



# Characteristics of Students with Disabilities Enrolled in Charter Schools

OCTOBER 8, 2024

Like any group of students, no two students with disabilities are the same. In addition to varying by gender, race, ethnicity, and life experiences, the label “students with disabilities” covers a wide variety of learning disabilities, speech and language impairments, and other identities.

**EACH OF THESE GROUPS** can require services that vary widely in cost and scope. If students with disabilities as a whole are treated equitably, every student should find equal access to opportunity both in charter schools and traditional public schools.

In this second of six briefs analyzing data from the U.S. Civil Rights Data Collection (CRDC), covering the 2020–21 school year, we explore enrollment of students with disabilities by race, gender, English proficiency, and primary disability to gain a fuller picture of educational equity. We recognize that such categories can, at times, conceal as many differences as they reveal. However, we believe that attention to differences in access by student groups opens a broader conversation about ensuring equity for all students, regardless of their individual circumstances.

In this brief, covering the 2020–21 school year, we explore enrollment of students with disabilities by race, gender, English proficiency, and primary disability to gain a fuller picture of educational equity.



**The Center for Learner Equity** (CLE) is committed to catalyzing student success and eradicating the complex, pervasive, and systematic barriers that prevent students with disabilities from accessing quality educational opportunities and choices, robust support, and inclusive environments. We accomplish this through research, advocacy, coalition formation, and capacity building with national, state, and local partners.

The Civil Rights Data Collection (CRDC), maintained and released biennially by the U.S. Department of Education's Office for Civil Rights (OCR) since 1968, publishes data on leading indicators related to access and barriers to education opportunities from early childhood through grade 12. With each biennial release, CLE analyzes similarities and differences in student populations and student experiences in public charter schools and traditional public schools for students with disabilities. Understanding these national-level data supports success for students with disabilities without regard to educational setting and placement.

The findings shared in this brief are based on data reported in the 2020–2021 CRDC, collected from 97,575 schools. This report uses a data-cleaning methodology that selected a sample of these schools. For more information about the methodology used in these briefs, including a data file and accompanying instructions, [see our methodology brief here](#).

Students with disabilities receive services under the Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973, and both or neither of those laws. Unless otherwise noted, statistics in this brief refer to students eligible to receive services under IDEA.

## Key Takeaways

- ✓ On average, traditional public schools and charter schools — regardless of charter LEA status — enrolled similarly diverse compositions of students with disabilities by disability type, with slight variations.
- ✓ In 2021, charter schools educated a higher proportion of students with specific learning disabilities (39%) and speech and language impairments (18%) than traditional public schools (35% and 17%, respectively).
- ✓ Charter schools that were their own LEAs enrolled students with more varied disabilities than charter schools that operated as part of an LEA.
- ✓ In keeping with similar trends among all students in charter schools, Black (27.6%) and Latine students with disabilities (33.0%) comprise a higher percentage of students with disabilities in charter schools overall when compared to the same categories in traditional public schools, where 16.8% of students are Black, and 27.1% are Latine. CRDC data shows a similar trend among populations of multilingual learners.



