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REVIEW OF *NEW YORK STATE SPECIAL EDUCATION ENROLLMENT ANALYSIS*

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December 2012

Summary of Review

This report asserts that differences in charter and district school special education rates are far smaller than claimed in recent reports. While the report does show that under-enrollment patterns vary by grade level and to some extent by location, it downplays the fact that the largest subset of charter schools in its sample—elementary and K-8 schools, most of which are in New York City—do systematically under-enroll such children. Among traditional public schools, the report excludes special education schools while including selective middle and secondary schools; it retains special-education-focused charter schools, thus stacking the deck in its analyses—albeit still not achieving the authors' desired result. The authors infer—without evidence or foundation—that charter elementary schools may provide better early intervention and avoid entirely whether variations in disabilities by type and severity exist between charter and district schools. Data from New Jersey and Philadelphia show that charter schools often serve sizeable shares of children with mild specific learning disabilities, but very few children with severe disabilities. The report's objective seems to be to provide the appearance of an empirical basis for an advocacy goal: convincing policymakers it would be unnecessary to adopt "enrollment target" policies to address a special education under-enrollment problem that may not exist. The report's own findings do not support this contention.

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This is one of a series of Think Twice think tank reviews made possible in part by funding from the Great Lakes Center for Education Research and Practice. It is also available at http://greatlakescenter.org.

Review of *New York State Special Education Enrollment Analysis*

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I. Introduction

This review addresses a recent report released by the Center on Reinventing Public Education (CRPE) titled "New York State Special Education Enrollment Analysis."[1] The title is appropriately descriptive: The report summarizes special education enrollment data for charter and host district schools by grade level and location in New York State for the 2011-12 school year.

The report asserts that differences in charter and district school special education rates are far smaller than is claimed in recent federal reports and other literature. The new report further asserts that location and grade-level differences lead to a mixed story regarding whether or not charter schools systematically under-enroll children with disabilities.

While the report does show that under-enrollment patterns vary by grade level and to some extent by location, it downplays the fact that the largest subset of charter schools in the sample—elementary and K-8 schools, most of which are in New York City—do systematically under enroll children with disabilities. What this report actually shows is that the vast majority of charter schools in New York state happen to be in New York City (76%) and happen to serve lower grades (73%), and these schools serve much lower percentages of children with disabilities than comparable traditional public schools in the same city or area within New York City. In an effort to undermine their own primary finding, the authors infer—without evidence or foundation—that charter elementary schools simply may be providing better early intervention. Those supposed interventions, in turn, would help these schools classify fewer children than their district school counterparts.

The report does not address whether variations in disabilities by type and severity exist between charter and district schools. As discussed below, this is a significant omission.

The report's objective appears to be to provide the appearance of an empirical basis for an advocacy goal. Specifically, it appears designed to convince policymakers across states that it would be unnecessary or wrongheaded to adopt "enrollment target" policies to address a special education under-enrollment problem that may not exist. The report has some

strengths as well as some limitations, but it cannot be reasonably used to conclude that special education under-enrollment is not a problem or that policies should not (or should) address the problem.

II. Findings and Conclusions of the Report

The report's conclusions are relatively straightforward and are presented in bullet-point "findings" up front and then in pull-out quotes throughout the report.

Highlighted Findings:

- "Looking across New York State, charter schools on average serve a smaller share of special education students than do the state's district-run schools, but the distribution and range of enrollment ***are not far off from what we see in district-run schools***" (p. 3; emphasis added).

- While certain charter school authorizers "oversee schools with special education enrollments that closely track nearby district-run schools," others do not (p. 3).

Other Specific Findings:

- "Charter middle and high school special education enrollments are ***indistinguishable*** from district enrollments. At the middle and high school levels, the distribution of special education enrollment in charter schools ***looks very similar to*** the distribution of special education enrollment in district-run schools.

- "Charter elementary schools show underenrollment of special needs students. Unlike charter middle and high schools, fewer students with disabilities enroll in charter elementary schools as compared to district-run elementary schools statewide and—in many cases—relative to the charters' host districts.

