FCMAT

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM

Special Education Review

June 17, 2024

Palisades Charter High School

Michael H. Fine
Chief Executive Officer

FCMAT FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM

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Pamela Magee, Ed.D., Executive Director/Principal
Palisades Charter High School
15777 Bowdoin St.
Pacific Palisades, CA 90272

Dear Executive Director/Principal Magee:

In February 2024, the Palisades Charter High School and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for FCMAT to conduct a review of the school's special education program. The agreement stated that FCMAT would perform the following:

1. Review the charter school's implementation of student success teams, response to instruction and intervention, and multitiered system of supports, and make recommendations for improvement, if any.
2. Analyze special education teacher staffing ratios, class sizes and caseloads using statutory requirements for mandated services and statewide guidelines, and make recommendations for improvement, if any.
3. Review the efficiency of staffing allocations of special education paraeducators, per Education Code requirements and/or industry standards, and make recommendations for improvement, if any. Review the procedures for identifying the need for paraeducators, including considerations related to the least restrictive environment and the process for monitoring the assignment of paraeducators and determining the need for continued support from year to year (including classroom and 1-to-1 paraeducators).
4. Analyze staffing and caseloads for related service providers, including but not limited to speech pathologists, psychologists, occupational/physical therapists, behavior specialists, adaptive physical education teachers and other staff who may be related service providers, and make recommendations for improvement, if any.
5. Determine whether the charter school overidentifies students for special education services compared to the statewide and countywide averages, and make recommendations for reducing overidentification, if needed.
6. Analyze whether the charter school provides a continuum of special education and related services for students in preschool through age 22, including their placement in the least restrictive environments, and make recommendations for improvement (which may include instructional models), if any.
7. Review the Special Education Department's organizational structure and staffing within the charter school's central office to determine whether its administration, clerical and administrative support, program specialists, teachers on special assignment and overall

function are aligned with those of school districts of comparable size and structure, and make recommendations for greater efficiencies, if any.

8. Review the costs of due processes, mediations and settlements for the past three years and make recommendations for improvements, if any.

9. Review the charter school's professional development/training program as it relates to special education, and make recommendations for improvement, if any.

10. Review the charter school's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.

11. The Team will present the final report to the charter school's board of trustees in a public meeting following the completion of the review.

This final report contains the study team's findings and recommendations.

FCMAT appreciates the opportunity to serve the Palisades Charter High School and extends thanks to all the staff for their assistance during fieldwork.

Sincerely,

Michael H. Fine
Chief Executive Officer

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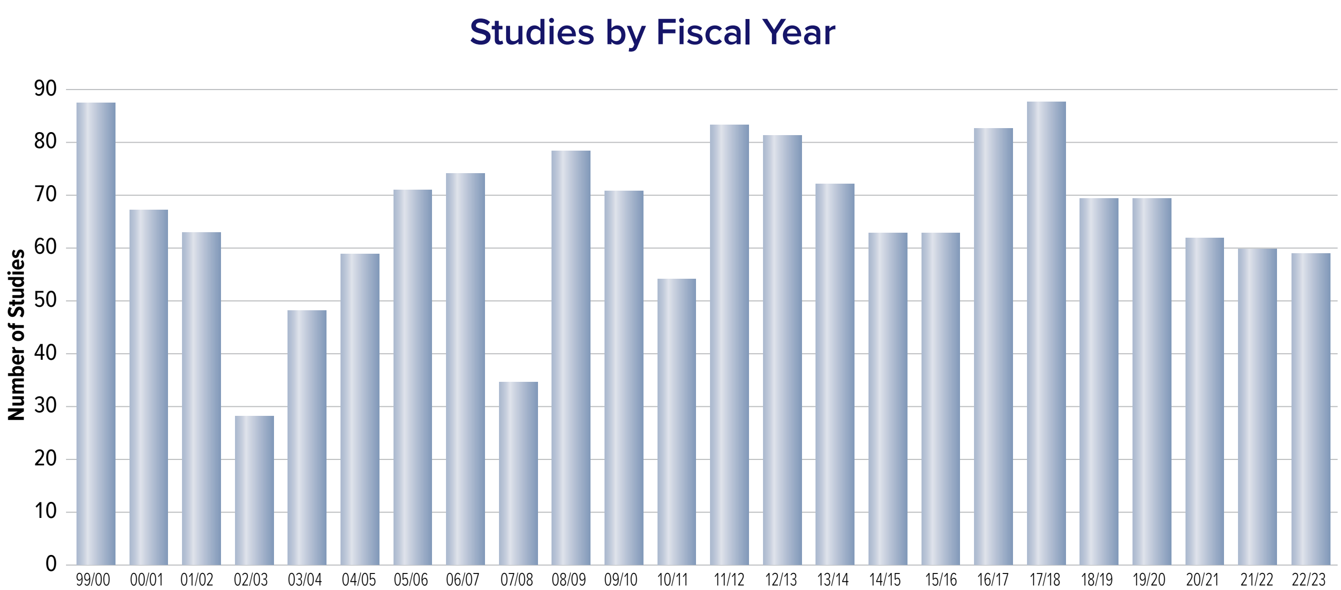
About FCMAT

FCMAT's primary mission is to assist California's local TK-14 educational agencies to identify, prevent, and resolve financial, human resources and data management challenges. FCMAT provides fiscal and data management assistance, professional development training, product development and other related school business and data services. FCMAT's fiscal and management assistance services are used not just to help avert fiscal crisis, but to promote sound financial practices, support the training and development of chief business officials and help to create efficient organizational operations. FCMAT's data management services are used to help local educational agencies (LEAs) meet state reporting responsibilities, improve data quality, and inform instructional program decisions.

FCMAT may be requested to provide fiscal crisis or management assistance by a school district, charter school, community college, county office of education, the state superintendent of public instruction, or the Legislature.

When a request or assignment is received, FCMAT assembles a study team that works closely with the LEA to define the scope of work, conduct on-site fieldwork and provide a written report with findings and recommendations to help resolve issues, overcome challenges and plan for the future.



FCMAT has continued to make adjustments in the types of support provided based on the changing dynamics of TK-14 LEAs and the implementation of major educational reforms. FCMAT also develops and provides numerous publications, software tools, workshops and professional learning opportunities to help LEAs operate more effectively and fulfill their fiscal oversight and data management responsibilities. The California School Information Services (CSIS) division of FCMAT assists the California Department of Education with the implementation of the California Longitudinal Pupil Achievement Data System (CALPADS). CSIS also hosts and maintains the Ed-Data website (www.ed-data.org) and provides technical expertise to the Ed-Data partnership: the California Department of Education, EdSource and FCMAT.

FCMAT was created by Assembly Bill (AB) 1200 in 1991 to assist LEAs to meet and sustain their financial obligations. AB 107 in 1997 charged FCMAT with responsibility for CSIS and its statewide data management work. AB 1115 in 1999 codified CSIS' mission.

AB 1200 is also a statewide plan for county offices of education and school districts to work together locally to improve fiscal procedures and accountability standards. AB 2756 (2004) provides specific responsibilities to FCMAT with regard to districts that have received emergency state loans.

In January 2006, Senate Bill 430 (charter schools) and AB 1366 (community colleges) became law and expanded FCMAT's services to those types of LEAs.

On September 17, 2018 AB 1840 was signed into law. This legislation changed how fiscally insolvent districts are administered once an emergency appropriation has been made, shifting the former state-centric system to be more consistent with the principles of local control, and providing new responsibilities to FCMAT associated with the process.

Since 1992, FCMAT has been engaged to perform more than 1,400 reviews for LEAs, including school districts, county offices of education, charter schools and community colleges. The Kern County Superintendent of Schools is the administrative agent for FCMAT. The team is led by Michael H. Fine, Chief Executive Officer, with funding derived through appropriations in the state budget and a modest fee schedule for charges to requesting agencies.

Introduction

Background

Located in Los Angeles County, Palisades Charter High School is an independent charter school serving students from throughout the Los Angeles area. According to DataQuest, the charter school enrolled a total of 2,959 students in grades 9-12 during the 2022-23 academic year. It is a member of the Los Angeles Unified School District Special Education Local Plan Area (SELPA), which is a regional service delivery model for special education. In 2022-23, 8.35% of the school's grade 9-12 students were identified as requiring special education, which is much lower than the statewide grade 9-12 charter school average of 13.20%.

In February 2024, the charter school and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for FCMAT to conduct a review of the school's special education program.

Study and Report Guidelines

FCMAT visited the school on April 23 and 24, 2024 to interview administrators, special education teachers, related service providers, and special education instructional assistants. Following fieldwork, FCMAT reviewed and analyzed data and documents. This report is the result of those activities.

FCMAT's reports focus on systems and processes that may need improvement. Those that may be functioning well are generally not commented on in FCMAT's reports. In writing its reports, FCMAT uses the Associated Press Stylebook, a comprehensive guide to usage and accepted style that emphasizes conciseness and clarity. In addition, this guide emphasizes plain language, discourages the use of jargon and capitalizes relatively few terms.

Study Team

The study team was composed of the following members:

Carolynne Beno, Ed.D., CFE
FCMAT Intervention Specialist

Colleen Patterson, MBA, CMA
FCMAT Consultant

John Lotze
FCMAT Technical Writer

Those members of this study team who are otherwise employed by a local educational agency (LEA) were not representing their respective employers but were working solely as independent contractors for FCMAT.

All team members reviewed the draft report to confirm accuracy and achieve consensus on the final recommendations.

Executive Summary

Continuum of Services

The school has a full continuum of special education options and services, enabling it to offer students a free appropriate public education (FAPE). It met all three targets that measure least restrictive environment (LRE) on its most recent local level annual performance report, which is commendable.

To support the inclusion of students with disabilities, the school offers a collaborative teaching program in which a general education teacher and a special education teacher are paired and co-teach in a general education setting. This is an industry-standard best practice and improves students with disabilities' access to their typically developing peers and rigorous instruction given by a general education teacher using the general education curriculum. The school could strengthen its collaborative teaching program by providing training for general education and special education teachers in at least the different co-teaching models, how to co-plan and co-teach, and how to differentiate instruction and plan for the needs of all learners. In addition, training addressing how to build the school's master schedule to support collaborative teaching should be prioritized.

The school also has a pull-out program for students with disabilities who are working to meet general education standards. Academic pull-out courses parallel the school's general education academic courses but are self-contained, taught by a special education teacher, and serve only students with disabilities. Offering a separate academic course for students with disabilities who are working to meet general education standards is counter to the 2015 report on one system and causes students with disabilities to lose access to their typically developing peers and the academic rigor of a general education class setting. The school should develop a plan to reduce the number of pull-out academic courses offered and increase the number of general education classes that use collaborative teaching.

The school also offers pull-out study skills courses for students with disabilities. Staff reported a wide variability in how these courses are structured because there are no standards for these courses. The best practice is for study skills courses to focus on individualized instruction that addresses a student's individualized education program (IEP) goals; whole group instruction designed to build executive functions, self-advocacy, and study skills; and services to support a student's transition to adult living. The school should establish standards and curricula for its study skills courses.

Individualized Education Program Meetings

The best practice is for schools to use a schoolwide calendar at the start of each school year to plan for IEP meetings. The school introduced a schoolwide IEP calendar this year, but it was not used to schedule meetings at the beginning of the school year. The school should expand use of its schoolwide IEP calendar to schedule as many annual and triennial IEP meetings as possible. This would help distribute the workload for all staff who perform assessments, write IEPs, and attend as the administrative designee. It would also ensure that a private space can be reserved for all IEP meetings. The school would benefit from training additional staff members to serve as administrative designees for IEP meetings. It is also best practice to use IEP meeting agendas to encourage compliance with the Individuals with Disabilities Education Act's (IDEA's) procedural requirements and to help ensure IEP meetings are conducted in a sequence that leads to the school making a defensible offer of a free and appropriate public education (FAPE). The school should develop meeting agendas, use them consistently, and train staff in their use.

Administrative and Teacher Staffing

The school's special education administrative and support staffing is similar to that of comparable school districts and charter schools FCMAT surveyed. Schoolwide resource specialist program (RSP) teacher staffing is slightly higher than the Education Code (EC) 56362(c) standard but is needed to support the school's inclusive model. The schoolwide mild-to-moderate special day class (SDC) caseload average is slightly higher than the industry-standard range, and its moderate-to-severe SDC caseload is slightly lower than the industry-standard range. The school should review its caseload projections and student needs for 2024-25 to determine whether it needs to adjust RSP or SDC teacher staffing.

Instructional Aide Staffing

The school has 16 special education instructional assistants, almost all of whom provide 1-to-1 student support. The school does not assign any special education instructional assistants to support the RSP or SDC programs. The school should evaluate whether assigning special education instructional assistants to its RSP and SDC programs according to industry-standard staffing levels and adult-to-student ratios would allow it to provide better support for students.

Staff reported that the school does not use a special circumstances instructional aide (SCIA) assessment process to determine whether a student requires 1-to-1 support from a special education instructional assistant. Using an SCIA assessment is the best practice because it clarifies decision-making and procedures, and is in keeping with the fact that assigning 1-to-1 student support is a significant decision that should be based on a thorough, data-driven evaluation that includes consideration of all less restrictive alternatives.

The school should adopt an SCIA assessment process, train staff, and use it consistently to determine the need for 1-to-1 special education support.

Related Service Provider Staffing

The school contracts with nonpublic agencies for its adapted physical education (APE) teacher, teacher of students who are deaf or hard of hearing, occupational therapist, physical therapist, and speech and language pathologist. This is appropriate because its students' needs do not require a full-time staff person in any of these areas.

The school has a 1.0 full-time equivalent (FTE) credentialed school nurse, which is 0.30 FTE less than the industry-standard staffing for credentialed school nurses. The school has been unable to recruit an additional credentialed school nurse. Thus, for the 2024-25 school year it added 20 days to its credentialed school nurse's contract and is currently recruiting for a health services assistant.

The school has 2.0 FTE school psychologists, which is 1.02 FTE less than the industry standard for school psychologists. Because the school should be using an SCIA assessment to determine the need for 1-to-1 student support and because this process is facilitated by the school psychologist, the school would benefit from increasing school psychologist staffing to align with industry standards. The school hired an additional 1.0 FTE school psychologist for 2024-25.

