a thing.

Right.

Headmaster: But, certainly some diversity, and that's one of the things... about the highest it's been is 16 or 17%. And, we do want that diversity. We encourage that diversity.

Right.

Most of your children with special needs...are they children with learning disabilities?

Headmaster: Yeah.

That's what they are? Okay. How prepared do you feel your school is to serve students with mild disabilities, such as learning disabilities, speech impairments?

Headmaster: As I said, there is always attention for the individual here. One of the things we did in the in-service this year was, we talked to the lower school teachers who have been here, some of them for nearly 30 years, and they feel that everybody has a learning difference.

Everybody probably does.

Headmaster: They are very used to individualizing, but one of the things we did, was... we want to encourage people to still individualize, but what, really, are the definitions for learning differences? You know, the two grade levels behind, and so forth. How do you document it? You need to document it every year, you know, for the state. You have to do the ARD, and all that.

Right.

Headmaster: What we've done over the last year or so..we've become more formal in the assessment process. We still have a long way to go. I think we beat most schools in the fact that faculty members are used to modifying, individualizing. The lower school director, who's wonderful at teaching English, would probably say she has no special ed. background, formally, but the kids make journals and she has individual spelling lists and individual books that she uses. When you look at how she teaches reading, and very much based on what the children need...

Right.

Headmaster: So, she'd actually be a real good example of what you should do in a classroom to make modifications. Her learning curve is, "Okay, what are the state regulations and standards, and what do I have to legally, now do?"

I think that's everybody's learning curve. You know, everybody...

Headmaster: But, there's never been an attitude here of special ed. kids should be excluded out of things, or not participate in events because they may have a learning difference.

Uh-hm.

Headmaster: So, that's the plus of this school. The hardship has been trying to make sure that we're...well, one thing that we were cited for...the board didn't authorize the special ed. plan.

Oh.

Headmaster: So, at the last board meeting the board authorized the special ed. plan. There was a plan in place, but it wasn't authorized. Stuff like that...and I come from 21 years in the private school sector. So, it's been a learning curve for me, in terms of what TEA wants...whatever regulations.

Right. One thing I meant to mention to you awhile ago, but I lost my train of thought...I am a former special education teacher, and the reason I said to you when I called that I know (your school) has a long history of working successfully with students with learning differences is because, even 15 years ago, I was aware of students with learning disabilities who entered your school because of its reputation for working with kids with special needs. That's where that came from.

Headmaster: I think the real test for us will be, "Can we keep going in that direction within the state standards?" I believe, actually, that it will enhance what we do, and we'll be able to better serve the children. Because, we haven't had a learning specialist until recently. Although, let me take that back...our founder had a degree in...she was a diagnostician, but she did things in a very unconventional way. She didn't always write the report, etc. It was more of a gut reaction.

Uh-hm.

Headmaster: You can't have a gut reaction with kids, even though she may have known the kids real well. So, that's been our thing. We'll probably formalize the process. Will that make a better product educationally, or not? Time will tell.

Well, that's probably why I thought...I thought that you were originally designed to serve students with learning disabilities. That's why I probably thought that, because she was a diagnostician.

Headmaster: ...and I think the sensitivity's there. She liked kids like that. If you talk to a lot of private schools in town, if your child has a learning difference, we don't want to deal with it. And, my background... and I was high school valedictorian, went to Northwestern.. went to a school, however, where I taught for 11 years, did some administrative work...with heading a lower school, a middle school and admissions where, the school embraced...the private school embraced learning differences. A lot of the founding people in the learning disabilities field...Doris Johnson, etc....they were trained at Northwestern with her. Even to this very day, a lot of the people at Northwestern who graduate from their school of speech are coming back and working there. And, I have seen high power kids mixed in classes with kids that have learning differences. I've seen some high power kids with a learning difference. One of my favorite...and I think when you see that happening in a working...then you can be an advocate for having inclusion in classes.

Yes.

Headmaster: I had one boy who...I had in fifth grade English. Major writing and reading problems. Moved along with the reading, but still wasn't, and probably still to this day, is not a great essay writer. Brilliant science and math mind. He was in one of the best public school districts in the United States, but for some reason they just couldn't get him accelerated with the science and math. Well, this was the eighties, so keep

that in mind. A lot has probably changed. But, they just couldn't get him into a science and math track, the people where he was at, because of his English deficiency.

I believe that.

Headmaster: So, here he's in a small little school. He took nine courses at Northwestern in the sciences...got accepted into the six year med program at Northwestern, a highly competitive program and university, where the kid with a learning difference....He was going to be a Doogie Houser. So, I've seen that work.

Right.

Headmaster: Where that small school did a wonderful job.

Right.

Headmaster: That's the model I often refer to. Not that I want to make Treetops into another school, but this last year we took eight educators up there...teachers, some administrators, and a board member...to see that school in action, because I think what we want to do next year is improve some of our AP offerings....we have a board chair from (names local university)...can we do some work like Roycemore does in Evanston with Northwestern, here? And, you know, it could benefit kids, like the one boy that I just described, and be the only school in the metroplex, charter, public or private, that does something like that.

Right.

Headmaster: So that would be my goal.

Well, I'm sure that was exciting to your teachers, too, to see what's going on up there and to envision what they could do down here. I'm sure it was. Do you feel prepared at all, or are you able at this point, to work with students with really more significant disabilities, such as mental retardation or orthopedic handicaps?

Headmaster: Uh...it varies. We have one boy who has rather limited academic skills... low functioning... in the high school. Actually, it's rather neat to see the kid, because this campus is so spread out, there was concern that he would be able to get from one building to another. He's doing very well.

Good.

Headmaster: I think the academic side of things...the intellectual functioning side...he's probably doing a pretty good job, as well. The hardest handicap we have here would be, being out in the woods, is the student who is in a wheelchair. That's going to be a little tricky. Now, if you look....the accommodation would be that the lower school building, the middle school building...that would be handicap accessible. The upper school, you can wheel your child in. We have the parents...the hard part, they won't be able to go on the trails, go over some of the natural bridges. They could certainly benefit from being out in the woods, with all those buildings that are out in the woods, but those are the modifications we would have to work with.

Yeah.

Headmaster: I don't have anybody in that category. Is it because they come here and see the campus and realize this isn't a centralized building, and it's going to be a difficulty...we haven't really crossed that bridge yet, uh...would I want that to limit somebody from not coming here? No. I mean, we can certainly move around in some classrooms. The English room, for example, is not handicapped accessible. You have to go up some stairs to that building. So, if someone was in an upper school English class, what I would do is have the high school teacher move over. But, we haven't had people coming here where you run into that.

Right.

Headmaster: We have a couple of kids getting... and this is brand new for us... uh...where it was

recommended that an OT works with them, and so we've gone into a consortium with some other schools through, I think, the service center...

Oh, really...they're developing it?

Headmaster: They're developing it.

Well, good.

Headmaster: We have three or four students that were assessed in terms of what their needs would be... uh...about two weeks ago. We have one student who needs the large print textbooks, and the service center, Region XI, has just been excellent to work with. They gave us a special computer with larger vision on it, so that would help the student...uh...so, that stuff we never did before.

Yeah.

Headmaster: The modifications were done, like I said in a smaller, home-type of atmosphere, and, again, we'll see how...does that make it more institutionalized? I hope not. But, I think we're providing more for kids than we have before.

Right. What do you do about children with severe emotional or behavioral problems? Or have you encountered that?

Headmaster: Yeah, we have...uh...we're learning... with that process.

Yeah.

Headmaster: If it's a gun situation...a drug situation...they're not here. Uh...I probably erred last year in one situation, where the student didn't have an academic disability, but was more on the emotionally disturbed side...

Right.

Headmaster: ...and had so many violations, and we have a handbook in terms of student conduct...threw rocks at some lower school students, and I said, "That's it, that's a safety issue. You just can't continue."

Yeah.

Headmaster: ...and I was called on the carpet for that. I should have had an ARD, before we did that. Uh...but we never had anybody here to assess the emotional side of the person...

Right.

Headmaster: ... but I think that's probably one of the school's biggest growth areas. We need to know more about that. I certainly didn't know what all the legal ramifications...but she was invited back. But, that's where....you know, this is a school that didn't formalize ARDs until this year.

Uh-hm.

Headmaster: I think those are some of the other things we need to look at. I guess what we've learned from that is when we run into a student in that particular situation, we need to get a psychologist in. So, you know, we'll just have to do that. And, you can do that with special ed. dollars, but this school has never taken special ed. money.

That, actually, was one of my questions.

Headmaster: This is the hardship for us this year, as we're seeing... okay, I may have three or four kids that

need an OT, and so forth, I paid the special ed. diagnostician out of the normal faculty dollars, we only get ADA (average daily attendance) money. This is something I'm working with the service center on. Now, that we've formalized the process, we have some identification in place,

Yeah.

Headmaster: ..getting an OT in here, even as part of a consortium, you have to guarantee them three hours and \$550 a visit...

Whoop!

Headmaster:...for three kids. That wasn't in the budget. And, I can give them a child count December 1, that will affect us for the following year.

Yeah.

Headmaster: ...but my issue right now is, "Look, I'm trying to do what I need to do, but I need some funds to do that."

Uh-hm.

Headmaster: And, so now we've formalized the process, and we've talked through a school that really has some major resistance to formalizing the special ed. process, so we've worked through that, but we're caught a little bit in a time warp, because I can't continue to pay out, and charter schools don't have extra money, you know...

Yeah.

Headmaster: ...I can't keep on paying out what may result in \$10 or \$12 thousand dollars in special services, let alone getting a psychologist for the kids with the emotional needs, unless I can get some state money. It will be better next year...

Uh-hm.

Headmaster: ...when all those kids will be identified. And then whatever services we need, I know state and federal funds are real good with that. But, right now, it's hard for us, and it's going to be hard for a lot of beginning charter schools.

Right.

Headmaster: ...until they get their feet on the ground, and realize what they need to deal with in terms of their own charter, their own identity, and then what are...what's the next layer, which is the special ed. layer, in terms of what we legally...no matter what you say you wanna do... there's certain federal and state guidelines that we have to follow, being a public entity.

Yeah. Governmental red tape can sometimes be difficult to deal with.

Headmaster: Well, we'll give TEA credit on that, and the charter school office... we have a lady, Patsy O'Neill, who's just wonderful.

I've heard good things about her.

Headmaster: Oh, she's just incredible. And, really does...they helped us put together some boxes for the state visit. You know, the special ed. will be the learning curve. I think what will come out... they have 170 visits this year... and we're probably doing better than most charter schools in terms of having our feet on the ground, and we didn't have to pay for facilities because this facility was already here...

Uh-huh.

Headmaster:... but I don't think we're going to get a good report card, in terms of charter schools handling special ed., this first go around.

Yeah.

Headmaster: And, what I said to them during the visit...they come through... and everything is a little different than some of the recommendations I have been on...or, visiting teams, accreditation teams, I have been on in the private school sector. They have, like the IRS... they're doing an audit on, "Do you have this in place, that in place?" There were 168 folders, not student folders, 168 procedural folders, that we needed in place for the visit. Well, we didn't have them all in place, like I said, and some would have been easy, if I would've known they wanted to have the special ed. plan approved by the board, and that may shock somebody in the public sector, because all programs are approved by the board... well, in a lot of private schools, that's not how it's been done. In this school, I don't think they've ever had a board approval of a program.

Yeah.

Headmaster: They like what they see, you know, they keep going with it. If they don't like what they see, then they'll address it. But it's not something that you come before, and have several bids on special ed. plans, and then it's approved. So, the board functioning is very different. The organizational structure can be very different. And, you know, at least I have 20 years in administration. There are a lot of charters out there that have great intentions that don't have the level of experience that some of the other charters have.

Yeah.

Headmaster: So, you know, I have some concerns about charter schools being able to put it all together. I think you're going to see more of them failing, whether it's for financial reasons or some people that have good intentions, but they don't know how to deal with it, and like you said, the red tape from the government at times...that has been a big learning curve. So, we'll see how it all works out. And then there's the issue once you get that worked out, will you be able to challenge the state on some things. This is how we do our special ed., this is how we do our drama program, this is what makes us different.

Yeah.

Headmaster: Compared to just doing everything that your local public school is doing. Because that's what they're used to seeing.

Right.

Headmaster: That is going to be, probably, the biggest dilemma, because I think the positive side of charters... we can do some things that maybe a local district can't do, or maybe they haven't investigated...Montessori in kindergarten. There aren't a lot of Montessori public schools.

Yeah.

Headmaster: So, you know, if we're trying to give people choices within the public sector, which is what a lot of politicians are wanting...

The whole purpose.

Headmaster: The whole purpose for it. Then, I think you're going to have to, at times, sit back and say, "Well, while that's always been the way we've done it, give us a chance to show you, maybe, an alternative way of doing it." Sometimes that will probably work, and it will be good. Sometimes, we may have to come in and say, "No, because of litigation, and these are the results of what has happened in a particular case, you are by law tied down to whatever...What we hear as directors, on special ed. in particular, and when I did the DEC visit, we had four sections on the DEC visit. We had the financial side. Are we, you know, and

that... especially with some of the charter schools, and some of the horror stories on the financial side...that is an accounting thing, that's an audit track. There was a section on, "What makes your school different?" We were in compliance on all the things that we said we did as a charter. I was proud of that...that we're doing what we say we're doing, and why we got the charter.

Yes.

Headmaster: Then you have a bilingual section, and a special ed. section. The special ed. section was the most rigid. That's where there was no room for what your program...what makes your program different. And I think that's what we need to work through a little bit. I think there needs to be some...I mean, they didn't come in and say, "You have to have a resource room." We talked about the inclusiveness, and they'll buy into it, but you have to do the ARD by so many days, and all that. And that...I understand why that needs to be done, and many of the rules are good rules, but there's also a lot of rigidity.

Yeah.

Headmaster: For schools that are often run by the seat of their pants, that don't have the high degree of specialists that many of the local public schools have, whether it's in special ed., administratively, curriculum coordinated, or whatever. So, that's the part that, you know, is a little more difficult.

I visited with (names another charter school director) a couple of weeks ago, and he was saying that even if you report the students and you get the special education funds, it's not enough.

Headmaster: And we haven't even done that, yet, so I won't be able to determine that until next year.

Right. My next question reads, "In what way does the nature of the student's disability affect the availability of service?" Now, what I was thinking about is, "Do you have an interview process? When a parent comes to you and says, "I have a child and I would like to enroll my child in your school, do you sit down and go through an interview, and do you talk about the services available if the child has a disability?"

Headmaster: We have an open-enrollment policy. Then, we usually have a day for anybody interested in the school. We talk about what services we have, what the school is like, how the school, even though it is open to everybody, may not be for everybody.

Hm.

Headmaster: You know, you look out here, some people are horrified to see different classrooms in the trees. Usually, those parents are not going to be real satisfied here. Or, if you run into..."I'm used to 101 rules posted on the wall..

Yeah.

Headmaster: ...and you need to follow those and recite those daily." We have two rules here: respecting people and respecting property. You walk through the campus, you don't see papers laying around, and so forth. The kids really have internalized those two rules. The school once had a reputation of being a looser school, so I think sometimes the parents and the students coming during that time, you have about 10 or 15% that dropout after a visit, because it's just not the school it was. On the special ed. side, we talk about inclusivity.

Which is appealing to many parents.

Headmaster: Yeah, and some people will come in, though, and "Boy, my son or daughter is used to being in a resource room." Sometimes it works for them, and sometimes it doesn't. Sometimes they're not quite ready.

Yeah.

Headmaster: And so, it's always left up to the parent, if they want to make that move. Uh...unless they're a felon, or something.

(Laughter)

Headmaster: Seriously, that's on there. Then, we have a right to not accept the student. (This is in reference to the clause in the Texas charter school statute that allows schools to reject students with a history of behavior problems.)

Right. I've seen that in the state law.

Headmaster: But, otherwise, and there is one person coming from a very highly structured special ed. program, and I said "I'll give it a try, but I don't know if it will work for your son." He's a third grader. Dad set up conferences that summer with the director of the school, the teachers, with me...we spent about three or four meetings. And, if you want to know the truth, I didn't think it was going to work.

Yeah.

Headmaster: The kind of structure he was talking about was not our structure here. We do a lot of hands-on things, and the kids are all over the place.

That's not your format.

Headmaster: Right. And, that has worked out beautifully. Just beautifully.

Well, good!

Headmaster: In fact, the father is now a board member. And so, and that's good because we need some board members that look at kids differently.

Uh-hm.

Headmaster: Another set of eyes on the board, too. So, that has worked out well, and I didn't think it would. One of the reasons I went to a charter school...I was also a private school head who wanted to be more inclusive. In fact, at my last school I was given two poker chips, and if a child didn't function at a certain testing level, but there's something during the interview process that I picked up...well, let's give this kid a break and see how well he or she will function. You know, I've never had problems with those kids not being able to make it in the school.

Yeah.

Headmaster: So, I thought, "What would it be like to offer a quality program to all?"

Uh-huh.

Headmaster: But, I realize that even though we try to do that, there's some kids, for one reason or another, you know, they can't make it from point A to point B in the woods, without getting into trouble, with repeated warnings. And those are the type of kids that don't really have a love for self-learning, and self-control. They're going to have problems at Treetops. We're going to give them too much freedom.

That's one of the points that I'm going to be making in my dissertation. If you have school choice, it needs to be available to all students, and that's just what you have described to me. You know, freedom of choice for all kids. I know that you have some logistical problems, as we mentioned, with orthopedic disabilities, etc.

Headmaster: Well, going back to that...we have a couple of kids with cerebral palsy.

Oh, do you?

Headmaster: And, they're doing very well.

You mentioned that you have OTs coming in. My next question is, "In what ways are students served?" In terms of, do you have contract people come in, or...you mentioned Region XI.

Headmaster: We have one part time diagnostician, and then, as we're going more and more into the formalizing process and we discovered we had a couple of ARDs that came out where we really do need physical therapy, or at least an evaluation, and that's how we decided to contract out on that service.

This next question, "How confident do you feel that the services you provide are appropriate as required by federal mandates?" We have been discussing that, and that you are working in that direction, but that it doesn't really fit with the format for you to do everything.

Headmaster: We're trying.

Yeah.

Headmaster: ... and I think if there's something, where we don't have somebody here with expertise in terms of the methodology or, everything they tell us to do, I'm trying...

Sure.

Headmaster: If not, alert me to it, and we'll see what we need to put it in place. It's very much an evolving process for us.

Yeah. Which is what I'm hoping this will do...tell TEA where the needs are...where the focus should be.

Headmaster: And, then, like you said, there's that issue...there's a learning curve on that, and then there's also when the DEC visit occurred, and, obviously, I wasn't here for the parent and special ed. meeting, but you hear things back.

Sure.

Headmaster: And, one of the things that came back, and it came out in the report was, that there really is a feeling here, by many of the parents... don't just try to make us like the local public schools. We came here to escape the labeling process. But, by state law, we need to identify.

Right.

Headmaster: So, I think that ...identification versus the labeling...and consequences for that. That's one layer here, and then, we do want to abide by the law.

Sure.

Headmaster: So, making sure that we're as knowledgeable...I'm going to try to go to...I usually try to stay current on legal aspects, I've done that for... what do you do on custody cases, workshops pertaining to that...

Uh-hm.

Headmaster: I really do need to be more knowledgeable in terms of what do the federal and state laws say about special ed. Our diagnostician is at the service center at a meeting for that this morning, in terms of what are some of the new regulations.

Yeah.

Headmaster: She tries to keep me posted.

She comes back and she says, "You're not going to believe this one."

Headmaster: That's exactly right. (Both laugh) I think the most horrifying one that she's come back with, that needs to be stopped, is they have now decided that the diagnostician can determine if a kid is ADHD.

Really?

Headmaster: Think of that in terms of, does that mean that she can medicate the child? Or suggest medication?

Yeah...I thought that had to be a medical decision.

Headmaster: Now, I think that may be...I don't understand that...and I told her I don't want her to be in on liable situations.

Well, sure.

Headmaster: The state really shouldn't wait until there's a lawsuit on that, because we have one boy that, you know, if he was given Ritalin, it has a real negative effect. And so, if someone says, well, "I think you should try Ritalin." And, who's going to prescribe it, number one? Do they go to their doctor? Is this a shortcut? But, you know, potentially, it could be that she would recommend Ritalin, he takes it, has a reaction to it, not a medical doctor prescribing it, and you can imagine the horror story.

Sure.

Headmaster: So, for someone to give a medical label out who's not a doctor, or especially trained in that area, that's a big concern.

Yes, it is.

Headmaster: And then you look at many of the districts that need special ed. anyway, and the emergency certifying process... so I don't know if some of these people...at least I have somebody who has a master's degree in special ed.

Yeah.

Headmaster: There are a lot of people who don't right now. You mentioned another school in town, (names director of the other school), just getting special ed. in place.

Yeah.

Headmaster: So, I'm just real nervous, and there's a lot of districts where people are getting emergency special ed. certifications, and people, you know, take an exam or a course or two, and now we're going to let them prescribe medications.

That's a big concern.

Headmaster: So, I think that's an area that, I think we're not going in the right direction.

Right. Do you prefer to place your students with age appropriate peers, or do you individualize in terms of ability levels?

Headmaster: We do clustering here. It always was clustering. So, we may have a fourth and fifth grade

grouping, and within that grouping we try to do age appropriateness, but it's a multi-age grouping in the first place, so that helps, and secondly, we have kids at different levels within them.

Sure.

Headmaster: So, that was something that by nature of how the school was designed, I think, would be very, again, wise, even during the private school days, why some people with special needs would look at this school. Because there isn't the stigma attached to, "Why are you reading a third grade level book, or something?"

Uh-huh. Right. Uh...You mentioned working with Region XI. My next question is, "To whom do you turn for assistance with special education issues?" Do you call TEA directly?

Headmaster: I think there are three things. I would look at TEA because TEA has been great with special ed. services. Uh...Region XI is wonderful... and then Patsy O'Neill, Jimmy Driver, with the charter school office. So, I think there are a couple of places that we can turn to. And, then, I also have some friends, having been in the private school sector... I mentioned (names official of a school for children with learning disabilities that is affiliated with a local university).

Uh-hm...which does an outstanding job.

Headmaster: ...and I have some of those contacts, and I've called (the official) on a couple of questions.

Uh...What type of assistance do you normally seek? Curricular, behavioral intervention, or legal?

Headmaster: Probably in that order.

Okay (laughing).

Headmaster: I think my focus...and probably, that's my bias, I was a good teacher that went the administrative route.

Yeah.

Headmaster: So, the curricular side gets my more excited.

Uh-hm.

Headmaster: I think we have to, like I mentioned, the one mistake I made last year on the behavioral side, so that's been a learning curve, and I am not as attentive, probably, to the legal side, as I...well...I don't want to say I should be, but I do try to take an interest in that.

That's not where your heart is.

Headmaster: That's not where...I'm not making a decision based on, "What would be my liability base?" Does that make sense?

You're making your decision on what's best for the kid. You know, I was just thinking, it must be really nice to be in a situation where you can be the administrator and still teach. So many people who have been outstanding teachers have moved up in the ranks of administration, but they lose contact with the kids.

Headmaster: That's my golf game. I mean I love...I will eventually go back to the classroom after administration, I feel, I think, I'm probably a better teacher than administrator. Uh...it's my way to relate to the kids, and I think there is a plug administratively for that. All my coordinators teach. And part of that is the budgetary process, but if I had all the money in the world, I'd still want to do this here because you will run into, "I don't know what to do with Johnny or Sally."

Yeah.

Headmaster: And, you may run into the same response...I don't know what to do with them, either, or why don't you try this, or this has worked for me. Because I think all us in those roles, here...and you look at the old English system where the headmaster, you know, being a lead teacher... I think the administrators here are my lead teachers.

Uh-huh.

Headmaster: And so, I think they offer some good suggestions, in terms of what to do with a student.

Uh-huh.

Headmaster: Whether it's behaviorally or academically.

Right. This has been my dilemma...I'm veering off from the topic at hand, but, you know, I'm back in school, I'm working on my Ph.D., uh...and I'm torn because I want to do something different...that's why I went back to school, but how do I keep my contact with the kids, and work with them, you know?

Headmaster: Come and help us here.

(Laughing) Uh...what about kids who enter the school with pre-existing IEPs?

Headmaster: We just follow that.

You just go ahead and have your temporary ARD, and...

Headmaster: Right. That's been easier for us.

Good.

Headmaster: Because the paperwork is done. The paperwork, like I said previously, while we did have a founder who was a diagnostician, she didn't like paperwork. She was very creative. She...I have followed a founder twice in my career, now. I often find them to be the "balloon people." They'll have an idea here and here and here...and that's the love and the sweat that they gave to the school to make it up and running, different than other schools. I think the trade-off has been, a lot of those...the energies and the personality types in that category are not the paper and pencil, you know, document your LD cases.

Yeah.

Headmaster: So that's been my role, actually, in two schools, so far. I don't know if I'm as creative as that person, but I'll know how to pick up some of the pieces.

What about your insights in terms of the attitudes of the parents and the teachers and the students toward special education?

Headmaster: Oh, I think that's a plus. Because it's not us versus them, and you don't have the regular teachers versus the special ed. teachers, or...and that was one of my thoughts bringing in a full-fledged diagnostician this year, that will do the paperwork, and stuff. It was also my concern when I brought in the reading intervention teacher, that Governor Bush has wanted with the little kids. How that will go with Montessori, where sometimes the kids... you know... it's a little too loose where they make their selections, but they don't necessarily select reading.

Uh-hm.

Headmaster: And, in both cases that has been a plus for this year. That's going to be...when I come up with my end of the year ..uh...things I'm most proud of...and part of it's the personality of the individuals...The

reading teacher came in with the kindergarten kids, brought in a book and said, "Can you read this?" "I don't know how to read."

Yeah.

Headmaster: First lesson: Well, what are the McDonald's arches? What's this? The Target sign. Well, you know how to read. And then, she read the book, and they made "I can read" bulletin board. The thing that that gave, on a Montessori level.. now the kids have the confidence that they can read and they selected reading materials.

Hm?

Headmaster: So the two of them have worked out, hand in hand, the Montessori and the reading intervention, and it has worked out very well. Uh...

...and I might not have expected that.

Headmaster: No. In fact, I was concerned about that.

Yeah.

Headmaster: And I had one Montessori teacher who had been for awhile who quit before school started, because of that very thing. You're not going to tell me that my kids are gonna to be going in there and doing reading. And, there's the rub with this school. By state law, we have to do some things for these kids so that they're reading at a third grade level...and, that may not work. I don't know if I buy into the governor's plan that everybody will be reading at a third grade level by third grade, but what I do respect in the plan, is at least he's given some money to schools so I could (a) hire a reading specialist this year to do a reading recovery program and really, an intervention program, so that at least we're giving it our best shot...

Right.

Headmaster: ...instead of just letting the kids go off. And that will be one of the points that, I think some of the old time parents, would have had a hard time swallowing.

Yeah.

Headmaster: See, you're forcing the kids to do these things and that's not (names school)'s way., versus where I see things, and the faculty we basically have here now...well, but we're investing in kids, and if the kid's struggling, don't you want to give him some extra help? And, that's how I broke it down in getting it started here. Let's forget all the educational jargon.

Uh-hm

Headmaster: If you're a good teacher, and the kid's struggling, what are you gonna do to help that kid?

Right.

Headmaster: That's all we're trying to do here...and special ed. is the same view. Now, we have somebody that you can consult with who has some expertise in this area, instead of just gut feelings.

Yeah.

Headmaster: And...and help us in the classroom. Uh...so, I don't think there has ever been, you know, a division on special ed., in terms of us versus them, like I said. I think we've become a little more sophisticated in how we handle the kids and still maintain the "all climb the heights that are their own."

Yeah. And the parents also area accepting of the idea of having the kids with disabilities, working

with the other students?

Headmaster: Yeah.

Good.

Headmaster: Occasionally, I'll get some people on the other side...well, boy, you must have...you have more special ed. kids here...We had one mom who came in after that meeting with the parents, "I didn't realize we had so many special ed. kids." Then, I go through some of my life experiences...

Yeah.

Headmaster: It's not that these kids have plagues.

Yeah.

Headmaster: These kids can be smart, in fact they are smart...uh...we all have a learning difference, if we want to be honest about it.

Sure.

Headmaster: You know, high school valedictorian who is probably a poor speller. Do you want to analyze that for me? You just learn some coping techniques. Spell Check has been the best...and then, you have some people proofread some of your stuff...and I can tell you where the problem lies, lay or where it went with me. I was the Dick and Jane generation with no phonics....you know, if I had some phonics would my spelling be better? I was the sight vocabulary generation.