- "There is also variation among charter authorizers: While certain charter school authorizers oversee schools with special education enrollments that closely track those of nearby district-run schools, other authorizers oversee groups of schools that don't mirror their local district-run schools' special education enrollments" (p. 3; emphasis added).

A suggestion made throughout the report is that charter school special education enrollments are not as skewed as the public has been led to believe and that these new findings provide important nuance and clarification. As indicated above, these assertions are drawn by eyeballing the appearance of the distributions of charter and district enrollments in a series of frequency plots and maps.

A handful of Twitter tweets from the sponsoring Center on Reinventing Public Education on November 21, the day the report was released, presented a somewhat bolder spin on the report's simple descriptive findings. For instance:

> **CRPE @CRPE_UW**
>
> *Our new study suggests states should avoid 1-size-fits-all spec ed enrollment targets 4 charters, other public schools http://ow.ly/ftMtA*
>
> **CRPE @CRPE_UW**
>
> *MT @**nycharters**: CRPE report on spec ed enrollment in NY rebuts systematic under-enrollment myth w/ nuanced comparison http://bit.ly/TbUs02*

In the first, the official Twitter account for CRPE suggests that the report presents evidence for the argument that states should avoid one-size-fits-all enrollment target policies, despite the fact that the report studies only one state (primarily one city). In the second, CRPE sends out a modified tweet (MT) of the New York state charter advocacy organization endorsing the premise that their report rebuts a "myth" that charter schools systematically under-enroll children with disabilities. *Education Week* took these assertions one step further in its headline, "Study: Charters Perform Well in Serving Special Needs Students."[2]

III. The Report's Rationale for its Findings & Conclusions

The report's rationale for its conclusions is perhaps best laid out in the following quote:

> Looking across the analyses presented above, we see that some charter schools (such as elementary-grade charters and charter schools in Albany) enroll fewer students with disabilities, while other groups of charter schools (middle and high schools and schools authorized by the NYC DOE) closely resemble district school enrollment numbers. These results raise doubts that charter schools intentionally avoid enrolling students with disabilities as a **regular** practice (p. 11; emphasis added).[3]

The report argues that it has taken a more nuanced look at charter school special education enrollments than previous reports and advocacy literature. It summarizes charter school special education enrollment data for charter schools in New York City, Albany and Buffalo and by grade level (other cities in the sample have only one or a handful of charters). It then finds that in some cities and for some grade levels, charter school special education enrollments do not appear to be that different from regular public school special education enrollments.

This finding is certainly reasonable and not surprising. In fact, most of the report's summaries of this finding are responsibly characterized. But the following two points are critically important and bear repeating. First, the vast majority of schools in the analysis are in New York City alone (76%). Second, the vast majority of schools in the analysis are elementary or K-8 schools (73%). As noted in the brief methods/data call-out box in the report: "Our sample includes 1,561 district-run public schools and 168 charter schools. … New York City encompasses the vast majority of the schools in our sample (1,289 of the district-run public schools and 127 of the charter schools)…" (p. 2).

Table 1 (created for this review; not a table in the report) provides a summary of the report's distribution of charter schools:

Table 1. Distribution of Charter Schools in CRPE Report Sample

	# of Schools	% of Schools
Elementary	77	46%
K-8	45	27%
Middle	19	11%
Middle-Secondary	12	7%
Secondary	15	9%

Sample sizes for middle and secondary schools are relatively small, reflecting general patterns of charter school distribution. So when the study finds that elementary and K-8 schools in particular tend to under-enroll children with disabilities, this finding applies to almost three-fourths of all charter schools. On balance, the findings in this study pertain to New York City elementary charter schools, and those schools in particular have very low special education enrollment rates.

In other words, what this report actually shows is that *the vast majority of charter schools in New York state, which happen to be in New York City (76%) and happen to serve lower grades (73%), tend to serve much lower percentages of children with disabilities than traditional public schools in the same city or area within New York City*. Contrary to what *Education Week's* readers or CRPE's Twitter followers might now believe, this is not evidence that charters perform well in serving students with special needs.

