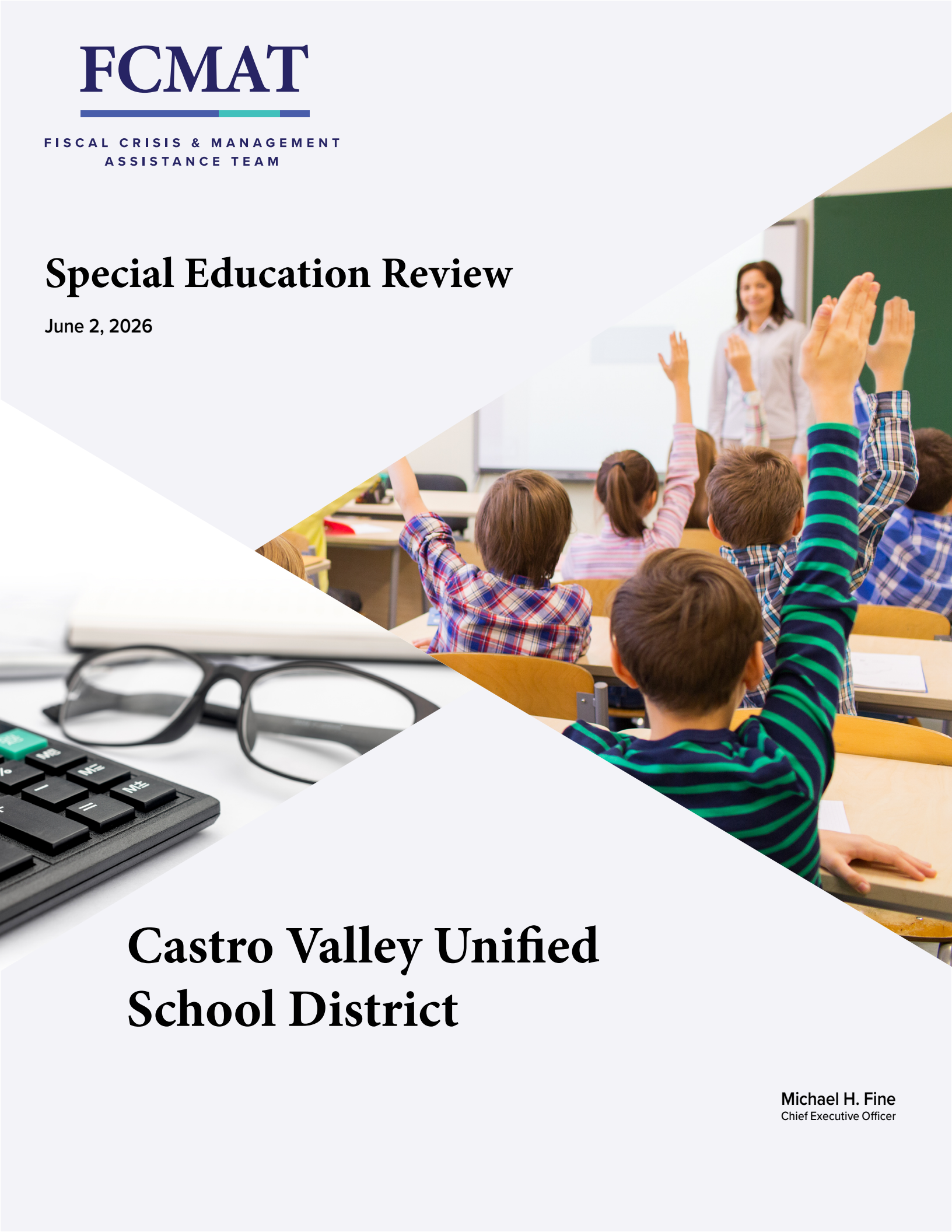


FCMAT

FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

Special Education Review

June 2, 2026



Castro Valley Unified School District

Michael H. Fine
Chief Executive Officer

June 2, 2026

Nia Rashidchi, Ed.D.
Superintendent
Castro Valley Unified School District
4400 Alma Ave.
Castro Valley, CA 94546