Yeah.

Headmaster: ...with a pretty good mind for picking up words, but the drawback for me, you give me a ten...uh...syllable word today that I haven't seen before... I really need somebody to say it out loud. Now, investigating: smart guy, didn't have phonics... is there a reading disability there? Could be. But, I've been able to cope.

It was based on how you were taught.

Headmaster: And it was based on how I was taught...and, maybe phonics wouldn't have worked with me, at all. Although, I have learned some of the things, because going back to my master's... the first thing I thought of before administration was going back and doing graduate work in reading. Probably...

Because you'd had some trouble?

Headmaster: ..because I'd had some trouble. Uh...I had a daughter. Brilliant kid...straight "A" student, 146 IQ, with a reading delay. So, the more I know about special ed.... there's probably something there. But, I was able to work my way through it.

Sure.

Headmaster: ..and that's what you need to do with everybody.

Uh-hm.

Headmaster: I think the best special ed. person I ever worked with, a lady named Jean Solomon in Chicago, and a brilliant, brilliant lady...advanced degrees from Northwestern...and her approach was, "Look, you look at the kid's strengths, you look at their deficits, you teach through their strengths." Kids that had problems spelling, but loved playing games...she'd make board games with a spelling focus to them..

Yeah.

Headmaster: ...and then, you know, a lot of times you don't grow through something, but you learn to cope better, you learn to cope with it. Sometimes you do outgrow some of this stuff, but not always. She was real.. she was realistic about what you could expect, and how you can help work with people. And one thing did see done so well at Roycemore, was, the school psychologist who had a real love for special ed., worked well with the special ed. teacher, and then he would, on a monthly basis, make sure we would communicate with all the teachers. The second grade teacher, notoriously, would be, "I'm having some problems with this guy, or something." And then, we would plan a joint meeting with the parents, and come up with a game plan, and look at what testing needed to be done. Often that was real difficult, because you're finding out that your child, for the first time isn't perfect...

Yeah.

Headmaster: And, that's where the psychologist was real good, to comfort the parents and say, "Hey, this does not mean the kid won't go to Harvard."

Yeah.

Headmaster:...and let's look at what we can do to maximize his learning, or her learning. And, so I really had a good team approach, the model that I worked with...I don't have that here. I don't have a psychologist on the staff here. So, again, if I can implement some of those things and bring it here, and have a psychologist that also has sensitivity to learning needs, and have the right people, again, in place... the right personalities, that can be very helpful to the parents.

Yeah.

Headmaster: Because I've seen that, and Sharon's real good with the parents. Uh...I don't think I'm telling any tales that she doesn't tell...in ARD meetings, she will say, "I was a kid that had special ed. needs, and mislabeled, and misdiagnosed," so I know where you're coming from.

Yeah.

Headmaster: ...and yet, they see her as somebody, you know, with a Master's degree and she's worked through it.

Someone who is successful...exactly. Someone who's done well, anyway. That's very encouraging. My next question, I think I know the answer. It says, "Describe the pre-referral intervention procedures, and referral and assessment procedures, and procedures for developing IEPs." I have a feeling that, and correct me if I'm wrong, please, I would think that a lot of pre-referral interventions and referral procedures are unnecessary in a format where the teacher is working with kids on all different levels, and striving to meet their individual needs wherever they are.

Headmaster: Uh-hm... but, what is helpful, though, if we have some of those, is the recs that come out of them. Yes, the parents coming here or not coming here, based on the recommendations that come out of the pre-referrals, or my child does this, or won't you get a referral. We lost a student recently, who...this was hard on the parents, real involved parents here...I actually thought the child was doing just fine. But went and got a referral that, "your child needs a much more structured learning style."

Yeah. Private assessment.

Headmaster: Private referral. They need to see things on the blackboard. They need to have rows. You know, when you look around our campus, that's not the way it is. And the mom said, "Your campus is exactly what I want, educationally, but it may not be the best learning style for my daughter, based on the assessment that was given.

Yeah.

Headmaster: Uh...and I said, "Well, try it for a couple of years. See how it works. You're always welcome back here. Uh...it was a lovely family. The child was progressing, but there definitely was a learning difference.

Yeah.

Headmaster:...and then you make some choices.

Do your teachers refer students for special education assessment, if they see students struggling?

Headmaster: They'll talk to their coordinators, or come in here. This is not a school with a lot of levels...uh...not a lot of bureaucratic red tape, not a lot of levels of administration. So, and a lot of the administrators are teaching. So, when you're struggling with a certain student, a new student coming in...there's no special ed. file on him or her, uh...you know, they'll have conferences with the parents. Here's some things that we do: Every morning we have tutorials where teachers are available for extra help, and sometimes we encourage parents to take advantage of that...see if a little extra one-on-one would help, we'll have...so, either the teachers or the parents will call for a conference. That's how a lot of referrals get started. And, you know, then we do the formal ARDs...

...and develop the IEP in the ARD meeting?

Headmaster: Develop the IEP in the ARD.

Do you ever develop behavioral intervention plans through the ARD meeting?

Headmaster: Yes. We did that last week with one particular kid.

What about disciplinary methods? Do they differ for kids in special education?

Headmaster: They differ for all kids.

Ah.

Headmaster: I mean, we do have aLet me say this: We have a handbook. You have certain violations...if you do certain things: call a teacher a swear word or something...

Uh-hm.

Headmaster: You're probably going to ...and this happened yesterday...you're going to have a suspension. Uh...so some of it is, you know, you bring a gun to campus, there are two phone calls that are made. The first one is to the police, the next one to the parents and you're going to be out of here. So, there are some things that we don't have as negotiables. But, then, I think a lot of the charm of this place is the fact that you can look individually at kids. Uh...we have one boy here, who I hope he can make it...brilliant, came to this school...does have some major behavioral issues, some family issues...they're working through counseling...

Yeah.

Headmaster: He got a ticket last Friday from a police officer for striking a substitute teacher. There were a lot of people here, in my administrative team, that wanted him gone, because it is a very big offense. It's an assault charge.

He's difficult to deal with.

Headmaster: Yeah, he's difficult to deal with, so off he goes. Uh...on the other hand, what happens in special ed., and he's involved...he doesn't have an official ARD right now, he's a bright kid. But, I do know that there's some stuff going on with the counselors, and he may end up going...Uh...so going back to the earlier thing...there's a legal side to that, but that's not what's driving me. He is a good boy.

Yeah.

Headmaster: The bottom line is, he's a good boy. He gets easily frustrated. So, he was suspended for a week, and came back Monday. This Monday. Mom's in a wheelchair, so we had a conference in the van. And, I said, "I'm going to make it real easy. If you strike any person here again, you won't be at this school. But, the reason I'm giving you a second chance, I think you're a good kid at heart. You get easily frustrated. So, we made out a plan so he can walk out of the room. It happened yesterday. He started to throw a chair, and he walked out of the room. So, he came in here. He can either walk out, and the teachers know he's just out on the porch, or come up here. He decided he needed to come up here. And we talked a while, and this is where...another reason why I like to teach... I like the kids to see me just as a person to go to, not just somebody to be sent to because you've done something wrong. And we really do have a good rapport. So, I commended him first for not throwing the chair at anybody, but I said, "Just look at that. That's an extension of your arm. If you throw it, and you hit somebody, you've technically hit somebody, and you're out of here."

Yeah.

Headmaster: You have to find ways to remove yourself first.

Uh-huh.

Headmaster: And we went through about a half an hour of what led up to it. And, bottom line, some kids were teasing him about heating up his lunch, or something. I don't know. I said, "Just ignore it."

Yeah.

Headmaster: Remove yourself. And if they're bugging you, bring your lunch over here, we'll heat it up here. But, you can't hit someone.

I think it's very encouraging that he remembered, even though he was frustrated and upset, he remembered to follow the plan to leave the classroom and come up here.

Headmaster: Uh-huh....and he wasn't in here sitting like you're sitting across from me. I sat with him on the sofa. And, commended him for that, and, "Okay, what can we do differently next time?" My main question to the parents, I hope I'm not setting up an unrealistic expectation, you know about hitting somebody, because now I am tied into a box. But I want to give him a second chance. And, I know...I don't care what steps I need to follow. I said, "What may be different for you, than maybe somebody else, if I thought you were a mean boy, then I probably wouldn't be looking at giving you this opportunity."

You're working with him.

Headmaster: But, if this kid can get, and there's some...I think there's some chemical imbalances there right now, and he is on a heavy dosage of medication, including medication for depression, uh..you know, if he can work through some of that stuff, he's gonna be a real success story.

Yeah.

Headmaster: Because he's intellectually brilliant, and a good kid. A nice kid. His dad's an air traffic controller, and mom's in a wheelchair. So, and mom was a teacher at one point. I don't know what got her into the wheelchair...I don't know what that's all about. I don't know if that's illness, or an accident, or whatever. But, he's just an active little fifth grader. So, there are a lot of schools that wouldn't give him chances, whether it's public or private. Private, definitely. That would've been my old school. I would have had some questions by the board-wise. And that's the other thing that's neat about Treetops. We do have a board very sensitive to individuals here. And we want kids to take the TAAS. I'm not given a mandate by the board that you better be an exemplary school, and God help you with what you're going to do about special ed. to make the test scores...

Yeah.

Headmaster: That's not the mandate here. We do have a couple of board members that have had kids here during the private school days, where they came here because there was more, ah, acceptability of kids with differences. So you have a heavy interest in that coupled with a lot of teachers that like that, and a head, who right now in his career is fascinated about why kids aren't learning, and trying to look at that. So, what can you do to help the kids learn better, and whether it's behaviorally or academically.

Yeah. Well, I feel very strongly that there's much too much emphasis placed on those TAAS scores.

Headmaster: I do, too. But, see...we are at an acceptable rate...I want to get to recognized. Our math scores are just about up there. Our reading, which doesn't surprise me, is like an 84, and the writing, some of it is...we just need to know how to write for the test. So, I think we can get to a recognized level. I don't think this will ever be an exemplary school, nor do I really want to make it that.

Uh-hm.

Headmaster: 'Cause then we do have to look at things differently in terms of the test, and I think testing's a life skill, is how I look at it, and, so give that to, you know, as many kids as you can. We exempt very few kids from the TAAS. Last year, I think...I don't know if we exempted anybody. 'Cause I'm not under...which is nice...the pressure that a lot of principals around the nation are under to make these kids test better, or they're gonna look bad for the school.

Yeah...right. Do you have trouble retrieving records, particularly special education records, from previous schools?

Headmaster: Sometimes.

What is your procedure for retrieving records?

Headmaster: Michelle gets them for me.

Okay (both laughing).

Headmaster: She's really good, I mean our registrar is just wonderful with that. Uh...she's pretty good at getting them, and I haven't really had a focus on that.

Okay. You just kind of leave it up to her because she knows what she's doing? I'm just looking over...I think we've pretty much covered everything that I wanted to ask you. I don't want to miss anything, so I'm looking over my list to make sure I've...

Headmaster: Or else, give me a call back, because I'm interested in seeing where this goes, for you, too...one, I think it's a great study. Like I said, not to bias your information and all that, I think there's a lot that we can learn. Likewise, I think there's a lot that the state can learn on, maybe, some more informal ways that things can be done. I think we've served kids here well, for a number of years...not always in the most formal way. So, like I said, I want to formalize the process, but hopefully, in formalizing the process, and extending some extra services, I haven't destroyed why people come here in the first place. Because there's a lot to be said for not always having, uh...It depends on how you identify a kid. And, again, going back to Roycemore...we used to call them "learning assistance," and that was back in the late 70s, early 80s, where learning disabilities wasn't a learning difference, it was a learning disability.

Yeah.

Headmaster: And, we talked about learning assistance, because sometimes people in the program wouldn't have qualified, based on the special ed. standards. But they needed something, either a push in reading or something where we always conferred with the parents, we always had testing, we did the documentation

side. Uh...we had a boy from Turkey... Mom and Dad gained their Ph.D.'s at Northwestern. And, we recommended that he spend a little more time in kindergarten to pick up the language. And, that was great, you know. It probably wouldn't have been, by formal testing standards, a recommendation that would have come out. But, it gave him...you know, he came from not speaking any English, to picking up a lot more social interaction from, you know, kindergarten, than he would have by sitting in first grade in rows. And, he did end up being a 99%tile kid.

Wow.

Headmaster: It was just wonderful. Uh...and then later on, I think we actually...because they were concerned about the age thing, and then going back to Turkey where he would fit into the schools, uh...they could skip to the second grade. And, so he caught up with his age group, but there was some different type of intervention that occurred there than probably a standard textbook case would indicate.

Yeah.

Headmaster: And I think that's what (this school) can do. So, I think we needed to become a little more formal in how we did things, a little more knowledgeable in terms of what the state considers special ed., still do what you do...try to integrate the two...and hopefully, it will produce some good results that will be models to larger districts.

Right. Well, obviously, you're serving students in a way that parents really support. And, they're very attracted, I'm sure, to smaller class size...Smaller class size, I'm finding, is very important to parents of kids with disabilities. (Names another charter director) mentioned that he has parents who have said, "I would rather forego all of the services for the small class size, and, you know, that makes a lot of sense to me because..."

Headmaster: Sure. And coupled here, you also have sensitivity to different learning styles. So, you're gonna have kids doing hands-on science experiments at an early age, making togas for your llamas at an older age, ways to personalize that a little bit.

Yeah.

Headmaster: In fact, you know, given some of the stories in the paper about charter schools, inflating enrollment numbers...one of the first things that happened when they came here...they went around when we take our roll, and they physically counted to make sure that when we say we have 240, that we have 240 students. But, it was fun to watch that, because they walked into the science room in the lower school, and the kids are all over in that room...

(Laughter.)

Headmaster: You know, how do you know if you have them all here... and they had them all come together to be counted, but they saw...you know, some of these people weren't used to seeing what they saw here.

Yeah.

Headmaster: And you go to the high school... you may want to do that before you leave today, just walk around, walk into the lower school...although you're probably doing it during lunchtime...The high school was set up, built in the 70s, so open classroom concept. It has an open area in the middle, that we used to have all our plays at, but now because we're a little larger, we have to go to the gym, like for our band concert last night.

You said you were K-12.

Headmaster: K-12. But, in that setting... you know, the high school will now gather and have their high school meetings right in front of the fireplace, and then it spreads out...you have a science area, a history area, a math area, an English area, so you will see that as you walk into the building. Eventually, my plans

for this school will be to build a new high school, and have a theater and a gym in that building. Uh...and then give that to the middle school. But, you will see, if you come at 10:00 o'clock one day during my history class, not just to see my history class but to roam around, I'll say that high school is rock and rolling right now. I mean, it really is going well...kids are learning...you know, a lot of movement...which, you don't always get in a normal setting. Probably the only disadvantage that I see, or one of the disadvantages, is for some kids that are easily distracted. That could be a negative.

Yeah.

Headmaster: But, then...look around the rooms, and if you're a pretty creative teacher, there's even things in my history area where I could have them sitting up at the front table so that they're not looking at all the high school kids moving around, then they're more focused.

Uh-hm

Headmaster: So, I think there are things you can do. And, you can see that in your background in special ed., as you walk into that there are things you can do to quiet it down, and make it more structured...more individual.

Did you tell me what grade level you teach?

Headmaster: It's a high school history class. It's world history.

Uh-huh.

Headmaster: And, another thing about (this school)...we practice what we preach. I took the seventh and eighth graders to NASA because our theme this year is "2001: A School Odyssey," so we did a class trip there. When this school was a private school, the director took five to seven-year-olds to London.

Whoa.

Headmaster: And they made a sensory tape of the sounds that they heard. I'm taking a group to Italy over Christmas. So, the kids really do get to see some of the things they are studying. There's usually a ski trip for the high school, and a lot of kids plan the trip with the teacher, so, you know, they're talking to the science teacher, now, about the ski trip to Colorado, so some trips are educational, some are fun. The NASA trip was during the school day, \$235, if somebody couldn't financially do it, we had money from the Challenge Foundation.

That was my next question. I know the state doesn't give you enough money.

Headmaster: Yeah, and we supported it by \$2000 worth so kids would be able to go, and no one knew who it was, other than me, and even the Challenge grant just said, "Chuck, just use it at your discretion." To protect me just so I wasn't accused of giving it to my buddies, or something, I just had the parents come in with some sort of documentation, either pay stubs or something they turned into the IRS. But, again, I'm proud of our parents. I have one single parent mom who makes \$13,000 a year, two kids, and said I only want to help, "Can I pay half of the trip?" I said, "I can support more than that." "No, I want to pay for half of this trip."

Hm.

Headmaster: So, I think there is also the work ethic with a lot of our parents, that they're not here to take advantage of the system. And, so that's always worked out, and no one knew, the teachers did not know who it was that had the help.

Well, I just want to thank you so much for visiting with me and letting me come in.

Headmaster: My pleasure.

You have a beautiful campus here, and I would...if you don't mind, I would like to walk around.

Headmaster: Yeah. Just walk around and come back before you leave.

Okay.

INTERVIEW THREE

Interview three was conducted with the principal of a charter school located in a relatively small town, approximately 30 miles south of the Dallas/Fort Worth metroplex. The school is located within the service boundaries of Region X Education Service Center, and is one of two “sister schools,” whose board members are comprised of representatives of a specific Christian ministry. The principal agreed to meet with me after school, and was very cordial.

Would you describe the focus of your school, the purpose for which it was chartered?

Principal: We were developed to provide a small school environment, and one of our big focus points is character education, uh...with another focus... big focus in our charter is on the principles of brain-based research: using things like water in the classroom, snacks, a stress free environment, going a little above and beyond to meet the emotional needs of our students.

I am impressed. The emphasis of my graduate work has been students with emotional disorders, and character education is a hot topic.

Principal: Okay.

Could you tell me a little bit about the composition of your school, in terms of male/female, at-risk students, minority, gifted, and students with disabilities?

Principal: And the lady who could have answered all of that has just walked out the door. However, she just gave me my at-risk report, so let me just grab it real quick.

Okay.

Principal: This is not-at-risk, and this is my at-risk report, and it is by grade level. Let me see if I can just do a quick count for you (counts). That gives me a total of 54 that are identified as at-risk.

How many students do you have altogether?

Principal: We have roughly 250, but I just noticed on here that some of these are what we call “left overs,” so let me just run through this real quickly and figure out how many left overs I’ve got (counts again). There’s 20 on there that are leftovers, so actually we have about 34.

“Left overs” are students who are no longer in the school?

Principal: That may have enrolled at the very beginning of the school, and are not here any more, or they may have enrolled last May, but did not return.

Got it. Okay...and how many students do you have with special education needs?

Principal: We have e...where’s the list? Twenty.

Are you pretty much a mixture of boys and girls, pretty much half and half?

Principal: Yes. We have one unusual group. Our sixth grade class, for some reason, is like 99% boys.

Really? (Laughing.)

Principal: It’s just an unusual turn of events. We just feel like we need to go stand out in the road and say, “Hey, send us some girls.”

The teachers are having a good time with that, I guess (laughing). What about minority students?

Principal: Uh...(names attendance clerk) can probably give you that. I don't have the percentage totals just right off the top of my head.

Okay.

Principal: We get those off our PEIMS reports.

Well, I can call her back, and ask her. (Repeats name)?

Principal: (Names clerk.) Do you need it broken down by the different categories, like percentage of Hispanic or Asian?

It would be nice to have if she has it on the tip of her tongue.

Principal: Okay...and I think that will probably print out...I know it was on our AEIS report from last year, but those figures are so skewed because we have grown so much.

Hm.

Principal: You know, we tested, last year, uh...I think at the time we tested we had...our total enrollment was like, maybe 150. We've got 100 more students this year. So, our percentage of minorities has changed dramatically...to the better. I was delighted with the number of minorities that we picked up this year.

(The attendance clerk gave the researcher these figures the following day: Of a total 242 students enrolled, 2 are Native American, 17 are African-American, 1 is Asian/Pacific islander, 51 are Hispanic, and 171 are white.)

There must be quite a market out there for a small school environment.

Principal: Yes...a big demand. It has astounded me. When I first came down here...when I was being recruited to come down, I thought, "Oh, well, if we hit 100, this will be really, a pretty important thing. Uh...the first half of the year they had 77 students, and they opened the year last year with, like... I think, 140 something... and then it just boomeranged...jumped up way high, and then it just kind of settled down and balanced out. Between 150 and 160 was where we kinda ran all last year.

Yeah. So, this is your second full year?

Principal: It's our second full year.

Right.

Principal: We had a half a year, and then last year was our first full year, and that was our benchmark indicator on TAAS, and we were Acceptable. The major thing that I have seen as far as the calls that we get from parents are primarily looking...uh...we have waiting lists for some of our classes...

Hm.

Principal:... particularly for the elementary groups. Uh...because we are a limited enrollment school, we normally have one class per grade level, and we are required by the state to keep those limits down to a certain level.

Right.

Principal: So we abide by all those rules and regulations.

So, what grade levels do you cover?

Principal: We start with 3-year olds and go all the way up through 10th grade. Next year we'll go to 11th, and then 12th. So we will eventually be a full scale school, running from 3-year olds all the way through graduation.

Do you foresee keeping one class per grade?

Principal: Yes... yes.

How many students do you have per class?

Principal: It depends on the age level. We try to keep, particularly like the Pre-K's, down. I think they're 18 or under. Twenty-two in elementary. In the high school we go up to 24.

Right.

Principal: But, we try very hard to keep the numbers balanced, so that they don't get unwieldy, too large.

Right. Well, part of the attraction is the small size.

Principal: Right.

Where did they recruit you from? Are you a Texan?

Principal: I'm from Texas. I'm from west Texas.

Are you? Where are you from?

Principal: The last school district I was in was in Presidio, Texas.

Oh, that far away?

Principal: Which is way down south...and (names superintendent), who is our superintendent, was my principal, and I was his administrative assistant, and doing my internship. And, when he was recruited to come down here, then he in turn recruited me.

Right. Because you were good.

I'm from northwest Texas. I'm from Vernon, and we have a son at Texas Tech in Lubbock.

Principal: Oh, okay.

How well prepared do you feel you are, as a school, to serve students with mild disabilities, such as learning disabilities or speech impairments?

Principal: For the learning disabled children: first of all, let me explain. We are inclusionary.

Right.

Principal: Everyone is included in their regular classroom. That is our instructional setting for our children. Learning disabilities...we, I think, are doing an outstanding job for our children. We have small classes. We have teachers that truly care. Uh...as an example, we've taken our eighth grade class and we've divided it into two smaller groups to facilitate that really dramatically difficult pre-algebra. So, we've gone a little bit above and beyond. We picked...we went through...any child that had failed the TAAS in either reading or in math, we have them in a reading support class, or a math support class. We did the same thing with our special education students. If math is their weakness, we made sure they worked in a math support group. This has made a tremendous difference in their attitudes, and in their willingness to work. We have a lot of parental support. We have tutorials after school. We have Saturday school. We do everything that we can to

try to reach out and touch these kids and to keep them from getting so far behind.

Right.

Principal: We don't accept a zero. If they don't turn something in they go to detention and they get it done. They have to turn an assignment in. We don't accept a blank paper. So, that in itself goes back to work ethics and things of this nature which are so very, very important in building the learning skills that they've got to have.

Right.

Principal: Speech, is a whole 'nother area. We have very few students here that require speech services. Our district is providing a speech diagnostician, and also someone to come in and work with the few that we have. We also have a wonderful parent who is a reading specialist, and she has been coming in and working with the ones that are needing extra help on language acquisition.

Right.

Principal: And that has been a big benefit. We also have purchased "Fast Forward," which I'm sure you're familiar with. We'll be getting that in January.

I hear good things about it.

Principal: Yes, we have, too, and we felt like we have a need, both in this school and in the one in Oak Cliff.

When you say, "our district," are you working with the (names local) district?

Principal: No, this is a district in itself.

I thought so. You are your own LEA.

Principal: Yes, we are it. So, when I say, "our district," I mean a district all to ourself. Now we do have a sister school in south Dallas, (names neighborhood of sister school), and we have a superintendent that we share and a board that we share. And we have a curriculum director that we share and a team of diagnosticians, and they work with both schools.

What about students with more significant disabilities, such as mental retardation or emotional disorders? Do you have students with more significant disabilities, and do you feel prepared to work with them?

Principal: We have some students that have come to us that are basically non-readers, and we are providing as much service for them as we possibly can...doing the things that I've just described.

Right.

Principal: We do have MR. That is an inclusionary situation, also, and we've had significant progress. Uh...because we are an open-enrollment school, we cannot tell a parent, "No, you can't bring your child."

Right.

Principal: This is just one of those little quirks about being an open-enrollment charter school. If they come to us and we have an opening, then we have to take the application. The concern that I would have as a principal is, simply, is the parent doing the right thing? And this is what I talk to the parents about...that, regardless of whether it's a child with a disability or not, not every child is destined to come to a charter school, and we do not have the same facilities as (names local) ISD does, for the really profoundly affected disabled child. So, I look at it from the point of view with the parents. You know, you want to do what's

best for your child.

Sure.

Principal: And this may not be the best place, whether's it's a disabled child or one that is not disabled, but they need to be sure that the decision that they're making is the one that's in the best interest of their child.

Right. What about kiddos with orthopedic disabilities?

Principal: We don't have any in wheelchairs; however, we do have some with...not severe physical disabilities, but, like CP... that type of thing, but it's not real severe. It's just out there.

Right.

Principal: We have diabetics. We have cancer victims...several different types.

Do you have any children with emotional problems that have been diagnosed?

Principal: Yes. We do, and they have been very successful...uh, which surprised me because in my past experience I have found that a child that is quote "E.D.," has a very hard time following school rules. Our charter requires them to sign a little contract that says that they're going to follow the school rules, and if they don't they can be asked to withdraw from our school. Surprisingly, very few of our E.D. students we have had have reached that point. Because we are so small, because we can provide an on-the-spot turnaround, instant response to a child's needs. If one of my E.D. children is fixing to blow, they know that they can walk out of a classroom and come straight down here, and that they can scream and yell and holler and whatever they need to do to release the anger, or whatever it is that is their concern, and once they calm down, then we get them back into the classroom.

Yeah.

Principal: Our teachers are a very close knit group. They are fully aware of the needs of these children, and we have a system in place for the ones that are truly at-risk in these situations, so that there is no question there. When one of those children picks up and starts to leave the room, there is a sign that they give the teacher and the teacher knows instantly that that child is going to the office and why. There is no confrontation. There is no "yeah, yeah," it's just go on down.

That's great that they know you're open to letting them come down here, rather than the principal being the disciplinarian, or someone they wouldn't want to go to. It's obvious that you have a good rapport with the students. I saw the sign on the brick in the hallway that said, "I love (names principal)." (Both laugh.)

Principal: Well, this is something that I've always believed in very strongly, is open communication, the open door policy. I didn't want the principal's office to be the only time I see kids is when they're in trouble.

Right.

Principal: I want to get to know them. I want them to feel like that if they just broke up with their boyfriend and their hearts are out there, and they're in pain, that they can talk to me, or they can talk to our counselor. And it isn't that we don't get tough with them because we do. But, I've found that if you allow them that opportunity for expression and if they feel safe, then they're much less likely to have confrontational issues come up during the day.

And I was impressed that you have your own counselor.

Principal: Yes. We are very, very fortunate. And that was one thing that when we....now, the first year we did not have a counselor. She was a teacher here, but she was not our counselor.

I see.

Principal: And more and more I was going to her saying, you know...“Let me talk to you about this child. Let me voice my concern here.” And she would sit down and we would come up with a plan of action. So, early last fall I went to the superintendent and I told him, I said I felt very strongly that if our population continued to grow that our next major addition was not an assistant principal, but rather a counselor, that I felt particularly with the type of children that we were dealing with...

Right.

Principal: Because a lot of our children are home schooled. A lot of them were unsuccessful in the public schools because they were withdrawn, or because they felt unsafe, they felt threatened. They just are very insecure.

So they either came out of the public school environment because they felt unsuccessful or they came out of the home school environment?

Principal: Uh-huh. Or private school.

I see.

Principal: And I was really astounded by the number that we have that come from home school environments.

I've heard this before. You're my third interview, and I've heard that before, that the home school parents are really attracted to charter schools.

Principal: Uh-huh. Right, because it's a school of choice, and it can provide services that it is really difficult for them as a home school to achieve.

My next question says, “In what way does the nature of the student's disability affect the availability of service?” It sounds like you're willing to take most anybody...

Principal: Yes.

If the parents would like for them to come here.

Principal: Yes.

So, is there an interview process that takes place?