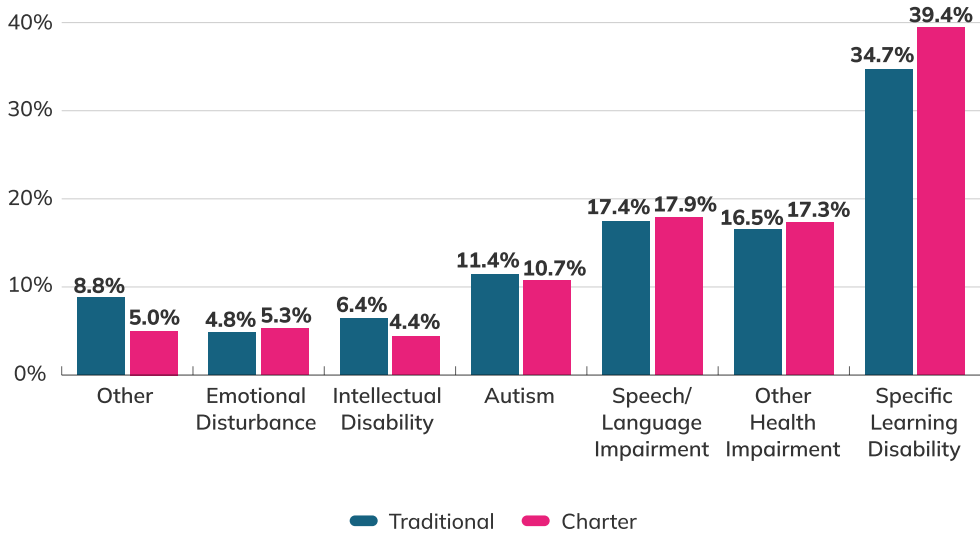


## Key Questions for Policymakers and Researchers

- 1 A larger proportion of charter school students with disabilities are classified as having specific learning disabilities — such as dyslexia — than is the case for traditional public school students with disabilities. What might be leading families of these students to choose charter schools?
- 2 How does operating as part of an LEA influence decision-making regarding which students enroll in charter schools?
  - What organizational features may allow charter schools that operate as their own LEAs to enroll students with more varied disabilities?
  - How can charters operating as part of an LEA ensure their student bodies contain a diverse group of students with disabilities?
- 3 A greater proportion of students with disabilities are multilingual learners in the 2021 data set across both charters and traditional public schools than in the same data set in 2018. What accounts for this growth?

# 1. Enrollment by Primary Disability

Figure 1. Percentage of Enrolled Students by Primary Disability Category (2021)



Source: U.S. Department of Education, Office for Civil Rights, 2020–21 Civil Rights Data Collection, released November 2023, available at <https://civilrightsdata.ed.gov>. “Other” aggregates counts of student groups that each contain less than two percent of the total.

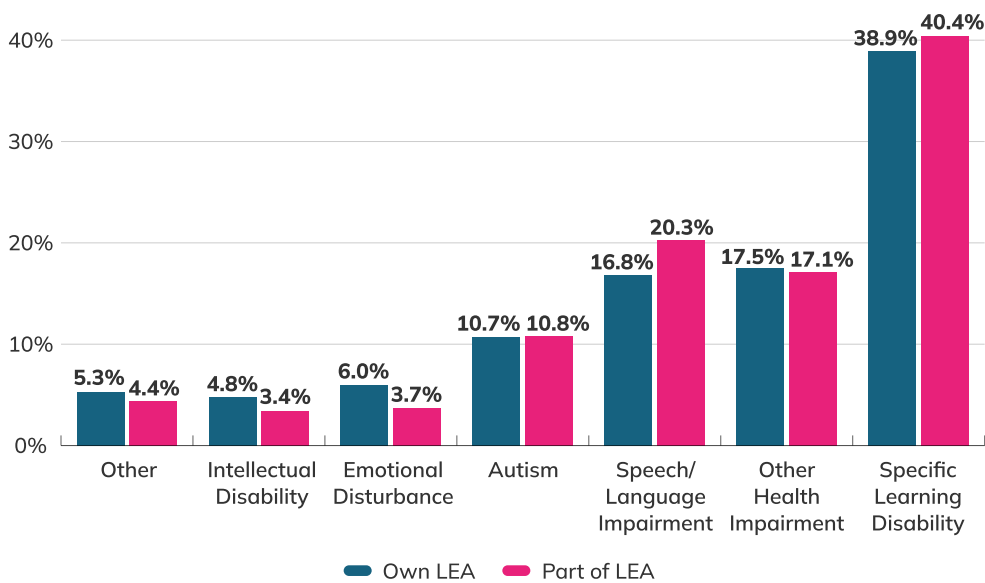
- A larger proportion of charter school students with disabilities were identified as having specific learning disabilities (39.4%) and speech and language impairments (17.9%) compared to traditional public schools (34.7% and 17.4%). Under IDEA, “specific learning disabilities” refers to conditions that manifest in an imperfect ability to listen, think, speak, write, spell, or do mathematical calculations, including dyslexia, brain injury, and perceptual disabilities.
- A similar proportion of both traditional public school and charter school students with disabilities were identified as having other health impairments (16.5% and 17.3%), autism (11.4 and 10.7%), and emotional disturbance (4.8% and 5.3%) when compared with traditional public schools.
- A higher proportion of traditional public school students with disabilities were identified as having intellectual disabilities (6.4%) and disabilities in the “other” category (8.8%) than charter schools (4.4% and 5.0%). In the CRDC, “other” aggregates counts of student groups containing less than 2% of the total, including students with disabilities identified with deaf/blindness, visual impairments, orthopedic impairments, traumatic brain injuries, hearing impairments, multiple disabilities, developmental delays, and missing identifications.