In fact, as properly read, the report's findings are consistent with other findings using previous years and multiple years of data, as described below.

IV. The Report's Use of Research Literature

The CRPE study relies on very little existing research regarding special education enrollments in charter schools generally or, more specifically, charter schools in New York state or New York City. This is surprising because the new report is cast to some extent as

a response to a recent U.S. Government Accountability Office (GAO) report finding charter schools generally under-enroll special education students when compared with traditional public schools statewide.[4]

The highly publicized GAO report showed significant heterogeneity in charter school special education enrollments across states, with higher disability rates in charter schools in states including Pennsylvania and Ohio, but much lower rates in states including New Jersey.[5] The GAO report made state aggregate comparisons between charters and non-charters, rather than comparing charters with conventional schools either nearby or in the same districts, and it did not separate schools by grade level.

It is reasonable to assert, as does this new report, that state average comparisons between charter and non-charter schools without regard for location or age ranges of children served may not be accurate or sufficiently nuanced. Yet more nuanced and readily available studies were ignored in the CRPE report. The authors do not probe very deeply for other research, including online publications, providing more fine-grained examinations of charter school special education enrollments. The authors specifically miss out on some useful information on New York City charter schools produced by Kim Gittleson (2010) of Gotham Schools. Gittleson provided detailed comparisons of school-level special education enrollments for New York City charter and district schools.[6] Her analysis showed considerable variation in the special education enrollments of charter schools, and she compared these schools with citywide averages by grade level. She found that some of the charters had special education enrollments that were not substantively different. Grade level differences were less clear than those summarized in the CRPE report, however, and most charters under-enrolled special education students relative to citywide averages for the same grade levels (see Appendix A).[7]

Baker, Libby, and Wiley (2012) as well as Baker and Ferris (2011)[8] provide further discussion of Gittleson's findings and related data (using multiple sources of data) on special education enrollment rates in New York City and include comparisons based on school level (rather than districtwide by grade range) comparisons. All concur with a general point arising from the CRPE data, which indicate that school-site special education populations do vary across schools. But this is a rather unsurprising revelation. In other words, the CRPE authors' actual findings are consistent with prior analyses, even if their conclusions and related media headlines were not.

V. Review of the Report's Methods

The report's methods are relatively simple and illustrative. It uses a single year of data (2011-12) drawn from the New York State Education Department's "Student Information Repository System." These data do provide some useful information, although typically, when evaluating special education or other student population distributions, multiple years of data are preferred to ensure the findings are robust, stable, or both. The report includes 16 districts in New York state that have charter schools, but—reflecting the

statewide distribution of charter schools—only three of those districts have more than a handful of charters (five or fewer), with most concentrated in New York City.

The authors choose to exclude district schools that are "special education" schools (e.g., District 75 in New York City and P.S. 84 in Buffalo) "so as to not skew the results" (p. 2). It might have been similarly reasonable to exclude the few charter schools with what appears to be an express or implied mission of serving special populations (see the two or three outliers in the report's figure 1, page 5). Yet no mention is made of even a consideration of excluding those. Including charters with special emphasis on children with disabilities while excluding district schools with similar programs would certainly skew the results.

The report does not exclude highly selective district exam or magnet schools. That is, the report's authors chop off one end of the distribution for district schools—those with very high special education enrollments—but not the other end. Since charter schools are not intended to be the equivalent of selective exam or magnet schools, these district-run specialty schools should arguably also be removed from the district sample—especially if the intent of the analysis is to compare "regular education charter schools" with "regular education district schools."

Leaving selective district schools in the sample while chopping off special education schools likely disproportionately skews the middle and secondary results, since these upper grades are where students in large districts are far more likely to be sorted into special schools at either end of the spectrum. This skewing is in fact evident in the report's figures (see Figure 2, p. 6). More thorough treatment of this issue would have provided the authors the opportunity to raise the legitimate concern that large urban districts themselves engage in a significant degree of segregation of students by disabilities.