Principal: Oh, yes. We have an application form that they fill out, and then I interview the parent. And, it's not an interview to determine whether or not we're going to allow them into the school. It's just so that they can get to know me, I can get to know them...if it's a child that has a disability, then we talk about that... get me some information. We try to get the transfer ARD done right away. Uh...if it is a child that maybe has some disabilities that have never been identified, in the instance of a home schooled child...

Uh-huh.

Principal:... then we try to facilitate the process of getting those issues taken care of as quickly as we can.

Well, that gives the parents the opportunity to decide if this is a good match.

Principal: Yes.

Uh...My next question says, “Describe the way in which the interview process differs for families of students with disabilities.” I think that what you're telling me is that it really doesn't.

Principal: No.

It's just the same.

Principal: Right.

You mentioned awhile ago that your district has a diagnostician...

Principal: Team of three.

This question reads, "In what ways are students served, i.e., by contract personnel, by school personnel, or by agreement with the local school district?" Well, this is going to be by school personnel from your district.

Principal: Well, actually they are on a contract basis. They are retained by the two districts and we share them.

Okay...and you have three diagnosticians. Did you say you have a speech therapist, also?

Principal: Yes.

How confident do you feel that the services you provide are appropriate as required by federal mandates? You probably went over some of this stuff with TEA when they were here.

Principal: Uh-huh. I feel we should get a grade of maybe 96%. I feel that we're doing a really good job. My major concern, and this is one I voiced to TEA, is a funding issue. Because we are located in (names city), we get \$1200 less, per child, than a charter school located in Oak Cliff.

Because that one's an at-risk school?

Principal: Because of the wealth factors in (names city), and the at-risk factors and the number of students that are at poverty level and things of this nature affect all that.

Right.

Principal: But the base amount that we get from the state is about \$1200 difference. So, I feel that that really impacts us. I think that if we were on a more equal footing financially, that would really help us. We are very fortunate that we have applied for and received several grants.

Good.

Principal: So, we're very proactive in solving that particular problem, but I'm just kind of like a broken record...I feel like if I keep saying this to enough people, that the state will equalize the funding.

Right.

Principal: I think it's very important that...I understand where the funding comes from, it's based on what the public school is doing, but that's penalizing us and we don't have this big tax base and things that the (names local district) ISD does.

(At this point the principal takes a break to take care of some quick school business.)

Uh...Going back to the financial thing, you were telling me about the ARD meetings, and this tells me that you are reporting your special education numbers and receiving special education funds. Some charter schools do not report special education figures.

Principal: Now, last year I don't think that our funding was done correctly. I think we under-claimed on

special ed., and I think that the reason that happened was we had such a huge influx of students, and it took us so long to sort everybody out and get all that paperwork done, and I'm trying to remember, but it seems like to me the majority of them we got were after January.

Yep.

Principal: So, it didn't hit the December 1 report.

Right.

Principal: So that's one of the things that happened to us last year...

It made an impact.

Principal: ..and it really did...so we've worked really hard (both laugh), all summer long and all fall to make sure we have everything on tap.

My next question is, "Tell me about the continuum of services provided by your school." You told me that you're a full inclusion school, that you do provide speech therapy.

Principal: Yes, to those that are identified. But, we have very, very few..two or three.

Do any of your kids have a need for occupational therapy, or physical therapy?

Principal: No...none.

Do you prefer to place your students with age appropriate peers, or by ability level?

Principal: Age appropriate.

To whom do you turn for assistance with special education issues?

Principal: We...if I have a question, I call our diagnostician. Or, I call (names the charter school special education liaison at Region X), Region X, TEA (laughing), just whoever I feel that I need to contact in order to get an answer.

Right...and what types of assistance do you seek...curricular, legal, behavior intervention?

Principal: Very little behavioral intervention. Major concerns: curricular. They've given us a lot of help and some ideas, particularly concerning dyslexic children. Every year we seem to have a new little wrinkle. Well, this year our wrinkle is dyslexia.

Uh-hm.

Principal: Even though those children are not necessarily in special education, it's just one more thing that we've got to deal with.

Right.

Principal: A lot of issues are getting people trained. We had some of our teachers that came to us from private school situations that had never really had to work with the special education laws, and things of that nature, and Region X has done a really good job of getting our training done.

Right.

Principal: And, to help us make sure that we are within timelines. We get packets of information, and they have been very proactive in helping us.

Legal concerns?

Principal: Legal concerns...usually (names superintendent) deals with those. He also deals with Region X and TEA on anything that we feel like is a situation that we need legal assistance on.

Right. Your diagnosticians are responsible for making sure the ARD paperwork is orderly and complete, that sort of thing?

Principal: Yes.

Are your teachers certified?

Principal: Yes. Now we do have some that are in process. They have a deficiency plan. For instance, they may have finished their degree and have not finished getting all their EXCET exams.

Right.

Principal: So, we have some of that type also.

Do you have special education certified?

Principal: Yes, and the ...probably with special education, one of the things that I have found that is the most difficult, is just being in competition with large districts. They can earn so much more money than in a small district. But, on the flip side of the coin, you always have the teachers, really good teachers, that want to get into a smaller school, and they are willing to work for less to have fewer of the headaches of the larger districts.

Right. One of the directors that I interviewed said that parents have approached him and said, "I would rather forego all of the related services available for a child with special needs and have the smaller class size."

Principal: Yes. We've had phenomenal success. We've had children that have come to us from a situation where in the public school they had regressed so desperately to where they were having such severe panic attacks and fear that they were literally put into resource rooms because of this, because of emotional needs.

Right.

Principal: And they are mainstreamed here. They are included in all the classes. They are successful, they are happy, they are better adjusted, and they are learning. Yeah, I understand what that parent is saying.

Yeah. Do you hope to keep your total inclusion, or do you ever foresee a time when you would want to have a resource room?

Principal: I think probably, with some of our children, there... I can see a possibility of there being a resource room. This is something that we have discussed as a faculty, and I think that we're getting close to having that. I really do.

Can you tell me the manner in which students who come to you with pre-existing IEPs receive their recommended instructional modifications and related services? I know with some charter schools, when a student comes in with a pre-existing IEP, they hold their initial ARD, and they look at that IEP to determine what modifications and recommendations are conducive to the new setting.

Principal: And we do pretty much the same thing. For instance, if we have a child that comes in and on their IEP it says, "content mastery, content mastery, content mastery," well, we don't have content mastery. So, we make that very clear to the parent, even during the enrollment process. We tell them what we've got and what we don't have. Uh...what we do have in lieu of content mastery is a small school setting, and where we

can, on a dime, go work with that child one-on-one if we have to.

Because you have so few students.

Principal: Right. So, we try, as best we can, to meet all the needs and meet the modifications that are requested on the IEP.

The teacher, herself, juggles.

Principal: Yes...and they do a great job. It's really amazing to me. So many of them, the IEPs are so similar that that helps when you have four or five children in the classroom that are special needs, and if you look at their IEPs and you know pretty much, "Okay, we've got to have some shortened assignments here, we've got to have modified tests, we've got to have....this one over here needs an oral administration of a test, this one over here needs to be sure to have an option to leave the classroom..."

Right.

Principal: You know, things of this nature. They remember it. It's easier for them to remember because they have fewer kids.

Uh-huh.

Principal: And, it's in their face all the time because we talk about it every single week in every faculty meeting. We discuss special education services in one way or the other. It's just a real important issue.

Well, being in special education, I'm pleased to see the importance placed on it. Do you pull just from students who live in (names city), or do you pull from other districts?

Principal: All over everywhere. If you took a thirty mile radius around (this city), that is our area. We've got children from the Dallas area, (names five additional municipalities surrounding the city).

And parents don't mind coming this far?

Principal: Right.

Do you ever have trouble retrieving records, like special education records from districts?

Principal: Yes, occasionally. But, generally it's a situation where they've moved around, you know... You'll request the records from the last school and discover, well, they were identified at the previous school, and you have to chase it back.

Right.

Principal: And it may take a while to get to that initial CIA (Comprehensive Individual Assessment), so that you have all the information that you need.

Right. What is the procedure that you use to retrieve those records?

Principal: The parent signs the consent for us to retrieve that information. Usually, we will either mail or fax that over to the other district, and then they will mail or fax to us. If it's local, sometimes if we feel the urgency, we will drive over to (names local public school district) and pick it up. Sometimes the parent will go pick it up. But, most of the time, I would say probably 95% of the time, they just mail the packets in.

Yeah. Uh..what insights do you have regarding the attitudes of the teachers, the parents and your students toward special education in your school? I know that one reason some students go to charter schools is because they feel like they were stigmatized by the label in the regular public schools. They go to a special classroom. Do you feel like that is alleviated in this environment?

Principal: I think it is, and the reason... these children are some of the most accepting...they are not judgmental, they are caring. And I think it's because of the large percentage of the kids that were victims in other situations. And, so they reach out to each other. They are defenders of each other. I had one little girl come running up to me the other day and she was almost in tears because she could not find her special ed. teacher, and I asked her what was wrong, and she said, "I didn't get a modified test. I didn't get a modified test, and I know I failed it. I just know I did." I said, "Well, let's go down and let's talk to the teacher." So, I went down there, and sure enough, the test itself had not been modified. But it was not a test that was going to be like, put in the grade book. It was more of a "Where are you?" kind of test to see...

Diagnostic?

Principal: Yeah. Right. It was a math class. And, so once she understood the purpose of the test, then she realized that, you know, modification was not the purpose there. It wasn't a grade that was going in the grade book. It was just an informational type thing. But they do take care of things. They know, every single one of them know, what they're supposed to have. And, if they feel like that they're not...that a teacher is not really aware of the situation, then they'll go to the teacher, or they'll come to me, or they'll go to the counselor, and we'll sit down and we'll say, "Well, let's look at your IEP, and let's talk to the teacher." And we're real open...

It sounds like your teachers are very accepting of students with disabilities.

Principal: Oh, very much so. Very much so, and a lot of compassion. Uh...because to work in this environment, because of the number of children we have that are so fragile...we simply have to have people that realize that. And that know that we've got some wounded soldiers out there, and you just simply can't see their wounds, but you've got to be aware of them, and be willing to give them the compassion and the caring and the nurturing they really need.

And I suspect the parents are accepting of students with disabilities, as well.

Principal: Yes.

I know there have been some charter schools that used to be private schools...I was visiting with a gentleman who is the director of a conversion school. And he said there was a little resistance on the part of parents to taking kids with disabilities. They were used to having a charter school with students of a high achievement level...

Principal: Uh-huh. Right. We call that the snob factor.

Yeah. (Both laughing.) You don't have that here?

Principal: We don't have that here. Thank goodness.

Do you have pre-referral intervention procedures that you go through, and what about your referral and assessment procedures if you have a child who has not been in special education, but is struggling?

Principal: The teacher keeps a log of concerns and keeps some statistics for us. They go to the counselor, and if they feel that it is warranted, then they proceed with an SAS meeting.

SAS is?

Principal: Student assistance. So that...it's like a pre-referral committee.

Right.

Principal: And we have that meeting. In fact, we had one today. And we get all the information together. We get some information from the parents, from the teachers, observations...we do classroom observations.

And, then we work out a plan to see how best to meet the needs on a short term basis. And then we come back and see how successful we were, or whether we were not successful, and whether or not we feel that we need to do a full-blown referral to special ed.

Right.

Principal: In our situation, because so many of these kids are home schooled, we really have to determine “Is this a lack of educational opportunity?”

I bet you do.

Principal: This is our primary focus, and in many instances this is what we find. They simply were never given the educational opportunity, and because of that we try to work with them, and rather than go through the referral process, we stay within the SAS...

Right.

Principal: ... and then after a period of time if we see no improvement... and I’m talking about some pretty intensive work here with these children... if we see no growth, then we go into the referral process. And that has proved to be pretty successful for us.

Well, it sounds like you’re doing everything that the public schools do in terms of pre-referral assessment.

Principal: Yes, we try. Very, very much so.

Public schools! You’re a public school.

Principal: Yes, but I know what you mean. Those other folks.

Do you have Behavior Intervention Plans for kids with behavior problems?

Principal: We do have, on our E.D. students. We have some BIPs, and they’re pretty generic. Primarily, what we have found is that by providing the open-door policy and the ability for them to come forward to seek assistance and help on a dime, and they don’t have to stand in line and wait, that the incidences really...usually when we get a new student in, there will be boom-te-de-boom-te-de-boom-te-de-boom, and then all of a sudden it just levels off because all of sudden they realize they’re in a safe environment...

Uh-hm.

Principal: ...and, that they have a time-out.

Yeah.

Principal: They can come in and ask for assistance.

Right.

Principal: And that the teachers recognize those symptoms and they will allow it. And once they realize that, then they usually...the incidences, the behavioral problems begin to subside, and they become more comfortable with their peers and with their teachers. They just feel okay about themselves being here. We do have some that, you know, they still have to have that, and it’s there. The only time that we have ever had a situation that there was a BIP that we didn’t agree with, was with one particular student that we had... and the only reason we didn’t agree with it was because simply we were having a real hard time understanding his original diagnosis. And as it turned out, he was due for a re-evaluation, and during the re-eval, it was determined that child was not going to be under the auspices of special education anymore. So, and that is the only instance, and it really surprised me...

Uh-hm.

Principal: ...when it came back that way. I just thought that, "I have a behavior problem on my hands," but in this instance, I was right. I just..so...I have just found that, you know, based on my experience in the big public schools, as opposed to a charter school, what I have seen is that a child that has a behavioral problem can be addressed on a more personal basis...instant contact with parents. I have parents that are on my fast dial, and if their child has a problem they know within five minutes.

Right.

Principal: And if the kid knows that, the parent knows that, if the parent has a concern at home, they've got my cell phone number, they've got my home phone, and they know they can contact me, anytime, 24 hours a day, if it's a critical issue that I can help out on. And I think that's what makes the difference.

Yeah. What types of disciplinary methods do you normally employ, and do they differ for students with disabilities?

Principal: Yes. The techniques that I use with my special ed. children, I think, probably, the number one thing I would say is, "I start with a lot of compassion." Uh...I have, I guess if I have a soap box I get on it's that you never, never are confrontational. I don't believe in being confrontational at all. I have a lot more success with speaking softly to these children, and letting them say... Dr. Covey says, "Seek first to understand before being understood." So I let them come in and pour out their hearts, and everything that went wrong, and then I help them pick out their choices that they make, and how they could have made these choices different. So, we do a lot of counseling intervention rather than disciplinary actions. Uh...we talk to parents, we set up...we have a Saturday d-hall, where they come to Saturday school. If they have behaviors that have been out of line, and that has proved to be very successful. My counselor comes from a military background, and I come from a background of a lot of calisthenics and things of that nature, so when they come to Saturday school we start out with calisthenics and walking and some running, and then we sit down and we come in and we do academic work hard and heavy. And we do some counseling in there, too. And by the time they go through two to four hours of that, they generally don't want to come back to a Saturday school, and that has proved a real effective tool. They have to come in uniform, on their time on Saturday, and of course, Mom's not too happy about being here at 8:00 AM on Saturday morning...

Uh-huh.

Principal: So, that's a pretty effective tool. I have some parents that have requested corporal punishment. We use that very, very seldom. In most instances, it is administered by the parent rather than me.

Right.

Principal: And, I just...I try everything that I can think of prior to going to corporal punishment, because I really strongly believe that we can reach most of these children without using corporal punishment. And sometimes it strains us a little bit, when we've got a child that is defiant, for instance. That really takes a lot of patience and a lot of work. And sometimes we're successful and sometimes we're not. If we are unsuccessful with changing your behavior, and it is a continuous problem, according to the terms of our charter, we can ask them to leave. And we've had to do that a few times.

Yeah. I'm familiar with that clause...well. I'm familiar with the clause that you do not have to take them if there is a history of behavioral problems.

Principal: Yes. In the beginning.

It is a part of your charter that you do not have to keep them?

Principal: Yes, they sign a contract with the school. The parent signs it, the child signs it, and that know these are the rules of the school, and as long as they uphold the rules then everything's fine, but if they break these rules, then they can be invited to leave.

Well, I positively agree with your viewpoint toward confrontation. What is the old expression?
“You can kill more flies with honey than with vinegar?”

Principal: Yes.

We’ve gone through these really quickly. I think we’ve just about covered all of my questions. You don’t by any chance have a copy of your IEP paperwork that’s not filled out do you? I’m kind of curious. I’d like to see what it looks like. (The principal pulls a set of forms from a file.) They’re just the same. Thank you.

Okay. I don’t really know that I have anymore questions to ask you. If there is anything else that occurs to you that you would like to address...you said you talked to TEA primarily about financial concerns.

Principal: Uh-hm. Well, and also just the logistics, you know....they were wonderful. And this was one thing that just amazed me. I was all set for just a really, you know, scary, scary adventure, and they immediately put me at ease. They were just so personable, and so...They were extremely thorough in their job, but in a very non-threatening way.

Yeah.

Principal: Special education is, probably, the one area that to me was the toughest part of what we went through. Not that we were hideously out of compliance, it’s just that there are so many things in special education. There is no way that you can have everything perfect. We can strive toward it.

Well, the traditional public schools don’t, either.

Principal: (Laughing) We just do the very best that we can,

Yeah.

Principal:... and I think that’s...

And you said that you were Acceptable on the TAAS.

Principal: Yes, and we hope and pray we will be again this year. With the number of new students we have, I’m a little concerned. Because we have so many new home schooled children that have never taken the TAAS, and never taken any kind of standardized exam.

And there’s a practice effect.

Principal: Yes. And so, that is a little bit of a concern to me. We do use released TAAS’s for practice, mock TAAS tests and things of that nature. And we will be doing that very shortly to kinda get a feel for...particularly the ones that are going to be taking tests in February.

Right.

Principal: And we’ve been working on some strategies and things like that. We don’t call them TAAS strategies, because quite frankly a lot of the people that come to us are so fed up with having TAAS poked down their throats that...

I can’t say I blame them.

Principal: We do the same kinds of things, we just don’t make a big whoop-te-do. We don’t have the big pep rallies, you know, we just take a lower key effect to it. We are very persistent in trying to help the children overcome any problems that they may have.

Right.

Principal: But, we're not the ones either, that just because a child may be a couple of years behind... we're not going to go race out and try to get them under the auspices of special ed. so we can exempt them, either.

Right. They're getting away from that now.

Principal: Yes. That doesn't help the child. It doesn't help us.

I did think of one other question. Uh...do you have students who come to you... and the regular public schools have this, also...who have been unsuccessful in one environment so they go to another, and they begin to bounce...hop from one school to another?

Principal: Yes. We do, and sometimes they stick and are really successful here, and sometimes it's a revolving door. We've had them come in and out within three days. It's just...we expect a lot from our students and our parents. And, sometimes, once they get in here, they realize the commitment that they're going to have to make to bring their children to school on time everyday...

Yes.

Principal: It's a whole lot harder than letting them catch the school bus. And that's probably one of the biggest things...a commitment.. on the part of the parents, and if they can do that, then generally, the child is going to be successful. Because if you've got a parent who's willing to make that commitment, then they're going to be making the other commitments of calling the teachers, calling me, listening to the counselor, talking to their child. Our parents are very vocal, and they...if there's a concern or a problem, we usually hear about it. We have parking lot conferences, you know?

Yeah (laughing).

Principal: If there's somebody I need to see and I see them driving up to pick up their children, I just go say, "Would you please go park, I need to talk to you."

Yeah.

Principal: We come in here, we conference and then they go home.

Yeah.

Principal: So, there's a lot of contact, and I think that's a big reason. But, yeah, you do get that..the bouncing balls. And we had one last year. They've gone on to a different charter school this year. So, you know, that just happens.

It does.

Principal: Yeah. And the one thing about it is, you know, when you're dealing with children you realize that you cannot save all of them. There are some that just...this is not the right place for them. But, they have to discover that for themselves. It is not a decision that I make. But, the ones that it is the right place for, then we have to just do everything that we can, within our power, to meet their needs.

It's worth it.

Principal: Yes...and to see a smile on a kid who came in so full of anxiety that he could only start the day with coming to school one hour...we phased him in at one hour a day for the first week, two hours the second week, three hours the third week, and that's how we phased him into this school. And, he comes bouncing into this school now with a big smile on his face...he's just bubbly and into everything, and he's just a very involved student. That is the only reward that anybody could expect. It is just the shining star that makes us all teachers.

Right. Thank you so much for your time, and I can certainly sense a real dedication on your part.

INTERVIEW FOUR

Interview four was held with two individuals, the principal and the assistant principal for special populations, of a charter school located in a highly populated metropolitan area in north Texas. The school itself is located in an inner city neighborhood and serves a student body that is predominantly African-American. Chartered as an at-risk school, the staff serve students in grades nine through twelve.

In order to facilitate this transcription, pseudonyms have been used for both the principal, who will be referred to as Mr. A., and the assistant principal, who will be referred to as Mr. B.

Could you tell me a little bit about the focus of your school?

Principal: The focus of the school is to work with at-risk youth, primarily from the (names city school district) Independent School District. Most of the kids that come to us are two or three grade levels behind. Most of them have been dropouts at one point in time. Uh...what we come to find out is most of it is not due to academics, it's due to social issues.

Uh-hm.

Principal: Things that are going on in the home. Uh... our big focus now is to get kids in school, and then get them graduated.

Yeah. And, so your charter, then, just basically spells out that you serve at-risk kids?

Principal: At-risk kids.

What about the composition of your student population? From surface appearances, it appears that you're predominantly African-American?

Principal: African-American, about 94% African-American. About 6% Hispanic.

Okay. What about...you said that you were an at-risk school, so can we say 100% at-risk, or what percentage would that be?

Principal: Ninety-seven percent.

Ninety-seven percent. What about male to female?

Principal: Seventy percent male. No, I think that's changed. Probably 65/35%. Predominantly male.

Okay. And..uh...are any of your children gifted and talented?

Principal: We don't have a gifted and talented program.

Okay.

Principal: Because...and I would like to, but like I said, most of the kids that are coming here are so far behind that they need to work on the 3 R's: Reading, Writing, and 'Rithmetic.

I absolutely understand. Do you have a percentage of students that are classified as students with disabilities?

Principal: Yes. We have 10% of students that have been regulated for special education.

If you don't mind, I would like to check and see if this is picking up (replays tape). Okay... Mr. A,

how prepared do you feel your school is to serve students with mild disabilities?

Principal: Very prepared. We have a consultant, a special ed. consultant, that comes in and trains the staff...uh...to work with students with disabilities. My background is in mental health and mental retardation.

Oh, it is?

Principal: I was a day treatment program director for an adolescent day treatment unit at (names local county) MH/MR so I bring that to the table with the education. I understand that the education has to be a whole system, not just the education, but what's going on with the student in their personal life. You know, did they run out of medication? Are the parents fighting? You know...I know that there are social issues that determine what happens at...hey, come on in a second... (school superintendent enters the room).

I was telling Mr. B. that I taught in a self-contained classroom for children with emotional and behavioral disorders.

Principal: Right.

So, I hear what you're talking about...about the system of care and getting the parents involved.

Principal: Right.

And the community and all...

Principal: Yeah. And getting the other care providers...

And we were talking about consistency through the environment.

Principal: One of the things that really helps us is that we create a collaboration with other community agencies.

Oh, that's wonderful.

Principal: To do drug abuse training, AIDS training... just a cornucopia of things.

Uh-hm.

Principal: And, that's really been helpful because at first we tried to do all of that, but it takes away from TAAS and TEKS and everything that TEA is expecting.

Uh-hm.

Principal: And, that's what we do best. So we have brought in these other people in the community and they are so willing to work with....(This city) is the best town for collaboration that I've been in, and they really work well with us.

Well, you know you're cutting edge... because I've attended some conferences the last couple of years, and that's one of the things they advocate: the school collaborating with the agencies. And in some communities...I don't know about Texas, but in some areas of the country the agencies are actually housed in the schools. In know that in (a neighboring city), mental health and mental retardation has an office in the school. But, they're advocating agencies... medical, dental, juvenile justice...be housed right there in the schools.

Principal: As I was coming in this morning I was dreaming about having the Department of Human Services provide a social worker for the school.

Uh-hm.

Principal: I mean, it's a perfect fit. You know...either you can see me at the school or you can see me later, but you're going to see that student. You know, either through that family or through that student himself. You may as well get him, now.

That's an exciting concept.

Assistant Principal: Mr. A. and I went to..more or less I consider it "rethinking attitudes"...a program now that's trying to incorporate fathers into the lives of a lot of our young people. Probably, Mr. A.,..I don't know what percentage... but I would guess 65 or 70% of our kids here, there's only the mother.

Yeah.

Assistant Principal: And, dads need to be a part of that. And, we went into that to see what type of arrangements or programs we could bring about here to incorporate that into another one of the agencies that come in and assist us.

Principal: That's what we've been calling our father recovery program.

How's that going?

Principal: It's on a real small level, but it's something that I know if we had time or we had more manpower, that would definitely be powerful. Because Mr. B. just had a meeting last week with two parents...two households...strained relationship, and the child's caught in the middle.

Yeah.

Principal: And the school suffers. The schoolwork suffers. The attendance suffers...the whole nine yards suffers because of what's going on socially. So, Mr. B. said, both of you all need to come up here for the sake of this kid and work this out.

Yeah.

Principal: And the parents walked out of here and they were talking to each other. That would've never happened had they not come up here and met with us.

Isn't that something?

Principal: It's common sense stuff, but nobody's doing it.

Yeah. It needs to be done. What is your student/teacher ratio?

Principal: Right now we're at 22 to 1.

Very good. Do you have anybody on staff that's certified to work with students with special needs?

Principal: Uh... As a consultant, yes. Anybody that's on campus 24/7? No. But I just interviewed a certified ESL person that I'm thinking about hiring in January because our Hispanic population is really getting larger. And, it's tough for us to get a special education teacher. It's hard for the (names local school district) ISD to get special ed. teachers.

It's hard for everybody. There's a big shortage of special ed. teachers nationwide.

Principal: I said, "Someday somebody's gonna walk in with a math, special ed., and ESL certification altogether..."

Yeah.

Principal:... and I'm just gonna kiss 'em."

(Laughing) One of the things that I would like to do is someday be in a position to train special ed. teachers, because there is such a shortage of them. And you have to inspire these people to want to work with kids with special needs.

Principal: Uh-hm.

Sometimes they think being a teacher is a good idea, but it doesn't encourage them to...

Principal: Yeah. The people we have are really just...I mean they motivate us. I mean they are...both of them are former special ed. teachers that have their own private companies now and they consult with charter schools. And they are wonderful. I met with one of them this morning, and you know, anytime you need anything or have questions...they're just really proactive people.

Uh-hm. That's great.

Principal: They're really about the movement...the charter school movement. That's how they coin the phrase, "the movement."

Yeah.. Do you have any kids with orthopedic disabilities? Any wheelchair kids?

Principal: No.

Do you think you could serve them? If somebody came in with a wheelchair, are you wheelchair accessible?

Principal: We are wheelchair accessible.

So that wouldn't be a problem. What about kids with significant disabilities? Do you have any students with mental retardation or severe emotional disorders?

Assistant Principal: No. None of that has occurred as of yet. General learning disabilities, ...that sort of thing. We have those.

Uh-hm.

Principal: But like I said before, with the collaboration with this consultant...Whatever shows up at our doorstep, if we aren't ready to serve them we will be, within 24 hours.

Yeah. What grades do you cover?

Principal: Nine through twelve.

Nine through twelve. Uh...Do the parents usually come in to talk to you about enrolling their child, or do the kids come in by themselves?

Principal: It's mandatory that the parents come in. It's mandatory. We don't do transactions with minors. We do it with a parent and student...they have to come in for, like an hour and a half orientation and go over all the school rules, meet the whole staff...you know, just, "This is what we're about. Do you want to be a part of that. If you don't think you can, maybe we can help you find another place. But, this is what we're about, and we're here to help you."

Yeah.

Principal: You know, “We want you to be a part of that.” But, you know, every school is not for everybody.

Yeah... So...is that what you call...is it like an interview?

Principal: It’s an orientation.

An orientation. Is it any different for kids with disabilities than it is for any other child?

Principal: We really haven’t had the opportunity to meet with anybody who had significant disabilities. Now, if someone that had special ed. or... no....it hasn’t been any different for them. Somebody who, just like... we’ve got a couple of kids that are special ed. kids, their orientation was the same. Most of the information we find out after the orientation.

Right.

Assistant Principal: We have been...I have been more or less, by the consultants that we work with, those are people that kinda give us indicators that we look for to see what the disabilities may be in young people...

Yeah.

Assistant Principal:... To kind of share it with you ...to go back just a little bit... we have an early childhood intervention...

Oh, you do?