## 2. Enrollment by Primary Disability and Charter LEA Status

Based on state charter school laws, charters can operate as their own LEA or as part of an LEA for special education purposes. In 2021, CRDC data shows that the charter sector had more schools that operated as their own LEA (59.2%) than schools that were part of an LEA (40.8%). As described in Brief 1, charters operating as their own LEA are typically solely responsible for providing the full continuum of placements for students with disabilities and the entirety of service provision for those students. In contrast, charters that are part of an LEA may rely on other schools in their LEA for placement or service provisions.

Enrollment differences between primary disability categories also were observed across these two LEA statuses.

Figure 2. Percentage of Enrolled Students by Primary Disability and Charter LEA Status (2021)



Source: U.S. Department of Education, Office for Civil Rights, 2020–21 Civil Rights Data Collection, released November 2023, available at <https://civilrightsdata.ed.gov>.

- ✓ A higher proportion of students with disabilities in charter schools that were their own LEA were identified as having intellectual disabilities (4.8%) and emotional disturbances (6.0%) than in charter schools that were part of an LEA (3.4% and 3.7%, respectively).
- ✓ A higher proportion of students with disabilities in charter schools that operated as part of an LEA were reported as having speech or language disabilities (20.3%) and specific learning disabilities (40.4%) when compared to charter schools that are their own LEA (16.8% and 38.9% respectively).



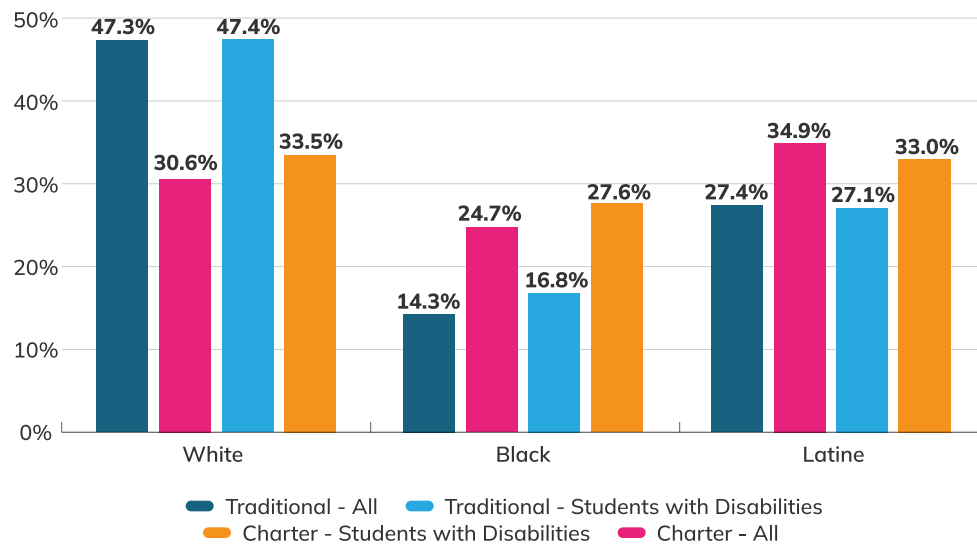


### 3. Enrollment by Race/Ethnicity

Achieving an appropriate balance of students by race and ethnicity identified for special education services requires weighing two separate aims. First, identifying students of color for special education services can support student needs that have historically been ignored in public education. However, the over-representation of students of color in special education relative to their general education peers can systematically limit students' access to general education coursework or serve to perpetuate forms of segregation.