The report relies primarily on two descriptive devices to convey the results: distribution plots of special education enrollments by grade level and by district for charter schools and district-run schools, and a spatial mapping of "under-enrollment" (% of charter schools with <70% district school enrollment rate) across districts within New York City. Because the numbers of middle and secondary charter schools are relatively small, even in New York City and especially within regions of the city, it may be inappropriate to map these data in this way.

Another concern is that mapping percentages of schools may mislead readers, since schools may serve very different total numbers of students. If a city region has only three charter schools, where one charter with 500 children has significant under-enrollment and two others with only 100 children each do not, the approach used will show that two-thirds of charters in that region do not have under-enrollment, even though the sector as a whole suffers from considerable under-enrollment. Sample sizes may be similarly small within regions of the city for charter elementary schools, even though total numbers are larger. Setting these issues aside, the maps largely confirm the high shares of charter elementary schools across the City that under-enroll special education populations.

The report relies on eyeballing the distributions and maps to draw general conclusions about the comparative distribution of charter versus district special education enrollment

rates, and this is a reasonable decision. Analysis of statistical significance of those differences would be compromised by the small sample sizes for middle and upper grades and in all but New York City. Exploring the variations is reasonable in that such explorations can provide insights, as long as the limitations of this type of approach are made clear to readers and as long as any advocacy based on the report is similarly restrained.

The report makes no attempt to determine, nor do the available data provide the option to discern, the distribution of disability classifications by type (severity/need/placement) between charter and district schools. But as explained in the following section, such an additional analysis would likely generate new and different insights.

VI. Review of the Validity of the Findings and Conclusions

When not spun and when properly understood, the report's findings are relatively simple, straightforward and unsurprising. For the most part those findings are responsibly characterized in the report, but less so in the headlines and tweets spawned by it. It is certainly reasonable to conclude that charter school special education rates are not invariably and uniformly lower than all conventional public school special education classification rates. Yes, they vary, and it is reasonable to conclude that rates vary by location, grade range and apparently by authorizer. But none of this variation should distract from the main finding of significant under-enrollment in most schools. Further, readers should understand that this report concerns only one state and, as a practical matter, only on major city. That is, even if the examined schools do vary in their special education enrollment, and even if under-enrollment is not as large as some might argue, the findings of this report pertain only to charter schools in New York state, and primarily in New York City.

Other (veiled) assertions in the report are completely unfounded. On a handful of occasions, the report attempts to spin the elementary charter school special education enrollments, arguing that they may be low for innocuous or even positive reasons: "It may be that charter schools are simply less likely to identify students as having disabilities that qualify them for special education in the first place…." (p. 3), or "For instance, are charter schools underenrolling or underidentifying students with disabilities, or are district-run schools overidentifying them?" (p. 4; internal footnote omitted). The CRPE report provides neither empirical support nor a grounded rationale for why charter schools would be more successful at reducing classification rates in early grades or why district-run schools would engage in classification inflation.[9]

Looking at New York City and Houston

The new CRPE report is, as noted above, limited to one state (and largely to one city), which makes it only weak evidence regarding national conclusions. But data are available

from other states. For instance, I have been examining data from Houston as well as New York City, looking at several years of data. My recent and forthcoming findings provide more nuanced evidence regarding the questions explored in the CRPE report, and this evidence is largely consistent with the actual (not spun) findings of that report. For example, building on data gathered and reported in Baker, Libby and Wiley (2012),[10] we have estimated for New York City and Houston the three-year (2008-2010) student population differences between district-run schools and charter schools, sorted by management-organization affiliation, controlling for grade-level differences.[11]