Assistant Principal: Which, that if a kid comes in or a parent comes in and they say, “Well, hey, this is the need that these kids have,” whereas that we just specifically get them, then TEA says that what we have to do is have a list for those people that we can say, “Well, your kid pretty much has this disability, then this is where the can go.”

Principal: This would be the best place for him.

Assistant Principal:...to have those needs met.

Principal: Not saying that you can’t come here, because we would never say that, but this is where, probably, would be the best place.

Right. Uh...Do you have any kids with emotional disabilities? Any kids with an ED identification for special education?

Assistant Principal: No, ma’am.

Principal: We’ve had some kids that were in need of some counseling...some grief issues... and like I said, we’ve collaborated with some agencies, local agencies, private agencies that our kids can go, like at lunchtime they go over and see Dr. (names local psychologist).

Yeah.

Principal: And if, you know, and if there was a former issue or the kid had seen a doctor in the past, we always investigate. We have a case worker.

Yeah.

Principal: Only one... we need about five... to follow up and see what the issues were. Were they persistent? You know, what does that counselor think..do they still need to be receiving services? Or did they miss all their MH/MR appointments, or what?

Uh-huh.

Assistant Principal: Now a lot of that is just technical. Probably, as you know, if a kid comes here and we don't know they're in special ed., then we find out that there are some indicators, then we can call down to the school and always they can give us a certain amount of information. We can ask for specials without them actually giving us what information, such as how to serve the kid. You know, "When you started on his intervention, as far as his special ed., what exactly was it?"

Yeah.

Assistant Principal: They can tell you that. But, as far as giving you any other things in terms of treatment outside of the school... that leads us to meet the need for the counselor, and those kinds of things... and as Mr. A. said, we have Dr. (names local psychologist) who is a counselor that we had to... not too long ago... that was grieving over the loss of a grandfather.

Yeah.

Assistant Principal: We didn't know about it, and in the midst of that, one day she comes in and all of a sudden she's throwing things up against the wall before the teacher arrived in her room. And we didn't know why.

Yeah.

Assistant Principal: But, then again, once we sat her down, we started to find out some of the things that she was dealing with. Also, she was dealing with an issue of.. her mother, too, wanted her to be what other, some of her friends' kids, were like. Well, actually, we found out that the mother was actually trying to live the life of the student, because that wasn't what her early childhood was...which is great grades, a great grade point average, and then she was dealing with issues that were basically created by her mother.

Yeah.

Assistant Principal: And that's what we had to find out from the counselor that we got later on. And, what we thought initially, that it may have been an emotional issue...It was borderline emotional, but it was created...

I got it...by the mother.

Assistant Principal: By mom. And Momma didn't realize that she had created the majority of this until we were able to sit down with her and the counselor to say...(telephone rings, interrupting the assistant principal). So, we always try to have a "meet and greet," what we call a "meet and greet," in the mornings, as the kids come in. And, a lot of our kids a lot of times, particularly the ones that have... we have two disciplines here..We have a contract with the (names local district) ISD. Those kids from the (local district) ISD come in and those are the kids that come in that... basically, all the borderline juvenile delinquents...meaning that you look at their folders and you see that these kids have problems starting from middle school all the way till they got to us.

Uh-huh.

Assistant Principal: A lot of those things were not dealt with during that time. But we found out that when we get them, this is when we're having to start dealing with some of these issues.

Uh-huh.

Assistant Principal: ...and there's no question about it. You've got a collaboration and what makes it good for us, is that we feel like we have a "catch net." When I say a catch net, if a kid is third party here, and hasn't had very much success, meaning that if he's been third party three times, he's still a part of this region...

Okay, what do you mean “third party?”

Assistant Principal: Okay. Say, for instance if a kid from (names six local secondary schools that send students to this charter school)...those kids get in trouble, and then they have a meeting. And then the meeting determines whether or not the kid needs to be kicked out of the public school setting, and then he comes here. By directive of the (local school district) ISD.

Okay...are you officially connected with (names local district) ISD, then?

Assistant Principal: By that nature.

I see.

Assistant Principal: Now, what happens is we feel like that catch net is a... with us being black only... here it is, kids come through here that are from this region. They come from this region and then a kid feels like... well, Mom says, “Well, you know, I haven’t had this type behavior from my child since he’s been going to school.” Because here he is...

I’ve heard that (laughing).

Assistant Principal: ...because this kid now, is a kid that we’ve seen for the past three years. He’s there for a semester. He gets kicked out. He comes to us. He goes back after he’s served his time. Here he is...he comes back again. And you’re looking at that...how much time has that kid lost, how many credits has that kid lost, because he’s caught back and forth. And, once, believe it or not...once a kid gets caught in that framework, he’s sure as doomed because when he goes back, they say, “Oh, Lord, here he comes, or here she comes.” No chance. Because now, with zero tolerance that they have in the (local district) ISD, hey... ain’t that kid something...that needs some discipline (claps hands). “He’s a bad seed, anyway. Let’s go ahead and get rid of him.” And that’s not the right... I don’t think that’s the right turn for that... but it happens.

I don’t think it is, either. But it does.

Assistant Principal: It does. And, I mean, let’s be realistic about it. But, the thing about it is, after that kid comes here several times, and all of a sudden, we see that there is considerable improvement and advancement in the kid. We don’t ask the kid, we just say, “Hey, if you feel like you’re better off here, what are you doing going back? And the kid says, “Hey, I’d like to be here.”

Yeah.

Assistant Principal: And we give the kid a chance once he’s served his time, as far as his third party issues with the (names local district) ISD, then his mother can take him from there and transfer him back to us, and answer our questions... and he gets a chance to abide by our policies, our procedures, our guidelines. And we’ve seen some successes in children. We’ve just been so proud of them...

Really? I bet you have.

Assistant Principal: And...no, we love that. And, I say, it’s not for everybody, but I think the people here...Mr. A. would be the first one to tell you... that we feel like teachers, the body, the staff...they’re really neat. In fact... we have the meet ‘n greet every morning. Most of the kids don’t have social skills. Social skills, I mean...the kids come in here, and say, for instance, he’s not eating in the morning, or the kid’s been abused by his step-dad or something, he doesn’t care about doing math, he doesn’t care about doing reading...

Exactly.

Assistant Principal: He doesn’t care about that. What he’s concerned about is, “Man, I’m worried about my little brothers or sisters getting the same beating that I’m getting” or “I’m worried about where my meal’s gonna come from.” “There’s holes in the roof. Man, we get rained on when it gets rained on, or it’s too hot

in here when it's overheated." Man, those kids are dealing with those type issues. So, you're dealing with a lot of that as well as trying to make sure that kid's getting the proper education that he should be getting. So, we deal with a cornucopia of a whole lot of issues.

Exactly.

Assistant Principal: And, it's not for a thing of honor.

No.

Assistant Principal: But, somebody's got to do it. Uh...and, I think God places people where they need to be.

I think so, too. I couldn't agree with you more. So, does the (local school district) ISD sort of use you as an alternative school? That's the way it sounded.

Assistant Principal: Sure. They know what's here,

Uh-huh.

Assistant Principal:... and there's not a whole lot of places... and they kinda bought into our clientele, which is just African-American kids, black,...rather, I'm saying, we're getting more of the Hispanic kids now, so we're having to be more ESL conscious.

Yeah.

Assistant Principal: Those kids that are coming in, you know, they realize that we really work hard to work with the... bond with the other culture, because we've had people long enough in the system enough, for the last four years, now, that we feel like we can do that. Some handle the situation more like their mothers do. Uh...say, a disciplinarian like myself...a student comes in and the first thing he says, "Well, why do I have to deal with you? I don't have a daddy at home," so he doesn't know. So, when you have to set those boundaries around those kids, those kids want to. They want that discipline. But, then again, you have to teach them how to deal with that...what they have to do with it and what's expected of them, later on down the road, you know. It's just not this piece of cake that you do what you want to do, you say what you want to say. Everything's based around social skills, believe it or not. You're having babies that are having babies that don't have social skills. And if they don't have those social skills, what's gonna occur? You're gonna see that type of behavior. You know, kids come in in the morning...they come in... whether, you know, they've smoked a little pot, or they've done some of that...they don't want to look at you. They don't know how, they don't want to. You know, I tell them all the time, when you're lookin' at me and say... I'm not the ugliest person in the world, but I'm not the best-looking person in the world. But, when we talk, I want you to use this square that's right above my shoulder. Talk somewhere at that, that way I know you and I are communicating with each other, you know. Turn..and you tum, and then you're defacing me, then I don't know what's going on with you. Let me know that you're contributing to what each other is saying. And that's another part of the social skills. I'm trying to...we're trying to teach those, and we can agree..

Uh-huh.

Assistant Principal: You know, you can have your opinion. You're entitled to have that. But understand that there's rules at the school, and there's rules at home. There's rules wherever you go...at the church. That you gotta abide and you gotta follow by. You don't necessarily have to agree with all of them. But, then again, you have choices. And those choices you have to determine for yourself. That's for you. That's for others

Right.

Assistant Principal: ...and that's difficult to get across to a lot of them. But, in time, people will buy into whatever you let sink. I'm a believer of that. They will buy into it, particularly when they see you're really

interested in them. I always walk in, and I say, “You know what? It’s been a pretty tough day, you know that? I say, but, I want you to know, the people that are here...they didn’t impose upon you those issues. Those issues were created long before you got to us.

Uh-hm. What is your title?

Assistant Principal: I’m the assistant principal.

You’re the assistant principal and the special education director?

Assistant Principal: ..and I work in-between the consultants. You know all the work that needs to be done in terms of contact and who needs to be contacted. Uh...

You’re kinda the liaison between the consultants that Mr. A. was talking about and the school?

Assistant Principal: Right. (Names local special education consultants). Absolutely. And I see parents who struggle. I see parents who are drug addicts, and just cannot manage their kids. I see kids..

I’ve seen that, too.

Assistant Principal: I have parents come in... I had one Thursday, and both parents were sitting in my office, and the kid called his mother a “b—ch,” and they came in, and I said what you say outside my door is one thing, but when you come inside of here, we just cannot allow that to happen. So they walked out of here again, and I wanted to have a second round with them so I invited them to come back, again, just to where I could see, you know, what was going on, what was understood as to that business when they got here.

And, Mr. A., are you the director or the principal, or...

Principal: I’m the principal. This is our superintendent.

Oh...right. I met her a moment ago. (Tape is stopped here while the principal takes care of some business.)

Okay.

Principal: Sorry about that.

That’s no problem, at all. Your kids with disabilities, do you serve them by contract personnel? For example, do you have students with speech impairments?

Principal: We have a speech therapist that comes in.

By contract?

Principal: Yes.

Assistant Principal: We have two kids now who are working with a speech pathologist. That actually comes from, you know, us finding out what details that we actually need and that comes from what we found out the needs of the kids are, through our special ed. consultants. And, again, when you called, actually, I thought you were actually part of that consultancy that was calling to say, “I’m such-and-such person from the consultants, and I work with such-and-such kid...

Right.

Assistant Principal: ...and I hear that you have some students who need some work with speech.” They come in, and they’ve been working with these children. I haven’t really seen a whole lot of progress, but we know with consistency that we’ll...these kids... these two kids, they are kids that are really skilled in hand and eye

coordination, and we're just trying to make sure that issues of passing testing, or to get 'em in vocational-type base learning situations...

Uh-hm.

Assistant Principal:...will get them into, and the speech pathology, they've got to be able to, as you know...

Principal: (hanging up telephone) I've got some good news and some bad news.

Do you want me to stop it?

Principal: No, go ahead (laughing).

Do you have other contract people besides speech pathologists?

Principal: Speech pathologists, special ed...uh...charter implementation. That's what (names charter consultant) does, just basically keeps us up to date on all these God-forsaken deadlines for TEA. Yes, Mr. Holmes? (Talks to a gentleman in the hall for a few minutes.)

What about...do you have an educational diagnostician who tests the students?

Assistant Principal: Uh-hm (nodding). We have a tape test that we give the kids, too, because a lot of times when kids come here, you'd be surprised how much information that we cannot get. I'm sure you've probably been aware that information, say for instance that...uh...I had one kid that when we looked at a lot of his paperwork came through here, we knew that he needed some form of assistance in the special ed. area, but we just didn't know where.

Uh-huh.

Assistant Principal: So, we call Mom. Well, the school's told us well, he hadn't been served... they hadn't done anything. And then, Mom rolls up here: they had been in Germany for four or five years with their dad, and Mom and Dad had divorced...

Uh-huh.

Assistant Principal: ...and they went different ways. Well, I look up and they've got a whole leaflet of information where this kid was served special educationally, in Germany.

Is that right?

Assistant Principal: Yeah, but they hadn't done anything then, when he was transferred from here to here...none of that...the parent had never given that information to the schools for the school to say, "Well, we have a need." If you had talked with the kid, you would have never thought nothing was wrong with him.

Yeah.

Assistant Principal: The kid had some problems.

Yeah.

Assistant Principal: The kid had some severe learning disabilities. But, yet, instead you know, he could sit and he could listen to me, and I tell you, he could put every word down verbatim. But, he doesn't have to read, and doesn't have to comprehend the reading...he couldn't do that, not at all.

Yeah.

Assistant Principal: So, with that kid we had to go through some modifications. We mainstreamed him, but

he had to go through some modifications in terms of, "Hey, let's sit the kid next to the teacher. Let's let the teacher give him some more verbal instructions and guidance as to what he needs to do. Let him talk more...ask her what he needs to do with the teacher, that way we'll find out exactly what the kid's learning.

Right.

Assistant Principal: So, we're trying to...it's kind of cutting edge for us, because we're just now beginning to meet that specific need, in terms of special ed. for the majority of our kids, and at some point or another, all of our kids need some of that.

Did you say this is the second year you've had a special education program?

Assistant Principal: Yes, ma'am.

So, you reported your special ed. numbers last December, so you could get funds for special education?

Assistant Principal: Right.

Do you find that parents enroll their students without telling you that there are disabilities?

Assistant Principal: All the time....

All the time?

Assistant Principal: All the time. And we have to go through the process of finding out, you know, if a kid comes in and ..and if the teacher comes in the classroom...and we have to make sure all our teachers have...say you tell the kids to...you're reading about the Civil War... and he can't find the paragraph. Why do you have to ask why? You know why....

Right.

Assistant Principal: Because he can't.

Right.

Assistant Principal: You pull him off to the side, and let him stay after school, and you talk to him. So, we know what we have to do.

Absolutely. Uh...who do you turn to for assistance with special education issues? Region XI? TEA?

Assistant Principal: Special ed. situations...we pretty much involve our consultants. Uh...once our consultants tell us exactly what we need to do in terms of meeting the needs of kids...we need to modify something in a particular class area, we'll go to Region XI, because Region XI only has the resources we need, you know, to fill the needs.

Yeah. Your consultants....are they, do they work out of a private company, or are these just people who...?

Assistant Principal: They have a private company...(names owner) Consulting.

(Owner's name)?

Assistant Principal: And, like I said, she's worked with special ed. for almost 22, 23 years. Uh...pro charter schools, and that's a privilege that she's pro charter schools...because there's a lot of swing going on...there...we have these two different divides. We have people that believe in charters, and we have

people that don't believe because, you know... you've got Clinton at one time talking about vouchers, and we know the voucher situation... you know that fight that they're having with that, now... but what we see in that is that there are children that are caught right in the middle of this, and we say, "Well, what do we do with the charter school now that the kid is caught in the middle, what are we gonna do? The only thing that we can do is stay attached to exactly what our consultants say. Our consultants say, "Well, look, this kid needs this. See what that you can do within what class from the reading level...get what resources that you need ...and then we hear when the speech pathologist comes in, she says... "I went to...in fact I went to some training three weeks ago, and, you know, I never would have thought different ways, in my whole wildest dream, never would have thought of any way to think, "Well, get kids to look at this word. Does that kid have dyslexia. When that kid sees "stand," you know what he's thinking that it is? He's thinking that it's "sand," you know, because he's not seeing "s-t," he's seeing "s-a-n-d." Well, backwards, actually, and when he sees that and puts that together, it doesn't say, "stand," to him, it says, "sand."

Uh-hm.

Assistant Principal: Well, if you're reading, "We stand at attention," he sees, "We sand at attention." Well, is he going to comprehend that way? No.

Right.

Assistant Principal: Not at all. And when I start looking at that and thinking in terms of how the dyslexic looks at that... because to be honest with you, I never thought about that in my wildest dreams... that a kid would look at that, broken vowels and other types of things...The kid just don't understand because he's only seen the vowels. (Here, the tape is inaudible, but the assistant principal describes a female student who cannot read, but who works well with her hands and can style hair.)... Well, what we're going to do with her is, I'm already talking to an agency that does hair right down the street.

Yeah.

Assistant Principal: They have to meet needs of these kids...I'm going to work with them, in terms of, well, I don't know what her disability is, but line up work that she can do already.

Right.

Assistant Principal: ...then work with her in terms of working with all the questions that can be asked of her, so she can get her license. Once she can get her license, that kid can be successful.

Oh, that's wonderful. And they're willing to work with you?

Assistant Principal: Oh, sure...that's great. They have to. In order to keep their license they have to work with young people with disabilities. Because not only do adults that have the comprehension go to them, but they have people that have disabilities go. Do you want to turn them away?

Uh-hm.

Assistant Principal: I don't think so. By law, we cannot turn them away. A kid comes here, they say, "Well, my kid has a learning disability." We say, "Well, we don't take them." You can't do that. You can't turn them away. You're not supposed to do that. They have their transition, furthermore....(dismissal bell rings loudly.)

Good bell (laughing). Works well. Do you prefer to serve your students according to...do you group them with age appropriate peers, or by ability level?

Assistant Principal: Age appropriate peers. You know, uh...we found out that, and then again to let you now, we have an accelerated program as well, that comes from kids having to learn on a self-pace.

Um-hm.

Assistant Principal: With them being on a self-paced program...there may be kids that may be in a class that we have that may need a more advanced English...

Right.

Assistant Principal: ..than one other kid does. Then, we have the modifications to meet them...we have the modifications to meet them... this kid cannot work the same pace as this one, because it has been stated in his ARD...

IEP?

Assistant Principal: IEP, that these are the modifications as to what this kid needs, this is how it's modified, and that's what we've got to work with.

Right. Meet his needs wherever he is.

Assistant Principal: Absolutely.

Are you a full inclusion school, or do you have separate classes for kids with special needs...or?

Principal: We're full inclusion. It really depends on what the admission review committee decides.

Right.

Principal: And that's one of the things...we just had an initial on-site visit from TEA, and the question was, "Well, what if you have somebody who needs self-contained?" You know, "What are you gonna do?" And, we have a plan in place to do that, with the consultant that we have.

Okay.

Principal: She's got a network of special education teachers, diagnosticians....you know, she's got the whole thing.

Could you kind of share your self-contained plan with me?

Principal: She can....I can't.

She's the one who handles that.

Principal: I know one thing I can do is (knocks on his desk), "(Names consultant), it's time."

(Laughing.)

Principal: Mr. B., do you think that you could speak to that? "Cause you're in charge of special ed. coordinating...

Assistant Principal: ..about?

About what you'd do if you had a kid who needed a self-contained program.

Assistant Principal: Now that, you know, like I said, a lot of this...and I'm being perfectly honest, a lot of this is real new to me.

Right.

Assistant Principal: ...and they're coaching me as I go along.

Right.

Assistant Principal: And, I've learned so much.

Principal: I don't see how some charter schools survive without the consultants that we have because...I love our consultants.

Yeah.

Assistant Principal: Absolutely. They tell me a lot of stuff, "Mr. B, you need to do this, you need to do that," and then when I have to sit in on when they're having meetings on the kid, when they're talking about the modifications, the IEPs...you know, when I was in school, and I come from some of the same surroundings as some of our kids come from, and I see the lack of...of the night and day...and then when I see... while we're having to modify IEPs, so that these kids can survive.

Uh-huh.

Principal: ...and what the plan is, is to get Mr. B. special ed. certified.

Okay.

Assistant Principal: I was getting to that.

Principal: No, seriously, that is the plan.

Yeah. Uh...this question...and I think I know the answer to this question. It says, "How confident do you feel that the services you provide are appropriate as required by federal mandates?" And, I think what you're telling me is that it's new to you, but that you're learning a lot, and...is TEA giving you a lot of guidance?

Principal: Let me put it to you this way, out of 35...how many indicators were there, 35 or 30?

Assistant Principal: In special ed., it was 38.

Principal: Out of 38 indicators, we were out of compliance with 5.

Assistant Principal: We met 33 of the 38.

I'd say that's awfully good.

Principal: With the charter implementation, out of 38 we were in compliance with 37.

Sounds to me like you're doing a great job.

Principal: So, I feel very confident.

Particularly since this is, what, your second year, you said, for special education?

Assistant Principal: And I'll have to go ahead and give Mr. A. his applause. I think part of this ...I do know and you've probably seen this little devotional book that he has here...Mr. A. has a passion, and I think the people that are centered around Mr. A. have the same passion for our young people, have had some of the same similar experiences as our young people, and choose to meet the needs of our young people in any means necessary. That may mean that we may have to be a little bit more friendlier to some parents who we know that don't have their kids in the best interest. There's a lot of times that Mr. A. may have a little bit more patience in dealing with some students, or let's go a little further and say with some parents that don't have their children's best interest in mind, and I think the passion that he shows, and even though he's probably seven or eight years younger than I am, I have no problem with the passion because I feel like I

am as much a part of this organization as he is. He gives me the freedom to work and deal with the students as best way as possible. So that in itself, I thank him for giving me that liberty.

Principal: Thank you, Mr. B.

Assistant Principal: I'm building the truth.

Yeah. Well, you know I think that to make a difference in the lives of these kids you have to have a passion. I mean really and truly. I attended a conference up in Bethesda, Maryland... I've been very fortunate since I've been in this program that my professor...I don't have the money to go to these conferences, but my professor has some grant money from the Department of Education, and he has sent me to some of these conferences. And I went to one in Bethesda, Maryland, and the keynote speaker was a judge, an African-American woman who is a judge and works in the criminal justice system in Washington, DC. Her challenge to us was, "What is your level of dedication?" Because if you are not totally dedicated, you will not touch the lives of these kids. It touched me, you know?...and she is absolutely right.

When you call your consultants, do you ask them about...do you ask for assistance in terms of curricular issues, or do you ask for help with behavior intervention, or do you ask for legal help...or all those?

Assistant principal: All those. An example... we had a young person who was special ed. exempt from all the TAAS and was giving us some behavioral problems.

Uh-hm.

Assistant Principal: Well, what I needed to know was how long could this kid be suspended from school prior to something else happening with him?

Right.

Assistant Principal: Well, Mr. A. said be sure you call our consultants and find out what you need to do. Well, then I found out the kid couldn't be suspended any longer than ten days without being ARDed again.

Yeah.

Assistant Principal: Well, we had to go about it so...our suspensions weren't as severe as it would be with other students. Whereas a kid may be suspended for three days that's in the mainstream with no modifications, well... we deal with this kid one day with contract work.

Right.

Assistant Principal: And we set up transitional behavior contracts with them and see every two weeks if they can handle what specifics that we have within the contracts.

Right.

Principal: A less restrictive environment.

Yeah... So you were asking them about behavior intervention, as far as legality?

Assistant Principal: Legalities. Absolutely.

Principal: And we will get anything from anybody who is a source, because we also work with (names local independent school district), and they train my teachers.

That's what Mr. B. was telling me.

Principal: They provide us staff development. It's smart for them... I mean, we are working with their kids. And, most big school districts don't... they hate charter schools, because they look at it as if they're taking money out, but we have a wonderful relationship with (names local) ISD, and they support us.

Is this just sort of a verbal agreement? You're not part of the district.

Principal: Yeah. Good collaboration and good relationships.

Assistant Principal: And, as I said earlier, it's a good catch net because with the passion that we do have. Kids come here and parents find out that we are really interested about bringing them and involving them...uncle, granddad, whoever it is that is best fit, that's going to assist that kid in his personal growth. We want to bring them in to make sure. And, then once that kid leaves, as I've told you, as I told you every other semester that the kid is here, how much ground in terms of work that he's losin', and Mr. A., you know, it just hit me all of a sudden, he was talking about several kids a couple of weeks ago, and he was saying, "You know, this kid's here every other semester."

Yeah.

Assistant Principal: That kid's not gaining any ground whatsoever. So what happens is, if that kid benefits more by being here with us, why send him back? You know, ask the parent. Now, we can't say, "We want this kid here," but if the parent says, "You know, this kid's behavior's been much better since he's been here with ya'll, is there any way we can get him in?" And, if that kid has been a good student of ours, we have no problem opening up our doors to let that kid come in.

Right. The next question says, "Describe the manner in which students with pre-existing IEPs, the ones who have already been in special education, receive their recommended instructional modifications and related services?"

Assistant Principal: The way that we've done that in the past, as I've stated, there's only four questions that we ask the previous school that the kid came from, and we find out exactly what modifications...how those kids were served while they were with them...

Right.

Assistant Principal:... and they'll send us exactly what all the IEPs were there, but we still have to re-ARD, we still have to find out whether or not that kid has made enough significant progress in those particular areas where he may not need any other attention in those areas...

Yeah.

Principal:...but the key piece is, and it's nice to have all this set up, and one of the things that I do well, and I don't give myself credit enough, but one thing that I will, is systems. And you have to have systems set up. You can have all the paperwork and all the stuff, but if that information doesn't get from the school to Mr. B. to the ARD meeting, to the consultants, back to the teachers in the classroom, then feed back back to the teachers, I mean back to Mr. B. to report to our consultants what's going...either working or it's not working, we have that set up...systems set up, so that is just not nice paperwork for TEA to look at, that is actually having some effect on what those students are doing in the classroom.

Yeah.

Principal: So we have a system set up. Wednesday, in our staff meeting, if there's anybody that was enrolled within that week that has an IEP, the teachers are informed... or what the modifications are. We have a special time in our staff meeting to go over all special ed. issues.

Right. Do you have any trouble getting pre-existing records from previous schools?

Principal: Hm.

You must. I can tell by your...

Assistant Principal: We do.

Principal: But, you know, sometimes we just go ahead and just do a full-blown ARD, because we don't want to wait. We start from scratch, because we start running in to time limits, and we don't want to do that.

Assistant Principal: And when we run into those, you know, those temporary ARDs until we can find out what information from other schools...you know, we had a kid that went to counseling in Palestine. There was information there that took us almost a month to get, but we had to go ahead and ARD him to meet the time frame.

Yeah. You just go ahead and get the parent signature on the release for records and then call and ask for it? Do you use different disciplinary procedures with your kids with disabilities? I know you were telling me that you found out you couldn't suspend a kid but ten days because he had disabilities.

Principal: Right. Anything in the law like that would be the only difference.

Yeah. What disciplinary procedures do you normally use?

Principal: Uh... what we do is we have a leveling system...

Uh-hm.

Principal:...where students that are referred to us... and it depends on what they are referred to my office for, or referred to Mr. B.'s office for... uh...Get one of those handbooks, Mr. B. I can show you better than I can tell you. And what our student handbooks, and our staff handbook has outlined...what the behavior is, then a list of what the possible consequences are.

So they know right up front.

Principal: So they'll know right up front. It's a leveling system. Number one offenses, number two offenses, number three, and then when you get to level four and five, they're discretionary upon whether we're going to be discretionary or whether they're going to be expelled, or not. And then, there are mandatory expulsion infractions at level five.

So the students that are in special education...when they need discipline, you follow these guidelines within the context of the law?

Principal: Of the law, and their modifications.

Do you have any students with Behavior Intervention Plans (BIPs), that go into the IEP?

Assistant Principal: What we have along with this, again... we have people that know the system. We have behavior interventionists that are from the (local children's) home.

Okay.

Assistant Principal: And, those people that are here, and not all of us, as of yet, have been trained in the Boys Town system...

Right.

Assistant Principal:...and, we kind of base a lot of that on...when we have issues that may come up that our behavior interventionists can deal with, that they'll take those four or five kids, who ever it is, and they'll intervention with them in a library that we have, but we have them available to us. And, any issues that come up where we really need those, and I think the time frame is set up for them to visit our campus, then

it can be dealt with with conflict resolution and the Boys' Town program.

Right. If you have a child who is struggling academically, and doesn't have a diagnosis of a specific disability...one that's not enrolled in special education...what steps do your teachers take and what steps do you take to get the child assessed for special education?

Assistant Principal: That's a good question. Repeat...repeat all of that.

Okay. If you've got a kiddo who's struggling in school..

Assistant Principal: Struggling academically?

Struggling academically, but he doesn't have a special education label or diagnosis.

Principal: He's never been in special education.

Never been in special education. Do you go ahead at that point and refer him for special education assessment?

Assistant Principal: Absolutely.