Dear Superintendent Rashidchi:

In November 2025, the Castro Valley Unified School District and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for FCMAT to conduct a review of the district's special education program. The agreement stated that FCMAT would perform the following:

1. Review the district'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, adapted physical education teachers and other staff who may be related service providers, and make recommendations for improvement, if any.
5. Determine whether the district 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 district 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 in the district'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 districts of comparable size and structure, and make recommendations for greater efficiencies, if any.

8. Review the costs of due process activities, mediations and settlements for the past three years and make recommendations for improvements, if any.
9. Review the district's professional development/training program as it relates to special education, and make recommendations for improvement, if any.
10. Review the district's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.
11. Review special education transportation for efficiency and effectiveness, and provide recommendations for potential cost savings measures, if any. The review will include but not be limited to the role of individualized education programs, routing, scheduling, operations and staffing.
12. The Team will present the final report to the district's governing board at 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 Castro Valley Unified School District and extends its thanks to all the staff for their assistance during fieldwork.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael H. Fine". The signature is fluid and cursive, with the first name "Michael" and last name "Fine" clearly distinguishable.

Michael H. Fine
Chief Executive Officer

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About FCMAT

Purpose and Services

FCMAT was created by the California Legislature to help California's transitional kindergarten through grade 14 (TK-14) local educational agencies (LEAs) avoid fiscal insolvency. Today, FCMAT helps LEAs identify, prevent and resolve financial, management, program, data, and oversight challenges; provides professional learning; produces and provides software, checklists, manuals and other tools; and offers other related school business and data services.

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

When FCMAT is asked for help with management assistance or a fiscal crisis, FCMAT management and staff work closely with the requesting LEA to meet their needs. Often this means conducting a formal study using a FCMAT study team that coordinates with the LEA for on-site fieldwork to evaluate specified operational areas and subsequently produces a written report with findings and recommendations for improvement.

For more immediate needs in a specific area, FCMAT offers short-term technical assistance from a FCMAT staff member with the required expertise.

To help meet the need for qualified chief business officials (CBOs) in LEAs, FCMAT offers four different CBO training and mentoring programs that consist of 11 or 12 diverse two-day training sessions over the course of a full year.

For agencies with professional learning needs, FCMAT offers workshops on specific topics. Popular topics include associated student body operations, use of FCMAT's Projection-Pro online financial forecasting software, use of FCMAT's Local Control Funding Formula (LCFF) Calculator, and data reporting for the California Longitudinal Pupil Achievement Data System (CALPADS). FCMAT staff and management also frequently make presentations at various professional conferences.

The California School Information Services (CSIS) service of FCMAT helps the California Department of Education (CDE) operate CALPADS; helps LEAs learn about CALPADS, resolve data issues and meet reporting requirements; and provides LEAs with training and leadership in data management. CSIS also developed and continues to host and improve the Standardized Account Code Structure (SACS) web-based financial reporting system for all California LEAs, and provides ed-data.org, which gives educators, policy-makers, the Legislature, parents and the public quick access to timely and comprehensive data about TK-12 education in California.

Since it was formed, FCMAT has provided LEAs with the types of help described above on more than 2,000 occasions.

FCMAT's administrative agent is the Kern County Superintendent of Schools. FCMAT is led by Michael H. Fine, Chief Executive Officer, and is funded by appropriations in the state budget and modest fees to requesting agencies.

Workshop schedules, manuals, presentation slide decks, Projection-Pro software, LCFF calculators, past reports, an online help desk, and many other resources are available for download or use at no charge on FCMAT's website.