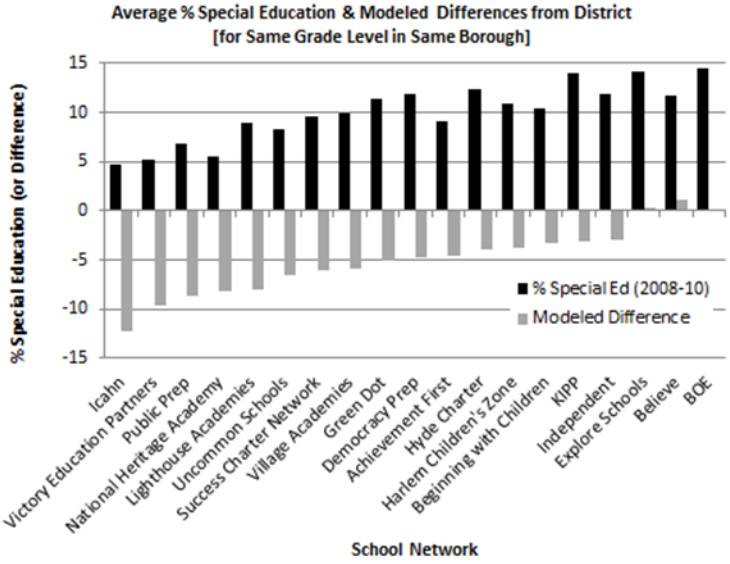

Figure 1. Special Education Enrollment in Charter Schools and District Schools, New York City

Figure 1 shows (a) in black, the average special education rates for district schools (all grades) and charter schools, sorted by management affiliation; and (b) in gray, regression-modeled differences in disability rates between charters and same-grade district schools in the same borough. There is certainly variation across charter school clusters. But nearly all serve fewer, and many far fewer, children with disabilities than same-grade-level, same-borough district schools.

Figure 2 shows a similar analysis for Houston schools, but where the city limits include schools in nine public school districts. The average for public districts is just

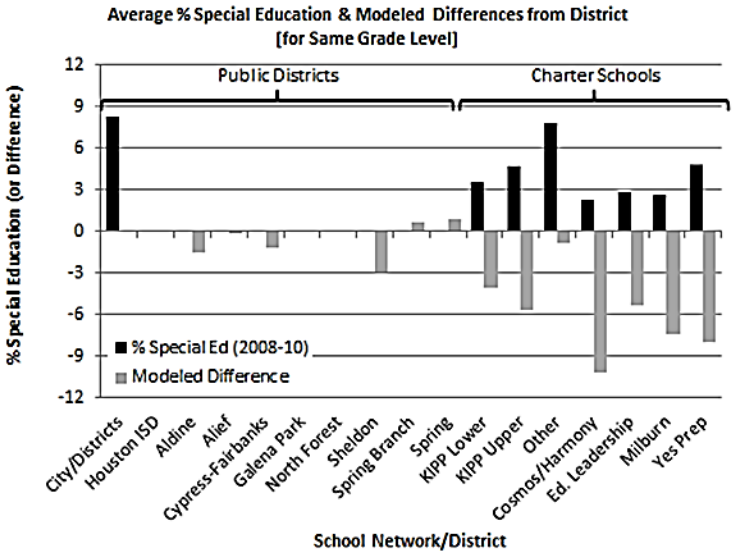

Figure 2. Special Education Enrollment in Public Districts and Charter Schools, Houston

under 9% and for most charter school clusters is well below that (black bars). Some districts have lower special education rates than Houston ISD (gray bars below 0 among public districts). Most charter groups (except the aggregate of "other") have substantially lower special education rates than same-grade-level district schools—with Harmony/Cosmos schools having few or no reported children with disabilities.

Disability Types: Looking at New Jersey and Philadelphia

Finally, perhaps the most substantial omission in the CRPE report is whether charter schools serve children with similar types of disabilities. That is, charter schools might serve similar aggregate shares of children with disabilities but might nonetheless serve primarily those with the least severe disabilities or with disabilities that do not limit participation in regular or advanced academic curriculum, such as speech impairment or health or physical disabilities. More severe disabilities present more substantial cost pressures, and more severe mental and behavioral disabilities require more substantial curricular and assessment modification. Data from New Jersey and Pennsylvania do in fact suggest that it is not uncommon for charter schools to serve primarily those children with the least severe disabilities. In New Jersey, charter schools overall[12] served about 1.7% of the student population. They served about 1.05% of children with disabilities, indicating a substantial under-representation. But that number looks much worse when we dig deeper. New Jersey's charter schools served only about 0.23% of children with disabilities other than speech language impairment or specific learning disability.[13] Table 2 presents the disability profile of New Jersey public districts versus New Jersey charter schools.