General Fund Contribution to Special Education

The school's adjusted 2022-23 unrestricted general fund contribution to special education was $2,010,771, or 37.34% of total special education costs. This figure is less than the last available 2021-22 statewide average of 64.3% as calculated by School Services of California.

Findings and Recommendations

Background and Context – Transforming Education to Improve Outcomes for Students with Disabilities

Over the past two decades, educational reform movements emphasizing accountability have highlighted achievement gaps among students based on factors such as race and ethnicity, family income, language ability, and disability. Although California has made some progress in reducing inequities in educational outcomes for these student groups, those with disabilities remain among the lowest-performing subgroups.

In 2013, California convened a statewide special education task force dedicated to ending persistent poor outcomes for California's students with disabilities, including infants, toddlers, preschoolers, and students up to age 22 in transitional kindergarten through grade 12 (TK-12) schools. The task force's purpose was to study the complex systems designed to serve students with disabilities and to forward recommendations to the State Board of Education, the Commission on Teacher Credentialing, and the California Department of Education (CDE). In March 2015, the task force published One System: Reforming Education to Serve All Students, Report of California's Statewide Task Force on Special Education, as well as an executive summary.

The Statewide Special Education Task Force Project Summary stated:

> California's current policies, including funding, credentialing, and a range of service delivery options, tend to 'bolt on' special education to general education. While there are certainly examples throughout the state of well-integrated models of supports, these are the exceptions rather the norm. Our prevailing model has made it acceptable, and in some instances seem desirable, to isolate special education as a unique and separate system that parallels general education.

This project summary explained that operating special education as a separate program is contrary to current research that suggests:

> Inclusive practices, integrated systems, and coherence are essential to provide high-quality, cost-effective special education programs within (rather than apart from) a well-articulated system of education.

The 2015 report on one system identified the following seven distinct and interconnected areas of focus to improve outcomes for students with disabilities:

1. Early learning.
2. Evidence-based school and classroom practices.
3. Educator preparation and professional learning.
4. Assessment.
5. Accountability.
6. Family and student engagement.
7. Special education financing.

Among the areas of focus and many recommendations in the 2015 report was the predominant theme that California's special education system would improve if one coherent system were designed in which general education and special education work together to meet the needs of all students. The report explained:

> In a coherent system of education, all children and students with disabilities are considered general education students first; and all educators, regardless of which students they are assigned to serve, have a collective responsibility to see that all children receive the education and the supports they need to maximize their development and potential, allowing them to participate meaningfully in the nation's economy and democracy.

The project summary identified a need to transform the understanding of special education from being:

> [A] place where students go to receive more or different services, to a viewpoint that includes special education services as one of many programs of support under the umbrella of general education.

In 2020, the CDE assigned WestEd to report on policy and system changes that have affected students with disabilities since the 2015 report on one system. The 2021 WestEd report, California's Progress Toward Achieving One System: Reforming Education to Serve All Students, explains that the 2015 report on one system was intended to create momentum and discourse in California's efforts to reform special education. To evaluate these efforts, WestEd examined the 2015 report on one system's seven focus areas and made additional recommendations in each area. WestEd concluded, "numerous improvements have been made to California's general and special education landscapes."

Using the 2015 report on one system and the 2021 WestEd report as guides, local educational agencies (LEAs) will need to focus on coherence, inclusive practices, and integrated systems to develop a comprehensive system of education that supports positive outcomes for all students. Districts need to recognize that students who receive special education services are general education students first and operate with the understanding that special education services are one of the many programs of support under general education rather than a place where students go to receive more or different services. These tenets will be used throughout this report to analyze the school's organization, staffing and continuum of service options, and to inform recommendations for improvement.

School Organization and Administration

How a school is organized and staffed plays a crucial role in shaping the effectiveness of its special education program. A school should be organized to foster effective communication and collaboration among staff to address the unique needs of students with disabilities and to implement evidence-based practices that promote inclusive education.

School Administration

A simplified version of the school's organizational chart is shown below. The school's administration includes the executive director/principal; chief business official; directors of human resources, operations, and student achievement; two director/assistant principals; and two assistant principals. The director of student support services and the special education coordinator support the school's special education program.

Simplified School Organizational Chart, 2023-24

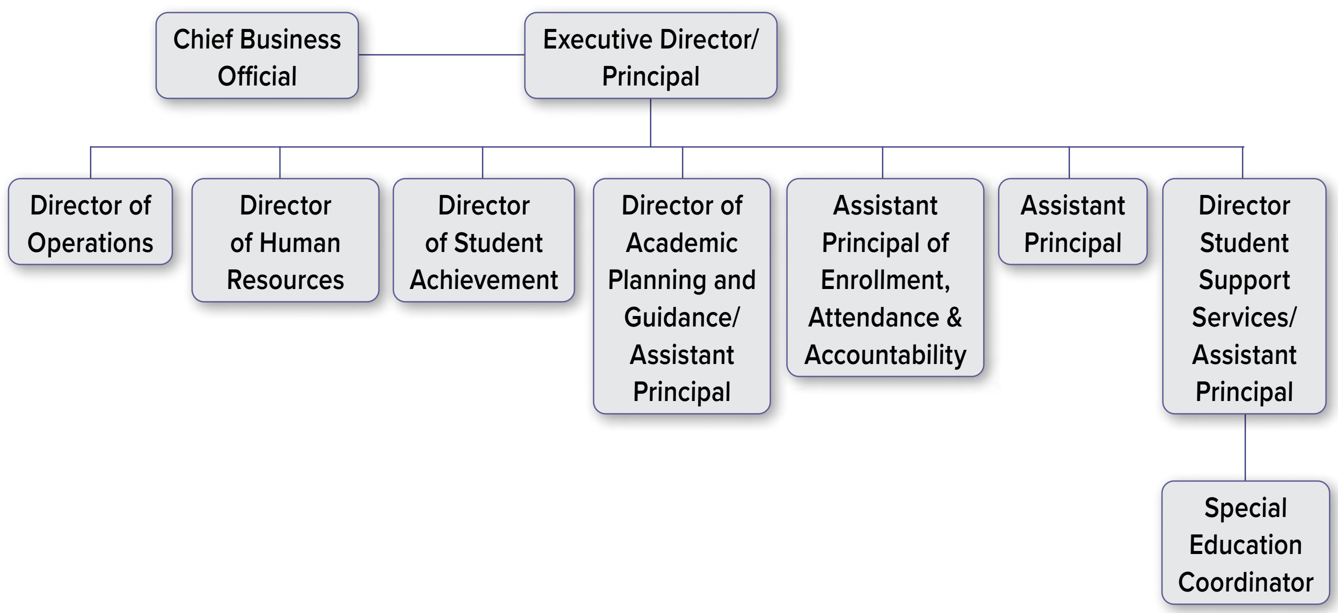


Figure 1: A simplified version of the school's organizational chart that shows the administration.

Source: School-provided data.

School Administration Collaboration

To develop well-integrated models of support for students with disabilities, the 2015 report on one system advises LEAs to avoid isolating special education as a separate system and recommends that LEAs focus on collaboration between special education and general education staff. Staff reported that the school's administration meets weekly and that the director of student support services is included in these meetings. The director of student support services, who is new to the school, and the chief business official reported that they have not established regularly scheduled meetings but communicate when necessary. The director of student support services and chief business official need to meet at least monthly to discuss items such as budget development and monitoring, current and potential litigation, contracts with nonpublic agencies, and staffing. Meeting monthly is needed to regularly update the school's special education budget as projected and actual special education expenses change, and to ensure that the budget developed for the next school year is as accurate as possible. It would be best to include the director of human resources in these meetings as needed.

School Administration Support for Special Education

California Education Code (EC) 56341(b)(4) requires that an LEA representative who is qualified to provide or supervise the provision of specialized instruction and knowledgeable about the general curriculum and the LEA's resources attend IEP meetings. This IEP team member is commonly called the administrative designee. Staff reported that the school's director/assistant principals and special education coordinator serve as the administrative designee for IEP meetings. In the past, the school's counselors have also had this role but do not participate currently.

The best practice is for schools to develop a schoolwide IEP calendar so IEP meetings that can be scheduled in advance (such as annual and triennial IEP meetings) are scheduled at the start of the school year. By doing so, a school can do at least the following:

- Ensure it complies with annual and triennial IEP meeting timelines.
- Enable staff who perform evaluations to distribute them throughout the school year as much as IEP timelines allow to balance their workload.
- Plan to combine annual and triennial IEP meetings by holding both meetings together before whichever meeting is due first to minimize the number of IEP meetings.
- Schedule in advance the staff who will serve as the administrative designee to ensure coverage for all IEP meetings and to balance the workload for these individuals.
- Ensure there is a private space for IEP meetings.

The school started using a schoolwide IEP calendar in 2023-24. Because this was the first year it was used, staff explained that they did not schedule all annual and triennial IEPs at the start of the school year. Staff reported that sometimes multiple IEP meetings were scheduled for the same day and time, which made it difficult to provide administrative designee coverage and/or hold all meetings in a private space. Staff explained some IEP meetings were scheduled without advance notice and that the administrative designee invited to attend the meeting was not always consulted to determine their availability. The school would benefit from expanding its use of the schoolwide IEP calendar to schedule all annual and triennial IEP meetings in advance at the start of the school year. In addition, the school could benefit from training additional staff to serve as administrative designees at IEP meetings. Other LEAs commonly use staff such as school psychologists or special education teachers who have received training to serve as administrative designees.

Special Education Leadership Positions

The school has 2.0 FTE leadership positions that support the special education program, as shown below.

Leadership Positions Supporting Special Education, 2023-24

Position Title	Number of Positions	Total FTE
Director Student Support Services/Assistant Principal	1	1.0
Special Education Coordinator	1	1.0
Total	2	2.0

Source: School-provided data.

Special Education Administrative Support Positions

The special education program has 1.0 FTE administrative support staff, as shown below.

Administrative Support Staff Positions Supporting Special Education, 2023-24.

Position Title	Number of Positions	Total FTE
Senior Office Assistant	1	1.0
Total	1	1.0

Source: School-provided data.

Special Education Staffing Comparison

FCMAT conducted an informal survey among LEAs in California that serve high school students and have student enrollment and unduplicated pupil percentages[1] (UPPs) similar to those of Palisades Charter High School. The survey focused on gathering information about LEAs' special education staffing in two areas:

1. Leadership positions, including positions such as directors, assistant directors, coordinators, program specialists, and teachers on special assignment (TOSAs). These positions may or may not require an administrative credential.
2. Administrative support positions, including secretaries, administrative assistants, filing clerks, and data technicians.

The table below compares Palisades Charter High School to the two LEAs that responded to FCMAT's survey. Among these comparison LEAs, the average number of leadership positions that support the special education program is 1.75 FTE; Palisades Charter High School reports a similar figure of 2.0 FTE in this category. For special education administrative support positions, the average among the comparison LEAs is 0.5 FTE, whereas Palisades Charter High School reports a slightly higher figure of 1.0 FTE.

[1]This is the percentage of students who are English learners, foster youth, or qualify for free or reduced-price meals. A student is counted only once even if they are in more than one of these categories.

Leadership and Administrative Support Staffing Comparison

School	County	2022-23 Census Day Enrollment	2022-23 Census Day UPP%	2023-24 Leadership Position FTE	2023-24 Administrative Support Position FTE
Clayton Valley Charter High School	Contra Costa	2,381	23.35%	1.0	0
Los Gatos-Saratoga Union High School District	Santa Clara	3,269	12.24%	2.5	1.0
Average FTE				1.75	0.5
Palisades Charter High School	Los Angeles	2,959	26.73%	2.0	1.0

Sources: Ed-Data - Comparisons (ed-data.org) and school-provided information in response to FCMAT survey.

Notes:

Palisades Charter High School was excluded from the average FTE calculations.

Teachers on special assignment are included in leadership FTE if they perform special education program support functions in the central office.

Any variances in FTE are due to FCMAT's interpretation of the information shared via the survey.

Overall, Palisades Charter High School's special education FTE leadership and administrative support positions staffing is similar to those of the comparison LEAs.

Recommendations

The school should:

1. Establish a monthly meeting between the director of student support services and the chief business official to ensure regular communication.
2. Expand the use of its schoolwide IEP calendar so that at the start of each school year it can schedule in advance as many annual and triennial IEP meetings as possible.
3. Determine whether it would benefit from training other staff members to serve as administrative designees for IEP meetings.

Continuum of Service Options

The Individuals with Disabilities Education Act (IDEA) establishes nationwide minimum standards for education services for children with disabilities as well as related services for eligible infants, toddlers, preschoolers, and children and youth with disabilities up to age 22. It mandates that each state ensure the availability of a free appropriate public education (FAPE) for any child with a disability who needs special education and related services, regardless of whether they have failed or been retained in a course or grade, and even if they are advancing from one grade level to another (Title 34, Section 300.101(c) of the Code of Federal Regulations [34 CFR 300.101(c)]).

Continuum of Services

FCMAT analyzed the school's special education continuum of services and its alignment with the principles outlined in the 2015 report on one system. The school provides specialized academic instruction and related services, such as speech and language therapy and occupational therapy, for students with disabilities. These services are provided in accordance with students' IEPs and can be delivered either in the general education classroom or in a separate setting through the following three programs:

- **Resource Specialist Program (RSP)** – Staff adapt the content, methods and instructional delivery to help students with IEPs access general education settings.
- **Special Day Program, Specific Learning Disabilities** – Special education teachers adapt the content, methods and instructional delivery in this program to give students access to general education curricula in a self-contained classroom.
- **Special Day Program, Multiple Disabilities** – This highly individualized program supports students with multiple disabilities and provides instruction using an alternate curriculum that emphasizes functional academic development and independent living skills.

In addition to these program options, a small number of the school's students attend a nonpublic school (NPS). NPSs are privately operated, publicly funded schools that specialize in educational services for students with needs so exceptional that they cannot be met in a traditional public school setting.