How do you do that? What steps do you take?

Assistant Principal: Actually, what steps...I get on the telephone and call our consultants.

(Laughs.)

Principal: But, what happens is, most of the stuff we find out ends in our Wednesday afternoon meetings.

Is that when you meet with your consultants?

Principal: No, that's when we meet with all our teachers.

Oh... okay.

Assistant Principal:...and then our teachers will say, "You know, have you noticed this about Johnny?" And then someone else will say, "You know, I've noticed that, too." Well, what we have from that point is that if we don't have enough information on that particular kid, but we see signs...

Principal: We suspect.

Assistant Principal: When we see those signs, and then we all come to an agreement that we need to look more into that, then we call the consultants and say, "This is what we're seeing in this kid. He has this problem, this problem, this problem, this problem. What can we do?" And then, they give us feedback as to how we need to handle it. Now we also have a committee.

Principal: I was just waiting until you'd get to that.

Assistant Principal: A committee that is set into place. And this is how this develops...and all of our teachers are a part of this committee, which means that when we have our meetings and we see these indicators, then we can bring that kid and the parent back to the meeting with our consultants to say, "This is what we're seeing. What can we do?" And then they'll go through the process of whatever testing and things that we have to do to see if we can meet the kid's needs.

Principal: You know... and I look at it kinda like when I was at MH/MR, as kind of like a difficult case conference. It's like, you know, whatever we've tried in the mainstream, it's not working...

Right.

Principal: ...and if we keep going with this, this kid's going to slip through the cracks, and so what are we going to do about it?

Yeah. Do your consultants ever give you things to try in the classroom before you actually go to the special education testing?

Principal: No.

Okay. You just go take care of it.

Principal: It's strictly by the book. It would be nice, but I don't know where that would stand with the law. I wouldn't feel comfortable without it..an IEP and a full blown ARD.

Do your teachers feel good about working with students with disabilities? Do they work well with them?

Principal: They bug him (assistant principal) about the modifications.

Assistant Principal: They say, "Get those modifications to us."

Principal: So, they've really responded. And, probably the best thing that's happened to us is we had the audit back in September, so everybody's on the same page with special education, ESL, the curriculum.

Uh-hm.

Principal: So it was a really positive experience for us.

Assistant Principal: I've had teachers come in and...(he nods affirmatively) and then when I hear that from one, I start asking questions of the others.

Principal: 'Cause see we had several that had indicators when they came over, but we were like, "Her?" You know, and then after testing, they *were* special ed. Some of our brightest students.

Really? Do all the students accept the students with disabilities?

Principal: They don't even know.

They don't which ones are....

Principal: They don't even know. That's one of my biggest sticklers, with me coming from my training in Mental Health/Mental Retardation, confidentiality with JCH. That's one of my big pet peeves.

And the parents probably don't know which ones have disabilities.

Principal: No, just the families.

Just their parents. Right. Exactly.

Principal: And, we try to have a lot of our ARDs even before school or after school. It doesn't work out that way all the time, but we try to.

Sometimes parents can't come then.

Assistant Principal: True.

I need to look back over this because I may be missing something, but it looks like I've only got one more question and that is, "Describe the process by which you request and receive special education funds," and I believe you told me that you turned in your numbers on December 1. It's an automatic process from that point on.

Assistant Principal: Unless we have other students who come in after that date. We have orientation every Tuesday and Thursday. Mr. A. has set it to where we are going to have open house for our portables, is it next week?

Principal: The 22nd.

Assistant Principal: And, having that we have a list and at orientation that's when we have all the slotted kids who are coming, and then from the paperwork we find out who may or may not be coming.

You know, I'll tell you Mr. A. because you were out of the room when I shared this with Mr. Harrison, but I attended a conference in Bethesda, Maryland, and the keynote speaker was an African-American lady who serves as a judge in the juvenile justice system in Washington, DC. She said that if you want to help these kids, question your level of dedication because if you are not totally committed, you will not help these kids.

Principal: A friend of mine coined this phrase and I hate that he did... I wish I had but I didn't...he said it's a commitment, not a career, with these students.

Oh, I agree 100%.

Assistant Principal: And I have to add this. When TEA came in, it wasn't about all those indicators that were met...it is about them, but it isn't...because the first thing that came off the lips of the guy who headed the committee was "It's a true commitment." That is why I think we did so well with the audit, and that was nice.

Principal: Yeah, because even if we were going to lean on the fence over those indicators, they were going to be favorable because of the commitment. Because of the attitude of the whole staff.

Assistant Principal: And if we don't make all the right decisions, our heart is in the right place and we'll make the corrections in the long run. We'll know not to do it next time.

Principal: One of things with special ed. that I spoke with one of our consultants about today, and I meant to tell you but I hadn't, is that we're looking at getting into school-to-work. I met with a vice chairman of TCC and they have a vocational program, and they're open to doing a dual enrollment program. So, what that would do for our special education is be a perfect transition plan for the kids that are graduating to spend their senior year--the morning here with us and the afternoon with them--and then when they graduate just transition into a work program.

Oh, that would be wonderful. He (assistant principal) was sharing with me what you are doing with the cosmetology program. Your dedication is certainly evident. I wish you the best of luck in your endeavors. Thank you so very much for giving me your time and allowing me to speak with you.

INTERVIEW FIVE

This interview was held with the Special Education Director of an at-risk charter school with two campuses. These two campuses are located within highly populated communities in north Texas. One campus is located in a neighborhood that could be described as “upwardly mobile”. The other campus is located within an area that may be characterized as middle class, and the school serves a largely Hispanic student body. The school targets secondary-aged students who have been unsuccessful in traditional environments, and offers a self-paced curriculum.

As I made arrangements to meet with the director, it became aware to us that we were neighbors. The interview, therefore, took place in my kitchen.

Could you tell me a little bit about your school, its focus, and why it was chartered?

Special Ed. Director: The school district that I am working for is for at-risk high school age students. We have very few students who are even 14. Most of them are 15, 16, and up through age 21. They are students who have not...who don't fit...and have gone through the cracks in the traditional public schools. We have support... in the two campuses where we are, currently, we have support from the traditional school districts where they are located, which are (names two area school districts), and many times they will hand the parents of these students a brochure and say, “Check this out.” It's self-paced. A lot of it works with Plato computer programs. The students work with that.

You said, “Plato?”

Special Ed. Director: Plato, which is a series of classes that are self-paced. There's still a lot, and we add to that to make sure that all the TEKS are covered.

Uh-huh.

Special Ed. Director: But, there's still a lot of paperwork. Probably 60% is seatwork, book work, and the rest is on computer. And then, we have levels of instructors within that. We have instructors that are directly there with the students at all times to help them if they're problems that they do not do well. We have master teachers that rotate through the classes, and then we have special ed. personnel who also help.

You say that your student body is primarily at-risk, or is it totally at-risk?

Special Ed. Director: It is probably 97% at-risk. We have a few students who have come in and need one or two credits to graduate and want to come in and do them quickly and go on to college, so we have that. We have quite a few students who are older who want to go into the military, and come in because they can work. If they'll sit down and work and get their stuff done they can graduate quickly, and with a high school diploma they can get their bonuses. With a GED, they don't when they go into the military.

That's interesting. I didn't realize that.

Special Ed. Director: I didn't either. That's one of the new things I've learned this year, too.

Huh. So in terms of minority or majority...what about your demographics, male/female, etc.?

Special Ed. Director: More males than females. I don't know what the stats are on that, and I can supply you with that later if you need it. Our campuses vary. Our (names upwardly mobile community) campus is majority Anglo children. The majority out of one high school in (that) school district, which I find kind of interesting...we cannot get Title One funds for that campus at all because the income's much higher. The (other) campus is primarily Hispanic, some Anglo, a larger percentage of African-American. That campus does qualify for some Title One funds.

Could you guess what percentage of students are African-American at that campus?

Special Ed. Director: Probably, I would say 15% or 20%. And, probably 40% to 50% Hispanic, and the remainder Anglo.

Okay. So, how many campuses do you have?

Special Ed. Director: We have two campuses currently. We are going to be opening a third one in (another upwardly mobile community in the area) after the first of the year.

Okay. What about ESL?

Special Ed. Director: We have ESL services. That's another thing I get to do. But, what we have down so far is we're not getting new students who have not been...who are brand new to the country. So, what we do is do follow-up services, but we have not had to do the initial placement and deal with bilingual or that type of thing.

Right.

Special Ed. Director: We have people who can interpret if we need them for parents in ARDs and other meetings, but we haven't had to do a lot. We still have to do the RPTE and things like that, but we have not had to have a separate class as such, yet.

What is RPTE?

Special Ed. Director: It's the Reading Proficiency Test of English, I think. I think that's what it stands for.

So, what percentage would you guess of your kids would qualify for ESL?

Special Ed. Director: Maybe, according to our surveys at least, maybe 2% to 3% max.

And, what about students with disabilities?

Special Ed. Director: We are running, anywhere....and it depends because our enrollment is transient...they come in and they graduate and they leave...we are running anywhere from, as an overall district, between 13% and 19%, so far, and that varies on any one day. Now, after the first of the year we anticipate that we will have closer to 25% for awhile.

So, since you're probably, since you're not set up to serve, necessarily, kids that are gifted and talented, are any of your kids...

Special Ed. Director: We do have g/t, and we're working on programs for that...primarily, what our goal is on that is to make sure...we're checking our charter to see if we can do dual enrollment with the local community colleges... uh...we're starting our first AP class for kids who are more academically talented, and then we're starting a drama program for kids who are artistically talented in the arts and some of the other things that are coming in...That is... it's not our first thrust, but it is coming, and that's in the planning stages to do more with that. We've done a little bit, but not a lot, yet.

Right. I think it would be exciting to work with the community colleges and let the kids take some classes.

Special Ed. Director: Yes. We have to make sure our charter does that. In fact, that's part of what the board is doing now...is reviewing to see if our charter can accommodate that. Charters have to be very specific as you know, so we have to make sure that we can do that.

Yeah. Let me check the tape. (Interview is paused as interviewer checks to see if the tape is recording properly.) Okay...next question. Classify your students with disabilities according to disability

category.

Special Ed. Director: The majority of the students I have will fall under learning disability. We have only two out of our numbers, and right now we have about 90 kids, who fall under special education services. We have two who are listed as the Texas version of mentally retarded.

Texas version?

Special Ed. Director: Texas version....other states have different standards.

Right. Different definitions.

Special Ed. Director: Different definitions...different IQ scores. So, Texas is the only state I've worked in that uses the term "mentally retarded."

Really.

Special Ed. Director: As a legal term, it's really interesting. We have probably five or six who have ED as their primary disability, and we have several of the students who have LD as their primary disability and ED as their secondary disability.

Uh-hm.

Special Ed. Director: And we only have one that is speech only.

Hm?

Special Ed. Director: At this point. That's interesting.

I've been a little surprised as I look at the numbers that have been turned in to the state, as far as numbers of kids classified with different disabilities, that there have been as few speech impaired as there are. I expected that to be a large category, and I've been surprised that it's not.

Special Ed. Director: In high school, of course, most of the kids are out of speech at that point.

That's true.

Special Ed. Director: And even the person we have now who qualifies for speech is...well, he did qualify for speech and the family has asked that we monitor....so I'm having to be very careful with that to make sure that we're doing that correctly.

Uh-hm.

Special Ed. Director: Because they feel he does not...that it's impacted him language-wise as far as the need for certain modifications, or now accommodations, but...

Terminology.

Special Ed. Director: Yes, terminology of the week. But, that as far as actual therapy, that he does not need that. And, you cannot tell the need is more of a language impairment, rather than articulation.

Right. Uh...How well prepared do you feel that your school is to serve students with mild disabilities like learning disabilities?

Special Ed. Director: Amazingly well, and I think part of that is because...it has more to do with attitude. We did a lot of training before school started with our personnel. They don't see it as an option.

Uh-hm.

Special Ed. Director: And, almost all of our kids at this point, and so far that has worked, are in the mainstream setting, which works out well with this type of setting, because every child is individualized, anyway...

Right.

Special Ed. Director: So, it works out pretty well. So... that's been really good. But, they weren't told that it was an option. You know, this is what needs, this is what has to happen. And, I continue to do professional development with them to enhance that. So, that's been part of the fun thing versus the traditional public school where everybody is safeguarding their subject.

Right.

Special Ed. Director: Because this particular school is more student oriented, I have not run into the resistance I have other places.

Well...and that's probably an advantage, too, to the model that you're utilizing as opposed to...I'm thinking of the conversion charters that have been private schools through the years which have always had the option whether to serve them or not...

Special Ed. Director: Yes.

... and then all of a sudden they no longer have that option, and some of the teachers that have been with them for a long time are kind of... "Oh...that's tough..."

Special Ed. Director: And, I will not put up with that behavior... I will not... You know, I'm sorry, we have to go through the process.

Right.

Special Ed. Director: Now, we do have the option in the particular charter that...we sit down and if this model is not working for them, we bring the family in and say, "Look...the child is not doing..." Because, they're independent quite a good bit of the time, too. There's still rules, there's still regulations, there's still manners that have to be followed. But, they have to be able to do independent work, and if they are not succeeding with that we don't want them to continue to fall through the cracks. It may be that the more traditional setting is more appropriate.

Right.

Special Ed. Director: So, we can do that. And, part of the covenant that the families sign when they come in is that attendance is mandatory, because we're a school of choice. And, if they don't meet the attendance standards, then we bring the families in and we sit them down and discuss it and the student will very probably, or very possibly, be withdrawn and the home school notified, and sent back. Because we have that option which is good.

Uh-hm.

Special Ed. Director: And, it also brings, I think, a bit more commitment on the part of families and students...and the P.O.'s, and the navy recruiters, and so on and so forth (laughing)...

(Laughter) Oh, my goodness...Well, what about students with more significant disabilities? You mentioned that you have some kiddos that have the ED label....Do you have students with orthopedic disabilities?

Special Ed. Director: We have not, yet. Now, our students with emotional difficulties...we go through the

behavior plan. We have a counselor that works with all the students. She does both group classes, and then she will do some individual counseling. She was hired by our district and she rotates between the campuses. We also have trained intervention teams on both campuses. I have people who know how to sit down and de-escalate, and work with the students. So, that's been a real advantage that a lot of charter schools don't have.

Yeah.

Special Ed. Director: And, I think part of that is just the knowledge of the people and the fact that they have traditional education backgrounds and know that the services were needed, from the outset. So, that's been a real positive.

Yeah. Do you have the facilities to serve kids in wheelchairs, for example, at your facilities?

Special Ed. Director: Everything is open and we have not yet had a child come in needing that, and both buildings are handicapped accessible. We would have to set up some other options, if and when that situation comes. Most parents, if the child has not only has physical disabilities, but has more significant learning disabilities, or mentally retarded...

That was my next question.

Special Ed. Director:... prefer a more traditional setting where the services are already in place, and I've found that trend in other charter schools, too, because there is just the concern that we would not have that level of services.

Right.

Special Ed. Director: And we would do our best to provide that, and by law have to...

Yeah.

Special Ed. Director:...and we'd do so. But, as a parent, too, my concern always is, you know, really evaluate. And we tell all our parents that. You know, evaluate if this is where your child needs to be.

So, do you have any children yet with MR?

Special Ed. Director: We do have two who are MR. We're working with those. The good thing about the Plato system is that we can go in and on computers set up basic courses that are designed for their needs, besides doing modifications on the other courses...accommodations, I'm sorry, that keeps changing. Actually, modifications for those kids because we do... may change some of the TEKS for their age range... to go with more of their academic skills and what needs that they have.

Yeah.

Special Ed. Director: And, we work very carefully with the parents on that.

Do you know what "Plato" stands for?

Special Ed. Director: No, I don't. Don't worry about it. I'll try and let you know.

That's okay. So, in terms of personnel, you feel like your faculty is receptive to working with kids with disabilities, because as you mentioned, they're not given the option. Are most of their attitudes pretty accepting, do you think?

Special Ed. Director: They really are, and I was surprised by that...because some of these teachers have come from private schools...we have one man who's taught at the university level. So, I was surprised by that. I think part of it was the presentation. When we came in and did the initial presentation to them, I let

them know that this is the way we could do special education right. That it was a service, it wasn't a placement. All of our kids have special needs, all of our kids have gifts.

Right.

Special Ed. Director: And, the idea with this is that we have to find both of those for all these kids. So, we have several people, too, who have gone through the cracks in their own education. So, this is particularly interesting to them, because it's made a difference for them, too. So it's been...perfect? No.

Sometimes, special ed. teachers are the ones who, I think, are sympathetic, too, for whatever reason. Because they've had a child, or because they've had difficulty themselves, or they've just known somebody who's had difficulty.

Special Ed. Director: Well, I think that's a lot of it with this group, too, because, "Okay. This child has this need. How am I supposed to do this? I'm getting him to the point, now, that I don't have to do every accommodation." They'll come in and ask for approval, and I'm excited about that!

Yeah.

Special Ed. Director: But, they'll come in..."Is this okay? Did I do this..?" "Hey, good job. Go for it..." And they're instinctively choosing the meat of what needs to be there. And, uh...I tell them, you know, we don't spoon feed. These kids still need to be challenged, they just don't need to be overwhelmed.

Uh-huh...exactly.

Special Ed. Director: So, it's just been...it's been exciting to watch. The attitudes are so different than with traditional schools, particularly secondary schools where it's so subject oriented. So, that doesn't mean that we all don't get frustrated... and the staff head bangs every once in a while, but...we have a little place in one of the offices and it says, "Bang your head here." And, that's where we go.

(Laughing)

Special Ed. Director: But, it's not just the kids, you know, that come in with the official labels, because we could label everyone of these kids with something.

_____What about resources? Do you have the resources to meet the special ed. needs? I know that finances are typically a problem with charter schools, across the board.

Special Ed. Director: So far. Finances are always tight because there's no local funding. It's just state funding.

Uh-huh.

Special Ed. Director: We've been real fortunate in that the people who are doing the budgeting do everything by check. They don't do anything by P.O. They said later they might go to that, but they want to make sure they've got the funds and everything's okay...everything's paid now. Which I appreciate because that does help. I have a whole garage full of things that I have brought in as resources. Region X has been of great help to us. Region XI has been of great help.

Oh...so, you get help from both of them?

Special Ed. Director: See, one of our schools is in Region XI.

Okay.

Special Ed. Director: So, we check with them, also. So, for that school. And, then, for the other school we check with Region X. And, so that's been good because then we've been able to crisscross those resources.

Our charter is set up where we can set up schools and pull students from Tarrant, Denton, and Dallas counties. So, we have the one in (names upwardly mobile community), and then, hopefully, we'll head west and get some back this way.

Uh-huh. Do you have a governing board?

Special Ed. Director: Meaning?

Well, some of the schools I've visited have a board of parents, community members that come and make the decisions for their school.

Special Ed. Director: There's two boards. There's a school board and then there's an advisory board. And, then, I will be setting up special populations, an advisory committee, also.

So, since you are your own LEA, you have your own school board.

Special Ed. Director: Yes.

Does the nature of the student's disability affect the availability of service at Winfree?

Special Ed. Director: Say that, again.

Does the nature of the disability affect the availability of the service? I know that some of the schools have sort of an interview process that they go through with the parents who show an interest in the school, and that at point in time, some of the schools would say things like, "Are you sure this is the right setup to serve your child's needs?" To be specific, I guess if a parent came to you with a child with orthopedic disabilities, would the interview process differ in any way with that parent?

Special Ed. Director: No. In fact, this past year we did not even ask if the child was in any special programs, specifically for that reason. And, everyone's very aware that we can not turn away anyone. What we always do is come in, and each parent is interviewed, each family's interviewed, and each family is oriented, and that's part of the situation...part of the whole enrollment process. They're all interviewed, told this is what we do, this is how we do it...is your child going to fit here? And, that's across the board because most of our kids you couldn't look at and tell that there was a disability.

Right. And, that kind of leaves it up to the parent to make the decision.

Special Ed. Director: It leaves it up to the parent if it's really the place for them. But, no, we don't and we will not. We're open enrollment and we're a public school, so if a parent feels this is where their child needs to be, then this is where their child is. Now, we are also under what's called the "lottery." We have a waiting list right now of about 200 kids for the Irving campus, I'm not sure what the list is for the other one. Our students are, once again,...we have a limited enrollment.

Uh-huh.

Special Ed. Director: So, those kids, also, if they're not already in the school, also go in the same lottery... and, what we do is shake it up, reach in and pick, and that's state mandated for charters.

Yeah. I've read that.

Special Ed. Director: And they call that child and they have X amount of time to decide whether to enroll, and then we pull the next one.

Uh-huh. I'm going to digress here just a minute, and of course we've got the tape recorder running, but I'm aware that there's a clause within the Texas statute, the TEC statute, that says that charter schools do not have to take students with a history of behavioral problems. How do you reconcile that with the fact that there are kids with emotional/behavioral problems, and that with IDEA, there are even clauses that say

that if you are aware that the child may have a disability, based on the records, even if they're not admitted into special education, you can be held responsible for discipline and services for that child. I'm wondering, "How does that work?" Obviously, the charter schools...do you know, necessarily, if the child has a history of behavioral problems when they come to you? And, if you turn a child down because he has a history of behavioral difficulties, and it ultimately turns out that the kid had emotional disorders...do you know what I'm saying? How do you reconcile that, with the national law and the state statute?

Special Ed. Director: How does it fit?

Yeah.

Special Ed. Director: I don't know how they do that, and I don't know how that got in there. Now, one of the things was that kids who were expelled from traditional schools were being accepted...at one time the charters were being told they had to accept those students. Now, if the expulsion is for drugs or guns, we don't have to.

Uh-hm.

Special Ed. Director: Of course, at the same time, if they fall under IDEA and they have been expelled from the traditional schools, there are services that still have to be provided.

Right.

Special Ed. Director: So, we haven't run into that, as yet, and as I told my administrators...if we do end up removing one for these reasons, services still have to be provided.

Yeah.

Special Ed. Director: So, we need to be aware that we try to intervene before we get to that. So, and most of our students come from a background of behavior problems....probably 90+% of our students.

And they haven't been successful other places.

Special Ed. Director: They haven't been successful other places, so they come in and I think, part of it is just a difference in setting. They are allowed to wear headphones and listen to music, if that's what they want...and a lot of kids work very well that way. Well, you cannot do that in any traditional school that I know, because I know coming from that setting...it drives you nuts. So, that has been helpful.

You're able to be more flexible.

Special Ed. Director: There's a flexibility there that's not in the traditional public schools. So, it doesn't really apply to ours except for the expulsion for drugs or weapons.

Right.

Special Ed. Director: So, we have...and then, what is it a year, now, that they are out? But, the school that expels them has to still provide services under IDEA.

Right.

Special Ed. Director: And, I don't know...I think that's what that clause was put there for...I remember when that came up. Because they were afraid that the traditional schools were going to be dumping these kids and they were going to have to take them because of the open enrollment clause.

And I've heard it said from a lady who's worked both in traditional public schools and charter schools, as you have, that she doesn't think charter schools should have to take students with a history of behavior problems.

Special Ed. Director: That's what ours is designed for.

(Laughing) Right.

Special Ed. Director: That's what our is designed for, and personnel trained for. We never get bored.

I used to teach in an ED classroom.

Special Ed. Director: Yes.

And I never got bored.

Special Ed. Director: No, you're always on your toes... yes.

I taught resource for years and I remember there were occasionally times after lunch, around 2:00 PM, when I would start to doze off. I never had that problem after I got into ED.

Special Ed. Director: Always on your toes. Always with your back to the wall and not to the kid.

Exactly.

Special Ed. Director: Always aware. Always trying to keep that modulated voice.

Okay. In what ways are students with disabilities served? Do you utilize contract personnel? Is it strictly school personnel, teachers and staff within your school?

Special Ed. Director: We use both personnel that are already considered full-time staff, and then I have contract personnel, too.

Okay.

Special Ed. Director: My diagnostician is contract, on a case by case situation. I have a former co-worker who worked with me in a different school district who is full-time contract, and he rotates between the campuses, and does a good portion of the one-on-one and follow-up as far as academics, so I can deal with more and more of the paper and the kids don't miss the personal attention.

Right. One of the things that we didn't mention, and I'll just throw it in right now so it will be on the tape is you were the special education director. Is that correct?

Special Ed. Director: Yes. I'm director of special populations, and special education is the primary special population.

But, also ESL and...

Special Ed. Director: ESL, gifted and talented, dyslexia, PRS services and what's? There's six areas.

What's PRS?

Special Ed. Director: Pregnancy related services. 1...2...3...4...5.. .(counting on fingers) ...what's the other one? There's a sixth....Oh, 504.

Yes. Can't forget that.

Special Ed. Director: Can't forget....no, sure can't.

Okay. So you utilize both contract personnel and people on staff.

Special Ed. Director: We're training more and more people on the staff, and then I also brought a couple of other people with me who had worked in special ed. departments for years in another school.

You may have answered this, but do you have certified special education personnel on staff, or are you the certified person?

Special Ed. Director: There are two of us who are certified special education. Another one who will be certified special education. I think the third one at the other campus is, also. So, we have, I believe, three currently certified special education, and we'll have a fourth.

Okay. And, do you feel confident that the services you provide are appropriate as required by federal mandates?

Special Ed. Director: Yes, and we try very hard to go beyond federal mandates. The school is geared to help kids be successful who haven't been, so we try very hard to do that. Of course, the fun thing is keeping all of it documented properly, and since they can't decide on which forms are relevant this week. So...

Oh, I know. Well, it's just a mountain of paperwork. I've been there.

Special Ed. Director: Well, we were told Friday that as soon as these last commissioner rules are approved, that the forms are already ready. They just have to be approved. So, as soon as the rules are approved they'll get the forms out to us. Okay...

A new set of forms every year, too.

Special Ed. Director: Well, you know there was a new paperwork law that was set up just to reduce paperwork. Did you read that law?

Well, there was one several years ago that they said special education was exempt from. Is there another one, now?

Special Ed. Director: Well, this is one that was supposed to reduce paperwork. So, uh...our ARD paperwork has gone from 10 pages to probably 15 now.

(Laughing)

Special Ed. Director: That's so we could reduce paperwork.

Right. Do you have a continuum of services?

Special Ed. Director: Yes.

Could you tell me about that?

Special Ed. Director: Well, we... at this point we have not had to use a full continuum, but it's set up so that after we do the ARD and go through and do the placement, that... if that child needs a more restrictive setting, we do. We start...all the children are mainstream until we, and unless, they need something different. And so far, we have not had to deal with that. Now, we've had to do some more intense modifications, because we have a few students with whom all the TEKS is not going to be covered. There's the...as far as their disability that precludes...their disability precludes that to a degree.

Right.

Special Ed. Director: So, we have done some modifications with that. And, so far, because of the setting, we have not had to do a more restrictive setting. So, probably because people rotate through the classes. It's probably more of a full inclusion model.

Uh-huh.

Special Ed. Director: But, the continuum is there if we need it.

Right. You probably have little areas where, maybe, if a child is easily distracted, he could go work away from the other students.

Special Ed. Director: And, but we have that for all the kids.

Okay.

Special Ed. Director: So, we have a couple of areas that we go into, and if it's just getting to them, we say, you know, "This is too noisy," or "There's too much going on." It's the same with all the students. Technically, I suppose, if you really went by the letter, since the setting is the same for all the students, we wouldn't have to do anything different. But, we make sure, and the kids under the special ed. programs, or any of the special programs, get attention from the people who are qualified in that area...get some extra attention from them.

Uh-hm.

Special Ed. Director: So, because at different times we pull all the kids out on a single basis and say, "Okay, how are you doing...where are you...where do you need to go?" So, it's been kind of ideal on that basis that we haven't had to do a more restrictive setting, yet.

And, there's no stigma or embarrassment attached to having to work in a quieter place, if everybody else does it.

Special Ed. Director: No, because all the kids rotate through that. Staff all rotates through it. So, it's been somewhat ideal in that situation, so far. Now it may still happen that we need, you know, a quieter setting for some kids...a more restrictive setting. And, the board is prepared and our administrative staff is prepared to deal with that as it comes.

Right.

Special Ed. Director: So far it hasn't. Now, we've only been an individual charter, our own LEA, since August.

So you haven't faced the TEA audit, yet, probably, have you?

Special Ed. Director: No. No. No! (Laughter) Although, as a consultant I sat in on several of those. So, you know,...and we have all the forms. Everybody has this... and you have to watch and you have to watch, you know. If you do what you're supposed to you're in pretty good shape, anyway.

Yeah.

Special Ed. Director: And...my experience, even in situations where it's negative, unless it's just extremely deliberate, TEA tends to work with you to help you get through that, so they don't seem to be quite the ogres everyone sets them up to be.