So in New Jersey, the special education students served by charters are overwhelmingly those with mild needs: specific learning disabilities (SLD) and, to a lesser extent, speech language impairment (SLI). They serve few or no students with autism, mental retardation or traumatic brain

Table 2. Number and Percent of Students Served in Different Disability Categories

Eligibility	Non-Charter	Charter	Non-Charter	Charter
Autism	9,765	6	5%	0%
Emotional	6,548	0	4%	0%
Hearing	385	0	0%	0%
Multiple	17,300	42	9%	3%
Mental Retardation	3,684	7	2%	1%
Other Health	30,216	103	17%	8%
Orthopedic	52	0	0%	0%
Specific LD	75,936	973	42%	71%
Speech/ Language	38,095	239	21%	17%
Traumatic Brain	133	0	0%	0%
Visual Impairment	12	0	0%	0%

Source: http://www.nj.gov/education/specialed/data/2011.htm#class

injury. In Philadelphia, distributions by disability classification are similar.[14] Charter schools served (2008-09) 16.2% of the student population and about 14.6% of the children with disabilities, but only about 6.3% of children with disabilities other than SLD or SLI.

These findings also call into question the spin that charter elementary schools might have lower rates of enrollment because they are more effective at avoiding classifying children on the margins (those with SLD). In fact, figures from New Jersey and Philadelphia suggest that those children at the margins are the **only** classifications present in significant numbers in charters in these locations. Certainly more investigation is warranted, but it is highly unlikely that charter elementary schools are successful at not classifying or at declassifying children with more severe disabilities—autistic children and those with mental retardation.

VII. Usefulness of the Report For Guidance of Policy & Practice

The report provides little or no basis for either questioning or endorsing state policy efforts to regulate charter enrollment practices. State policy contexts vary; charter school special education classification rates vary by state[15]; and, perhaps most importantly, special education classifications by disability type may vary substantially between charter and district schools. The report does provide incremental nuance over existing reports, including a handful of useful illustrations of the distributions of charter and district disability rates by grade level and city within New York State. (In fact, those illustrations reveal a missed opportunity for the report to explore the extent of district-imposed segregation of students by ability/disability across specialized schools.)

Yet the usefulness of the report's findings is severely limited by the scope of the report's analyses, which focus on charter schools largely concentrated in a single urban context—New York City—and on charter schools largely serving lower grades. It is also limited by several analytic choices, such as the decision to eliminate New York City's special education schools from the analysis while leaving in the district's selective schools and leaving in as well the outlier "special education schools" among the charters. But in the end the report's main findings, properly read, are consistent with earlier research: this set of charter schools—the vast majority in the sample observed—tend to systematically under-serve children with disabilities. Moreover, as noted above, past analyses of more detailed data show additional under-representation of children with more severe disabilities.