Alignment of Continuum of Services with 2015 Report on One System

The 2015 report on one system emphasizes that special education services are some of the many support programs under general education, not a place where students go to receive more or different services. In addition, the 2015 report states that all educators are collectively responsible for supporting the success of every student. To support the inclusion of students who have an IEP in general education settings, the school offers a collaborative teaching program in which a general education and a special education teacher are paired and co-teach in a general education setting. Collaborative teaching programs are congruent with the 2015 report on one system because they improve access for students with disabilities to general education settings, their typically developing peers, and rigorous instruction given by a general education teacher using the general education curriculum. In contrast, the school's pull-out program is counter to the 2015 report on one system because students with an IEP who are working to meet general education standards lose access to a general education teacher and their typically developing peers when they are placed in a separate class taught by a special education teacher.

Collaborative Teaching Program

Collaborative teaching has been shown to have positive effects on student achievement.[2] The best practice is for collaborative teaching pairs to receive training in how to co-plan and co-teach, and for common planning time to be provided. How schools provide common planning time varies, but it can be accomplished by ensuring a common preparation period or paid time outside of the school schedule. Staff reported that they have not participated in recent training on collaborative teaching and do not currently receive common planning time. If they are not given common planning time, collaborative teaching teams may not be able to achieve a shared understanding of their roles and responsibilities, have time to discuss student needs and supports, or be able to plan, discuss and reflect on their teaching. Recommendations related to professional development for collaborative teaching, including the importance of building a master schedule to support common planning time for collaborative teaching teams, are in the "Professional Development Plan" section of this report.

Pull-out Program

Staff reported that students with IEPs who are working to meet general education standards can participate in pull-out classes, which include study skills or academic courses taught by a special education teacher.

- **Pull-out Academic Courses**

  Staff reported that the school's pull-out academic courses operate in parallel with the school's general education academic courses but are self-contained, serving only students with IEPs. Certain teachers leading these courses have a special education credential and a single-subject credential, which allows students to earn A-G credit for these courses (A-G refers to the minimum 15 courses across seven subject areas that students must complete to be eligible for admission to one of the University of California's schools). Despite the ability to earn A-G credit in certain pull-out academic courses, offering separate academic courses for students with an IEP who are working to meet general education standards is counter to the 2015 report on one system. It causes students with disabilities to lose access to their typically developing peers and the academic rigor of a general education class setting. The school needs to develop a plan to reduce the number of pull-out academic courses offered and increase the number of general education classes that use collaborative teaching.

- **Study Skills Courses**

  The best practice is for study skills classes for students with IEPs to focus on individualized instruction that addresses a student's IEP goals and whole group instruction designed to build executive functions (i.e., cognitive skills needed for self-control, managing behaviors, and problem-solving), self-advocacy, and study skills, and to provide services to support a student's transition to adult living. School staff indicated a need to establish a standard for what is taught in study skills courses, because some teachers use the study skills course as a study hall, providing little to no individualized or group instruction. Staff turnover and the school's lack of clear standards for study skills courses have contributed to this practice. This decreases the overall effectiveness of these courses and may mean that some students do not receive individualized and whole group instruction to promote their school success and transition to postsecondary education and employment.

[2]Vembye, M. H., Weiss, F., & Hamilton Bhat, B. (2022), The Effects of Co-Teaching and Related Collaborative Models of Instruction on Student Achievement: A Systematic Review and Meta-Analysis. *Review of Educational Research*.

Least Restrictive Environment

The IDEA requires that students with disabilities be offered a FAPE and be educated in the least restrictive environment (LRE). To determine the appropriate setting for an individual student, their IEP team reviews the student's strengths and needs and considers the educational benefit of placement in different educational settings. The effectiveness of LRE placement is measured by the CDE's local level annual performance report**.** These reports, required by the IDEA, evaluate districts on 14 indicators for which the target is met or not met. The school met the targets for all three LRE indicators, as shown in the table below.

2021-22 Performance on Indicator 5 — School-Age Students in the Least Restrictive Environment.

Indicator	Indicator	Rate	Target	Target Met?
5a	LRE Rate: In Regular Class More than 80%	70.40%	≥60.00%	Yes
5b	LRE Rate: In Regular Class Less than 40%	0.80%	<18.00%	Yes
5c	LRE Rate: Separate Schools	0.00%	<3.20%	Yes

Source: Local Level Annual Performance Report 2021-22.

Overall, the school offers a full continuum of special education options and services and offers its students access to their LRE according to the local level annual performance report.

Recommendations

The school should:

1. Monitor the access its students with disabilities have to general education settings and continue to meet or exceed LRE targets on the CDE local level annual performance report.
2. Determine how to provide common planning time for collaborative teaching teams.
3. Create a plan to reduce the number of pull-out academic courses offered and increase the number of general education classes that use collaborative teaching.
4. Develop clear standards and expectations for what is taught in special education study skills courses, and provide training for staff.

Professional Development Plan

Training for Teachers

Collaborative Teaching Training

As previously stated, it is the best practice for collaborative teaching pairs to receive training in how to co-plan and co-teach, and for common planning time to be provided. Staff reported that they have never received training on how to develop a master schedule to support collaborative teaching and have not recently participated in training on collaborative teaching models and classroom strategies. Employees did not know why this has not occurred, but staff who develop the school's master schedule need to receive training at least on how to provide common planning time for collaborative teaching teams, how to group students with IEPs into collaboratively taught classes, and how to schedule teachers for collaborative teaching. The school's general education and special education teachers need to receive training on at least the different co-teaching models, how to co-plan and co-teach, and how to differentiate instruction and plan for the needs of all learners.

Use of IEP Agendas

It is the best practice to use IEP meeting agendas that include all required meeting components in all IEP meetings to help encourage compliance with the IDEA's procedural requirements, which are specific processes that school personnel must follow. In addition, meeting agendas can be used as a third point of reference to reduce conflict during an IEP meeting. Using meeting agendas also sets up IEP meetings in the proper sequence, helping the LEA make a defensible offer of FAPE. An IEP team needs to follow the sequence shown below before making an offer of FAPE.

Sequence an IEP Team Should Follow to Make a Defensible Offer of FAPE

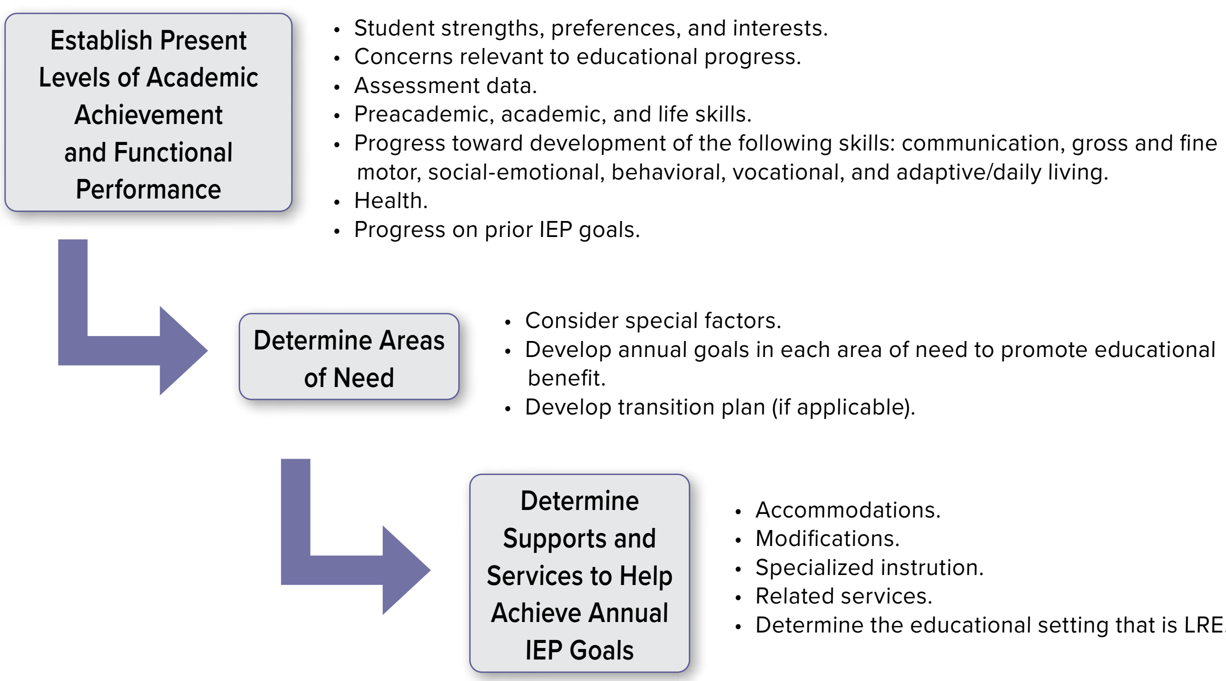


Figure 2: Overview of the sequence an IEP team should follow in an IEP meeting to make a defensible offer of FAPE.

Source: FCMAT.

Staff reported that the school has not developed agendas for different types of IEP meetings. Staff turnover and the lack of any requirement to use IEP meeting agendas have contributed to this practice. This means certain IEP meetings may not include all meeting components needed to comply with the IDEA's procedural requirements and may not be conducted in the proper sequence that enables the school to make a defensible offer of FAPE. In addition, certain IEP meetings may take longer than necessary when they do not follow an agenda. The school needs to develop agendas for different types of IEP meetings, provide training for staff, and require their use.

Training for Administrative Designees

California Education Code 56341(b)(4) requires attendance at IEP meetings by an LEA representative who is qualified to provide or supervise the provision of specialized instruction and is knowledgeable about the general education curriculum and the LEA's resources. This IEP team member is commonly called the administrative designee. Staff reported that those who are serving as administrative designees received training, but training has not been provided annually in the past. Staff who serve as administrative designees at IEP meetings should receive annual training in at least the following:

- Roles and responsibilities of IEP team members.
- Eligibility determination process for special education.
- Components of a procedurally compliant IEP and IEP meeting.
- IEP development process for provision of FAPE in the LRE.
- Common reasons for conflict at IEP meetings and strategies to reduce conflict.
- How to respond to unexpected requests during IEP meetings.
- How to follow up if a parent or guardian does not consent to the IEP.

Training for Special Education Instructional Assistants

The best practice is for special education instructional assistants to receive regular training. Staff reported that special education instructional assistants participate in mandated training, and some receive additional informal training from a teacher or another instructional assistant. However, most staff members indicated that instructional assistants have unmet training needs in crucial areas such as disability awareness, nonviolent crisis intervention, implementing accommodations and modifications, and differentiation strategies. This training deficiency is exacerbated by staff turnover and a lack of dedicated, paid training time for special education instructional assistants. A lack of training may result in less effective support for students and may create liabilities for the school.

Special Education Staff Onboarding

Most special education staff interviewed reported that their onboarding experience was inadequate to meet the needs of their position in areas including electronic data management systems and school- and special education-related processes and procedures. Most staff reported difficulty using the online IEP system. Staff turnover in the special education program and the lack of a comprehensive policies and procedures manual contribute to these difficulties. This can cause inconsistent practices and may increase staff stress and turnover. The school needs to develop a comprehensive policies and procedures manual and an onboarding plan for the special education program that is differentiated by position and addresses at least the following areas:

- An overview of the continuum of service options for special education.
- Training for staff who use electronic data management and reporting systems such as the student information system and special education information system.
- School and special education program policies and procedures.

Recommendations

The school should:

1. Provide training for relevant school staff in how to build the school's master schedule to support collaborative teaching.
2. Provide training for general education and special education teachers that includes at least the different co-teaching models, how to co-plan and co-teach, and how to differentiate instruction and plan for the needs of all learners.
3. Develop agendas for different types of IEP meetings and require their use; train special education teachers in this area.
4. Provide annual training to district staff who act as administrative designees at IEP meetings on their role and responsibilities and on the IDEA's procedural and substantive requirements.
5. Develop a plan to help special education instructional assistants access professional development on topics such as disability awareness, nonviolent crisis intervention, implementing accommodations and modifications, and differentiation strategies.
6. Develop a comprehensive onboarding plan for special education staff, and ensure that onboarding training is differentiated to meet the unique needs of each position.

Special Education Student Identification

Special education should be reserved for students who are eligible to receive these specialized services. To be eligible for special education, a student must qualify under the two-pronged (i.e., two criteria) test, which requires that they: 1) meet the definition of one of the 14 disability categories in the IDEA, and 2) require specially-designed instruction. Identifying a student for special education before implementing general education interventions does not best serve the student. A student in special education may experience stigma, less access to the rigorous instruction given in the general education curriculum, limited interaction with their typically developing peers, and lower expectations, which can limit their academic, social, and emotional progress and outcomes. In addition, serving a student in special education through an IEP is costlier than serving them through interventions and general education supports.

However, failing to identify a student with a disability for special education can deprive them of their rights under the IDEA to a FAPE. This can impede the student's learning and may obligate the school to pay for compensatory educational services.

Identification Rate

From 2020-21 through 2022-23, the school's grade 9-12 census day enrollment decreased by 128 students, as shown in the chart below.

Grade 9-12 Census Day Enrollment, 2020-21–2022-23

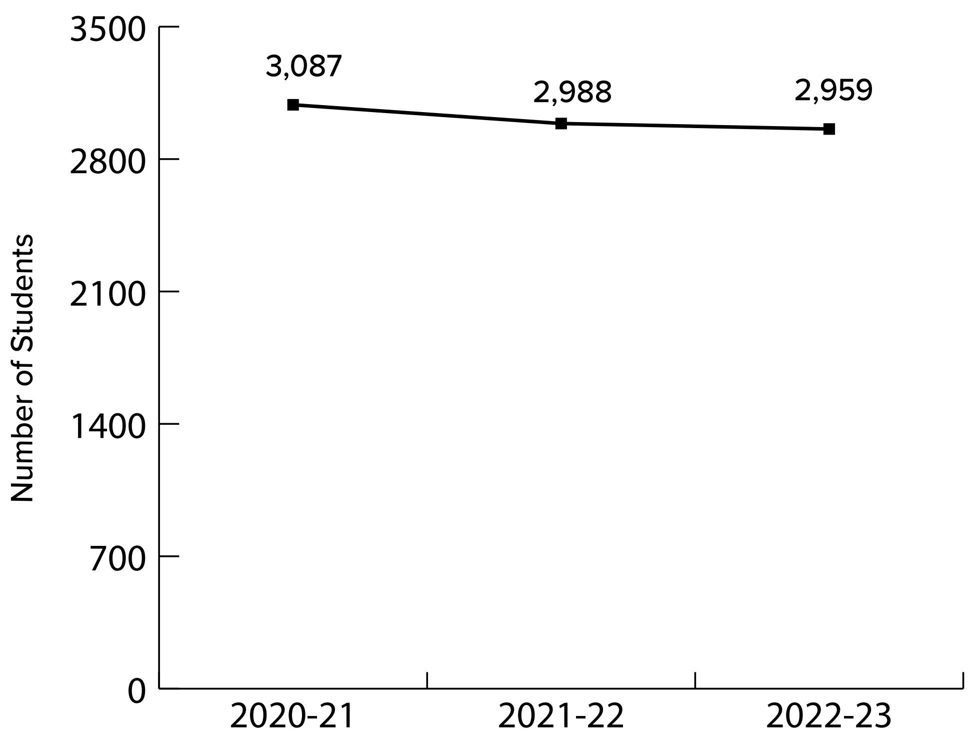


Figure 3: School's grade 9-12 census day enrollment from 2020-21 through 2022-23.