Right. It's just the fear factor, I guess, that they're coming in and they're going to check up on us. Uh...do you prefer to place your students with age appropriate peers, or by ability level?

Special Ed. Director: Age appropriate.

Okay...and why is that?

Special Ed. Director: I think they learn more, and their social skills become more age appropriate, and that

doesn't necessarily mean life appropriate, but at least age appropriate.

I think you're right, as far as that goes.

Special Ed. Director: Uh...and I think they tend to be more challenged. Even if they're dealing with modified work, they see what others are doing, listen to what others are doing, and I think they pick up more.

Uh-hm.

Special Ed. Director: And that's just an opinion but that's been my experience over the years of doing this, forever.

I think you're right, too.

Special Ed. Director: It's too easy to be too restrictive. It's too easy to put a ceiling on it when there shouldn't be.

Oh, I've just noticed from my own experience, that if I take a child with emotional or behavioral problems and put him in a classroom with kids that are well behaved, he will tend to try to conform to what his peers are doing...

Special Ed. Director: They pattern.

... whereas if he is served in a self-contained classroom such as what I was teaching, which is the norm because they take them out of the mainstream....if you put five or six of them together and they all have the same problems...

Special Ed. Director: Oh, yeah...they know how to feed each other. They know exactly the buttons on the other child. They can tell you within moments.

Exactly.

Special Ed. Director: They know what the button is that sets that child off. And it's not to say that traditional classroom people don't know that, but when they see the modeling I think it makes a difference. "Oh, I don't have to act like that. Those people will think I'm crazy."

Exactly. To whom do you turn for assistance with special education issues. You are a person who is well informed about special education, whereas many charter people are not. But, do you ever call TEA?

Special Ed. Director: Oh, yes. I call TEA, I call the service centers. If one doesn't know, I go to the other one, and I have some relationships down at Region IV from when I consulted for some of the Houston schools. I'll call them. I'll call some other special ed. directors and say, "Hey, what do you know about this? What have you heard about this? Are you getting a straight answer from anywhere? Are we getting the prevarication again?" Which, sometimes, the governmental agencies have to do until they get something more direct. So, "How did you interpret that?"

Right.

Special Ed. Director: Also, TCASE is a wonderful resource. I check with an advocacy group, Wright's Law.

Yeah.

Special Ed. Director: I check with the parents' advocacy groups, too, to get information because many times, particularly if they've had a problem, they will hone in on one particular area that needs to be done.

Yeah.

Special Ed. Director: And, that, I think, helps a lot, too.

Well, one of my goals with this study was to identify some areas that are giving difficulty to the charters, or areas that are more difficult for the charters than some other areas are, or areas more difficult for the charters with their limited experience than they are, perhaps, for the traditional schools, in order that Region XI or TEA would know where to direct their resources.

Special Ed. Director: I think that's part of it. I think part of it is just the whole procedure of dealing with modifications, accommodations, how they can do that, how they can't do that.

Yeah. So, let me interrupt you for just a second because the second part of that question is, when you seek assistance, is it primarily curricular, or does it have to do with behavior intervention, or legal matters?

Special Ed. Director: It's more legal.

That's what I suspected.

Special Ed. Director: Yeah. It's always legal. My own background is very strong with the curricular, and even my master's thesis is based on special ed. law, setting up a notebook for some special ed. schools. Or some of the charter schools, "Here are some basic procedures to follow. This is how you do this in a classroom."

Yeah.

Special Ed. Director: But it's usually the legal. What's the interpretation? The court cases come down and sometimes you think, "This makes no sense. Where's this coming from? What was the actual story behind this?" And so, I try to find, particularly I try to get to those schools and say, "Give me the information behind this." So that I can get, and you know, not break confidentiality, but so that I can know where this ruling came from. You know, why did this parent sue? What really happened behind the scene.

(Laughing) And, no one really knows for sure.

Special Ed. Director: I was involved in a couple of cases at one of the traditional public schools I was, a couple of years ago, I inherited a couple of kids who had really intense modifications. It was a couple of cases...if you check Mansfield ISD, the court cases are on there, it's *Chris G. and Tim G. v. Mansfield ISD*, but it was a really interesting process to watch, because you're guilty until proven innocent...

That's not the way it's supposed to be.

Special Ed. Director: ...and, the sad thing was is that the losers are the kids. When you're trying to serve kids really, really well, it's sometimes really hard to deal with. When parents have their own needs, you know, they're so intense. You try to understand those, but sometimes it just really gets to be tough.

It's difficult when you're doing your very best in a situation for kids and they constantly find fault.

Special Ed. Director: This is where we came in with the psychological Munchausen by proxy. You know, it came true. I said, "Has this reached the psychological society diagnosis, yet?" They said, "It's not there, it's just physical, so far. But, it will be apt to get there before long." Sins of the mother, so to speak. It's a tough thing.

Yeah. Could you tell me a little bit about the manner in which students who come to you with pre-existing IEPs receive their recommended instructional modifications and related services? I expect, and correct me if I'm wrong, but probably when you get a kid who already has an IEP, you probably have your initial ARD, and do you automatically just try to implement the recommendations that come to you, or do

you alter the recommendations to better fit the model of your program? Or both?

Special Ed. Director: A combination of both. When they come in and they transfer in...and the majority of our kids, we have very few referrals...because we're all secondary...all high school secondary. When they come in and we go through and review the modifications that are there and initially go ahead and use those, until we do, you know, can further evaluate through teacher observation and such...

Yeah.

Special Ed. Director: ...and then the records come in, so we can get more information.

Right.

Special Ed. Director: One of the things that we do that a lot of the traditional IEPs I have seen do not do, is always put extended time even though we're self-paced. But extended time for testing, extended time for different things. And it's almost a standard for almost all our students who come under modifications. And, part of that is also because that's usually where they need the most time.

Uh-hm.

Special Ed. Director: And, I've also found that in doing that, since they need that in the classroom, they can also use that on ACT or SAT. And so, that's been a good thing for those kids who need that, because most of our kids that's where...they are almost test phobic.

Uh-hm.

Special Ed. Director: So, we do a combination. Some of the modifications they need in traditional schools, they don't need here because it is self-paced. And, there may be some like extended time on the test that they do not have, that they usually will need here. So, it's, especially with computer tests because the computer times out after X amount of time. So, we're trying to work that through with the Plato people. "Hey, you know, get that off so we don't have to do that". But, that just gives us the opportunity to work with that. Typically, they don't have to have as many modifications or accommodations because of the self-paced, and I don't know how much of that is because of learning styles. There's not the group direct instruction. There's a minimal amount of that. It's more face-to-face, one-on-one.

Which is a typical modification that's recommended in the IEP.

Special Ed. Director: Yes, and so a lot of times they do not have to have that.

What is your student/teacher ration?

Special Ed. Director: That's a good question. I think it's 1 to 14, but that's rotating teachers.

Which is a small class.

Special Ed. Director: That's rotating teachers. Now we have one classroom, our classrooms right now are open concept until we get into a different facility, but we have one classroom that has, probably 50 kids in it, but there's the instructor. Well, actually there's three instructors that work through there, and then the other teachers rotate through, and the master teacher's there and rotates through. So, we have a master teacher of English. In the social service we have a master teacher for math, science, and another one for government and some of the social studies. So, we've had better numbers with that. That's been the good thing.

How do you retrieve special education records from pre-existing schools? Do you just do the traditional thing of calling them up?

Special Ed. Director: We do the traditional thing of sending...I fax everything. I try to make contact with an

individual there, so I know to whom to contact.

You have the release form signed.

Special Ed. Director: I have the release form signed...the procedural safeguards given. Explain to the parents what we're after and then fax that to the school district. I've tried to make relationships with someone within that special ed. office each time, because they get so overwhelmed, and all the school districts but one have been very, very good about...a very good turnaround. The only district we're having problems with is (names a large urban school district), and (that district) is having trouble getting their own records because things got moved, evidently. So, it...all the other districts are very prompt in their response. It's been real positive.

That's good to hear. Uh...What insights do you have regarding the attitudes of your teachers, your parents, and your students to students with disabilities? Now, I would suspect that in a school, like yours, that is made up of students that are primarily at-risk, you might not face some of the issues that some other schools might face. Schools that have been private in the past and then convert to charter...one director told me that parents call him and say, "Do we really want those kids? This is not what we were set up to serve."

Special Ed. Director: The kids seem pretty accepting of each other. And, everyone seems to pretty much have their own space. So, that's been a positive with this. Now, I've seen...in traditional public schools I had a teacher call who did not want a Down Syndrome child in with her son. This is a teacher from another school, and I remember being very angry and very disappointed. Her child is gifted. "He shouldn't have to put up with that." That was a quote. But, I have not run into that, as yet. Most of the parents are excited that their child has somewhere...because as I said before, the majority of our kids are kids that have fallen through the cracks. Regardless of income. So, they're just excited to have their kids there.

Right.

Special Ed. Director: And, I don't think most of the kids know who the kids are with the disabilities.

Right.

Special Ed. Director: So, that's been a good thing. They may just think they're a bit unusual, but most of our kids are unusual.

(Laughing) Right. And you mentioned that the teachers were accepting. It's been your experience that most of the teachers are willing to work with ...

Special Ed. Director: Yeah. They've just been really open and just want to know what to do. It's just been an amazing thing, and so much fun! I taught them well from the beginning.

Well, you probably did. I expect you probably did. Exactly. Uh... since you're secondary, as you mentioned awhile ago, you have almost no referrals. My next question was, "Describe the pre-referral intervention strategies, the referral and assessment strategies, the procedures you use in developing your IEPs, and do you use Behavior Intervention Plans?" That's a big question.

Special Ed. Director: Whoa! Lots of things.

Well, let's break it up. Do you want to start with the kids that have been referred. Have their been pre-referral intervention strategies?

Special Ed. Director: That was one of the things in the initial in-services that I talked about with staff. Don't come in and say, "Maybe this kid's special ed., because maybe he is and maybe he isn't."

Right.

Special Ed. Director: I need proof of situations. Give me documentation. Show me what they're doing. Let

me see their computer things. Let's do some observations in the classroom. Try these things. Let's try and make sure that we're accommodating because our school's set up that we can do that. Because we don't want to label if they don't need to be labeled.

Right.

Special Ed. Director: And, they say, "Well, don't we get more funding?" I say, "That's not the point. The point is, "Are we serving this child as best he/she can be served?" So, that's been helpful because they try not to...most of our referrals have come through parents, and what we have done is gone with those. And we do the same procedure as all schools. We check the pre-referral, the classroom observation... just step-by-step as is by law and with the same time lines. Yes, we do have Behavior Intervention Plans. Yes, we do use them. We don't have a lot right now. I have a feeling after the first of the year, that will change. I think we only have two right now with kids that need...well, any of our kids that have an ED label somewhere in there. We sent one up, but most of the kids have not had to go through any further steps. It's been more of an information to the staff...this is what you're dealing with, if you see these signs, this is what you can do to de-escalate. So, we've had minimal problems with our kids who have ED labels, which has been amazing. I would think since there's less structure, it would be the opposite, but it doesn't seem to be, I guess the pressure's different. I don't know. A good thing to investigate.

It could well be the pressure. Before I decided to do this for my dissertation I was interested in investigating the correlation between disciplinary office referrals, behavior incidents and the approaching TAAS date.

Special Ed. Director: Well, plus the initial TAAS, the fall TAAS, is just before Halloween. I keep thinking, "Whose logic was this?"

Exactly.

Special Ed. Director: There is great pressure. The teachers get more stressed, the kids get more stressed. And, are we teaching the TEKS, or are we teaching the TAAS? Yes, they're supposed to be coordinated. Why didn't they a long time ago?

Yeah.

Special Ed. Director: One of the good things is, though, is that Winfree is not trying for exemplary status. That would be lovely, but what they're trying for is to show, take the TLIs that these kids come in with, the Texas Learning Index, and increase that enough so maybe next time they can pass the TAAS. So, that's what we're regarding as success, and that's what we're trying to get through to the kids. "Okay, look! You had a 15 in math the last time you took this. You made it up to a 45. Look what a big jump that is... This is where we're going next. This is our next goal."

Now if you could just convince people in the legislature.

Special Ed. Director: Yes, unfortunately, they get a little touchy about that. But, I *wish* they would push toward percentage improvement. Particularly for this school. We need the extra funding that you get with improvement. So, maybe in an ideal world, someday.

Well, as a special educator, I wish there was more emphasis on improvement, too. Do you have your own diagnostician on staff, or are you a diagnostician?

Special Ed. Director: I am not a diagnostician.

Who does the assessment?

Special Ed. Director: The assessment is done by an actual diagnostician who is on contract for us. Now, if it is for a re-eval, I can do, and have administered over the years, hundreds of Woodcock-Johnson's, and things like that, but I do not do the IQ test, even though I'm qualified, I'm not licensed in the state of Texas

to do that, so I get somebody else to that. Just so there's never any question about that. If it's an initial assessment, I get a diagnostician.

Does the diagnostician kind of chair the ARD meeting, or do you chair the ARD meeting?

Special Ed. Director: I chair the ARD meeting, and in the position I'm in, one of the glories of charter schools is that, depending on whether the other special ed. person is there, I can be either the special ed. person and since I know assessment, can interpret that assessment, or I can come in as administrator.

More hats (laughing).

Special Ed. Director: So, that's been the good thing about that. So, I can rotate those positions. Someone suggested I put a bunch of hats up above my desk. I told them in my little 39 ½ inch corner I didn't have room for that.

What about disciplinary methods that the school employs, and do those differ for students with disabilities? And, do you even have many disciplinary incidents, because it sounds like you probably don't with the model you employ.

Special Ed. Director: We don't have a great number. The main thing that we have is students being suspected of being high. Uh...now we have the occasional fight. One school has a lot of kids from different gangs. But, even that, the major incidents that we've had as far as fights had nothing to do with a gang. It was just a bunch of kids all irritated with each other. And since in the process they managed to take on a security guy, and it was suggested they be immediately withdrawn and onward. So, that did happen because it just obviously...it started in a classroom, and something had happened over the weekend. We don't have a large number. Typically, it is "Come in, sit down, let's talk." Go through the process, there, but there is also a process...our teachers are first line and they go through and do a process. You know, the redirection, this sort of thing. We've had, probably no more than a dozen kids suspended for a day, or actually the rest of the day. Call the parents, "Your child is coming home, this is why. Have them back in tomorrow. We'd like to speak with you." We've had a few suspended longer than that. You know, after three days, probably less than a half dozen this year for the three day suspension. And that usually means they were just totally out of control or they've threatened another child.

Were any of them students with disabilities?

Special Ed. Director: I don't think we've had any with disabilities suspended like that. We've had a couple suspended for a day. Sent home... "He's out of control. You know, he's been totally noncompliant. We're concerned about him. Come get him."

Yeah.

Special Ed. Director: So, but we've tried very hard to do a series of intervention steps before it gets to that point. Unless they just really are so far gone that they can't be...

Yeah.

Special Ed. Director: You know, we can do that, then we can remove them from the classroom for a little while and go to a quieter area, then if we need to go to an even more quieter area, then if they need to go home. Usually as long as they're not swinging and screaming, and such, we can deal with them, but if it gets to that point they leave.

Yeah. It's my perception, though, that you're well aware of the law so far as kids with disabilities.

Special Ed. Director: We've had a lot of training. Do you know Dan Korem?

No, I don't think I do.

Special Ed. Director: He does a whole thing on profiling. He might be a good resource for you. He does a lot on profiling of kids who act out, and he predicted Columbine.

Did he? You're kidding.

Special Ed. Director: No. He predicted Columbine...not by name. He said what will be our next...He said we'll have kids going in and killing other kids, and it's not going to be the urban schools, it's going to be the affluent, outside of a place like Denver, or a Dallas suburb or something like that.

Hm.

Special Ed. Director: But, what he does...He watches behaviors, and he's an investigative journalist. But, he came in and did a full seminar on the art of profiling to help us...in fact he's done two with us...to go in to help us be aware of what he calls "actors," those kids who come in, try to identify them and redirect and get the assessment and help that these kids need.

Uh-hm.

Special Ed. Director: So, we're, probably, in many ways safer, even though we've got the kids who are traditionally considered not safe, than a lot of schools just because we've had more training. And, we also try to make sure that we don't punch buttons.

Well, and you have a smaller student/teacher ratio.

Special Ed. Director: A smaller student/teacher ratio which keeps us moving through even though we have the "tough kids." I think they understand, or we try to make sure they know, that we respect them and we expect the best. And, we've been pretty successful with that. There's still some kids that you'd love to pinch their heads off, but you know, that just goes with the turf.

Absolutely.

Special Ed. Director: We look at them and say, "Okay, how can we help you get graduated very quickly here?" (Laughter) "You know what, if we do this together, I bet you we can get you concentrated and you can get your credits." And, that's been a wonderful thing, but that has been because most of these kids are here because they do want to graduate.

Right.

Special Ed. Director: We have lots of 19-year olds, lots of 20-year olds. So, they have a different orientation. Just get me out of here.

Uh-huh. That's a motivation. I only have one more question on my list, unless I've forgotten something, and that's describe the process by which you request and receive special education funds. To be honest with you, I'm aware that once the students are reported, the funds automatically arrive. I'm also aware that some charter schools have not reported special education students. Would you like to discuss that?

Special Ed. Director: Sure. I think at one time there were a number of charter schools that didn't realize, number one, that they could get funds, and number two, their idea was that if they didn't get the funds, they didn't have to serve them. Initially, a lot of the charters were under the impression that they did not have to serve special ed. kids, that they could turn them away, and where that came from, I don't know. We go through all the traditional things, the traditional training, and we make sure the ARDs are in place and send in the data. It used to be the December first count, it is no longer, it's taken off the PEIMS data. It's wonderful!

It's not December first, anymore?

Special Ed. Director: Well, they still do it, but it's through the PEIMS data...

That's good.

Special Ed. Director: ...so we don't have to do a separate report. It's wonderful. Now, as a new charter we did a report in October, and I think it was our October first count, I can't remember, as a new charter. And then we'll do the SAS funding things, and things like that. We're just following right along with everything else. But, as a part of having worked with charters, I was aware of funding. Having been a department head before I went into this, both in Mansfield and in Fort Worth, I knew about the funding and that you had to have the numbers in, and what they were, and you know, the demographics...no names and all demographics.

Yeah.

Special Ed. Director: So, I've been aware of that, and the person who does our PEIMS accounting is also very aware of it. She's very, very good. She consulted with me before and did PEIMS when I did special ed., so the captain we worked for was aware of all that, investigated all that, and we both try to stay very closely with the law. We've spent a lot of time on the net, researching. I keep asking myself, "Why didn't I get a law degree?"

I've been asking myself that, I keep watching those courtroom hearings over the election...

Special Ed. Director: (Laughter) ..."Excuse me, you're not sequential."

I think, "I could do a better job of explaining that."

Special Ed. Director: A little task analysis would make this easier. Task analysis would help a great deal here, Sir. You know, "Keep it short, sweet, and simple. Shall we teach you the special ed. law?"

Right.

Special Ed. Director: ...and I could probably do it with IDEA. I don't know about anything else. No, we're very aware of the funds, and I'm also looking for grants, so we can get more people, more personnel. But, we've been able to justify it, too, because all my people, all the staff has special ed. training. It's constant professional development and that's going to continue. And part of the special ed. funding helps with their salaries, and, I let them know that. We lose this program, that's a good portion of our state funding. Our school district will probably get \$200,000.

And you've had enough money?

Special Ed. Director: So far, because of very prodigious...is "prodigious" even the right word? Very specific budgeting. The people I'm working with know how to put together a budget. They know how to stay within it. I can sit down and give them areas that we are going to need, you know, for consultants and things like this, and that has been very good. Of course, charter school people don't get paid as much as other, and that's okay because we're having more fun.

That's good. I just want to ask you one more thing. You've been in regular public ed., and now you're in charter schools, and I wonder, are you optimistic about the future of this movement? Do you think it's going to be successful when you look at the overall picture?

Special Ed. Director: I think they will...the funding's always going to be an issue. I think the governing board of the overall board (State Board of Education) needs to be very careful to whom those charters are awarded. There need to be background checks, and there needs to be monitoring to make sure that these are not accepted for mediocrity, and if they're poor, they're closed, and I mean both... If they're not seeing gains in academics with these kids, close the schools. That's what they're set up for. They're for reformation. That's what they're set up for. And even though, well, they keep saying there's fewer rules. Well, I keep looking, and I don't think there are, really, many fewer. But, whereas in traditional schools we

have to go through 18 committees to make a change, and then you have a five year plan, the charters haven't had to do that. The charters, the dynamic ones, will come in and say, "This is not working. We have to change this, and it has to be changed now," and you get something changed quickly...

Yeah.

Special Ed. Director: Within a couple of months, or even less, if it's not working. I've seen things change week to week. Say, look this process is not working. It has to be changed, and it has to be changed now. So, there's been that advantage...and part of it is being small, and part of it is that we don't have the multiple committees to go through. Call the parents, come in, call the board...you know, "these are our concerns, this is what needs to be done, this is what our recommended solution is." Things can be done quickly. If they do that, if they stick to that, if the state board does that, it's going to be a good complement to the traditional public schools. Charter schools are not for all kids, and they're not for every family. Also, I think the public needs to be educated that these are not private schools run with public funds.

Yeah...right.

Special Ed. Director: And that has been a challenge, I think, too, and that's been a misnomer put out. They put the information out, "Oh, we just do the same thing...we get public funds." No. You know, they need to be aware of open enrollment. In Texas, charter schools are open enrollment, and that's not an option.

As the state board tightens up, becomes more discriminating as to whom they award charters to, as they become more aware of what needs to be in place in order for a school to be successful, and as the ones, such as the one in Waco that is not doing what it is supposed to do are closed, hopefully...

Special Ed. Director: That one was closed. There's another one in Waco, I think it's Rapaport Academy, that is wonderful...I mean it's like the extremes...I think it's Rapaport Academy that has a really dynamic program.

Well, we keep hearing about schools that are going under, for whatever reason. (Names a recently closed charter school), for example.

Special Ed. Director: And they were supposed to be the original premier. But, they had been in financial mismanagement for years. And they closed before the election. They were going to be closed after the election, but he closed it, himself. But, funding had been a problem there for several years, and it was reported several years ago, and was not taken care of. Because I know the people who reported it. So, there's been a lot that way. And, it's been a learning curve for the TEA personnel.

Yeah.

Special Ed. Director: They got handed this. "Here, do it," not really knowing what to do, so they've come a long way with it, too. It's a learning curve. If done well, it will... and it needs to be, though, "Are we seeing improvement? Are we seeing gains? Are these students being served? Are we getting TEKS covered?" You know, our school has a food bank, our school has a clothing bank, but that's what our school was set up to do, and it's just supplementary services that come with that. I don't even think it was in our charter, it's just community service that we're doing.

You're serving your kids.

Special Ed. Director: We're serving our kids. We're serving our families. So, it's kind of an interesting prospect, there. On that case, it will. If they do not close the ones, and "they" being the state, or if their people are not doing a good job, if they do not close the ones, then, "hey?" Another thing I think the charters need is training in personnel...personnel management...personnel rights. Don't hire everyone who is in your family, and a lot of the charters do that. If they're qualified, great, but have somebody else oversee them so that if they're not functioning correctly, they're fired.

Yeah (laughing).

Special Ed. Director: You know, so...don't think of kids as numbers as far as cash in. That's not the point. If you're in education for money, you need to go private. Do not go public.

Right.

Special Ed. Director: So, there are some things that are some weaknesses that were inherent within the system.

Some of the previously private schools, for example, (names another local charter school) are converting to charter status to get more money.

Special Ed. Director: Uh-huh. To get income, and I think part of the process has been really hard for them versus the ones that are already established, because just that whole prospect of "Oh, okay...I've been dealing with parents who thought, 'My child doesn't have to put up with that.'"

"That's why I came to (names a charter that was formerly private)...to get away from so-and-so."

Special Ed. Director: So, I think with that it can be successful. I think there needs to be some alternative funding, instead of just state funds. And, not even necessarily local funds, but there needs to be some sort of grant situation set up where the grant writing process is simpler, or simplified, so the schools can come in and say, "I have this population," and there are people and foundations with the money to do that, and I think there needs to be a coalition to do that. There is a charter school service center for the state of Texas that is, I believe, privately funded.

Is that different from the Charter Schools Resource Center?

Special Ed. Director: Based in San Antonio?

I don't know. I'm just familiar with the website.

Special Ed. Director: Has all the little flags waving?

Yes.

Special Ed. Director: Yes, and I don't know if it's state funded or privately funded, and they've tried to help a lot of the charters. Which has been positive.

I don't know if it is, either. That's interesting because there's a link to that website on the TEA website.

Special Ed. Director: Yes, there is. But, there just needs to be more grants available.

Yeah.

Special Ed. Director: That are more easily accessible. Perhaps more shared service agreements, which at one time could not be done. You know, the charters were prevented from doing ...I think that's been changed. I'm not sure, I need to check on that, where several charters could get together and hire a diagnostician.

Actually, there was one. I think it recently closed. I am aware of a woman who was in charge of a special education shared service arrangement for charter schools. She had (names two area charter schools) and a couple more schools. And, of course, two of those schools have closed.

Special Ed. Director: (Names a closed school) was another of the (names a closed charter school district) schools. Our school was asked to take over the (names first closed) school.

Oh, really?

Special Ed. Director: And, we went through channels to...and we may start up a school after the first of the year. We have permission to do that.

It sounds like you have a similar type model.

Special Ed. Director: Actually, the model that they came from came from these people. These people worked for the people at (previously mentioned closed school district) for awhile. They weren't real comfortable. They worked for the people at (names another charter school district) and became even more uncomfortable, and finally wrote their own charter. So, they had designed the programs, initially, that were self-paced. And, that program has been carried throughout quite a few districts that are doing secondary, because of its success with kids who need to get in and get out.

Yeah.

Special Ed. Director: And, still need the knowledge and still need the availability to be able to go onto college and have a chance at success.

I'm going to turn off my tape recorder, but thank you so much for allowing me to visit with you.

Special Ed. Director: You're welcome.

INTERVIEW SIX

The final interview held was with the Director of Special Education for a nonprofit corporation with a number of charter schools. With this interview I felt fortunate in that I was receiving information that is relevant to a rather broad cross section of charter school environments. I was particularly grateful for the opportunity to visit with this administrator.

Special Ed. Director: Okay, let's start with...let me give you the history of (names her charter school district).

Great.

Special Ed. Director: And my own history, and the superintendent's history. What happened was about, I guess it's been three years ago, the superintendent and I... he had worked... about five years ago, he had worked in a charter school named (names school). It was the very first charter school.

I'm familiar with it.

Special Ed. Director: We dropped ceilings. We got it ready to go. I went in to the CEO, and I basically said, "You need a special ed. program. He said, "No, I don't. They said I don't have to have one." I said, "Yes, you do." I said, "It's a federal program. You're required to have it." He goes, "No, I don't, but if we have some special ed. kids, we'll do something with them." So, my school...I was actually working in (a local traditional public school district) at the time and my school was starting late, so I offered to kind of help them get started. We found a diagnostician. He (the CEO) refused to send any administrators to ARDs. It was the biggest mess as far as special ed. goes, and (the gentleman who is now superintendent of her charter district) was actually working as a teacher at the time. He had been brought on... we had both been in youth ministry for years, worked with kids and that sort of thing, and he actually taught several classes. And after him being there a year, I backed out, at the very beginning, and said, "Ya'll, this makes me nervous. You all take care of it. There's nothing I can do for you if there's no cooperation there." So, I kinda backed out and went back to (the public school district), and was working in (that district). He... (names current superintendent)... worked as the theater teacher, computer teacher...he taught five or six classes, did almost all the electives...loved it, was wonderful. At the end of the school year, about in April, the CEO comes to him, he gets "teacher of the year," they just loved him. The kids loved him.

Now, where was this?

Special Ed. Director: This was at (names the charter school). They were sending him all their troubled kids because he was very good with kids, and that sort of thing.

Right.

Special Ed. Director: It gets to be about April, and TEA calls and says, "You're not going to have any uncertified teachers, and you have one, and this is the one it is." It was (names the current superintendent). He wasn't certified. So, they said, "We're not going to have that." Well, the charter never said they had to have certified people. So, (names current superintendent) went up and he made a big raucous up at TEA and said, "We don't have to have certified teachers," and they called the CEO back, and the CEO goes...and there were some issues with that, and basically the CEO goes... "Well, I'm going to do whatever TEA says because I don't want to ruffle their feathers." So, what he did was, since (the current superintendent's) background was in finances, he made him the CFO, the Chief Financial Officer. That lasted a whole three months. And when he saw what was going on financially, he said, "I'm going to go get another job, and do something different." So, what happened was, there was a lady at (the charter school) that wrote a grant, and the grant was to provide PEIMS software, which was one of the biggest problems when charters first started, was how to...how are you going to do PEIMS (report data to the Public Education Information Management System at TEA)?

