

# The National Center for Special Education in Charter Schools Equity Coalition Statement on School Discipline

## Charters Schools are Able to Create Inclusive, Positive Environments to Provide ALL Students a Quality Education

June 13, 2016

The public charter school sector has demonstrated great potential to create safe, caring and orderly schools that have good reason to be proud of the academic growth of their students. However, some charter schools are criticized for their student discipline practices — including suspension, expulsion, and other actions resulting in the removal of students from the classroom — that disproportionately exclude and impact students with disabilities.

Exclusion of students with disabilities, in particular those with emotional or behavioral disabilities, does not foster a positive school climate, nor does it help create the opportunity for a high quality education. Sacrificing the educational welfare of some children to achieve the academic progress of others is the wrong paradigm: the academic success of *all* children should be our priority.

This is a solvable problem. Effective instruction includes effective behavior management that should significantly reduce the need to introduce disciplinary actions. We know that this is being accomplished daily in high performing charter schools that accommodate student differences while supporting optimal learning. Their example should encourage all charter schools—indeed, all public schools—to explore how best to serve students with a broad range of social-emotional needs.

We do not suggest a return to “one-size-fits-all education.” We recognize that the choice to enroll in a charter school comes with a reasonable expectation that a student will benefit from a school’s particular pedagogy and focus. However, recognizing that all students are not the same, careful planning, transparency, and flexibility are required to ensure that those with learning or emotional disabilities are fully supported through the effective development and implementation of the Individualized Education Program.

Public schools exist to give every young person in our country an equal opportunity for a productive and independent future. And, in alignment with federal civil rights statutes, they must follow requirements related to ensuring access and due process for students with disabilities. These legal obligations are the same for both traditional and public charter schools and should be stated clearly in charter school contracts.

In particular, all schools should commit to:

- Treating every child with dignity and respect.
- Providing a safe and supportive learning environment.
- Providing training to ensure that staff are:
  - Knowledgeable about how a student’s disability may affect self-regulation, and the use of appropriate interventions.
  - Aware of cultural diversity and its impact on learning needs, communication, and behavior.
  - Competent to provide meaningful educational experiences regardless of race, ethnicity, disability and culture.

- Being trauma sensitive so that students can build trusting relationships with nurturing adults; and use instructional strategies based on the science of trauma, so that challenging behaviors can become opportunities for learning.
- Using positive behavior supports or other evidence-based approaches designed to improve the learning experience and reduce the need for suspensions, expulsions, referrals to law enforcement, retention, and other actions that negatively impact student growth and learning.

Given important autonomies, public charter schools have the opportunity to create effective, inclusive learning environments and to be exemplars of educational equity, quality and innovation. We collectively challenge the sector to realize its full potential in benefiting ALL students and to implement effective positive and equitable disciplinary practices that are essential to assuring student success.

Sincerely,

Black Alliance for Educational Options  
 CAST  
 Children's Law Center (DC)  
 Council for Exceptional Children  
 Council of Parent Attorneys and Advocates  
 DC Public Charter School Board  
 Educational Support Systems  
 Goodwill Education Initiatives  
 Green Dot Public Schools  
 Hebrew Public Charter Schools for Global Citizens  
 Kent Intermediate School District, Michigan  
 Kutz & Bethke LLC  
 Loyola University of New Orleans College of Law  
 National Alliance for Public Charter Schools  
 National Association of Charter School Authorizers  
 National Association of State Directors of Special Education  
 National Center for Learning Disabilities  
 National Center for Special Education in Charter Schools  
 NYC Special Education Collaborative  
 The Advocacy Institute

The Equity Coalition's mission is to form a collaborative community of diverse representatives from the charter school and special education communities, and other stakeholders to identify common ground and take collective action. We recognize progress and strong outcomes while informing efforts for continued improvement of access and equity for students with disabilities in the charter sector.



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