History

FCMAT was created by Assembly Bill 1200 (Chapter 1213, Statutes of 1991) and Education Code 42127.8. Assembly Bill 107 (Chapter 282, Statutes of 1997) added Education Code 49080, which charged FCMAT with responsibility for CSIS and its statewide data management work, and Assembly Bill 1115 (Chapter 78, Statutes of 1999) codified CSIS' mission.

Assembly Bill 1200 created a statewide plan for county offices of education and school districts to work together locally to improve fiscal procedures and accountability standards. Assembly Bill 2756 (Chapter 52, Statutes of 2004) gave FCMAT specific responsibilities for districts that have received emergency state loans.

In January 2006, Senate Bill 430 (Chapter 357, Statutes of 2005) amended Education Code 42127.8, and Assembly Bill 1366 (Chapter 360, Statutes of 2005) amended Education Codes 42127.8 and 84041. These new laws expanded FCMAT's services to include charter schools and community colleges, respectively.

Assembly Bill 1840 (Chapter 426, Statutes of 2018) changed how fiscally insolvent districts are administered once an emergency appropriation has been made, shifting oversight responsibilities from the state to the local county superintendent to be more consistent with the principles of local control, and giving FCMAT new responsibilities associated with the process.

Introduction

Background

Located in Alameda County, the Castro Valley Unified School District serves students in preschool and transitional kindergarten through grade 12 (TK-12) at one preschool, nine elementary schools, two middle schools, two high schools, one virtual academy, one adult transition program, and one adult and career education center. According to [DataQuest](#), 9,570 TK-12 students were enrolled in 2024-25.

The district is both a member and the administrative unit of the Mid-Alameda County Special Education Local Plan Area (SELPA). The SELPA is responsible for ensuring that a full range of special education programs and services are available to its students. In 2024-25, 11.63% of the district's students were identified as requiring special education ([DataQuest](#)).

The district contacted the Fiscal Crisis and Management Assistance Team (FCMAT) and requested a study of its special education program. In November 2025, the district and the FCMAT entered into an agreement for FCMAT to conduct the study.

Study and Report Guidelines

FCMAT visited the district on February 11-12, 2026 to conduct interviews with central office and school administrators, special education teachers, related service providers, special education paraeducators, and other staff. 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 and its own short internal style guide, which emphasize plain language, capitalize relatively few terms, and strive for conciseness, clarity and simplicity.

FCMAT relies on publicly available, authoritative data sources and provides direct links to sources where appropriate; however, sources sometimes differ in the data they provide, or their data may be revised over time due to various factors. FCMAT always strives to use the most accurate data available at the time of reporting.

Study Team

The study team was composed of the following members:

Carolynne Beno, Ed.D.
FCMAT Chief Analyst

Colleen Patterson, MBA, CMA
FCMAT Consultant

Lisa Gilbert, Ed.D.
FCMAT Consultant

Tim Purvis
FCMAT Consultant

John Lotze
FCMAT Technical Writer

Members of this study team who are otherwise employed by a local education agency 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

Identification for Special Education

According to DataQuest, the Castro Valley Unified School District's total and special education enrollment has increased over the past five years. During this period, the share of transitional kindergarten through grade 12 (TK-12) students enrolled in special education increased by 2.39 percentage points. In 2024-25, 11.63% of TK-12 students were identified as requiring special education (DataQuest), a rate lower than that of Alameda County or the state. Hispanic/Latino students and African American students are overrepresented in the district's special education program, while Asian students are underrepresented. According to California Longitudinal Pupil Achievement Data System (CALPADS) reports, the district's identification of students for special education under the disability category of autism increased by 75.45%, or 126 students, from 2019-20 through 2025-26.

The district's identification of students for special education is influenced by many factors, including its implementation of student success teams (SSTs), multitiered systems of support (MTSS), and its eligibility determination process for special education, which are discussed further in the "Factors Influencing Special Education Identification" section of this report.

Special Education Staffing

Central Office

The district has 2.25 more full-time equivalent (FTE) administrator/leadership positions and 0.35 FTE less administrative support positions for its special education program than the school districts FCMAT surveyed for comparison.