- ✓ Black students comprise 27.6% of students with disabilities in charters and 16.8% of students with disabilities in traditional public schools. Latine students (what the CRDC calls "Hispanic and Latino students of any race") comprise 33% of students with disabilities in charters and 27.1% of students with disabilities in traditional public schools.

Figure 3. Proportion of Students with Disabilities by Race by Student Group and by Sector (2021)

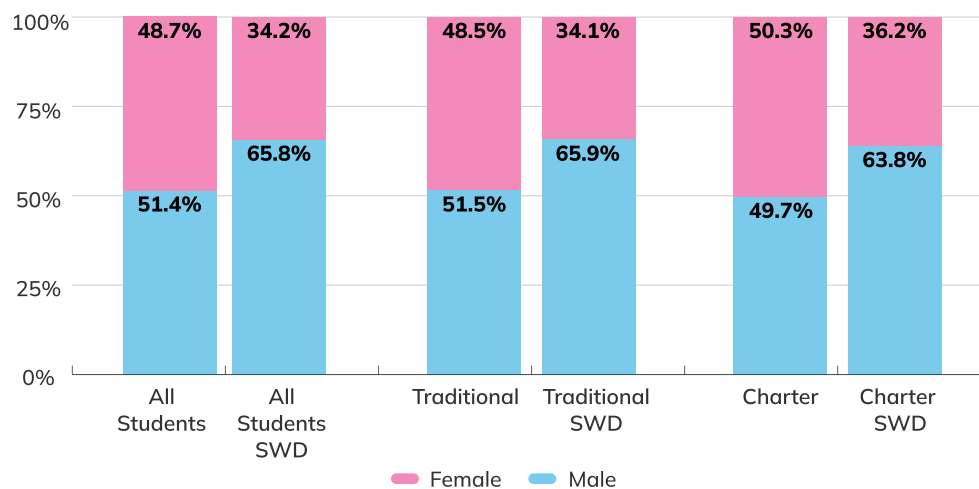


Source: U.S. Department of Education, Office for Civil Rights, 2020–21 Civil Rights Data Collection, released November 2023, available at <https://civilrightsdata.ed.gov>.

## 4. Enrollment of Students with Disabilities by Gender

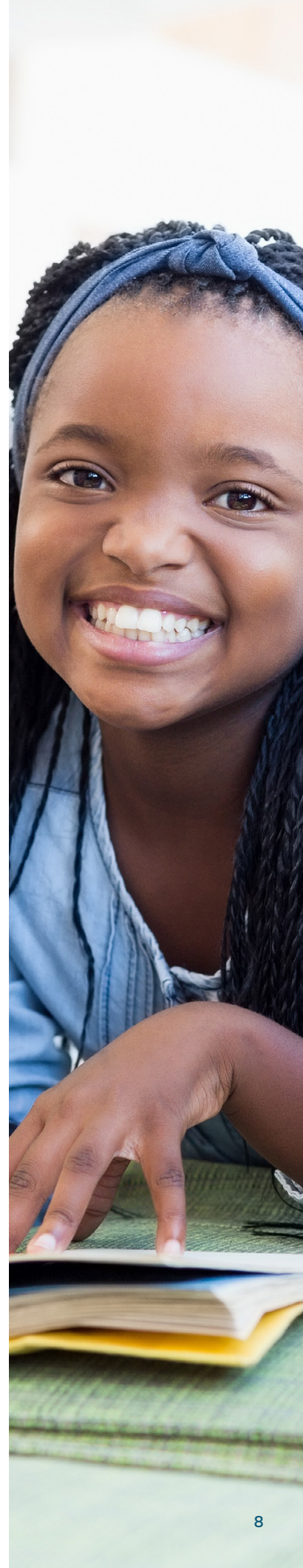
Historically, male students have been identified for special education services at a far higher rate than female students, in both traditional and charter public schools. In 2021, this trend held: Among all public school students with disabilities, a significantly higher proportion of students were identified as male (65.8%) than as female (34.2%), a gender difference of 31.6%.