Appendix

Gotham Schools (Gittleson) 2009-10 Data by Grades Served

Grades	Unweighted Mean Difference from Same Grade Levels in District	Grades	Weighted Mean Difference from Same Grade Levels in District	# Schools	Enrollment
1 thru 8	-9.9%	1 thru 8	-9.9%	1	222
1 thru 4	-9.3%	1 thru 4	-9.3%	1	162
K-4,6-9	-8.5%	K-4,6-9	-8.5%	1	581
9 thru 10	-8.3%	9 thru 10	-8.3%	2	425
K-5	-8.0%	K-5	-7.9%	16	5,230
K-3	-7.8%	5 thru 6	-7.5%	2	236
K-7	-7.3%	K-8	-7.2%	9	4,192
K-8	-7.0%	K-3	-7.1%	3	645
K-6, 9-10	-6.5%	K-7	-6.5%	2	1,085
5 thru 6	-6.5%	K-6, 9-10	-6.5%	1	769
5 thru 11	-6.0%	5 thru 9	-6.4%	6	1,887
5 thru 9	-6.0%	5 thru 11	-6.0%	1	332
K-4	-5.9%	K-2	-5.9%	13	2,415
K-2	-5.5%	K-6	-5.5%	4	1,497
K-6	-5.2%	K-1	-4.8%	8	1,128
K-1	-4.9%	K-4	-4.6%	6	1,727
K-9	-3.9%	K-9	-3.9%	2	1,597
5 thru 7	-3.9%	5 thru 7	-3.9%	1	203
6 thru 9	-3.6%	6 thru 9	-3.6%	1	395
5 thru 12	-3.5%	5 thru 12	-3.4%	2	1,428
9	-2.8%	5 thru 8	-3.0%	2	500
5 thru 8	-2.3%	9	-2.8%	2	192
K-12	-2.0%	K-12	-2.0%	1	535
6 thru 7	-1.2%	6 thru 7	-1.2%	1	134
5	2.9%	5	2.6%	3	299
9 thru 12	4.2%	6	3.4%	3	256
6	4.8%	9 thru 12	4.1%	3	1,552
6 thru 12	35.4%	6 thru 12	35.4%	1*	398
Average	-4.8%	Average	-4.9%	98	30,022

*Opportunity Charter School focused on children with behavioral disabilities
Gittleson's data may be downloaded directly at the following link:
http://www.box.net/shared/static/v4fz4xchjk.xlsx

Authorizer	Difference from Same Grade Levels in District	Enrollment	Schools
SUNY Charter Schools Institute	-7.74%	11,924	37
DOE	-2.91%	16,036	54
SED	-3.68%	2,062	7
Total	-4.88%	30,022	98

Gittleson's data may be downloaded directly at the following link:
http://www.box.net/shared/static/v4fz4xchjk.xlsx

Notes and References

1 Lake, R., Gross, B., & Denice, P. (2012). *New York State Special Education Enrollment Analysis.* Seattle, WA: Center on Reinventing Public Education. Retrieved December 5, 2012, from http://www.crpe.org/publications/new-york-state-special-education-enrollment-analysis.

2 Cavanaugh, S. (2012). *Study: Charter Schools Perform Well in Serving Special Needs Students*. Retrieved December 5, 2012, from http://blogs.edweek.org/edweek/charterschoice/2012/11/study_charters_record_serving_special_needs_students_is_strong.html.

3 Note that while NYC DOE-authorized charter schools were closer to district schools in special education enrollments than were SUNY-authorized charters, NYC DOE charters still under-enrolled at a rate more than 3 times as great as they over enrolled, as shown in the report's Table 1 (p. 12).

4 U.S. Government Accountability Office (GAO) (2012, June).*Charter Schools: Additional Federal Attention Needed to Help Protect Access for Students with Disabilities*, Publication No. GAO-12-543. Washington, DC: Author.

5 See page 8 of U.S. Government Accountability Office (GAO) (2012, June).*Charter Schools: Additional Federal Attention Needed to Help Protect Access for Students with Disabilities*, Publication No. GAO-12-543. Washington, DC: Author.

6 See: Gittleson, K. (2010) Closing the Gap: Charter School Special Education Stats. *Gotham Schools*. Retrieved December 5, 2012, from http://gothamschools.org/2010/05/11/closing-the-gap-charter-school-special-education-stats/#more-38141.

7 Gittleson concluded generally as follows:

> Yet an examination of data provided to me by the city shows that while charters enroll fewer students with disabilities, the gap is not as large as initially reported by the state teachers union, known as NYSUT.

Gittleson also found variation by authorizer, noting:

> I also noticed that the 54 charter schools that are authorized by the DOE enroll, on average, 4 percent more students with IEPs than the 37 charters that are authorized by SUNY's Charter Schools Institute. (City-authorized charters have special education populations of around 14 percent, versus 10 percent for the SUNY schools.)

Retrieved December 5, 2012, from http://gothamschools.org/2010/05/11/closing-the-gap-charter-school-special-education-stats/#more-38141.