Resource Specialist Program Teachers

Districtwide, resource specialist program (RSP) staffing is 3.68 FTE more than is required to meet the Education Code (EC) 56362(c) caseload standard. However, students receiving RSP services are not evenly distributed into groups of 28 (the maximum caseload allowed by EC 56362(c)) across district schools, and the district is attempting to implement an inclusive model. Thus, it may need more staff than required by EC 56362(c) to meet students' needs.

In addition, as described in the "Service Options in the Least Restrictive Environment" section of this report, the district did not meet two of the three indicators for school-age least restrictive environment (LRE) on its annual performance report. To address this, the district may need to increase resource specialist staffing to more than the 1-to-28 teacher-to-student ratio to ensure students have sufficient access to their LRE. In making this determination, the district needs to consider factors such as the specialized academic instruction (SAI) minutes specified in students' individualized education programs (IEPs) and the percentage of time they spend in general education. The industry standard for SAI-based programs for students in their LRE is 20 to 24 students per special education teacher.

Special Day Class Programs

For 2025-26, the districtwide special day class (SDC) teacher staffing is appropriate given the industry-standard range for the following district programs: preschool SDC, school-age mild-to-moderate support needs SDC, and school-age therapeutic SDC.

For 2025-26, the districtwide extensive support needs SDC teacher staffing is 2.00 FTE to 3.67 FTE more than the industry-standard range. However, the district does not have specialized SDCs for students with

autism, which have a lower industry-standard class size than those for students with extensive support needs. As a result, students with autism are included in the district's extensive support needs SDCs, so the current staffing may be needed.

Special Education Paraeducators

The districtwide paraeducator staffing for its SDCs appears to be higher than the industry standards, in part because it does not use an adult-to-student ratio to determine staffing. However, the district does not offer specialized SDCs for students with autism, which have a higher adult-to-student ratio (1-to-3) than an SDC for students with extensive support needs (1-to-5). Therefore, the district may need its existing higher level of paraeducator staffing in its SDCs to support more complex student needs than is the case in other districts that have SDCs specifically for students with autism.

Related Service Providers

The district's staffing for credentialed school nurses is lower than the industry standard, and it needs to evaluate whether more nurses are needed.

Unrestricted General Fund Contribution to Special Education

Since 2021-22, costs for salaries, benefits, nonpublic school (NPS) placements, and nonpublic agency (NPA) services have risen significantly, while special education revenues have not kept pace. In 2024-25, the district's adjusted unrestricted general fund contribution to special education was \$21,011,691, or 61.4% of total special education costs. In 2025-26, the district's unrestricted general fund contribution (not including transportation and potential increases in NPS service costs) is estimated to be 63.3% of adjusted special education costs.

Transportation

Statewide, approximately 10%-13% of special education students have IEPs that require transportation as a related service. In 2025-26, district data show that 10.8%, or 148, of its students with IEPs receive transportation, but 20%, or 268 students, have transportation identified as a related service in their IEPs. Therefore, the district is providing transportation to a percentage of students that is within the expected statewide range, but the percentage of students it has identified as needing transportation is significantly higher than the statewide range. The district needs to begin using its transportation decision tree or decision-making framework to help IEP teams determine transportation needs based strictly on disability-related necessity and/or program location.

The district's average annual per-student transportation cost is \$5,573, which is comparable to what FCMAT observes statewide. However, FCMAT could determine only a combined special education and general education per-student cost, because the district's tracking of its general education and special education transportation costs separately from one another needs improvement. Improved tracking of general education, special education and district fleet transportation costs separately from one another would increase cost transparency and allow more accurate analysis to improve efficiency.

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 the persistent poor outcomes for California's students with disabilities, including eligible infants, toddlers, preschoolers, and students up to age 22 in kindergarten through grade 12. The task force's purpose was to study the complex systems designed to serve the students and provide recommendations to the State Board of Education, the Commission on Teacher Credentialing, and the California Department of Education (CDE).

