



## The Charter School Advocate

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### SPECIAL EDUCATION DELIVERY & COSTS – A 2018 LEGISLATIVE FOCUS

The 2018 House and Senate Education Omnibus Policy Bills both have a provision to establish a **SPECIAL EDUCATION WORKING GROUP**. The House version envisions a working group composed of people from 20 stakeholder groups, while the Senate envisions a working group composed of legislators.

The purposes of the Working Group, whatever form it takes, is to look at (among other things): how services are delivered and the cost and benefit of that delivery model; analyze special education enrollment trends, laws and regulations; identify programs to reduce the need for special education as appropriate; and analyze funding formulas.

One of the major issues that traditional districts are going to raise is the cross-subsidy (tuition bill back). There are traditional districts and legislators claiming that districts are '*subsidizing all of charter school special education costs*' and that '*charter schools are the reason for district(s) having operating deficits*'. There was legislation introduced this session to increase the amount charter schools and open enrollment districts would need to pay from 10% to 50%.

Yet some of these same folks claim that charter schools are not serving enough special education students, in particular Level 3 and 4 students.

The reality is that special education enrollment in **Minnesota's charter schools is 13.8% and traditional districts is 14.1%** - both of those enrollment numbers are higher than **the national averages of 10.6% for charters and 12.5% for traditional districts.** (*U.S. Department of Education Statistics*)

But, back to the cross-subsidy issue for a second. The issue is caused by multiple factors, including:

- the fact the Federal Government has never paid its share of special education costs which it promised states decades ago, and
- the fact that the legislature has expected that local districts pay the cost of the gap in funding even there has been a state policy of encouraging open enrollment and public school choices.

The state should be paying for the difference – not the resident district when a student exercises their choice through open enrollment between districts or charter schools.

The Working Group is going to have a lot of issues to tackle given the agenda laid out in legislation. Charter schools are going to need to pay attention, be ready to provide information about their special education programs, and be engaged in the process – because the stakes are high for special education students and schools.

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