Figure 4. Proportion of Students with Disabilities by Gender, Student Group, and Sector (2021)



Source: U.S. Department of Education, Office for Civil Rights, 2020–21 Civil Rights Data Collection, released November 2023, available at <https://civilrightsdata.ed.gov>.

- ✓ Among charter schools, 63.8% of students with disabilities were identified as male, and 36.2% were identified as female, a difference of 27.6%.
- ✓ Among traditional public schools, 65.9% of students with disabilities were identified as male, and 34.1% were identified as female, a gender difference of 31.8%.
- ✓ On the gender ratios of students with disabilities, these comparisons suggest differences between charters and traditional public schools are minimal.
- ✓ While the CRDC will begin collecting data on non-binary students in the 2023-24 data collection, the 2020–21 dataset only allowed for coding of students as “male” or “female,” according to the data documentation available from the Office for Civil Rights. We regret being unable to provide a more complete picture of students’ lived experiences and look forward to the revised data collection procedure used in the next release.

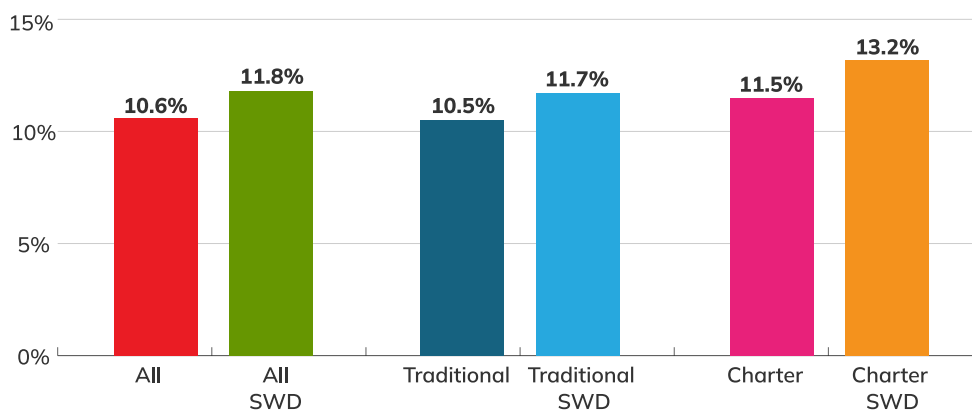




## 5. Enrollment by English Proficiency

Students with disabilities who are also multilingual learners (i.e., what the CRDC calls “students with limited English proficiency”) face additional challenges learning in school and succeeding in postsecondary education. However, the over-representation of multilingual learners (MLLs) as students with disabilities can narrow the scope of language instruction and prevent the use of the most appropriate language acquisition strategies.<sup>1</sup> Examining data trends regarding students with disabilities in this category can help identify and mitigate these issues.

Figure 5. Proportion of MLL Students with Disabilities by School Sector (2021)



Source: U.S. Department of Education, Office for Civil Rights, 2020–21 Civil Rights Data Collection, released November 2023, available at <https://civilrightsdata.ed.gov>.

- ✓ In 2021, 10.6% of all public school students were multilingual learners, and 11.8% of students with disabilities were multilingual learners, a difference of 1.2%. This difference was 0.7% in 2018.
- ✓ Among all charter school students, 11.5% were multilingual learners. However, among all charter school students with disabilities, 13.2% were multilingual learners, a difference of 1.7%. This difference was 1.5% in 2018.
- ✓ Among all traditional public school students, 10.5% were multilingual learners. However, among all traditional public school students with disabilities, 11.7% were multilingual learners, a difference of 1.2%. This difference was 0.8% in 2018.
- ✓ In the 2020–21 CRDC data, 17.9% of schools reported no multilingual learners, and 35.3% of schools reported no multilingual learners who were students with disabilities. There were no apparent discrepancies in either reporting pattern between traditional public schools and charter schools. However, the relatively high rate of non-reporting in the data set suggests the need for caution in interpreting and drawing conclusions from this data.

<sup>1</sup> Ortogero, S. P., & Ray, A. B. (2021). [Overrepresentation of English Learners in Special Education Amid the COVID-19 Pandemic](#). *Educational Media International*, 58(2), 161–180.