The CDE's [project summary](#) for the Statewide Special Education Task Force 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 than 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.

The summary further explained that operating special education as a separate program contradicts current research, which shows:

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.

In March 2015, the Statewide Special Education Task Force published *One System: Reforming Education to Serve All Students, Report of California's Statewide Task Force on Special Education*, its report on the state of special education in California. This report identified 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 on one system 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 CDE’s project summary also identified the need to transform the understanding of special education from the perception of it as:

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 commissioned WestEd, a nonprofit dedicated to fostering “success for every learner,” to analyze policy and systemic changes affecting 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, explained 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 reviewed the seven focus areas outlined in the 2015 report on one system and provided additional recommendations in each area. WestEd concluded, “numerous improvements have been made to California’s general and special education landscapes.”

Guided by the insights from the 2015 report on one system and the 2021 WestEd report, local educational agencies (LEAs) should focus on achieving coherence, fostering inclusive practices, and integrating student support systems. This approach is essential for building a comprehensive educational system that promotes positive outcomes for all students. LEAs need to recognize that students who receive special education services are general education students first and operate with the understanding that special education is one of the many support programs within general education, not a place where students go to receive more or different services. These tenets will inform the analysis of the district’s special education program and its staffing throughout this report.

District Alignment with the 2015 Report on One System

The district’s core values are congruent with the values in the 2015 report on one system. The district’s website states, “All Means All” and states:

We support the whole child—academically, socially, emotionally, and physically. Our diverse, dedicated staff use inclusive, research-based practices to create safe, welcoming schools. Grounded in collaboration, restorative practices, and Multi-Tiered Systems of Support, we ensure every student has what they need to succeed.

To support these core values, in the last three years the district has provided teachers with professional learning that specifically addresses inclusive practices, as well as professional learning on other topics that support the inclusion and success of students with disabilities and of all students. Topics included behavioral supports, restorative practices, culturally responsive teaching, trauma awareness, grading for equity, and differentiation.

Consistent with the 2015 report on one system, the district's organizational structure supports interdepartment collaboration and communication. The director of special education participates in weekly superintendent's cabinet meetings, which provides a direct line of communication with district leadership and ensures that students with disabilities are considered in districtwide planning. Members of the special education leadership team participate in weekly Educational Services Department meetings, and the Special Education and Educational Services departments are at the same location. In addition, Special Education Department leaders meet and collaborate regularly with the staff from the Business Services and Human Resources departments.

Recommendations

The district should:

1. Continue to include the needs of students with disabilities in all districtwide decisions and planning.
2. Continue to ensure the Special Education Department and other departments meet regularly to promote positive outcomes for all students, including students with disabilities.
3. Continue to promote an inclusive mindset and increase inclusive practices districtwide.

Identification for Special Education

Before examining the district's special education staffing, it is essential to consider the population of students the program serves. This section provides an overview of data and trends related to the district's special education enrollment.

District Enrollment

From 2020-21 through 2024-25, the district's TK-12 census day enrollment (the official count of enrolled students on the first Wednesday in October) increased by 367 students, as shown in Figure 1 below.