Source: DataQuest, Enrollment by Subgroup - Palisades Charter High School.

The school's special education enrollment decreased by 11 students from 2020-21 through 2022-23, as shown in the chart below.

Grade 9-12 Special Education Enrollment, 2020-21–2022-23

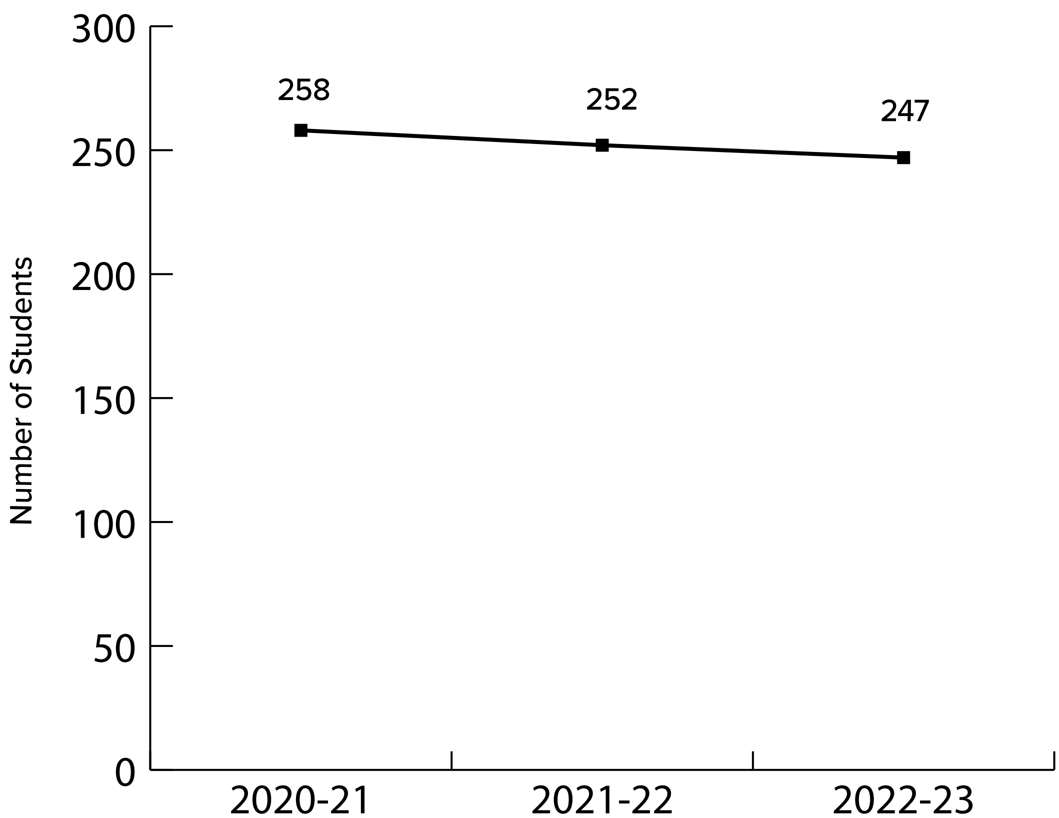


Figure 4: School's grade 9-12 special education enrollment from 2020-21 through 2022-23.

Source: DataQuest, Enrollment by Subgroup - Palisades Charter High School.

Special Education Enrollment by Disability Category

It is considered best practice to monitor special education enrollment annually by disability category to ensure students are being identified accurately for special education. School-age students qualify for special education if they have one or more of the 13 categories of disability, as shown below.

- Autism (AUT).
- Deaf-Blindness (DB).
- Deafness (DEAF) or Hearing Impairment (HI).
- Emotional Disturbance (ED).
- Hard of Hearing (HH).
- Intellectual Disability (ID).
- Multiple Disabilities (MD).
- Orthopedic Impairment (OI).

- Other Health Impairment (OHI).
- Specific Learning Disability (SLD).
- Speech or Language Impairment (SLI).
- Traumatic Brain Injury (TBI).
- Visual Impairment (VI).

In 2023, the school reported to the California Longitudinal Pupil Achievement Data System (CALPADS) that 276 students were enrolled in special education. Of those, 130, or 47%, were identified as having an SLD, as shown below. The disability categories of OHI and AUT were the next largest categories in the school, accounting for 29% and 16% of special education students, respectively. From 2020 through 2023, the OHI category increased from 63 to 80 students, a 26.98% increase. Conversely, during the same time, the SLD category decreased from 142 to 130 students, an 8.45% decrease.

Special Education Enrollment by Disability Category, 2023-24

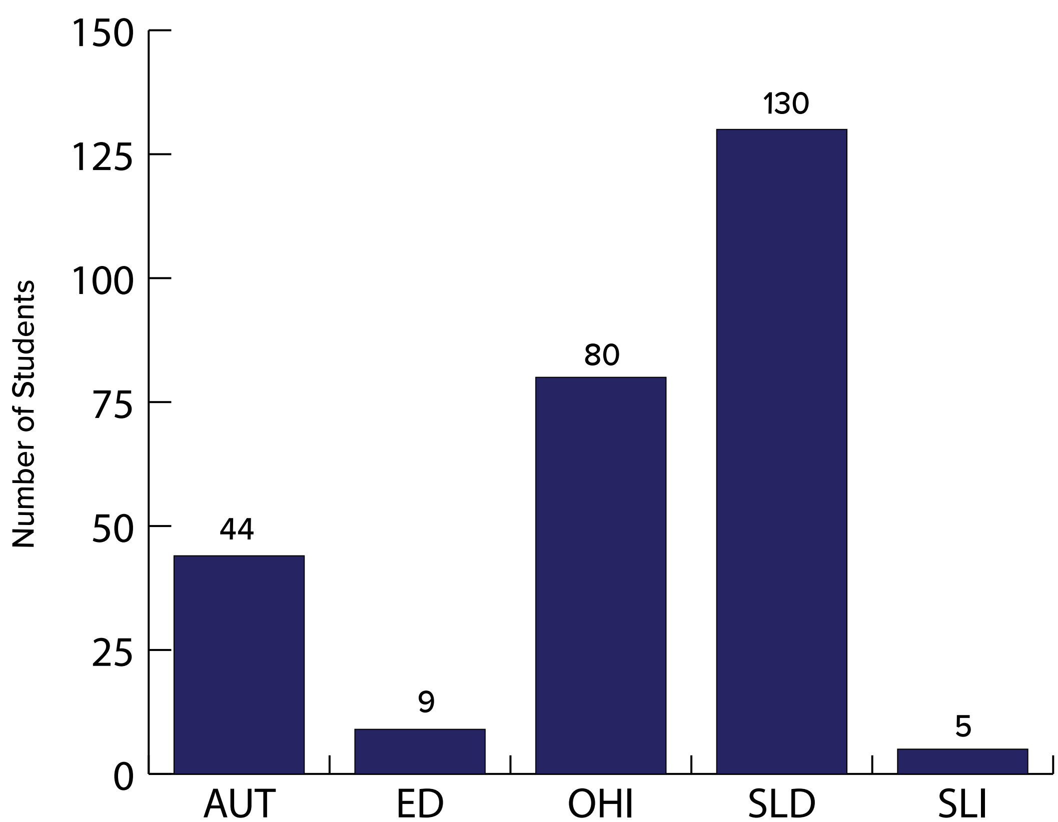


Figure 5: Number of students by disability category in 2023-24.

Source: School's CALPADS report 16.12.

Note: In addition to those shown in the above chart, the school also had students in the following disability categories during the 2023-24 academic year: ID, 2; HH, 1; OI, 2; MD, 2; TBI, 1.

Percentage of Students Enrolled in Special Education

The percentage of the school's grade 9-12 students in special education was constant from 2020-21 through 2022-23, showing a decrease of just 0.01 percentage points during that time, as shown in the chart below.

Percentage of Grade 9-12 Students Enrolled in Special Education, 2020-21–2022-23

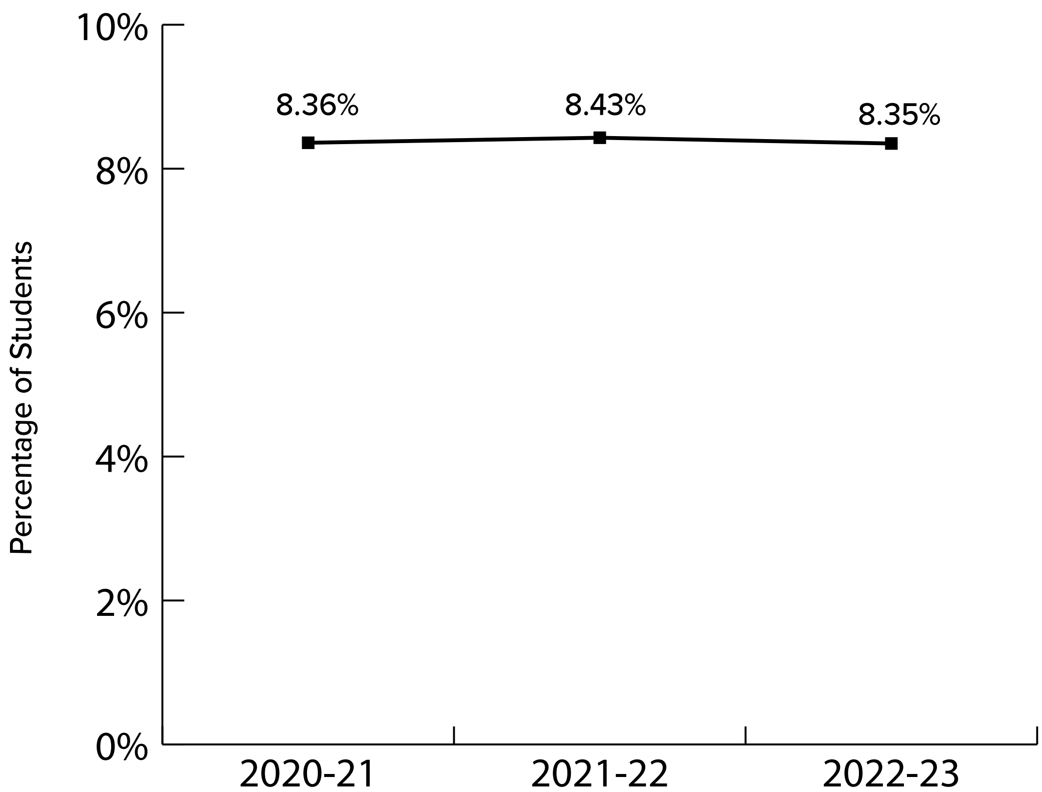


Figure 6: Percentage of grade 9-12 students enrolled in special education from 2020-21 through 2022-23.

Source: DataQuest, Enrollment by Subgroup - Palisades Charter High School.

FCMAT analyzed total and special education grade 9-12 enrollment for the school, for charter schools in Los Angeles County, and for charter schools statewide, as shown in the table below.

Grade 9-12 Total and Special Education Enrollment Comparison

2022-23	Palisades Charter High School	Los Angeles County	California
Grade 9-12 Charter School Enrollment	2,959	83,208	237,111
Grade 9-12 Charter School Special Education Enrollment	247	11,864	31,308
Percentage	8.35%	14.26%	13.20%

Sources: CDE DataQuest, Enrollment by Subgroup - Palisades Charter High School, Enrollment for Charter and Non-Charter Schools - Los Angeles County and Enrollment Multi-Year Summary by Grade - State.

In 2022-23, 8.35% of the school's grade 9-12 students were identified as requiring special education. This percentage is less than the countywide and statewide averages for grade 9-12 students who attend charter schools, indicating the school does not overidentify students for special education.

Factors that affect the percentage of students enrolled in special education include the school's implementation of a multitiered system of supports (MTSS) and its student study team (SST) (also known as student success team) practices. These factors are discussed further in the next section of this report.

Recommendation

The school should:

1. Annually monitor the percentage of students who qualify for special education at least by gender, race, ethnicity, English learner status, and disability category, and provide professional development in the identification of students for special education as needed.

Factors Affecting the Special Education Identification Rate

The school's identification of students for special education is influenced by its implementation of SSTs and MTSS.

Student Study Teams

Education Code 56303 states, "A pupil shall be referred for special educational instruction and services only after the resources of the regular education program have been considered and, where appropriate, utilized." Before considering placing a struggling student in special education, the school needs to refer the student to an SST. This team approach is designed to help students with a wide range of concerns related to their school performance and experience. All schools should have an SST process.

The primary purpose of an SST is to provide early intervention and develop a support system for students who face challenges in the general education classroom. SSTs are responsible for reviewing students' strengths and weaknesses, identifying appropriate interventions, setting SMART (specific, measurable, achievable, relevant, and time-based) goals, and monitoring students' progress toward these goals. An SST is composed of the student (if appropriate), the parent or guardian, and various school personnel such as counselors, resource specialists, speech pathologists, school psychologists, classroom teachers, and administrators.

The school has an SST process coordinated by its counselors that has clear procedures and forms. The school has 1.5 FTE intervention coordinators who attend SSTs as needed and connect students to available supports and interventions.