# Appendix

Table 1. State-Level Differentials in Characteristics Among Students with Disabilities by Race and by Sector<sup>2</sup>

| State                   | Traditional —<br>% of All Students<br>Who Are Students<br>of Color | Traditional —<br>% of Students with<br>Disabilities Who Are<br>Students of Color | Charter —<br>% of All Students<br>Who Are Students of<br>Color | Charter —<br>% of Students with<br>Disabilities Who Are<br>Students of Color |
|-------------------------|--------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------|
| Alabama                 | 44.50%                                                             | 41.90%                                                                           | 82.20%                                                         | 80.40%                                                                       |
| Alaska                  | 54.60%                                                             | 59.00%                                                                           | 31.60%                                                         | 40.80%                                                                       |
| Arizona                 | 64.60%                                                             | 64.40%                                                                           | 59.00%                                                         | 57.60%                                                                       |
| Arkansas                | 39.50%                                                             | 39.90%                                                                           | 49.30%                                                         | 48.00%                                                                       |
| California              | 78.80%                                                             | 79.10%                                                                           | 72.90%                                                         | 73.20%                                                                       |
| Colorado                | 47.40%                                                             | 51.30%                                                                           | 48.90%                                                         | 56.60%                                                                       |
| Connecticut             | 49.50%                                                             | 54.20%                                                                           | 93.60%                                                         | 92.00%                                                                       |
| Delaware                | 57.50%                                                             | 59.60%                                                                           | 60.50%                                                         | 68.50%                                                                       |
| District of<br>Columbia | 83.40%                                                             | 93.30%                                                                           | 91.60%                                                         | 96.20%                                                                       |
| Florida                 | 62.60%                                                             | 63.30%                                                                           | 70.10%                                                         | 66.00%                                                                       |
| Georgia                 | 62.00%                                                             | 61.50%                                                                           | 68.00%                                                         | 65.10%                                                                       |
| Hawaii                  | 87.90%                                                             | 86.30%                                                                           | 71.00%                                                         | 78.60%                                                                       |
| Idaho                   | 25.90%                                                             | 29.00%                                                                           | 22.30%                                                         | 23.10%                                                                       |
| Illinois                | 51.80%                                                             | 53.60%                                                                           | 96.90%                                                         | 97.20%                                                                       |
| Indiana                 | 32.70%                                                             | 30.10%                                                                           | 65.10%                                                         | 53.80%                                                                       |
| Iowa                    | 26.20%                                                             | 29.80%                                                                           | 33.30%                                                         | *                                                                            |
| Kansas                  | 37.00%                                                             | 36.40%                                                                           | 28.90%                                                         | 25.90%                                                                       |
| Kentucky                | 25.30%                                                             | 22.80%                                                                           | NA                                                             | NA                                                                           |
| Louisiana               | 52.90%                                                             | 54.00%                                                                           | 80.40%                                                         | 82.40%                                                                       |
| Maine                   | 12.30%                                                             | 11.90%                                                                           | 8.20%                                                          | 6.00%                                                                        |
| Maryland                | 65.00%                                                             | 66.70%                                                                           | 88.60%                                                         | 90.00%                                                                       |
| Massachusetts           | 41.80%                                                             | 43.40%                                                                           | 75.10%                                                         | 74.10%                                                                       |
| Michigan                | 29.00%                                                             | 30.60%                                                                           | 67.30%                                                         | 63.90%                                                                       |
| Minnesota               | 33.80%                                                             | 37.20%                                                                           | 63.10%                                                         | 51.90%                                                                       |
| Mississippi             | 56.60%                                                             | 55.10%                                                                           | 98.70%                                                         | 100.00%                                                                      |
| Missouri                | 28.40%                                                             | 29.10%                                                                           | 85.80%                                                         | 85.30%                                                                       |
| Montana                 | 22.50%                                                             | 24.80%                                                                           | NA                                                             | NA                                                                           |
| Nebraska                | 35.10%                                                             | 37.40%                                                                           | NA                                                             | NA                                                                           |