8 Baker, B.D., Libby, K., & Wiley, K. (2012). *Spending by the Major Charter Management Organizations: Comparing charter school and local public district financial resources in New York, Ohio, and Texas.* Boulder, CO: National Education Policy Center. Retrieved December 5, 2012, from http://nepc.colorado.edu/publication/spending-major-charter.

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9 For insights into state policy influences on district classification rates see:

Baker, B.D., Ramsey, M.J. (2010) What we don't know can't hurt us? Evaluating the equity consequences of the assumption of uniform distribution of needs in Census Based special education funding. *Journal of Education Finance 35* (3), 245-275 .

Baker, B.D., Ramsey, M.J., & Green, P.C. (2012) Financing equal educational opportunity for children with disabilities. In J.B. Crockett, B. Billingsley, & M.L. Boscardin (eds.), *Handbook of Leadership and Administration for Special Education*. New York: Routledge, 97-114.

10 Baker, B.D., Libby, K., & Wiley, K. (2012). *Spending by the Major Charter Management Organizations: Comparing charter school and local public district financial resources in New York, Ohio, and Texas*. Boulder, CO: National Education Policy Center. Retrieved December 5, 2012, from http://nepc.colorado.edu/publication/spending-major-charter.

11 Baker, B.D., Libby, K., & Wiley, K. (in press). *Charter School Expansion & Within District Equity: Confluence or Conflict?*

Our New York City data are reconciled, and in some cases rounded out with data from two additional sources. First, we obtained a comprehensive school site data set on New York City public schools from the Research Alliance for New York City Schools (http://www.steinhardt.nyu.edu/research_alliance), housed at New York University. The research alliance data are gathered from the same sources we use directly, including the NYC Department of Education, the NY State Department of Education and National Center for Education Statistics. The Research Alliance data also included additional identifiers for consistent merging of data elements across data sources. We also consulted data gathered by Gotham Schools to reconcile special education population counts and enrollment shares for New York City Charter schools. Those data are explained here: http://gothamschools.org/2010/05/11/closing-the-gap-charter-school-special-education-stats/#more-38141 and the data themselves are provided here: http://www.box.net/shared/static/v4fz4xchjk.xlsx.

Our Texas data are from the Texas Education Agency, Academic Excellence Indicator System: http://ritter.tea.state.tx.us/perfreport/aeis/2011/DownloadData.html

12 Data source: http://www.nj.gov/education/specialed/data/ADR/2010/EligibilitybyPlacement/PlacementByElig6-21.xls (Oct 15, 2010 enrollments).

13 See: Baker, B.D. (2012). Parsing Charter School Disability Enrollments in New Jersey and Pennsylvania (blog post). *School Finance 101*. Retrieved December 5, 2012, from http://schoolfinance101.wordpress.com/2012/08/23/parsing-charter-school-disability-enrollments-in-pa-and-nj/.

14 See: Baker, B.D. (2012). Parsing Charter School Disability Enrollments in New Jersey and Pennsylvania (blog post). *School Finance 101*. Retrieved December 5, 2012, from http://schoolfinance101.wordpress.com/2012/08/23/parsing-charter-school-disability-enrollments-in-pa-and-nj/.

15 U.S. Government Accountability Office (GAO) (2012, June).*Charter Schools: Additional Federal Attention Needed to Help Protect Access for Students with Disabilities*, Publication No. GAO-12-543. Washington, DC: Author.

DOCUMENT REVIEWED:	**New York State Special Education Enrollment Analysis**
AUTHORS:	Robin Lake, Bethany Gross, and Patrick Denice
PUBLISHER/THINK TANK:	Center on Reinventing Public Education
DOCUMENT RELEASE DATE:	November 2012
REVIEW DATE:	December 6, 2012
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SUGGESTED CITATION:

Baker, B.D. (2012). *Review of "New York State Special Education Enrollment Analysis."* Boulder, CO: National Education Policy Center. Retrieved [date] from http://nepc.colorado.edu/thinktank/review-ny-special-ed.