The school also has a Coordination of Services Team (COST) to manage and integrate various supports and resources to help struggling students. A COST is a multidisciplinary team that identifies students using a schoolwide referral system, assesses referred students, explores their strengths and support needs, coordinates and links students to appropriate supports, and tracks progress and adapts supports and interventions over time. The school has developed a COST flowchart that guides staff step by step through implementing interventions and identifying resources to support a student's academic or social-emotional needs, contacting the student's parent or guardian, and referring the student to the school's COST team using an online referral form.

Multitiered System of Supports

California's MTSS focuses on aligning various initiatives, supports and resources with content standards to meet the needs of all students. This integrated, comprehensive framework aligns academic, behavioral, and social-emotional learning, and implements continual improvement processes throughout the educational system. It serves as a method of organization and uses data collected through universal screening to support decision-making and problem-solving. MTSS includes both response to instruction and intervention (RtI^2) and positive behavioral interventions and supports (PBIS).

Response to Instruction and Intervention

Response to instruction and intervention is an approach used nationwide that targets individual students who are struggling academically. This approach mobilizes resources from the district, school, and/or community to promote student success. It is data-driven and systematic, with tiered levels of intervention. The CDE coined the term RtI^2 to define a general education approach that includes high-quality, culturally responsive differentiated instruction and early intervention, prevention, and behavioral strategies. RtI^2 uses universal screening and data analysis of all students' learning progress in the general education classroom.

A comprehensive districtwide RtI^2 system prevents inappropriate identification of students for special education and ensures the delivery of services within students' LREs. An RtI^2 system should define the following for tier 1 and tier 2 interventions:

- Type of intervention (e.g., literacy, mathematics, positive behavior supports).
- Who is selected for the intervention.
- Program, materials, and/or curriculum to be used.
- When students will receive instruction.
- Who will deliver the intervention.
- How students will be grouped.
- Time (i.e., duration and frequency).
- Assessments to be used (e.g., for progress monitoring and entry or exit from the support).

Positive Behavioral Interventions and Supports

Positive behavioral interventions and supports concentrate on fostering students' emotional and behavioral learning, which leads to increased engagement and decreased problematic behavior over time. PBIS helps schools adopt and structure evidence-based behavioral interventions.

Implementation of MTSS

The school offers intervention classes focused on literacy and study skills. Students may be scheduled into one of these courses following an SST assessment or based on quantitative measures such as their overall grade point average (GPA), grades in certain courses, attendance, or scores on a universal literacy assessment. Staff explained that all students in grade nine are grouped into a pod in which their English language arts and elective teachers track their progress and assign interventions as needed. For students in other grades, the school's intervention coordinators meet with the students and communicate with parents to address concerns and assign interventions as needed.

Staff reported that they have not received formal training in PBIS but are implementing some tiered interventions that are aligned with PBIS. Staff explained that there has been an increase in disruptive classroom behaviors since the return to school following the COVID-19 pandemic. Consequently, teachers have received training in how to address low-level disruptive behaviors in the classroom. School administrators use a check-in system to support certain students, and many teachers use a ticket system by which students can earn tickets toward a privilege to reinforce positive student behavior. The school has a progressive discipline matrix with intervention courses to address certain behaviors such as substance abuse or bullying. The matrix includes a roadmap with clear actions such as having the teacher contact a student's parent or guardian. The school also has a peer mediation program.

The best practice is for schools to designate a central area (sometimes called a regulation station, safe space, or calm center) where students can focus on their regulation needs and regroup during the day.

These centers are particularly important for students trying to cope with excess stimulation but are still developing their self-regulation skills. Staff reported that the school does not have an area where students can take a break safely and appropriately when they are dysregulated. The campus is space constrained but the school has seen an increase in the number of students who need an area for self-regulation, increasing the need for a dedicated space. Staff reported that the counseling office has a space that the students can use to focus on regulation, but it is limited. The school needs to identify a central space for a calm center because students cannot learn effectively if their systems are not well regulated, which affects both their learning and that of other students.

Recommendation

The school should:

1. Locate and designate a calm center in a central area on campus where students can go when they are dysregulated.

Special Education Teacher Staffing

FCMAT compared the school's special education teacher staffing in the RSP and special day class (SDC) programs to statewide guidelines and/or industry standards.

Resource Specialist Program Staffing

Education Code 56362(c) specifies the following statewide guideline for RSP staffing and caseloads:

> Caseloads for resource specialists shall be stated in the local policies developed pursuant to Section 56195.8 and in accordance with regulations established by the board. No resource specialist shall have a caseload which exceeds 28 pupils.

In 2023-24, the school has 6.0 FTE RSP teacher positions. Based on caseload estimates provided by the school, these RSP teachers manage the cases of 155 students, averaging 25.83 students per teacher, as shown in the table below.

Resource Specialist Program Teacher Staffing, 2023-24

Total RSP Teacher FTE	Total RSP Student Caseload	Average RSP Teacher Caseload	RSP Staffing Above (+) or Below (-) EC Standard
6.0	155	25.83	+0.46

Sources: School-provided data and EC 56362(c).

Schoolwide RSP teacher staffing is 0.46 FTE more than needed to meet the EC 56362(c) standard of 28 pupils per teacher. However, there is no need to reduce RSP teacher staffing, because the EC 56362(c) standard is based on a maximum caseload that is higher than the statewide caseload average commonly observed in schools with RSPs that use an inclusive model.

While its definition varies across California's LEAs, the intent of an inclusive model is to enable students to attend their neighborhood schools, progress through the grade levels that match their chronological ages, and access general education classes and curricula to the greatest extent possible. In addition, under this model, specialized academic instruction is tailored to a student's needs and is provided either in the general education classroom or through a pull-out service, in which a student is removed from the general education class for a period during the school day for specific skill building. The school's RSP aligns with the intent of an inclusive model and requires at least the current RSP teacher staffing.

The school will need to continue reviewing RSP caseload projections and student needs annually to determine whether it needs to adjust RSP teacher staffing.

Industry-Standard Caseloads for Special Day Class Programs

The school operates self-contained noncategorical classes for students with mild-to-moderate and moderate-to-severe support needs. The Education Code does not specify maximum caseloads for SDC teachers, but the table below shows industry standards.

Industry-Standard Caseloads for Special Day Classes

School Level	SDC Support Level	SDC Focus	Industry-Standard Caseload
Preschool-Grade 12	Mild-to-Moderate	Noncategorical	12-15 students per teacher
Preschool-Grade 12	Moderate-to-Severe	Noncategorical	10-12 students per teacher

Sources: Industry standards.

Mild-to-Moderate SDC Teacher Staffing

In 2023-24, the school has 6.0 FTE mild-to-moderate SDC teacher positions. At the time of FCMAT's visit, one of these positions was vacant. When all positions are filled, the 6.0 FTE mild-to-moderate noncategorical SDC teacher positions manage the cases of 92 students, averaging 15.33 students per teacher, as shown in the table below.

Mild-to-Moderate Special Day Class Teacher Staffing, 2023-24

SDC Support Level	Total Teacher FTE	Total Student Caseload	Teacher Caseload Average	Industry-Standard Caseload Range
Mild-to-Moderate	6.0	92	15.33	12-15 students per teacher

Sources: School-provided data and industry standards.

The schoolwide mild-to-moderate noncategorical SDC caseload average of 15.33 students per SDC teacher position is 0.33 students more than the high end of the industry-standard range. The school needs to review mild-to-moderate SDC caseload projections and student needs for 2024-25 to determine whether it needs to adjust SDC teacher staffing.

Moderate-to-Severe SDC Teacher Staffing

In 2023-24, the school has 1.0 FTE moderate-to-severe SDC teacher positions. The school reported that this teacher manages the cases of 8 students, as shown in the table below.

Moderate-to-Severe Special Day Class Teacher Staffing, 2023-24

SDC Support Level	SDC Focus	Total Teacher FTE	Total Student Caseload	Teacher Caseload Average	Industry-Standard Caseload Range
Moderate-to-Severe	Noncategorical	1.0	8	8	10-12 students per teacher

Sources: School-provided data and industry standards.

The schoolwide moderate-to-severe noncategorical SDC teacher's caseload of eight students is lower than the industry standard range. The school needs to continue to review moderate-to-severe SDC noncategorical caseload projections and student needs annually to determine if it should adjust staffing.

Recommendations

The school should:

1. Continue to review RSP caseload projections and student needs annually to determine whether it should adjust RSP teacher staffing.
2. Review mild-to-moderate SDC caseload projections and student needs for 2024-25 to determine whether it should adjust teacher staffing.
3. Continue to review moderate-to-severe SDC teacher caseload projections and student needs annually to determine if it should change teacher staffing.

Instructional Assistant Staffing

Special education instructional assistants, also known as special education aides or paraeducators, are trained professionals who work with students, usually under the direction of a classroom teacher. Special education instructional assistants work under different titles with distinct job descriptions to perform functions such as specialized academic instruction, specialized medical support, behavioral support, and 1-to-1 student support or special circumstance instructional assistance.

The school employs special education instructional assistants under one job title: instructional assistant - special education assistant. The job description lists the basic function of this position as follows:

> Under the director of an assigned administrator, assist a certificated teacher in reinforcing instruction to individual or small groups of special education students; assist in the preparation of instructional materials and implementation of individual education plans; provide routine clerical support.

1-to-1 Student Support

There is no industry standard for special education instructional assistants who provide 1-to-1 student support. Many LEAs throughout the state have taken steps to remove the designation of 1-to-1 support because it unintentionally reinforces the concept of one adult assigned to one student. Industry practice commonly refers to both the assessment process and the special education instructional assistant title by the acronym SCIA, for special circumstances instructional assistance and special circumstances instructional assistant, respectively.

Staff reported that the school does not use an SCIA assessment process to determine whether a student requires intensive individual service, also known as 1-to-1 support, from a special education instructional assistant. Using an SCIA assessment process is the best practice because it clarifies decision-making processes and procedures and recognizes that assigning 1-to-1 student support is a significant decision that should be based on a thorough, data-driven evaluation that includes consideration of all less restrictive alternatives.

An SCIA assessment process that is aligned with industry standards emphasizes personal independence, promotes individual decision-making, focuses on maximizing existing supports, and is based on data-driven assessment. Some staff interviewed were familiar with the SCIA assessment process, but, because of staff and leadership turnover in the special education program, it is not clear why one has not been used at the school. Consistently requiring an SCIA assessment to determine the need for 1-to-1 support can ensure that the school is making data-driven decisions and considering less restrictive alternatives before assigning this type of support.

The goal for all students with disabilities is to encourage and increase their independence. LEAs are responsible for developing and implementing IEPs that foster this independence. When an IEP team determines that a student needs 1-to-1 support, it should always be seen as temporary and should have specific conditions and goals to gradually reduce the reliance on 1-to-1 support. Therefore, the development of annual goals for independence is essential for the effective use of 1-to-1 support. These goals focus IEP services on areas of deficit to strengthen skills, monitor annual progress, and help the IEP team determine whether the level of service should be adjusted. This approach also helps the IEP team move away from the concept of assigning one adult to one student. It allows an LEA to consider the benefits of having one special education instructional assistant support several students when appropriate.

Staff reported that students who receive 1-to-1 support do not have goals for independence or a plan to reduce reliance on 1-to-1 support in their IEP. This is because there has not been an emphasis on reducing 1-to-1 support, and staff have not received training in how to develop goals for independence and a plan to reduce a student's need for this support. Ongoing monitoring and reporting of student progress, as with any goal, helps the IEP team make informed decisions when altering services such as 1-to-1 support. Therefore, each IEP that includes 1-to-1 support, except for medically necessary support, should include goals for independence and a plan to reduce the need for this support over time.

Special Education Assistant Staffing

Staff reported that the school has 16 special education instructional assistants, almost all of whom provide 1-to-1 student support. Two of these special education instructional assistants also support students in the SDCs, and one supports students who have Section 504 plans, which are formal plans schools develop to provide support for students who have a disability but do not require special education services. Staff explained that in the past the school assigned instructional assistants to RSP teachers and to provide support SDC classrooms. However, the instructional assistants who provided this support were reassigned to provide 1-to-1 support when new students who had this support as part of the offer of FAPE in their IEP entered the school. Staff also stated that most of these students' parents or guardians are reluctant to reduce the 1-to-1 student support.

Special Education Assistant Staffing, Resource Specialist Program

Education Code 56362(6)(f) states, "At least 80 percent of the resource specialists within a local plan shall be provided with an instructional aide." The school has not provided a special education instructional assistant for any of its 6.0 FTE RSP teachers in 2023-24 because almost all instructional assistants are assigned to provide 1-to-1 student support. This lack of instructional assistant support for RSP teachers may mean students assigned to an RSP case manager do not receive adequate support.

Special Education Assistant Staffing, Special Day Class Program

The industry-standard base staffing for SDCs is to assign one special education instructional assistant for every teacher in SDCs for students with mild-to-moderate and moderate-to-severe needs. For SDCs that support students with autism, the standard is two special education instructional assistants for every teacher. In addition, the industry standard for staffing at more than the SDC base staffing level is determined by an adult-to-student ratio, as shown in the table below.

Industry-Standard Instructional Assistant Staffing and Adult-to-Student Ratios

SDC Support Level	SDC Focus	Industry-Standard Special Education Instructional Assistant Staffing	Adult-to-Student Ratio
Mild-to-Moderate	Noncategorical	1-2 six-hour special education instructional assistants depending on a class size of 12-15	1-to-7
Moderate-to-Severe	Noncategorical	1-2 six-hour special education instructional assistants depending on a class size of 10-12	1-to-5
All	Autism	2-4 six-hour special education instructional assistants depending on a class size of 8-10	1-to-3

Source: Industry standards.

Note: The industry-standard special education instructional assistant staffing should be determined by class size to meet the adult-to-student ratio, which includes both the teacher and instructional assistant(s).

Staff reported that the school does not assign special education instructional assistants to its SDCs using industry-standard SDC base staffing or an adult-to-student ratio because it assigns almost all of its instructional assistants to provide 1-to-1 student support. This arrangement may limit the opportunities of students with disabilities to gain independence.