Uh-hm.

Special Ed. Director: How are you going to get the information and give the information to the state? Well, you can pay \$20,000. If you've got a school of 30 kids, you don't have \$20,000 to pay for software. We weren't allowed to be in a shared service arrangements of any kind, the ESCs were not dealing with us at all, basically saying, "You have to do it, all." No support at all in the very beginning. So, what we did was...we started with this \$20,000 grant, (names current superintendent) wrote the software, and it was in "ACCESS," Windows based, that was simple and inexpensive, because he wrote it so... you know... and went ahead and implemented it through the Charter School Resource Center.

Okay.

Special Ed. Director: Because what happened was they wrote the grant, and then the Charter School Resource Center backed it up, so basically they bought the software through the resource center and provided the services and the one thing (software designer) said was, "You cannot sell a software that you don't provide services for because this is too difficult." Because it just takes hours and hours to get the information in, because Texas is probably the hardest state in the United States to provide the information for.

Really?

Special Ed. Director: Because it has to be done in a flat file. You have to be able to take any information you have and put it into a flat file, which is lines and lines and lines, because they're all DOS...their system's antiquated at TEA. And they insist, so you've got softwares like SASSY, which are \$20,000 a year, you've got...there's other softwares that provide it, but the Charter School Resource Center will do it, so that was basically the inroad into dealing with the charters as a group. He hired several people and they became the support systems for the software... provided the software. When they went into schools, the thing that was missing was the special education. That's where I came in. I started providing services as a consultant for charter schools, and then I hired a couple of other people to hit the state...the entire state of Texas. Because what happened was, the software was being sold all over the state, so (the current superintendent and software designer) hired consultants to support the software so they could go to the schools and say, "Here is how you put it in, here is how you get it submitted. These have to be submitted on disk, and you have to take it to the service center, and it has to be fatal free...it has to be perfect. There's just a lot of issues with that. So, I began providing special education services for...the only school I still provide services for right now, is (names the school), as a consultant.

Is that right?

Special Ed. Director: I did five or six in this area, I had some in San Antonio, I had some consultants I hired in the Austin area, Houston...I had different consultants working all over the state.

Right.

Special Ed. Director: So we, by the end of that year, some things changed as far as the way the services were being provided, basically...it was called (names their technology group), and basically by the end of the first year the software was going really well...things were going really well, but there were some issues with the service center, the way we provided the services...they never really wanted us to provide special education services. The only thing they ever wanted (the technology group) to do was the computer part.

Uh-hm.

Special Ed. Director: And, we were really branching out. So, they basically stopped the funding and closed it down. They took over the software, of course it belonged to them, and they were unable to support it. So, you've got two or three other companies, right now, that are doing a version of the software. The one that's closest to what was originally created is provided by Mike Lowin, and it's called "Eclipse." That's what we use. It's a version of the software.

I see.

Special Ed. Director: So, what happened was, by the end of that year we were given the opportunity...we had been talking with...and that was actually two years that we did that, that was the second year, by...we had been talking for about a year with this man, (names a man who was interested in opening a school and was seeking a superintendent). (Names the original software designer) had been talking about...he had been searching for a superintendent to open his charter school.

Uh-hm.

Special Ed. Director: The problem with this charter school, and the way the charter's written, it's similar to University Charter. I don't know if you're familiar with them...they're out of Austin.

I've heard of them. I'm really not familiar with them.

Special Ed. Director: (Names director) is the director there. It's very interesting. They do almost exclusively hospital settings. They have, like NEG, National Early Gymnastics, and other schools. But, they only have 137 in their whole charter, but they're almost exclusively special ed. because of the kind of services they provide.

I see.

Special Ed. Director: It's an interesting charter. But, their charter was written almost identically to our charter.

Well, now. Do you have the (names an all-male fine arts organization)? Did I see that?

Special Ed. Director: We did.

You did.

Special Ed. Director: They wrote their own charter, and as of January they'll be starting their own charter.

Okay.

Special Ed. Director: That's an interesting ...that's a whole 'nother story. But, what happened was, (names the individual looking for a superintendent) had been contacting (current superintendent), and (current superintendent) had been trying to help him find a superintendent. Well, when everything kind of fell with the technology group, (names individual looking for a superintendent) and the board offered us positions, myself and (names current superintendent) positions. Mine as special ed. and his as superintendent. That was a year ago, August.

Hm.

Special Ed. Director: What happened with the way the charter is written, it's written as a virtual charter. (Names nonprofit corporation that wrote the charter) in California has 7,000 students, and lots of charter schools. But, the way their charters are done...a lot of them are home schools. A lot of them are... and it's technology based, and that's how the charter was written, as a technology based charter that would provide virtual school, basically. In other words, a small group of children could be a long way from anywhere, or even one or two children, and get services over the Internet, and would be...

From home?

Special Ed. Director: From home. They would be at home. It was originally done that way because, apparently, in California they have a lot of kids in very far out in the mountains, outlying areas, that can get Internet, but they can't get to the schools. So, they're having to be home schooled. This was sort of an option. That's how they provided. You can't do that in Texas. I don't know if you're familiar with how the

funding is done in Texas?

Uh...go ahead.

Special Ed. Director: Average Daily Attendance.

Yeah. Oh, yeah.

Special Ed. Director: Basically, it's seat time. And, unfortunately you can't...and the way that they determine seat time is a professional has to look at the child physically and say, "Okay." And Texas is one of the few states in the country that actually does that.

Uh-huh.

Special Ed. Director: Most states provide funding based on a six weeks enrollment period. That's how California can do their virtual schools, and that sort of thing. Oooh, they couldn't do it. They were in the Generation Three, which means the third year of writing charters, which means they were kind of in the middle. They weren't like (names charter school that closed), that basically could put whatever they want, and do whatever they wanted. It was starting to tighten up. As the years go on, the charter process is tighter, requirements are tighter as far as what you have to promise to provide.

Yeah.

Special Ed. Director: That was one of the things that...so, basically they called the charter school office and they said, "We have this charter and we can't get open, because we can't get paid because we have to have a teacher look at a kid, or a professional look at a kid, and we can't do that." Well, the first thing they were doing, they were going to alternatively certify all the parents. "Oh, no, no...can't do that. Can't do that. No, no, no." They wouldn't let them do that, and it was pretty impossible. Because of the way the accounting works and everything, it's really, really intensive in Texas compared to most other states. So, they said, "Well, what we're going to do...we're going to do computer based schools, then," and the guy that was the head of the charter school office said, "Okay, whatever, we want you to be able to open your charter." So, they brought (software designer who became superintendent) on and they brought myself on, and we opened several schools. (Names a local school) was one of the first schools that came on with us. They had been a private school. Are you familiar with (that school)? Oh, yeah...(names the lady who referred me to this director)...She was one of my consultants, and that was how she got into charters. Did she tell you that?

She just told me she knew you.

Special Ed. Director: We had actually worked together, and I brought her out of the public schools to work with (names a local charter school) as a consultant, and then they wrote their own charter...which was the goal, always the goal for them to have their own charter...We kind of started with them, and our idea of doing the charters was that there would be a lot of technology based instruction, because that was really what the charter was written for. At the time, (that school) looked like a good match with the charter, because they were doing a lot of computer based instruction. They had Plato, they were using Plato...

She mentioned that.

Special Ed. Director: We actually have a number of campuses. (Names a school that has recently closed) just closed down, so... and that was a residential treatment that we were addressing. But they've closed down, so now we have 14 campuses. We have a...and it's really kind of interesting because our campuses really are very broad in perspective. Like you said, we had the (school of the male-only fine arts organization) was one of our campuses before they wrote their charter, and we actually were able, it's really interesting, we were able to get a legal determination from TEA...before we brought them on in a contract, this happened last summer... the board went and got a determination from TEA, basically saying that they could provide this organization with school because we have other schools. In other words, if a girl tried to enroll there, we had options for them to go to other schools. So, that's how we were able to provide it to an all boy (names the type of organization).

How interesting.

Special Ed. Director: Now, their school is not going to be like that. They've already enrolled girls. It's called, uh...they're even getting new uniforms...it's going to be totally different. I don't know what's going to happen to the (fine arts organization) itself. It's supposed to be an institute within the school, but I think it's going to take so many resources it's gonna be to the detriment of the...

Oh...and that would be a shame because they've had such a history...

Special Ed. Director: ...and that was one of the reasons we really wanted to stay and support them because we felt like...and my son goes there, or did go there...we withdrew him. So, basically, each school is really, really very different. I mean, we have...(Names one of her schools) is our main... sort of what we call our flagship campus. It's...uh.....

Which one is that?

Special Ed. Director: (Names the flagship school.)

Okay.

Special Ed. Director: I call it (names school) because it's on (that) Street. We call it that at the administrative level, so we'll know which school it is.

Sure.

Special Ed. Director: It's really (official name of the flagship school).

Sure.

Special Ed. Director: What we're waiting for is someone who will give us a lot of money so we can name the school after them. That's why we haven't changed the name of the school. That's what we'll do as soon as one of those sports guys decides they want a school named after him and gives us a lot of money, we'll name the school after him. So... but it's really (official name). It's kind of the flagship of the...because it's the largest, and it's really well organized. They have an excellent director over there. I have a coordinator over there and she does a really good job with the special ed. Then, we have (names another secondary school), which is the same type of setting, only it's in a very urban, white neighborhood, where the other one is kind of in a black area. This one's kind of urban, and a little bit less, you know, it's interesting. This one's inside a church. We have several in churches. One of the things that we really took to heart when the president said, I mean...well, he is the president now, I mean the governor...when Bush said, "I want faith-based organizations to couple with the different groups to do good things for kids," we took that very much to heart. We have another church in (names a city in Central Texas) that also has a school, and this is a church that has a school. The (school of the fine arts organization), obviously, that was an interesting prospect. Very different. We did get cited by the IOV for the policy of it being only a boys' school. Now, we can justify the cite because we have the legal...but obviously, that kind of thing in a public school...and we are a public school.

Uh-hm.

Special Ed. Director: Another school is Montessori. It's Pre-K through second grade, and it's a Montessori...self-paced. self-directed. It fits right into our charter, even though they're little guys. Other schools? Well... (names a school that serves a gymnastics program). Right now we share that school with (another charter organization), because their charter only goes from 6th grade through 12th grade, so we take care of the little ones. Because our charter, actually as of last year... over the summer, is Pre-K through 12. We originally were K-12. We couldn't do the Pre-K, but we do pre-K through 12, now. Many of the campuses that we deal with are hospitals...we contract with hospitals to put schools in...which is, we have (names a hospital), and then we've worked with a couple of other ones with University, and then we did have the (names a hospital charter that has recently closed). We have one in (names a city in East Texas).

That's a self-directed school. I'm trying to think if there is anything else that would be different. Every school is different. The directors have a lot of autonomy to take care of their kids. They have a standard curriculum. They have a standard way of doing things. We have, obviously we have the parent/teacher handbook., you know, we have the teacher handbook, we have the parent/teacher handbook, the student handbook, all the basics, you know, pretty much covered when it comes to dealing with schools. But, because the schools are in different neighborhoods, different areas, you're dealing with different kinds of kids. The majority of our kids are dropout recovery in those high schools. We take 8th grade through 12th in those schools. We take 8th grade, because eventually they're going to have to take the TAAS and pass to get to high school. So, we went ahead and are working on writing curriculum. We wrote the 8th grade curriculum, and we're implementing all that, so that when it does get to that in about five years, that we'll be ready to help those kids pass TAAS and get to high school.

Yeah. Well, you have touched on my first two questions. The first one was, "What is the focus of the school, and for what purpose was it chartered?" And, you said, it's self-paced, primarily, even with the little kids.

Special Ed. Director: Yes, because it's Montessori. They basically get to do what they, you know...they move from project to project. There's no class...everybody sit down, let's have a lecture..

So, each child has an individual contract?

Special Ed. Director: Individual plan. All of our kids have individual plans.

Okay. And the next question is going to vary with your campuses, because it was, "Tell me about the composition of your student population, in terms of at-risk, gifted and talented, male/female, minority..."

Special Ed. Director: I could get Joe to give you one of the synopses from last year.

That would be helpful.

Special Ed. Director: Because we are so big. We're so huge. We have almost 1700 kids, and we're looking at 2000. We're probably going to have to raise our cap.

What about your students with disabilities? What types of problems?

Special Ed. Director: The majority are learning disabled. High functioning LD kids. We're starting to get the MRs. We have had autistic in our hospital settings for very short periods of time. Right now, I don't have a lot of kids with physical disabilities. Speech is an issue because we have the little ones. We do a self-paced, self-directed inclusive model. My MR kids are on their own plans with their own goals.

Right.

Special Ed. Director: But, they're self-paced, self-directed so we mainstream them. Everybody's doing their own thing, so they're doing their own thing.

Are most of your schools wheelchair accessible?

Special Ed. Director: Oh, yes. Yes, they are. We're accessible. We just...it's kind of interesting. I think, what I'm seeing as a consultant having worked with the schools...if parents are...usually parents are...a lot of...public schools put a lot into autistic programs, programs for the physically disabled, programs for kids who visually look different...

Yeah.

Special Ed. Director: They put a lot of funds toward them, and they put a lot of effort toward those, so you don't see a lot of flight from the schools with kids like that. You do see a lot of flight of your LD kids who are high functioning, who are being stuck in resource classes, who Mom and Dad know they can do better...or they're not passing because they're not being individualized enough for. They have been thrown

into a program where they can't keep up.

Right.

Special Ed. Director: The kids that you see that are going to have the hardest time are your high functioning MR, and all the levels of LD. Those are the kids who are looking for something different, and those are the kids who are coming to charter schools. Oh...we have a huge number of emotionally disturbed kids.

Do you really?

Special Ed. Director: A *huge* number. We are only a 4-hour day, self-paced, self-directed. They come in. They do their thing. They go home. I have kids that the teachers say, "I just can't believe he's emotionally disturbed." I say, well, you watch...You put that kid in a class, in a school, where every hour he has to move and go somewhere else, and you'd see emotional disturbance. They see the emotional issues, but because of the way the programs are set up, especially at (the flagship school), it's very structured...well, it's real structured at (another secondary school), also...(names another charter school), they're very structured. Some of them do have movement. Some don't. At (names flagship school), they come in and they're in the same class. Now, there's movement to the computers, and that sort of thing. But, you don't have the kind of problems with the 5-minute passing period every hour. It makes all the difference in the world. Also, we don't have any self-contained classrooms. So, they're not being singled out. The only time they're singled out is when they single themselves out with inappropriate behavior.

Yeah.

Special Ed. Director: And it happens. But, you know what? A lot of kids who aren't emotionally disturbed that have behavior problems come because they need something different.

Yeah.

Special Ed. Director: The big thing right now in public schools is, "Oh...we don't want to expel you. We'll let you withdraw, and you can enroll in that charter school over there."

(Laughter)

Special Ed. Director: That is a very common problem. You know, it's a big issue. Especially when we start a school in an area. Suddenly, we get every kid who's on his way to AEP. Shows up at our door. And right now, we're just sort of dealing with, "How do you deal with that?" I mean, after a while they learn we aren't going to cut them any slack, and it's not going to be any easier, or any better, than going back to where they were. So, either they buck up or they go back.

Yeah.

Special Ed. Director: But, it's a process. It takes a year. It takes a year to start a campus in any new area. Because you have to deal with all the junk that happens with kids going, "Oh, I'm going to go to that easy school. They're not going to make you work or..." Or, a teacher goes, "Well, this emotionally disturbed kid... I want to get him out of my class. I'll tell the parent, 'why don't you take him over there? They only have to go to school four hours a day.'"

(Laughter).

Special Ed. Director: We have a lot of that kind of thing happening. But, we deal really well with it because there's an expectation of it.

Uh-hm.

Special Ed. Director: So, it's interesting, I'll tell you. I did get a kid on one of my campuses that...we actually have a campus like that in (names a city in north central Texas)...and we had a kid that came and

the principal of the school recommended the kid come. It had been an ongoing process, and they were fixing to expel this kid, I got an ARD that said, "expulsion, expulsion, expulsion," all over the ARD, and the principal said, "Well, let's just...why don't you call this school and you withdraw the day before the expulsion ARD, actually, they have the ARD the day before the expulsion hearing." Well, I got the ARD and I put the kid on the same thing. I said, "You're on probation. This ARD says that you're supposed to be homebound due to behavior. If we have any problems in the next 30 days after the transfer, I'm going to homebound you." The father was mad...not at me, at the school. He was angry. I said, "Sir, the paperwork that comes with your son, comes with your son."

Yeah.

Special Ed. Director: I said, "We're responsible to make sure that he is in the most appropriate setting, and according to the previous school, homebound for behavior is the most appropriate setting." I said, "My first instinct when I saw these papers...and because they're willing to work with us..." and he's only had one problem since he's been there... "my first instinct was to homebound him here," and I told his father, "we're going to go by what the previous ARD said." Well, we worked it out with him, and he knows he's on probation. And, that's what we do, we put a lot of them on probation. If they're on their way to an AEP, they're avoiding...and that was one of the things that we had to really come to terms with, because we want to help kids, but we also don't want them to avoid taking responsibility for their behavior, and for whatever got them in trouble to begin with.

Right.

Special Ed. Director: So, we put them on...if they come here we usually put them on probation. And each school is different in how they deal with that. Each school has different issues that they're dealing with, so it's interesting. But, ED kids that are, especially your high school kids that are getting to be juniors... seniors that are ready to get out of school, that are starting to realize that they're going to have to take control of their lives...if they can...and a lot of them have jobs, you know, they're working. It's great for a vocational program because they go to school half a day, they go to their job. We have a huge vocational program because of the access to the technology. Every kid has access to a computer everyday, and we have a very large vocational program. Each school has a vocational person that addresses that, and it's wonderful for transition planning.

Right.

Special Ed. Director: The trick is us just documenting what we're doing.

Right.

Special Ed. Director: Because it's all regular ed. It's all considered regular ed.

Yeah. Next question I've got on my list here. "How well prepared do you feel your school is (schools are) to serve kids with mild disabilities?"

Special Ed. Director: Mild disabilities? Excellent. We're excellent, actually. We're probably one of the best because we're self-paced, self-directed. Modifications...all our teachers are trained in modifications, and the responsibility is on the regular ed. teacher. The special ed. people are support systems in a mainstream environment, and some of our kids need more than that.

Yeah. Well, I'm going to be getting to that, also. In terms of facility, personnel, and resources...resources are not a big challenge for you?

Special Ed. Director: No. The only resources that are a problem for me is finding the people that are certified to hire them. I would hire three diagnosticians right now if I could find them.

Yeah.

Special Ed. Director: I'd hire them right now. I can't find them. Especially during the...even during the summertime. I thought I had one hired in (names a different city in Central Texas) and he quit. I've hired two LSSPs, but they're not diagnosticians, and I'd like to have a diagnostician, but...

I'm impressed, though, that you have them.

Special Ed. Director: ...and the biggest problem, I had a lady that I was going to hire. I offered her \$10,000 more than she's making right now. I told her I would get her her own laptop, any software she needed, and that I only had, at the time I was talking about hiring her I only had 115 kids in special ed. She looked me in the face and said, "(Repeats her own name), I don't think you can do that." She said, "I don't believe you can afford it." I said, "Ann, I can." She said, "I've got 300 kids right now, and I just don't believe you can do it." They don't believe that we can...because what happens is all the resources go into serving the kids.

Yeah.

Special Ed. Director: We don't have a lot of this, well...we have to provide this classroom, we have to do this... We have special ed. aides all over our campuses. We're going to. We don't have them now, but we're designating a special ed. aide on every campus, at least one. Some campuses will have more than that. That's something we're really looking at. You know, putting the resources...when you do mainstream, you can put the resources toward the kid.

Yeah.

Special Ed. Director: You know, and I'm very much an inclusion person.

Well, we hear so much about how broke the charter schools are. That may be where one of the problems lies...

Special Ed. Director: Your problem is...well, you know what the problem with charter ...our biggest problem right now is, as far as being broke. You know, those little schools...they have a hard time. Our budget is a \$10 million budget, and special ed. is a good piece of that, and so is vocational. The biggest problem right now is figuring out how to put the special ed. money on the campus to support the campuses because if you look at regular ed. money and special services money, it's about 50/50.

Hm.

Special Ed. Director: Well, out of almost 2,000 kids, I only have 150... well, I think 175 special ed. kids, and then there's vocational...well, half the money goes to them.

Yeah.

Special Ed. Director: My biggest problem is finding ways to spend the money so that it's on the campus. So that it stays with the kid, because that's the important thing. But, if you get a charter school that's got three special ed. kids...heck, no they can't afford it. No, they can't...no, my God... that's why we were consultants, and allow these consulting firms that you see that are rising up, based on what we did, and what we started. Because we were the first ones that went to schools and said, "Can we help you?"

Right.

Special Ed. Director: Because nobody was helping them.

Right.

Special Ed. Director: ...and that's when we realized that the mainstream was the way to provide services in those environments, because it was the most money...the most money you can get for special ed. is mainstream...and in those little environments, they needed as much funds as they could get in order to serve these special ed. kids. But, you only get...okay, example: if you've got a kid who's mainstreamed, the

funding is a little more than double. Well, the average is \$4000, so to serve one special ed. kid, you get about \$4000 a year. Well, if you've only got one kid, that's \$4000.

Yeah.

Special Ed. Director: You only have one special ed. kid, you get \$4000. That's why they're screaming and yelling, "Oh, my God!" Because TEA is telling them, "You need a teacher on your campus...you need this, and you need that." What they need is really well-trained regular education teachers with special education support on those little campuses. And, that's what we have.

Yeah.

Special Ed. Director: That's my opinion, and I've seen it work very, very well. (Names the charter school for which she still works as a consultant) started out with 100 kids, regular ed. kids, and that's how we did it. They've got 700, they've got a special ed. teacher now, they've got a special ed. aide now, I'm still doing some consulting. Eventually, they're not going to need me, anymore. And that's the goal.

Right.

Special Ed. Director: To grow their program so that they don't need, you know, a whole lot of help...hand holding. But, as long as their charters state 100 students total, they will never be able to afford fulltime special ed. You know, maybe an aide, you know. But, it's going to be very tough for them to hire fulltime special ed. people. Now, and...they make it very difficult to do a fund...it's a hard process because you have to do time and effort logs if you do a fund. So, it is hard. It's not so for us. We're very large, and that's one of the reasons we did this. We figured the larger we were the more services we would have to provide for our kids. It's tough on us because it's a very hard growing process. It's a growing process. It's been dead. It's very stressful.

Yeah.

Special Ed. Director: Like today I look pretty good, because the IOV people left on Friday. They went to every school and went through folders at every school.

What does IOV stand for?

Special Ed. Director: Initial On-site Visit. The state law says you cannot DEC a charter school for three years, so they made up a new word and they do a modified DEC visit. That's how they get around it. It's semantics.

Yeah.

Special Ed. Director: They shouldn't have visited us until next year. But, you know, really I learned a lot. It was very interesting, I mean, they asked (names the superintendent) and I to come and be monitors, so we are going to go and do the training, so then we'll know what they're looking for.

That's great. What do your schools look like in terms of facilities?

Special Ed. Director: They're all totally different. The Montessori has its own school. (Names another school) is in a church that has its own separate building. (Names a secondary school) is in a store front that is next door to the church. It actually has a school building, and then they've got the church...they're going to finish that out. (Names the flagship school) is in a really tacky strip mall that is next to a bar. We didn't pick the place. It just kinda happened that way. They're looking at, actually, working with the YMCA. It's going to be buying a Food Lion, and they're asking us if we want to come in and be half that, and they'll take the other half. That's our goal, is to get us moved to our own buildings.

The Arlington school district did a beautiful job with a Food Lion.

Special Ed. Director: Yes, I think I know what you're talking about..in south Arlington? Yes, those Food Lions... those are some excellent buildings. They're open, and they're just ready for access. Obviously, you know, some of our campuses are on hospital settings. So, they're in hospitals. (Names a hospital) actually, we have a community school that's actually in their doctor suite area, and in exchange for rent we provide two aides to just serve their kids that are only going to be there two or three days. It's impossible to try to serve kids at (that hospital). They come in and out and in and out, and you can't keep up with the paperwork. So, we provide somebody to kind of keep them up with their work, a couple of people, in exchange for rent, which we've started the community school, and then if kids want to come to (that hospital) to the community school, they can do that. It's interesting. (Names another hospital school), it's just down here. It's a hospital setting. But, yes, they're all accessible. The only school that got any kind of ...the only thing, (the flagship school) didn't have the right turn handles on their doors. That was one accessibility issue, and the only other accessibility issue is that because the Montessori is owned by a 501C-3, it was originally a private school...they own their own building... it's a much older building and there are some accessibility issues. They have very thin doorways. You can get around, but it's a hassle.

Yeah.

Special Ed. Director: So that would be...of course, you know, I look at it now and I think renovation would not be any problem, I mean, if you really needed to renovate it. It is accessible. You wouldn't be accessible to every part of it, but the law requires...does not require that. Accessibility at every point in the building.

Yeah.

Special Ed. Director: You have to be able to serve kids. And, we do have...we were looking at the (names a school) in Austin, possibly renting the upstairs. There's a downstairs that we rent, and possibly renting the upstairs, and of course, that's an accessibility issue because there is no elevator.

Right.

Special Ed. Director: Also, you can't put elementary school kids in the top. So, that would be an accessibility issue. So, we're definitely looking at that. It's definitely something that we're very aware of.

Right. Interesting. How prepared do you feel your school is to serve students with significant disabilities? You told me that you have a lot of kids with ED, and you told me that you're wheelchair accessible to most degrees. What about other disabilities that might necessitate a self-contained classroom?

Special Ed. Director: The autistic kids, and the severe, profound. What we would do is, probably...my goal within the next five years is to create that. To create classrooms for those kinds of kids.

So, that would be a continuum, in a sense.

Special Ed. Director: Uh-huh. Because we're self-paced, self-directed, we can have a really broad continuum. As far as self-paced, self-directed, I mean as far as...it would depend on the kids. You know, like the autistic...the little autistic kids and that sort of thing, we know they're coming. We know they're coming. If you build it, they will come.

Yeah. (Laughter)

Special Ed. Director: If they hear that you're doing well. I think that parents of severe, profound kids, as a rule, they are very intensively working with their school districts, and the school districts provide well for them. I think, when you look at charter schools you're looking at alternatives. And because those individuals are not really looking for alternatives the way...we're not getting the child. That doesn't mean if we got one tomorrow we wouldn't take care of them and deal with them, whatever we needed to do. We would provide the services. Do I think if I got an autistic kid banging heads, tomorrow. No, we'd have to look at it, obviously. It depends on which school. I mean, which school would they show up at? Unlike, maybe, other schools you've talked with, we're committed to serve every child that walks through our door.

Is there an interview process that takes place when the parents walk in?

Special Ed. Director: It depends on the campus.

Do you think the interview process differs for children with disabilities?

Special Ed. Director: I think they're up front with the parents. I think they're very up front with them. They say, "We will take your child, but here's what it is and this is what we do."

Right.

Special Ed. Director:...and, you know...and understand... that's something we put in every ARD...a charter school is a school of choice. And if you choose to have your child experimented on by us, hey... great. Bring 'em on. We'll do our best. I mean we'll do what we can. And that's a bone that TEA picks. I mean, "You need to be ready to take any child that walks through the door." We are, and we will be. I mean, we're willing, but we're honest with parents, also.

Yeah.

Special Ed. Director: "We don't have any kids like your child, and we're going to have to work on it."

Yeah.

Special Ed. Director: And it is, obviously, a deterrent. If a parent walks in, and you don't have a self-contained classroom, and the child's always been self-contained. Unless the child is being abused in the other school, I sure wouldn't. I have a child in special ed., and he needs a...of course we don't have any schools except for the (names the fine arts organization), for his age, but...and that's one of the things about it, we really kinda, it's kind of an interesting thing. We don't deal with a whole lot of the middle ground with the little kids in the elementary school, which is where you're going to look at the more intensive resource kinds of things. We do have them at (names one of her charter schools), but that campus is kind of a strange campus because they tend to attract the private school sector.

Yeah.

Special Ed. Director: Because they have a really great program for the kids to go to college. So, in all honesty, I'm going to do whatever it takes to stay in compliance and take care of the kids, but am I honest with my parents, and are my coordinators honest with my parents? Absolutely.