[Continues on the next page](#)

<sup>2</sup> Seven states, shown as “NA”, did not have operational charter schools in the 2020–21 CRDC. Values referring to between 1 and 10 students are shown as “\*” to limit student identifiability; for more information, please review the technical brief.

| State          | Traditional —<br>% of All Students<br>Who Are Students<br>of Color | Traditional —<br>% of Students with<br>Disabilities Who Are<br>Students of Color | Charter —<br>% of All Students<br>Who Are Students of<br>Color | Charter —<br>% of Students with<br>Disabilities Who Are<br>Students of Color |
|----------------|--------------------------------------------------------------------|----------------------------------------------------------------------------------|----------------------------------------------------------------|------------------------------------------------------------------------------|
| Nevada         | 70.70%                                                             | 69.60%                                                                           | 65.70%                                                         | 62.20%                                                                       |
| New Hampshire  | 16.30%                                                             | 15.70%                                                                           | 21.90%                                                         | 12.30%                                                                       |
| New Jersey     | 57.00%                                                             | 53.50%                                                                           | 93.00%                                                         | 92.20%                                                                       |
| New Mexico     | 79.60%                                                             | 80.10%                                                                           | 72.20%                                                         | 73.60%                                                                       |
| New York       | 55.40%                                                             | 61.50%                                                                           | 94.50%                                                         | 95.40%                                                                       |
| North Carolina | 54.80%                                                             | 57.30%                                                                           | 49.20%                                                         | 49.00%                                                                       |
| North Dakota   | 25.20%                                                             | 32.30%                                                                           | NA                                                             | NA                                                                           |
| Ohio           | 29.50%                                                             | 32.10%                                                                           | 63.40%                                                         | 57.70%                                                                       |
| Oklahoma       | 52.60%                                                             | 52.50%                                                                           | 54.40%                                                         | 51.10%                                                                       |
| Oregon         | 41.30%                                                             | 41.60%                                                                           | 25.20%                                                         | 26.80%                                                                       |
| Pennsylvania   | 33.90%                                                             | 35.00%                                                                           | 64.60%                                                         | 64.20%                                                                       |
| Rhode Island   | 43.00%                                                             | 44.70%                                                                           | 79.10%                                                         | 74.00%                                                                       |
| South Carolina | 51.50%                                                             | 55.20%                                                                           | 40.80%                                                         | 42.20%                                                                       |
| South Dakota   | 27.60%                                                             | 32.00%                                                                           | NA                                                             | NA                                                                           |
| Tennessee      | 37.30%                                                             | 33.40%                                                                           | 91.70%                                                         | 89.30%                                                                       |
| Texas          | 72.20%                                                             | 71.90%                                                                           | 87.90%                                                         | 86.00%                                                                       |
| Utah           | 25.70%                                                             | 30.00%                                                                           | 31.60%                                                         | 27.50%                                                                       |
| Vermont        | 11.40%                                                             | 11.20%                                                                           | NA                                                             | NA                                                                           |
| Virginia       | 53.60%                                                             | 52.50%                                                                           | 50.70%                                                         | 44.10%                                                                       |
| Washington     | 49.20%                                                             | 48.90%                                                                           | 59.00%                                                         | 55.20%                                                                       |
| West Virginia  | 10.70%                                                             | 10.30%                                                                           | NA                                                             | NA                                                                           |
| Wisconsin      | 30.70%                                                             | 37.80%                                                                           | 49.50%                                                         | 52.90%                                                                       |
| Wyoming        | 23.40%                                                             | 26.30%                                                                           | 37.70%                                                         | 35.50%                                                                       |





## About the Center for Learner Equity (CLE)

CLE is a nonprofit organization dedicated to ensuring that students with disabilities have equitable access to high-quality public education. CLE provides research, policy analysis, coalition building, and technical assistance to a variety of stakeholders nationwide.

## Mission

We are committed to catalyzing student success and eradicating the complex, pervasive, and systematic barriers that prevent students with disabilities from accessing school choice, educational opportunities, quality support, and inclusive environments.

## Vision

All students with disabilities are respected, learning, and thriving.

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