The school contracts with nonpublic agencies (NPAs) for behavior aides, which costs much more than it would to employ its own staff. The school may benefit from adding a new classification and job description for a special education instructional assistant position that has a higher salary and that requires registered behavior technician (RBT) certification. The school would need to determine how to provide supervision and board-certified behavior analysis (BCBA) support for this position.

Recommendations

The school should:

1. Adopt an SCIA assessment process, train staff, and use it consistently to determine the need for 1-to-1 special education instructional assistant support.
2. Ensure that each IEP that includes 1-to-1 student support, except for medically necessary support, contains goals for independence and a plan to reduce this support.
3. Evaluate whether assigning special education instructional assistants to its RSP would allow it to offer better support for students.
4. Evaluate whether assigning special education instructional assistants to its SDCs using industry-standard base staffing and an adult-to-student ratio would allow it to better support students.
5. Determine whether it needs to add one or more special education instructional assistant positions focused on behavior support which could require an RBT certification.

Related Service Provider Staffing and Caseloads

Related services are the developmental, corrective and other supportive services required to help a child with a disability benefit from special education (34 CFR 300.34). These services are written into students' IEPs and include but are not limited to physical therapy, speech and language therapy, and occupational therapy.

FCMAT analyzed staffing ratios for the school's adapted physical education (APE) teachers, credentialed school nurses, teachers of students who are deaf or hard of hearing, occupational therapists, physical therapists, school psychologists, and speech and language pathologists. Staffing ratios for other related service providers were not included in the analysis because there is no industry standard for them. The industry standards for most related service providers are listed in the table below.

Industry-Standard Provider-to-Student Ratios

Provider Type	Industry-Standard Provider-to-Student Ratio
Psychologist	1-to-977
Speech and Language Pathologist (preschool)	1-to-40
Speech and Language Pathologist (ages five through 22)	1-to-55
APE Teacher	1-to-45-55
Physical Therapist	1-to-45-55
Occupational Therapist	1-to-45-55
Vision and Orientation and Mobility	1-to-10-30
Deaf and Hard of Hearing	1-to-15-25
Nurse	1-to-2,274

Sources: Industry standards and CDE CalEdFacts - Publications.

Adapted Physical Education

In 2023-24, the school contracts with a nonpublic agency for its APE teacher, who manages the cases of eight students who receive direct services, as shown in the table below.

APE teacher staffing, 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard	Staffing Needed to Meet Industry Standard
APE Teacher	N/A	8	N/A	1-to-45-55	0.18 FTE to meet 1-to-45 0.15 FTE to meet 1-to-55

Sources: School-provided data and industry standards.

Note: Only students who receive direct services from the school's APE teacher were included in the total caseload and related calculations.

The school needs a 0.18 FTE APE teacher to meet the low end and a 0.15 FTE APE teacher to meet the high end of the industry standard caseload range. Hiring a 0.18 FTE APE teacher is not feasible, so the school has contracted a part-time APE teacher, which meets present student needs. Staff reported that one of the school's physical education teachers is working to obtain an APE credential, which is another way to meet student needs. The school will need to continue reviewing annually its APE teacher caseload projections, assessment load, direct and consultation service minutes, and student needs to determine if it should change APE teacher staffing.

Credentialed School Nurses

In 2023-24, the school has a 1.0 FTE credentialed school nurse, who manages a caseload of 2,959 students, as shown in the table below.

Credentialed School Nurse Staffing, 2023-24

Provider	Number of FTE	2022 Census Day Enrollment	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
School Nurse	1.0	2,959	2,959	1-to-2,274	-0.30 FTE

Sources: School-provided data, CalEdFacts - Publications (CDE), and DataQuest Enrollment by Subgroup - Palisades Charter High School.

The school is staffed at 0.3 FTE less than the industry standard for credentialed school nurses because it has been unable to recruit an additional credentialed school nurse or a licensed vocational nurse. Thus, for the 2024-25 school year it added 20 days to its credentialed school nurse's contract and is currently recruiting for a health services assistant.

Teacher for Students who are Deaf or Hard of Hearing

In 2023-24, the school contracts with a nonpublic agency for its teacher for students who are deaf or hard of hearing. This teacher manages the case of one student who receives direct services, as shown in the table below.

Teacher Staffing for Students who are Deaf or Hard of Hearing, 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard	Staffing Needed to Meet Industry Standard
Teacher for Students who are Deaf or Hard of Hearing	N/A	1	N/A	1-to-15-25	0.07 FTE to meet 1-to-15 0.04 FTE to meet 1-to-25

Sources: School-provided data and industry standards.

Note: Only students who receive direct services from this teacher were included in the total caseload and related calculations.

The school needs a 0.07 FTE teacher to meet the low end and a 0.04 FTE teacher to meet the high end of the industry standard caseload range for teachers of students who are deaf or hard of hearing. Hiring a 0.07 FTE teacher is not feasible, so the school has contracted for a part-time teacher, which meets present student needs. The school will need to continue reviewing annually its deaf and hard of hearing student caseload projections, assessment load, direct and consultation service minutes, and student needs to determine if it should change staffing for teachers of students who are deaf or hard of hearing.

Occupational Therapists

In 2023-24, the school contracts with a nonpublic agency for its occupational therapist, who manages the cases of 12 students who receive direct services, as shown in the table below.

Occupational Therapist Staffing, 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard	Staffing Needed to Meet Industry Standard
Occupational Therapist	N/A	12	N/A	1-to-45-55	0.27 FTE to meet 1-to-45 0.22 FTE to meet 1-to-55

Sources: School-provided data and industry standards.

Note: Only students who receive direct services from the occupational therapists were included in the total caseload and related calculations.

The school needs a 0.27 FTE occupational therapist to meet the low end and a 0.22 FTE occupational therapist to meet the high end of the industry-standard caseload range. Hiring a 0.27 FTE occupational therapist is not feasible, so the school contracts for a part-time occupational therapist, which meets present student needs. The school will need to continue reviewing annually its occupational therapist caseload projections, assessment load, direct and consultation service minutes, and student needs to determine if it should change occupational therapist staffing.

Physical Therapists

In 2023-24, the school contracts with a nonpublic agency for its physical therapist, who manages the cases of two students who receive direct services, as shown in the table below.

Physical Therapist Staffing, 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Industry Standard	Staffing Needed to Meet Industry Standard
Physical Therapist	N/A	2	N/A	1-to-45-55	0.04 FTE to meet 1-to-45 0.04 FTE to meet 1-to-55

Sources: School-provided data and industry standards.

Note: Only students who receive direct services from the physical therapist were included in the total caseload and related calculations.

The school needs a 0.04 FTE physical therapist to meet the low or high end of the industry standard caseload range. Hiring a 0.04 FTE physical therapist is not feasible, so the school contracts for a part-time physical therapist, which meets present student needs. The school will need to continue to review annually its physical therapist caseload projections, assessment load, direct and consultation service minutes, and student needs to determine its physical therapist staffing needs.

School Psychologists

In 2023-24, the school has 2.0 FTE school psychologists, each of whom manages an average caseload of 1,479.5 students.

School Psychologist Staffing, 2023-24

Provider	Number of FTE	2022 Census Day Enrollment	Caseload Average	Industry Standard	Staffing Above (+) or Below (-) Industry Standard
School Psychologist	2.0	2,959	1,479.5	1-to-977	-1.02 FTE

Sources: School-provided data, CalEdFacts - Publications (CDE), and DataQuest Enrollment by Subgroup - Palisades Charter High School.

The school is staffed at 1.02 FTE less than the industry standard for school psychologists. The school has two social workers who facilitate the COST and provide some counseling for students with IEPs. In addition, the school contracts with an NPA for a BCBA, who provides behavior analysis. However, most psychologist duties are performed by the two school psychologists.

The school has a critical need to implement an SCIA process to whether 1-to-1 student support is necessary. School psychologists typically perform these assessments, and it would be difficult for them to do so given their current responsibilities and with staffing that is significantly less than the industry standard. Inadequate school psychologist staffing could also prevent the school from meeting special education assessment timelines and limit the work a school psychologist can perform other than special education assessment, such as the following:

- Prevention and intervention.
- Crisis preparedness.
- Response and recovery.
- Instructional support.
- Schoolwide practice development to support learning and positive student behavior.
- Support for social-emotional learning.

- Data collection and analysis.
- Counseling.
- Mental health interventions.

The school hired an additional 1.0 FTE school psychologist for 2024-25.

Speech and Language Pathologists

Education Code 56363.3 establishes a maximum caseload of 55 students for speech and language pathologists (SLPs) who serve students ages five to 22.

In 2023-24, the school contracts with an NPA for its SLP, who manages the cases of 29 students who receive direct services, as shown in the table below.

Speech and Language Pathologist Staffing, 2023-24

Provider	Number of FTE	2023-24 Total Caseload	Caseload Average	Education Code Standard	Staffing Needed to Meet Industry Standard
Speech and Language Therapist	N/A	29	N/A	1-to-55	0.53 FTE

Sources: School-provided data and EC 56363.3.

Note: Only school-age students who receive direct services from an SLP were included in the caseload average for comparison with the industry standard.

The school needs a 0.53 FTE SLP to meet the industry standard. The school will need to continue reviewing annually its speech and language pathologist caseload projections, assessment load, direct and consultation service minutes, and student needs to determine if changes to SLP staffing are necessary.

Recommendations

The school should:

1. Continue to regularly analyze whether all related service provider staffing ratios are aligned with current legal and industry standards and are adequate to meet students' needs.
2. Annually review the number of initial psychoeducational assessments in the current school year, the number of annual and triennial psychoeducational assessments expected next school year, the number of early reassessments expected next school year, total student enrollment, special education enrollment, and individual student needs to determine if it needs to change school psychologist staffing.

Unrestricted General Fund Contribution to Special Education

Fiscal Background

California's special education funding structure was established by and is commonly referred to as Assembly Bill (AB) 602, which was introduced and signed into law in 1997 and became effective during the 1998-99 fiscal year.

Under AB 602, special education funding is based on the average daily attendance (ADA) of all students in an LEA, regardless of the number of students served in special education programs or the cost to serve them. California distributes special education funds to special education local plan areas (SELPAs) based on their member LEAs' total ADA counts.

In addition to AB 602 state funding, LEAs receive a small amount of federal funds. These funds are designed to supplement the general education program, not to support a standalone program. The combined state and federal financial resources are insufficient to pay for even the most efficient special education programs.

Consequently, LEAs make contributions to special education from local resources generated by all students, including those in special education. These contributions are the amount of funding that LEAs must transfer from their unrestricted general funds to pay for the portion of special education costs that exceeds program revenues.

Unrestricted General Fund Contribution

The special education finance reporting methods LEAs and SELPAs use can vary. For example, some LEAs include legal costs and settlements or transportation costs, while others exclude them. SELPAs also vary in how they allocate special education funds. Therefore, it is not always possible to accurately compare an LEA's unrestricted general fund contribution to those of other LEAs. However, each LEA needs to evaluate any contribution that is excessive compared to other LEAs or that is increasing disproportionately compared to other costs.

FCMAT analyzed the school's unrestricted general fund contribution to special education for 2021-22 and 2022-23. The 2023-24 budget was also reviewed for reasonableness and is shown for comparison purposes.

Interviews with staff indicated that special education expenses charged to one-time state and federal income in 2021-22 and 2022-23 were mostly for ongoing expenses and have been budgeted by the school as special education expenses in 2023-24, except for $56,266 in 2021-22, $150,483 in 2022-23 and $26,743 in 2023-24. For FCMAT's analysis and forecast of expenses, ongoing expenses charged to one-time funding were included in the historical special education expenses, and the effect on the unrestricted general fund contribution was modified.

To build comparable data, only ongoing income and ongoing expenses reported in the Standardized Account Code Structure (SACS) accounting software were used, and one-time funding totaling $184,269 in 2021-22 and $32,301 in 2022-23 was removed from the analysis. In addition, indirect costs (i.e., the administrative costs of operating a program) based on the CDE's approved rate for the school were added to the school-reported expenses. It is a best practice to consistently charge the full indirect cost rate to all programs, including special education. It is unclear why the school has not done so in the past, but the true cost of the special education program cannot be determined unless the full indirect costs are consistently charged to special education. The school's approved indirect cost rates were 3.00% in 2021-22, 3.30% in 2022-23 and 8.30% in 2023-24.

In addition, ongoing expenses for 50% of the social workers' salaries and benefits in 2021-22, 2022-23 and 2023-24, the special education administrator's salary (which was not charged to special education in 2022-23), and unemployment insurance and workers compensation benefit expenses related to all positions were added to the special education expenses and included in the ongoing special education expenditures total.

Using ongoing income only, the school's ongoing expenses will continue to outpace funding. This will cause the school's unrestricted general fund contribution to special education to increase, as shown in the table below.

Special Education Expenses, Ongoing Income and Expenditures Only, 2021-22 – 2023-24

Income/Expense Category	2021-22	2022-23	2023-24	Average Annual Rate
Change in Students Enrolled in Special Education	-2%	-2%	N/A	-2%
Change in Ongoing Income	32%	7%	-1%	13%
Change in Certificated Salaries	-7%	-2%	8%	0%
Change in Classified Salaries	-1%	1%	3%	1%
Change in Benefits	4%	-2%	16%	6%
Change in Books and Supplies	84%	-2%	-80%	1%
Change in Services	12%	34%	21%	22%
Change in General Fund Contribution	-32%	6%	61%	6%
Adjusted Dollar Amount of Contribution	$2,767,882	$1,890,006	$2,010,771	N/A
Dollar Amount of Expenses Charged to Special Education	$5,191,377	$5,089,729	$5,447,488	N/A

Sources: Official SACS data, 2023-24 first interim SACS data annualized, and 2022-23 year-end trial balance,
Note: The SACS data was adjusted to use only ongoing income and expenses, add 50% of the salaries and benefits for the social worker positions, add the special education administrator's salary and benefits omitted in the 2022-23 SACS reporting, and add indirect costs.

The school's adjusted unrestricted general fund contributions are shown in the table below.