Yeah.

Special Ed. Director: And, it's only fair that they understand what they're getting into when they bring their kids. But, I do have a heart for autistic. The cool thing about starting an autistic program, or even an MR program, is I can say, "Here's this room, and they can have five kids in it," and that's all they'll take. They don't have to take anymore.

Right.

Special Ed. Director: We're a charter school, and we don't have to take anymore. When the class is full, the class is full. Isn't that exciting?

Yeah.

Special Ed. Director: Think about it. Talk about a program that...that's wonderful, I mean, especially if it's its own school. We'll have three classrooms of this many kind of kids.

Right.

Special Ed. Director: But, understand something, these classrooms really don't get paid the same amount of money as a mainstream classroom. So, you really need to figure out some way to mainstream them, you know...

Yeah.

Special Ed. Director: You want to do good things for kids, but you can't do it without money.

I know it.

Special Ed. Director: So, figuring out how to provide that...but you wait, give me five years. When I start putting autistic kids in and calling it mainstream, TEA's going to have a heart attack. They can't hardly stand the fact that I put my MRs in mainstream. But, we talk to Gene Lenz. We meet with him regularly, (names the superintendent) and I do. (Superintendent) meets with him more than I do because he's in Austin more, but Gene said, and I'll quote him, "Mainstream is a place. It is not a handicapping condition, and if you can provide the services in the mainstream...the point is: can you provide it?"

Well, that's IDEA.

Special Ed. Director: Well, I *can* because I have self-paced, self-directed, and I have people to work with those kids. And, they're not getting any less than any of my other kids.

And you have enough people, you feel like, to work with them?

Special Ed. Director: No. I've got to hire more people. Certified? No. Aides? Yes. I can get all the aides I need to support kids. I need more certified people. Well, there's such bad press about charter schools. You never hear the good things about charter schools. I mean, we're doing great things for kids in our school, and we don't have a lot of the problems that you have in other schools our size. But, you don't hear about that. You hear about (names a school that has closed), which we took 150 of their kids on when they closed down. It took us two weeks. We finished out a whole section so they could come and go to our school without having to...but the big problem was, "Oh, my God. They're going back to public school. The public school's not ready for them." You're talking five or six classes of kids that they didn't plan for, because they were in (the closed school). Well, our goal was to support the community and take care of the kids.

Yeah.

Special Ed. Director: So, that's what we did. We would have taken (names another closed school) if we could. We would have taken the school over, but we have to have an amendment and we couldn't get an amendment passed before the kids disseminated.

Did you take some of their kids?

Special Ed. Director: Well, no, I don't think so. I mean, if we did, they're having to drive a long way. It's possible some of the kids came, because I believe we got some of their staff.

You mentioned that you couldn't find enough diagnosticians to hire. Do you hire your own support people, or do you use contract personnel?

Special Ed. Director: I have all my own, and I have one contract diagnostician, and I'm fixing to look at contracting a couple of more, I think. Yeah, I do some contracting. Not as much as I did last year. I did a lot last year. I tried my best to hire as much of my own personnel as possible, though. But, yeah, I do some contracting.

My next question I already know the answer to. It says, "How confident do you feel that the services you provide are appropriate as required by federal mandates?"

Special Ed. Director: I feel very confident.

Okay, and you've told me about the continuum, that in time you'll probably have a self-contained class for MR and autistic.

Special Ed. Director: Really low functioning, but, if the child is socially appropriate, mainstream is where he will go until they beat on me and say I can't do that anymore. Until I get sued or TEA tells me...

Well, that's the spirit of IDEA.

Special Ed. Director: Isn't that the point? When we set these programs up, we set them up with the concept of the federal law in mind. Not what TEA wanted, not what anybody thought...We were looking at the spirit of the law. And I'm an inclusion person because I saw...I taught emotionally disturbed (ED) self-contained for seven years, and I saw what putting those little kids together would do to them.

I've taught ED, too.

Special Ed. Director: I was not happy. I worked really hard, and I did what I thought was best for the school, and in the long run it wasn't best for the kids. My focus...because I was young, you know, I wasn't really looking at it. But one of my kids that I taught is at one of my schools trying to graduate.

Really?

Special Ed. Director: Yeah. She's doing real good.

Do you prefer to place your students with age appropriate peers or by ability level?

Special Ed. Director: Age appropriate. Always. Not all charter schools do that. They say, "Oh, here's your test. You test at first grade level in third grade, so we're just going to put you in first grade." I'm opposed completely to that, and so would all the staff here. Because social issues are 50%. Some people would say 99%. Social issues is a big issue.

Right.

Special Ed. Director: What are you gonna do? Why don't we just take hammers and beat 'em in the head? You know..."You're stupid, you're stupid." So, absolutely always. No matter how low functioning they are. I have kids that are on kindergarten level...my MR kids, not very many I would agree...but they're right in there with everybody else. That's the cool thing about self-paced. Everybody's doing something different. Everybody's at some place different, so they just fit right in, as long as they're socially appropriate. And, that means not drooling on somebody. Socially appropriate means that they can walk in and walk out. There's not a real high expectation for socialization because we get so many kids who are socially inappropriate, anyway.

Yeah. Do you have schoolwide assemblies and school functions?

Special Ed. Director: Yeah. It depends on the school. What they'll do is...a lot of times they will have vocational people come in and do a schoolwide deal. It depends on the school. Some of the schools meet, like every Friday for 20 minutes and just talk, you know. Some of the schools have student council. The nice thing about it is the student councils meet at lunchtime because they want somebody from each session. (Name of the flagship school) has three sessions. They do morning, afternoon and night. They're the only school that has a night class. That's tough. Running a night class is tough. But, what they do...they'll have representatives from each class, and they'll meet at lunchtime, or something.

Yeah. Uh...to whom do you turn for assistance with special education issues? But, you are the assistance.

Special Ed. Director: I was. Yeah. I was when I consulted I was doing all schools. Who I turn to now is the ESC. Last year, they threw a bunch of money at us. This last year they hired a consultant...

Region X?

Special Ed. Director: Region X. Region X is the better one of the group. They're excellent.

That's interesting you should say that, because I've heard Region XI is.

Special Ed. Director: Well, I think they're both doing good things. But, I'm not talking about this area, I'm talking about South Texas, and statewide. Region VII is excellent, too. They have really...you know, I don't need their help a lot of times, but they have offered a lot of help. Because (our school in East Texas) is out there, you know, and I need them now because (that school)...that campus didn't open until about three weeks ago. They had to renovate their facilities and everything. But, Region X has been excellent. Of course, you know, I've got some people that are in Fort Worth. One of my coordinators goes to Region XI to get stuff. That's another problem. I'm statewide. Which ESC do I use?

Yeah.

Special Ed. Director: They're telling us I need to maximize and use all of them for different things, but Region X is our mainstay. But, I mean compared to...I say they're doing a great job, but that's because I saw what they were doing three to five years ago, which was nothing.

Yeah.

Special Ed. Director: You called them up and...we would go to different trainings and stuff, and I would take my charter school people with me, when I was consulting, and they would say totally off-the-wall stuff, and we would say, "No, that doesn't apply to charter schools. Sorry." Well, all your people have to be certified. I'd say, "Well...depends on my charter." They're starting to be educated, and the more educated about charter schools, the better they become. Another thing, they're hiring people who have buy-in to charters. Marilyn Wright is over at Region X...she has buy-in. She's comfortable with dealing with us. You have a lot of schools...we have counselors that refuse to take credits from our kids. Still to this day. Each individual school's different. And, what has to happen, the charter schools office spends most of its time writing letters to schools saying, "Yes, take these credits. They're an accredited school."

Oh, my.

Special Ed. Director: Yeah, I've been real pleased. They came to the DEC. They came to the opening and the closing of the IOV, and I think they want to help. I think they realize after five or six years that we're not going away.

Uh-huh. Do you talk to TEA directly?

Special Ed. Director: Always. On a regular basis, and I never tell them who I am.

Oh, really?

Special Ed. Director: I call them and I say, "What about this?" And then I call somebody else and I say, "What about this?" and they all give me different answers. And I document that, and I get their names. I document that I got three different answers. And, then, even to the IOV monitor I said, "Well, I talked to somebody at TEA about that." And she said, "Who did you talk to?" And I said, "I don't remember," and she said well, you can talk to five different people and get five different answers. This is the monitor telling me this!

(Laughter)

Special Ed. Director: And that same thing was said by some people at Region X during an in-service meeting. I have a problem with that, to be real honest with you, but that's just my personal...after being a consultant and working with different schools. We just feel like our goal is to make them accountable to us. That's why (the superintendent) is at every state school board meeting, and he backs charter schools at

every state school board meeting. He's always there, because if you're not there and they don't see your face...

Yeah.

Special Ed. Director:...but (names superintendent) knows all the board members personally. He's right there, and that's one of the things. You have to be political or you'll never get anywhere.

Yeah. That's true. When you ask for help, do you seek assistance with curricular issues, assistance with legal issues, or assistance with behavior intervention.

Special Ed. Director: It's going to be legal issues, and paperwork stuff.

You mentioned this awhile ago, too. When a student comes to you with a pre-existing IEP, you have the temporary ARD and implement the modifications as they were recommended at the previous school?

Special Ed. Director: As a rule, we do an alternative...we write it up ourselves because a lot of these kids were not in the mainstream, and so we go ahead and place them in the mainstream with the modifications.

You kind of adjust it to fit the model of your school?

Special Ed. Director: A little bit. And, I know that might not be real legal, but if we feel we can serve them that way, then we do it, because to us it's a philosophy. We believe that what we do is good for kids, and we're not going to set them in a corner and say, "Okay, for this 30 days, because legally...." We want to see if they can function in the model.

Well, you're the sixth person that I've talked to, and at least four of the six besides you have said the same thing, "We have the temporary ARD, but then we've got to adjust it to fit within what we're doing."

Special Ed. Director: It's nice to have that 30 day period to readjust. The biggest problem we find is that the assessments we get are usually missing something.

Really.

Special Ed. Director: They don't have the assistive technology that's required. They're not appropriate. We have to do a lot of reassessment, and my problem with that is that it kind of defeats the purpose of the law, with the new part. The idea is that if the assessment is current and appropriate, we ought to be able to use it. Well, the problem is, we get a lot of...I won't name the school district, but we get some really crappy paperwork from different schools. That's our biggest problem.

Do you have trouble getting records?

Special Ed. Director: I don't. Other schools do, but I don't.

(Laughter) You have your secret ways?

Special Ed. Director: I call the directors and I usually put it in writing, and I quote the law, and I get apology letters, and (snaps fingers) it happens like that.

Interesting.

Special Ed. Director: They know legally...the thing is I know my rights, and I don't know legally what's, and the problem with the whole thing about saying, "They won't give me..." and it's incumbent upon me to get it. I don't have a choice, and if I have to beat them up to get it, I'll do it. My coordinators are good. 'Cause I've told them what to do. Call the directors if you can't get paperwork. They had a new staff at

(names a school district in Central Texas) (Oh, my God...) and I'm calling to try and get these transfer ARDs, and I do transfer ARDs based on the phone, you know immediately, to try and get that done because that's what they're asking us to do.

Yeah.

Special Ed. Director:...and this girl goes, "This kid is special ed. Just take my word for it. I'm not giving you any information on the phone." I wrote a seething fax to the director. She had been training on this very thing. She wrote me an apology letter and got me everything I needed. I said, "Ooh, sounds like my school." It sounds like brand new staff, Okay, I can understand that, but this woman would not give me details, and I had a parent coming in who had been asking me for it for a week. Oh, I was hot...and I got a very nice letter, and the director of special ed. came to the school to find me. She talked to the director. "But, legally, I can't tell you something like that over the phone." Oh...and how about this, calling (names a large urban school district)...calling the special ed. paper worker, "We are not taking any phone calls." You're like, "Okay. So now we have to go to the schools now, because of what happened with all the rearrangement. That's a big mess. Are you familiar with what happened?"

No.

Special Ed. Director: They closed down (names a staff development center), and they basically stored all the stuff in a big warehouse.

No, I didn't know they had done that.

Special Ed. Director: Oh, Yeah...you couldn't get any special ed. records...it took us months to find special ed. paperwork.

Oh, my gosh.

Special Ed. Director: And now, they're having you go to the school to get it.

This next question...what insights do you have regarding the attitudes of your educators, your parents, and your students toward students with disabilities in the charter school? What about your teachers?

Special Ed. Director: All my teachers who aren't certified are receptive (to students with disabilities).

Who *aren't*?

Special Ed. Director: Teachers that aren't certified and don't know any better. They don't know they can't help these kids. It's the certified people who have been working in schools forever, who think they can't do anything for these kids.

I didn't expect to hear you say that.

Special Ed. Director: Write it down, Babe. It's true. It is reality. But, that was true in public school.

Uh-huh.

Special Ed. Director: The longer they've been teaching, the more, "I'm not trained to do that." Well, you know what, when I went to college they didn't train me to be an inclusion facilitator, either. But, I'm telling you right now it's possible, it can happen.

Uh-huh.

Special Ed. Director: The people that have less public school experience, I'm not going to say uncertified, but it's the people who have the least experience in public school that are the best. Even my private school

people are better, a lot of times.

Hm.

Special Ed. Director: But, a lot of it depends on the director. If they tell them they have to do it, and that it's just part of their job, it's great to be able to train people from the bottom up. I was an inclusion facilitator for six years, working with, you know, with teachers. And my new, young teachers were wonderful. I could train them. You know, they didn't know...they didn't teach when there were a million resource classes, and nobody in the regular class ever had to have a special ed. kid. But, that's the reality of it, and the cool thing about is when you come into my charter school you know you will be dealing with special ed. kids. Get that right off the bat. You will touch one in some way, and a lot of them will be severe...the kids that really need your help, so you better be ready.

What about your parents?

Special Ed. Director: They love us.

Well, what about the parents of your regular ed. kids?

Special Ed. Director: Well, that's really interesting. It depends on the classroom. Usually, because the kids of the regular ed. parents don't even know a whole lot of difference because they don't know who the special ed. kids are. There's no separate classes. There's no...the confidentiality is not...so, unless you can tell by looking at the kid, all the kids get a lot of the same attention. But I have coordinators and people that work specifically with the special ed. kids so there's no taking away for kids in that setting because they're self-paced and self-directed.

Yeah.

Special Ed. Director: The only time we've had problems was when we brought the (names a closed school) kids over to (names her school that appeals to parents from private schools). There's more of the (names the closed school) kids in...well, those parents were used to having their "go to college" kids all to themselves, kind of a thing. That was the only time we ever really had a parent problem.

Yeah.

Special Ed. Director: ...and the (fine arts organization). They are the most incredibly snobby, rude people. The parents show up, they're scary, I mean we never went to parent meetings because they would jump all over us. "Where's this? Why aren't you doing this?"

Oh my gosh.

Special Ed. Director: But, when you're talking about parents who are bringing their kids to an alternative for a change, they tend to be more open to other kids having alternatives and changes.

Yeah.

Special Ed. Director: It's the parents that come from private schools that are looking for a private school education without paying for it.

Yeah. Oh, yeah.

Special Ed. Director: That's the time that you get flak.

Right.

Special Ed. Director: But, because of the way we deal with kids, they usually don't know who the special ed. kids are, so they don't know their kid's not...you know, because we don't separate them, so they don't...

Yeah...and the students, too, I should think, probably they don't know who the special ed. kids are, and they don't know the difference between my contract and yours.

Special Ed. Director: That's right. (Names one of her schools) does have some direct instruction. They're trying to change over to self-paced, and as they change over, the teachers who are so adamant about direct instruction are starting to see how good it is. Self-paced is for the higher functioning kids. They can get through the material and go on to something else.

Right.

Special Ed. Director: You know, especially since we have the option of going to college. Once they've finished all the math curriculum...heck, let's go and take a college course.

Right.

Special Ed. Director: And I have some interesting special ed. kids over there. I have a girl who's 14, and she's...her PSAT's are high enough for her to be in the National Junior Honor Society. Her verbal skills are very weak. She has a real speech impediment, a lot of issues like that, but she's very bright. The problem is, in a regular school, looking at this child, you'd think she was mentally retarded. The way she talks...her verbiage is very immature.

Hm.

Special Ed. Director: But, boy...get her on paper, and she has a laptop that we provided her, and you get it on paper and it's there. She's excellent, and I mean, she's bright. The problem is getting it out of her, because of the way she looks. She's a little strange looking, and the verbal skills are weak, so she doesn't appear bright. But, in our setting, she can do it whatever she wants.

Yeah. What types of pre-referral intervention procedures, referral and assessment procedures?

Special Ed. Director: I have a referral process, and I'm not going to lie to you and tell you it's implemented at every school, but we have a Student Success Team that is, of course, a general education committee, that basically looks at any concerns, behavioral, academic, even if the kid's really high functioning, gifted and talented and bored at school. The concept of the Student Success Team is that they're looking at all kids' needs. Basically, the first thing they look at is, "Is the kid eating?" "Does the kid have a home?" "Are they sleeping at night?" "Is Dad beating them up?" That's the first thing. We look at the socio-e thing. Can the kid come to school and function? Are they hungry? You know, those kind of things.

Yeah.

Special Ed. Director: That's the first thing we want to look at in that Student Success Team. Then you go from there. Obviously, special ed. kids, you wouldn't send them through that...they're in already, you send them through ARD to look at their needs, but if they're not special ed., that's the way we start. Right now, we're using the parent and teacher information from the special education referral packet because it's easier. It's already done. I was actually thinking about that on the way over here. I want to get a separate student success information that we could use for the special ed. But, I have a packet that does the vision, hearing. Once the kid goes through the Student Success Team, and they say, "Oh, yeah, we've tried this, this, and..." And, they have to provide to my coordinators what are the things they're doing. What kind of modifications are being provided? Are you doing anything on tape? What are you doing? The hard thing about us is our curriculum is self-paced, self-directed, so it's hard to modify anymore without taking a lot out of the curriculum.

Right, because it's already modified from the get-go.

Special Ed. Director: So, and the thing about it is, we have a lot of 504 kids over at University because they're kids that didn't qualify in Irving. Irving has a lot of special ed. kids. They do a lot of special ed. in Irving, and that's just kind of where they're at in Las Colinas. They have a lot of 504 kids, and one thing

that we've told them is with 504 they have to take the TAAS, so be careful how far down you modify. You can provide this, but if a parent comes in and says, "I don't want them to do this," we tell them, "It's on the TAAS. They have to do it." So, you get a lot of parents who have a lot of taking care of their kid issues. You know, "Don't make them do that." It's kind of interesting. But, as far as the referral process, we look at all that with the Student Success Team. Why? What's the problem? Where are they having problems, then obviously, if they need to be assessed we do vision and hearing, we probably have the parent and teacher (questionnaire forms) already, unless the parent comes in and, of course, signs off. Then, we start the process, there. Then, of course, once that part of it is done, we've got everything together, then I have...usually (names assessment specialists) does all my assessments. But, I have a special ed. notebook that I provide to all the teachers, and they know that they can, as good teaching practices... as good teaching practices, I've tried to make them aware that they can use any of the modifications as accommodations.

Sure.

Special Ed. Director: It's also not taking too much away because you want the kid to be able to pass the TAAS. That's the most important thing, and that's one of the things that (names superintendent) and (names curriculum director) and I were all talking about, the fact that the TAAS is probably the one issue with our LD kids that we have to be very, very careful with. Because, you know (names an individual who works at TEA), talked about how, if the kid is doing well, you need to get them out of special ed. Well, that's great, but can he pass the TAAS?

Yeah.

Special Ed. Director: It's a big issue for us, especially when you're talking about 20-year old dropout recovery kids. Kids who've been in...I had a kid who was in jail for three years. He comes back. He's 19. He's trying to get out of school.

Well, now, special ed. kids are going to have to start taking the TAAS, aren't they?

Special Ed. Director: They take an alternative right now, on their level. It will never go that far, because it's discriminatory to not let a kid out of school. That's like saying, "Your autistic kid can't..." It will never get to the point where they have to do the same thing. There'll be an alternative of some kind on their level. Oh, yeah...and it's a hassle, because if they're anything like on third grade or below, it has to be read to them.

Yeah.

Special Ed. Director: But, that alternative TAAS...be glad you got out before that.

Yeah.

Special Ed. Director: It's a big ole mess. But, they don't have that for the high school. It only goes through 8th grade right now. But, eventually, yeah. They'll have a special ed. TAAS, but specifically for that. But, it won't be something, probably, that keeps them from graduating because it should be on their level.

Right.

Special Ed. Director: And, that's another reason it's really important to keep up with where the kids are, so you can provide them the right assessments, and that sort of thing.

What about BIPs? Behavior Intervention Plans.

Special Ed. Director: We have a very simplified version that we start with, because a lot of our kids need them because they have something in their past that addresses behavior. We only have a few that we have to write really intensive ones for because of the short day.

Yeah.

Special Ed. Director: But, we do. We have a standardized program and we try to make Behavior Intervention Plans simple, usable, and workable. So we do provide them.

You know, when I was a self-contained ED teacher, that was one of the things we did in extreme cases, was shorten a kid's day.

Special Ed. Director: That's right. But it's not legal to do it, unless you can really show it's necessary. But, guess what? We're already...it's the same length of time that any other kid has. It's really cool. That's probably one of the things I've been most pleased about, is being able to provide emotionally disturbed kids, who are usually, a lot of times, very bright, an alternative that really works for them. I had a kid that was the worst kid I ever worked with at (names previous independent school district)... he almost made me crazy...and he's over at (names a charter school no longer affiliated with them), and I think he's...I assume he's graduated by now. And, he had a hard time, don't get me wrong, but I tell you that 4-hour academic day made all the difference in the world.

Yeah.

Special Ed. Director: And, you can see that, having worked with ED. You totally understand that.

Yeah.

Special Ed. Director: Not only that, but you don't have a lot of people jumping in their face. And, they sit down... everybody knows they're emotionally disturbed, don't push them. Let them do what they need to do and then get the special ed. person, somebody that's trained in dealing with the kid, if you need to get them to work a little bit more... use those people. Use the trained people. Otherwise, they're just doing what they need to do.

Yeah.

Special Ed. Director: I like it. I think it's...that's the one thing I was really concerned about when I went into inclusion. How are those kids going to do?

Yeah.

Special Ed. Director: We need to provide programs for them.

This next question is about disciplinary actions.

Special Ed. Director: Okay.

Having been a traditional education person, you would run across administrators who didn't understand the difference between a kid who is in special education and one who isn't, discipline-wise.

Special Ed. Director: We still have that problem.

I'm sure you do. Do you feel it's more pronounced with charter school directors since they've been in the business a shorter amount of time?

Special Ed. Director: Some of them, yes. Some of them, no. It's really interesting. I don't think it's more pronounced because they've been so extensively trained in special education.

What kind of training do they get?

Special Ed. Director: We did a two week training, not just special ed., but I go over CAP, modifications. They get the same training as the teachers. It's not like, "Well, you all are better. You don't have to know this." We train everybody the same. So, they all have the modifications. They all have access to the special education notebook with the information in it. I talk with them, personally, and I have coordinators that

work with them real closely. And, the nice thing about the coordinators, because they come from me, they have a little more clout...They're not their employees, they're my employees. They have a bit more pull with the directors. If they say, "(Repeats her own name) says this needs to happen..."

Yeah.

Special Ed. Director: I have a little more pull. Right now, I can only think of one administrator who doesn't give me a call when it's a special ed. kid, and just asks me, "What about this?" But, in the same respect, we try to treat all the children fairly. And, unless they have a Behavior Intervention Plan, unless it really looks like their behavior is a manifest determination of their disability, it's really unfair of us to treat them with kid gloves to the point that they don't learn the responsibility.

Yeah.

Special Ed. Director: We have to look at kids as individuals. But, because we are a dropout recovery program, we take a lot. But, we also...we have officers on every campus, and they give tickets for...

Oh, do you?

Special Ed. Director: You bet, and for truancy, inappropriate behavior, they get tickets. And, your special ed. kids get tickets, too. Now, your LD kids, of course, that's obvious, and your ED kids...we write that into the Behavior Intervention Plan as part of the consequence.

Yeah.

Special Ed. Director: So, my feeling on that, as the director, is that our special ed. kids need to take the responsibility...that our directors need to be very aware of the kids and what our responsibility to them, though, is as emotionally disturbed or...

So, the directors and the teachers...they get two weeks training per year?

Special Ed. Director: In general. Well, that's just the beginning of the year.

At the beginning of the year?

Special Ed. Director: Yeah, and then the directors come in, at least once every six weeks... the directors of the school... come in for a day and they work on, you know, we do different things with them, and I always talk with them when they're here, about issues. They come up here.

Uh-hm.

Special Ed. Director: It just kind of depends. And, of course, different schools have different things. I have a school that I was kind of thinking about when you said that...they have a lot of power struggle issues. They've a couple of aides, they're letting one go, I believe, that start fights with kids. And a lot of it is because the director does not understand...and we're working with her...the difference between a learning process, a teachable moment, and being punitive.

Yeah.

Special Ed. Director: And that obviously, is a problem across the board. At this point she is really the only one we're having problems with, and we're working on it. We're getting her there.

Yeah.

Special Ed. Director: And, I have somebody on that campus almost daily to see, and interview special ed. kids. And, actually I put that particular coordinator on that campus because she has an extensive background in behavior intervention. It's been frustrating for her, though, because she doesn't have the

autonomy she would like to have with kids, in general. But they do give her the autonomy with the special ed. kids, and that's what she's there for.

I know. What types of disciplinary actions are typically taken?

Special Ed. Director: Well, suspensions. They've done a few expulsions. Of course, they all have to go through the superintendent. We had a couple of kids who, at one of the schools, at (names one of her schools), came in and destroyed their sanctuary. Just tore it up. Well, as the public schools do to us, what happens is, a lot of times they withdraw before we ever go to expulsion. They know it's coming. This happens with tickets. They get a ticket and suddenly the parent withdraws them.

Before they...(laughter).

Special Ed. Director: But, we found out the ticket still stands. The ticket doesn't go away because they withdraw the kid. But, we find a lot of avoidance of responsibility. That's probably our biggest issue, and that's true with parents, too. But, again, (the flagship school)...when they went in to the IOV, the team went in and talked to the parents, and the parents just love the program over there. It is a good program. They're doing real good things for kids who are really, really at-risk, that live in really rough neighborhoods, with really serious issues.

I've noticed that some of the schools, some in Region XI that I'm thinking about specifically, don't report their special ed. numbers or special ed. kids. Or they haven't in the past. One director I talked to was just getting ready to report his numbers for the first time.

Special Ed. Director: What do you mean?

They don't turn in a number on December 1.

Special Ed. Director: Oh, God. Well, the thing is they're afraid...they're afraid they're responsible for it. I always have, in all my schools. All my schools have. I wrote...my first year I wrote, probably, 10 or 20 of the grants...put the counts in, wrote the grants. It's a lot of money for us.

How do they get away with it?

Special Ed. Director: I don't know.

Well, this one director...and this was a private school that had gone charter, and he basically told me we're going to start reporting our numbers because we need the money. You know?

Special Ed. Director: Oh, they're scary. Well, but it's a difficult process. I mean, it really is. It's a scary process because if you do that you're responsible for it. The reality is you're responsible for it anyway, whether you get the funds or not you have to provide the services, so you might as well get the money for it. A lot of them don't realize that they're just as responsible for taking the ADA. The difference with the federal money is you have to spend it like it says in the grant. That's the only real difference, you know, because there's federal money that trickles through the ADA, which is the state funds. So, you're still responsible for everything. A lot of them don't understand, you know.

Right.

Special Ed. Director: I don't know. I guess I'm kind of a different animal, because I really believe in change, and I've worked in good schools, public schools. Mansfield was excellent. They taught me a lot. I mean, I've worked in good public schools. But, I believe that we need reform in education. I mean, and that's why I do what I do. Because if we do not do the special ed. right...I'm sorry...(She is notified that her appointment has arrived so we begin to end the interview).

Seriously, I cannot thank you enough for allowing me to come in and talk with you. I really appreciate it.

Special Ed. Director: Sure.

One of my goals is to pinpoint some areas that are difficult for charter school directors. You are obviously very knowledgeable about the whole process, the law and everything, but I'm finding that's not true in a lot of instances, but I'm thinking if I can pinpoint some areas that need attention, perhaps TEA and the regional service centers can direct some resources in that direction.

Special Ed. Director: Right. This will be good. Well, I think, also, that our needs are not real different from the regular public schools. Having the bodies...and I think that TEA needs to really address that, because it's a federal requirement that they provide us with the people that we need in the educational process. I think they fall down on the job.

Okay. Thank you.

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