Adjusted Unrestricted General Fund Contribution, 2020-21 – 2022-23

	2020-21	2021-22	2022-23
Unrestricted General Fund Contribution	$2,767,882	$1,890,006	$2,010,771
Percentage of Adjusted Special Education Costs	56.57%	37.85%	37.34%

Sources: Official SACS data and the 2022-23 trial balance,

Note: The SACS data was adjusted to use only ongoing income and expenses, add 50% of the salaries and benefits for the social worker positions, add the special education administrator's salary and benefits omitted in the 2022-23 SACS reporting, and add indirect costs.

In 2022-23, the school's adjusted unrestricted general fund contribution was $2,010,771, or 37.34% of total special education costs, which was significantly lower than the last available 2021-22 statewide average of 64.3% as calculated by School Services of California. This contribution as a percentage of total special education costs is projected to increase to 50.13% in 2023-24.

Although the school's ongoing special education funding from the SELPA has increased by an average of 13% per year over the last three years, its special education funding decreased in 2023-24. Had the school's total enrollment and associated ADA not decreased during this period, the school would have received more special education funding. The Los Angeles Unified SELPA's funding figures for LEAs for 2023-24 have not been updated since October 2023. However, state apportionment documents from the CDE dated February 2024 indicate that the decrease in ongoing funding is mainly due to a SELPA-wide ADA decrease of 13.9% since 2020-21. In comparison, the school's ADA decreased by only 5.4% over the same period. The SELPA-wide decrease in ADA, which generates its AB 602 funding, is part of the reason the school's funding from the SELPA did not increase in 2023-24 despite the 8.22% cost-of-living adjustment (COLA).

Nonpublic School and Nonpublic Agency Costs

Based on the school's 2023-24 first interim budget and actual expenditures to date, contracted service expenses are projected to increase by approximately 21% in 2023-24, mainly due to a 40% increase in NPS costs and additional contracted professional services.

The best practice is for LEAs to use a SELPA master contract to contract with an NPA or NPS for special education services. This type of master contract is a written agreement specifying the administrative and financial arrangements between an LEA and NPA or NPS that provides special education services. An LEA needs to make sure a SELPA master contract with an NPA or NPS is in place before the first day of service. The state SELPA association annually updates its SELPA master contract, which SELPAs throughout the state make available for their member LEAs to use. As part of the SELPA master contract process, LEAs are responsible for completing an Individual Service Agreement for each student who receives NPA or NPS services. Such an agreement connects the SELPA master contract to students and their services and is used to specify services, their frequency, and costs for the LEA and the chosen NPA or NPS. SELPAs are sometimes able to negotiate predetermined rates for NPA or NPS special education services on behalf of their LEAs.

Staff reported they do not use the most recent SELPA master contract from the Los Angeles Unified SELPA for NPS and NPA services and are unaware of any special rates the SELPA may have negotiated with any local NPAs or NPSs. Turnover of special education staff may be contributing to this situation. The school needs to work with the Los Angeles Unified SELPA to consistently use the most recent version of the SELPA master contract so it can reduce its liability and benefit from any special rates that have been negotiated with local NPAs and NPSs. In addition, the school has not been reporting attendance for students who attend an NPS. Although employees did not know why this has not occurred, the school needs to begin doing so to maximize its state funding.

Based on staff interviews and increased contracted service costs, FCMAT found that the costs of placements in NPSs and special education-related services for students residing in licensed children's institutions (LCIs) are increasing at a pace that far exceeds income. The school has not performed a cost-per-student analysis, which is required to identify and support the annual filing for extraordinary cost pool reimbursement for NPS and LCI placements under EC 56836.21. The Special Education Extraordinary Cost Pool for NPS and LCI is ongoing state funding that was increased by almost 700% in 2022-23. The threshold amount above which an LEA becomes eligible to apply for this state funding in 2022-23 was $90,504.67 for a single placement and services. The school should explore whether the cost of services for any of its students may exceed that amount and thus qualify for full or partial reimbursement depending on state funding availability.

Recommendations

The school should:

1. Continue to monitor and manage its unrestricted general fund contribution to special education.
2. Charge the full indirect cost rate to its special education programs so the true cost of special education can be known.
3. Review and adjust SELPA income and direct expenses as updated information becomes available.
4. Use the most recent Los Angeles Unified SELPA master contract, which should be updated annually, to contract for NPA and NPS services annually.
5. Determine whether the Los Angeles Unified SELPA has negotiated any special rates for NPA or NPS services that the school may also use.
6. Begin reporting to the CDE the ADA for students enrolled in NPSs.
7. Work with the Los Angeles Unified SELPA to determine if the costs related to any student, particularly those placed in an NPS or LCI, meet the criteria for the SELPA to seek reimbursement from the CDE's Special Education Extraordinary Cost Pool for NPS and LCI placements.

Cost of Due Process, Mediation and Settlements

The IDEA and EC 56500.3 require LEAs to implement all procedural safeguards for children with exceptional needs. These procedures provide a structured framework for resolving disputes related to the identification, assessment, educational placement, and provision of a FAPE at the lowest level. Special education is a highly litigated area, with most litigation centered on disputes over providing a FAPE.

The school has had 16 filings with the Office of Administrative Hearings (OAH) over the last four years. Nine of the filings were withdrawn within approximately 90 days, one was settled using an OAH prehearing conference, and the remaining six were settled in formal OAH mediation. Staff reported that the school had two due process hearings this year and two filings last year.

The school's annual special education legal costs have increased over the last three years, as shown in the chart below.

Annual Special Education Legal Costs, 2020-21 – 2022-23

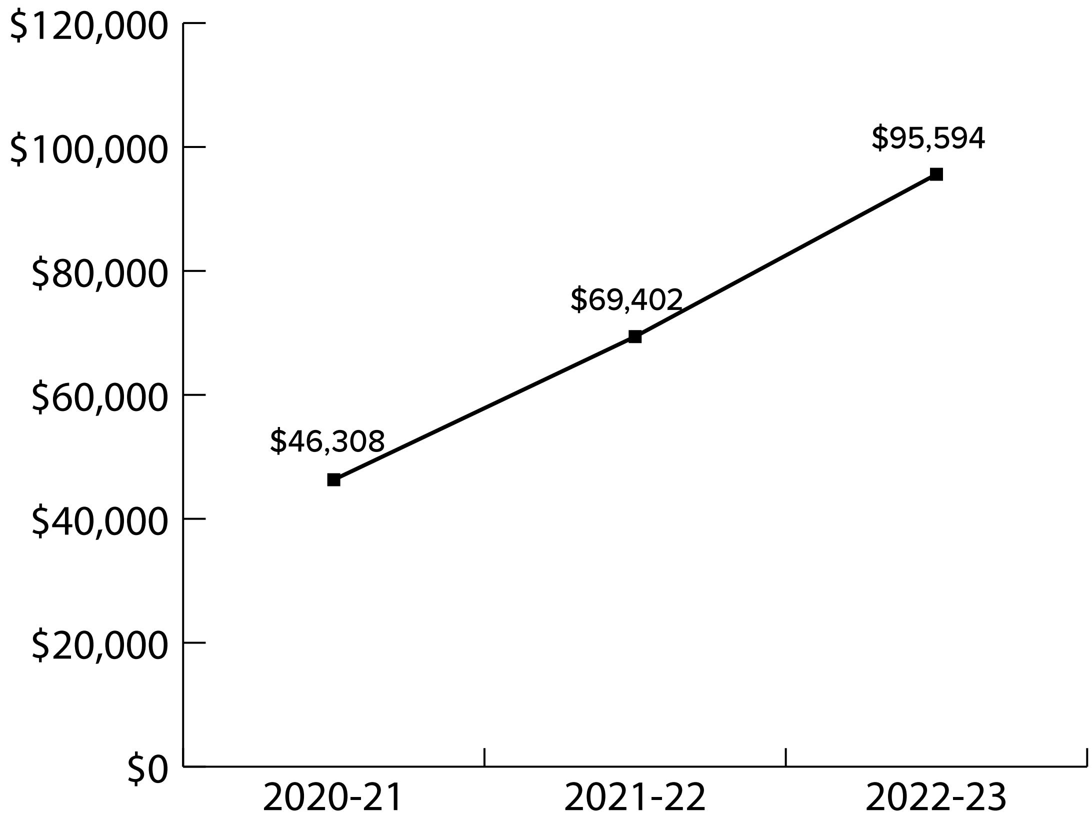


Figure 7: School’s annual special education legal costs from 2020-21 through 2022-23.

Source: School-reported data.

The school's annual special education settlement payments over the past three years are shown in the chart below.

Annual Special Education Settlement Payments, 2020-21 – 2022-23

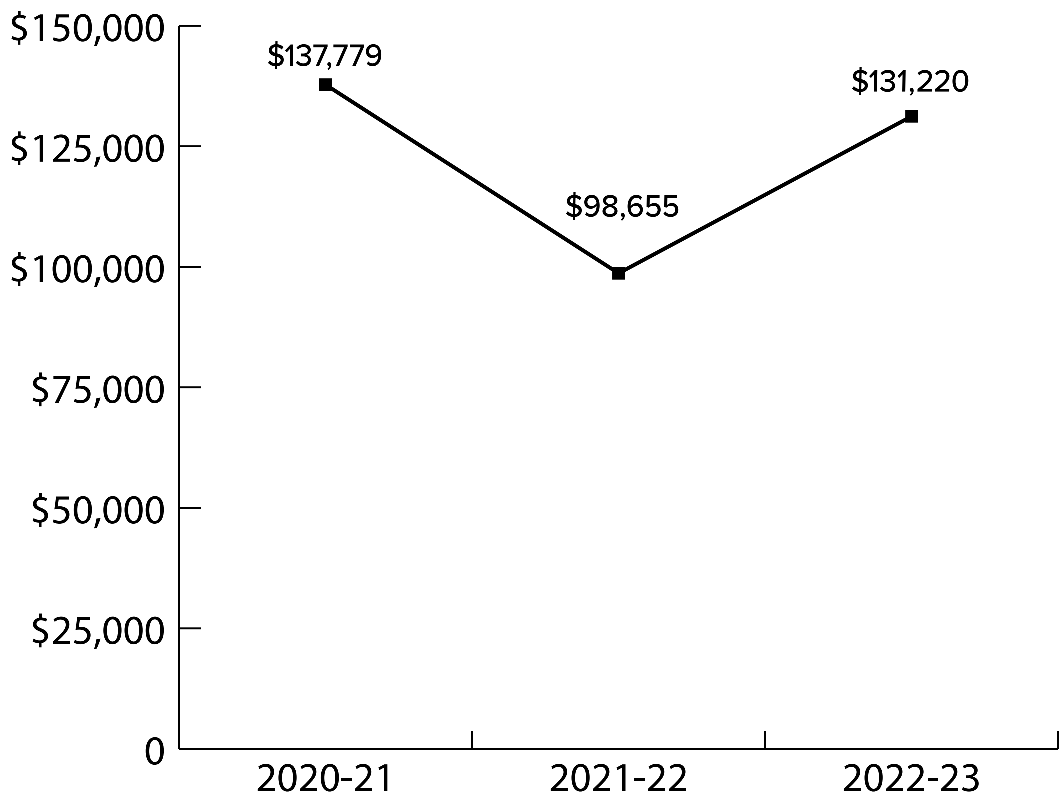


Figure 8: School's annual special education settlement payments from 2020-21 through 2022-23.

Source: School-reported data.

Note: The settlement payments reported do not include the related compensatory services expenses.

In 2023-24, the school budgeted approximately $262,891 for legal fees and settlement costs. At the beginning of the school year, the business office requests data to budget for the possible effects of informal and formal complaints and adds funds throughout the year as needed. Although most complaints are settled by offering compensatory services, the costs of those services are not tracked separately in the general ledger and are therefore unknown. The school has not historically tracked compensatory service costs; however, if the school were to begin tracking the costs of settlements it could analyze this data to identify trends.

The Los Angeles Unified SELPA provides a way for charter schools to apply for up to $25,000 in one-time financial assistance for an unexpected student placement in an NPS and/or new NPS contract, as well as one-time funding for extraordinary costs associated with a special education legal case. In addition, the school participates in an educators legal liability insurance program that it can access for special education-related legal costs. The cap on this plan in 2021-22 was $7,500 per occurrence. It appears that the school has taken advantage of this financial assistance.

Recommendation

The school should:

1. Track the costs of compensatory services related to settlements separately in the general ledger so that the full cost of settlements is available for analysis.

Appendix

Study Agreement

FCMAT

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
STUDY AGREEMENT
FOR MANAGEMENT ASSISTANCE

This study agreement, hereinafter referred to as Agreement, is made and entered into by and between the Fiscal Crisis and Management Assistance Team, hereinafter referred to as the Team or FCMAT, and the Palisades Charter High School, hereinafter referred to as the Client; collectively, FCMAT and Client are hereinafter referred to as the Parties. This Agreement shall become effective from the date of execution hereof by FCMAT.

1. **BASIS OF AGREEMENT**

   FCMAT provides a variety of services to local education agencies (LEAs) as authorized by Education Code (EC) 42127.8(d). The Client has requested that the FCMAT assign professionals to study specific aspects of the Client's operations. The professionals will include FCMAT staff and may include professionals from county offices of education, school districts, charter schools, community colleges, other public agencies or private contractors. All professionals assigned shall work under the direction of FCMAT. All work shall be performed in accordance with the terms and conditions of this Agreement.

   FCMAT will notify the Client's county superintendent of schools of this Agreement.

2. **SCOPE OF THE WORK**

   A. Scope and Objectives of the Study

      1. Review the charter school's implementation of student success teams, response to instruction and intervention, and multitiered system of supports, and make recommendations for improvement, if any.

      2. Analyze special education teacher staffing ratios, class sizes and caseloads using statutory requirements for mandated services and statewide guidelines, and make recommendations for improvement, if any.

      3. Review the efficiency of staffing allocations of special education paraeducators, per Education Code requirements and/or industry standards, and make recommendations for improvement, if any. Review the procedures for identifying the need for paraeducators, including considerations related to the least restrictive environment and the processes for monitoring the assignment of paraeducators and determining the need for continued support from year to year (including classroom and 1-to-1 paraeducators).

      4. Analyze staffing and caseloads for related service providers, including but not limited to speech pathologists, psychologists, occupational/physical therapists, behavior specialists, adaptive physical education teachers and other staff who may be related service providers, and make recommendations for improvement, if any.

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5. Determine whether the charter school overidentifies students for special education services compared to the statewide and countywide averages, and make recommendations for reducing overidentification, if needed.

6. Analyze whether the charter school provides a continuum of special education and related services for students in preschool through age 22, including their placement in the least restrictive environments, and make recommendations for improvement (which may include instructional models), if any.

7. Review the Special Education Department's organizational structure and staffing within the charter school's central office to determine whether its administration, clerical and administrative support, program specialists, teachers on special assignment and overall function are aligned with those of school districts of comparable size and structure, and make recommendations for greater efficiencies, if any.

8. Review the costs of due processes, mediations and settlements for the past three years and make recommendations for improvements, if any.

9. Review the charter school's professional development/training program as it relates to special education, and make recommendations for improvement, if any.

10. Review the charter school's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.

11. The Team will present the final report to the charter school's board of trustees in a public meeting following the completion of the review.

B. Services and Products to be Provided

1. Orientation Meeting
   The Team will conduct an orientation session at the Client's location to brief the Client's management and supervisory personnel on the Team's procedures and the purpose and schedule of the study. This orientation meeting is normally held at the beginning of fieldwork for the study.

2. Fieldwork
   The Team will conduct fieldwork at the Client's office and/or school site(s), or other locations as needed. Limited fieldwork may also be conducted remotely via telephone or videoconferencing services, in addition to the Public Safety Considerations outlined in Section 13 below.

3. Exit Meeting
   The Team will hold an exit meeting at the conclusion of the fieldwork to inform the Client of the status of the study. The exit meeting will include a review of the scope of work; outstanding items, including documents, data and interviews not yet received or held; and the estimated timeline for a draft report. The meeting will not

memorialize details regarding findings because the Team's conclusions may change after a complete analysis is finished. Exceptions to this will be findings of immediate health and safety concerns for students or staff, and other time-sensitive items that include the potential for risk or exposure to loss.

4. Exit Letter
   Approximately 10 business days after the exit meeting, the Team will issue an exit letter briefly memorializing the topics discussed in the exit meeting.

5. Draft Report
   An electronic copy of a preliminary draft report will be delivered to the Client's point of contact identified below for review and comment.

6. Final Report
   An electronic copy of the final report will be delivered to the Client's point of contact and to the Client's county superintendent of schools following completion of the study. FCMAT's work products are public and all final reports are published on the FCMAT website.

7. Board Presentation
   Presentations to the Client's board are optional and are made at the request of the Client. If a board presentation is requested, it will be noted in the scope and objectives of the study or can be added as a change in scope at a later date.

8. Follow-Up Review
   If requested by the Client within six to 12 months after completion of the study, FCMAT, at no additional cost, will assess the Client's progress in implementing the recommendations included in the report. This follow-up support is primarily a document review-based study. Progress in implementing the recommendations will be documented to the Client in a FCMAT management letter. FCMAT will work with the Client on a mutually convenient time to return for follow-up support that is no sooner than eight months and no later than 18 months after the date of the final report.

3. PROJECT PERSONNEL

The personnel assigned to the study will be led by a FCMAT staff person (job lead) and will include at least one other professional. FCMAT will notify the Client of the assigned personnel when the fully executed copy of this Agreement is returned to the Client.

FCMAT will communicate to the Client any changes in assigned project personnel.

4. PROJECT COSTS

The cost for studies requested pursuant to EC 42127.8(d)(1) and 84041 shall be as follows:

A. $1,100 per day for each FCMAT staff member while on site conducting fieldwork. The cost of independent FCMAT consultants will be billed at their daily rate for all work performed. On-site is defined as either 1) physically at the Client's office or school site(s), or 2) in a scheduled virtual meeting with the Client's personnel, representatives or others associated with the scope of work pursuant to Section 13 below.

B. All out-of-pocket expenses, including travel and its associated costs, and miscellaneous items necessary to complete the scope and objectives of the study.

C. The applicable indirect rate at the time work is performed on the study will be added to all costs billed.

D. The Client will be invoiced for 50% of the not-to-exceed cost shown below following completion of fieldwork (progress payment) and the remaining amount shall be due upon the issuance of the final report or presentation to the Client's board, whichever is later (final payment). The Parties agree that changes documented in a revised study agreement may change the original not-to-exceed amount shown below. If changes are made before or during fieldwork, the new not-to-exceed amount documented in such a revised study agreement will constitute the basis for the progress payment. If changes are made after fieldwork, 100% of the total changed value documented in a revised study agreement, less progress payments made, will constitute the final payment due. All payments shall be due immediately based on the terms of the invoice.

Based on the scope and objectives of the study, the total not-to-exceed cost of the study will be $18,000.

E. Any change to the scope of work will affect the total cost. Changes may include, but are not limited to, delays, revisions to the scope of services, and substitution or addition of personnel. The need for changes shall be communicated by FCMAT to the Client in advance in the form of a revised study agreement.

Payments for FCMAT's services are payable to Kern County Superintendent of Schools, Administrative Agent, 1300 17th Street, City Centre, Bakersfield, CA 93301.

5. **RESPONSIBILITIES OF THE CLIENT**

A. Return current organizational chart(s) that show the Client's management and staffing structure with the signed copy of this Agreement. Organizational charts should be relevant to the scope of this Agreement.

B. Provide private office or conference room space for the Team's use during fieldwork.

C. Provide for a Client employee to upload all requested documents and data to FCMAT's online SharePoint repository per FCMAT's instructions. Provide FCMAT with the name and email of the person who will be responsible for collecting and uploading documents requested by FCMAT with the signed copy of this Agreement.

D. Provide documents and data requested on the Team's initial and supplementary document request list(s) by the date requested.

All documents and data provided shall be responsive to FCMAT's request, in quality condition, readable and in a usable form. With few exceptions, documents and data requested are public records and records maintained by LEAs in the routine course of doing business. Some data requested may require exporting LEA financial system reports to Microsoft Excel or another usable format agreed to by FCMAT.

All documents shall be provided to FCMAT in electronic format, labeled as instructed by FCMAT. Upon approval of this Agreement, access will be provided to FCMAT's online SharePoint repository, to which the Client will upload all requested documents and data.

E. Ensure appropriate senior-level staff are available for the orientation and exit meetings.

F. Facilitate access to requested board members, officers and staff for interviews.

G. Facilitate access to requested information and facilities to include, but not be limited to, files, sites, classrooms and operational areas for observation.

H. Review a draft of the report and return it to FCMAT by the date FCMAT requests with any comments regarding the accuracy of the report's data or the practicability of its recommendations. The Team will review this feedback in a timely manner and make any adjustments it deems necessary before issuing the final report.

I. Return the requested evaluation survey to FCMAT as described below.

6. PROJECT SCHEDULE

Time is of the essence. The Parties acknowledge that the goal of the scope and objectives of the study under this Agreement is to produce a timely and thorough report that adds value for the Client. To accomplish this goal, the Parties agree to communicate and mutually agree to honor established time commitments. These commitments include the Client providing requested documents, setting and keeping interview appointments and returning comments on the draft report consistent with the established project schedule.

The following project schedule milestones will be established by FCMAT upon receipt of a signed Agreement from the Client:

ACTION	TIMELINE
FCMAT provides the Client with a draft Agreement.	Draft Agreements are usually provided within 20 business days of the Client's initial request for services.
Client returns partially executed Agreement to FCMAT along with the applicable organizational chart and the name and email of the person who will be responsible for collecting and uploading documents requested by FCMAT.	Draft Agreements are valid for 30 business days.
FCMAT returns a fully executed Agreement to the Client and identifies the project schedule and the lead and other personnel assigned to the job.	Within five business days of the Client's return of the signed Agreement.
Client uploads initial requested	Within 10 business days of the Client's

ACTION	TIMELINE
documents and data to FCMAT's online SharePoint repository.	receipt of the FCMAT document and data request list.
Fieldwork	Mutually agreed upon; usually, to commence within 10 business days of FCMAT's receipt of requested documents and data.
Orientation meeting	First day of fieldwork.
Exit meeting	Last day of fieldwork.
Follow up fieldwork, if needed (e.g., rescheduled interview, additional interviews).	Mutually agreed upon; usually, within five business days of FCMAT's request.
Client uploads supplemental documents and data to FCMAT's online SharePoint repository.	Within two business days of the Client's receipt of FCMAT's supplemental document and data request(s).
Draft report submitted to the Client.	To be determined, usually, within eight weeks of the conclusion of fieldwork and receipt of all documents and data requested.
Client comments on draft report	Within 10 business days of FCMAT providing a draft report to the Client.

The Client acknowledges that project schedule deadlines build upon and are contingent on each previous deadline. Missed deadline dates will affect future deadline dates and ultimately the timing of the final report. For example, if the Client does not provide requested documents and data by the specified date, the fieldwork may not be able to proceed as originally planned.

FCMAT acknowledges that the Client has an educational program to administer, is balancing many priorities, and in some cases may have records management difficulties, staffing capacity issues, staff on various types of leave, or other circumstances, all of which will affect the project schedule.

The Parties commit to regular communication and updates about the study schedule and work progress. FCMAT may modify the usual timelines as needed.

7. COMMENCEMENT, TERMINATION AND COMPLETION OF WORK

FCMAT will commence work as soon as it has assembled an available and appropriate study team, taking into consideration other jobs FCMAT has previously undertaken, assignments from the state, and higher priority assignments due to fiscal distress. The Team will work expeditiously to complete its work and deliver its report, subject to the cooperation of the Client and any other related parties from which, in the Team's judgment, it must obtain information. Once the Team has completed its fieldwork, it will proceed to prepare a report.

In the absence of extraordinary circumstances, FCMAT will not withhold preparation, publication and distribution of a final report once fieldwork has been completed.

Prior to completion of fieldwork and upon written notice to FCMAT, the Client may terminate its request for service and will be responsible for all costs incurred by FCMAT to the date of termination under Section 4 (Project Costs). If the Client does not provide written notice of termination prior to completion of fieldwork, the Team will complete its work and deliver its final report and the Client will be responsible for the full costs.

FCMAT may terminate this Agreement at any time if the Client fails to cooperate with the requested project schedule, provide requested documents and data and/or make staff available for interviews as requested by FCMAT.

8. **INDEPENDENT CONTRACTOR**

FCMAT is an independent contractor and is not an employee or engaged in any manner with the Client. The manner in which FCMAT's services are rendered shall be within its sole control and discretion. FCMAT representatives are not authorized to speak for, represent, or obligate the Client in any manner without prior express written authorization from an officer of the Client.

9. **RECORDS**

The Client understands and agrees that FCMAT is a state agency and all FCMAT reports are public records and are published on the FCMAT website. Supporting documents and data in FCMAT's possession may also be public records and will be made available in accordance with the provisions of the California Public Records Act.

FCMAT has a records retention policy and practice, and every effort will be made to maintain records related to this Agreement in accordance with this policy.

10. **CONTACT WITH PUPILS**

Pursuant to EC 45125.1, representatives of FCMAT will have limited contact with pupils. The Client shall take appropriate steps to comply with EC 45125.1.

11. **INSURANCE**

During the term of this Agreement, FCMAT shall maintain liability insurance of not less than $1 million unless otherwise agreed upon in writing by the Client, automobile liability insurance in the amount required by California state law, and workers' compensation as required by California state law. Upon the request of the Client and receipt of the signed Agreement, FCMAT shall provide certificates of insurance, with the Client named as additional insured, indicating applicable insurance coverages.

12. **HOLD HARMLESS**

FCMAT shall hold the Client, its board, officers, agents, and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of FCMAT's board, officers, agents and employees undertaken under this Agreement. Conversely, the Client shall hold FCMAT, its board, officers, agents, and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of the Client's board, officers, agents and employees undertaken under this Agreement.

13. **PUBLIC SAFETY CONSIDERATIONS**

Whether due to public health considerations, extreme weather conditions, road closures, other travel restrictions or interruptions, shelter-at-home orders, LEA closures or other related considerations, at FCMAT's sole discretion, the Scope of Work, Project Costs, Responsibilities of the Client, and Project Schedule (Sections 2, 4, 5 and 6 herein) and other provisions herein may be revised. Examples of such revisions may include, but not be limited to, the following:

A. Orientation and exit meetings, interviews and other information-gathering activities may be conducted remotely via telephone, videoconferencing, or other means. References to fieldwork shall be interpreted appropriately given the circumstances.

B. Activities performed remotely that are normally performed in the field shall be billed hourly as if performed in the field (excluding out-of-pocket costs that can otherwise be avoided).

C. The Client may be relieved of its duty to provide conference and other work area facilities for the Team.

14. **FORCE MAJEURE**

Neither party will be liable for any failure or delay in the performance of this Agreement due to causes beyond the reasonable control of the party, except for payment obligations by the Client.

15. **EVALUATION**

In the interest of continuous improvement, FCMAT will provide the Client with an evaluation survey at the conclusion of the services. FCMAT appreciates the Client's honest assessment of the Team's services and process. The Client shall return the evaluation survey within 10 business days of receipt.

16. **CLIENT CONTACT PERSON**

The Client's contact person designated below shall be the primary contact person for FCMAT to use in communicating with the Client on matters related to this Agreement. At any time when this Agreement or FCMAT's process requires that FCMAT send information, document request lists, draft report or final report, or when FCMAT makes other requests for the Client to act upon, this is the person whom FCMAT will contact. The Client may change the contact person upon written notice to FCMAT's job lead assigned to the study.

Name: Juan Pablo, Chief Business Officer

Telephone: (310) 230-7238

Email: jherrera@palihigh.org

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17. SIGNATURES

Each individual executing this Agreement on behalf of a party hereto represents and warrants that he or she is duly authorized by all necessary and appropriate action to execute this Agreement on behalf of such party and does so with full legal authority.

For Client:

Pamela Magee 2/2/2024

Pamela Magee, Ed.D., Executive Director/Principal Date
Palisades Charter High School

For FCMAT:

Michael H. Fine Digitally signed by Michael H. Fine
Date: 2024.02.14 16:37:09 -08'00'

Michael H. Fine, Date
Chief Executive Officer
Fiscal Crisis and Management Assistance Team

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