Figure 1: Census Day Enrollment, Grades TK-12, 2020-21 – 2024-25

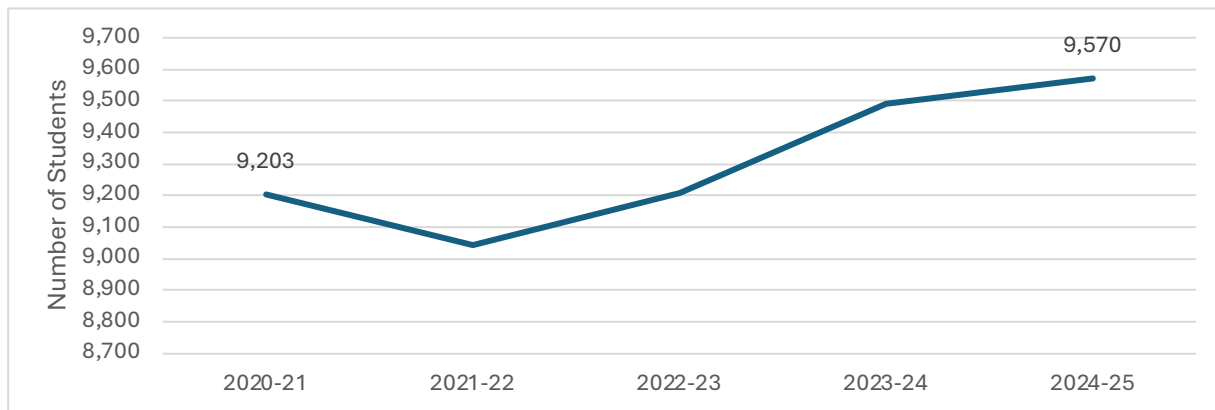


Figure 1: A line graph showing that the district's TK-12 census day enrollment increased from 9,203 students in 2020-21 to 9,570 students in 2024-25.

Source: Enrollment Multi-Year Summary for Charter and Non-Charter Schools - Castro Valley Unified School District (DataQuest).

From 2020-21 through 2024-25, the district's census day TK-12 special education enrollment increased by 263 students, as shown in Figure 2 below.

Figure 2: Special Education Enrollment, Grades TK-12, 2020-21 – 2024-25

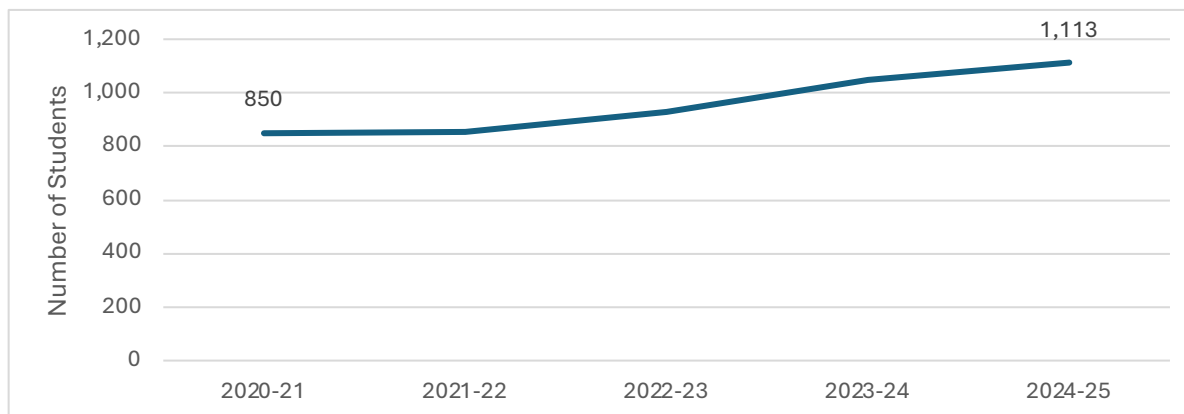


Figure 2: A line graph showing that the district's TK-12 special education enrollment increased from 850 students in 2020-21 to 1,113 students in 2024-25.

Source: Enrollment Multi-Year Summary for Charter and Non-Charter Schools - Castro Valley Unified School District (DataQuest).

In 2024-25, district students who identify as male were more likely to be identified for special education than those who identify as female. Although they represent 51% of all students, they account for 66% of

students in special education, which mirrors the 2024-25 statewide average calculated from [DataQuest](#). In contrast, district students who identify as female make up 49% of all students but only 34% of those in special education.

This disproportionate representation of males is influenced by factors such as referral bias – for example, students who identify as male are more often referred because of poor grades or behavior support needs – and differences in how teachers perceive behavior, because students who identify as male are more likely to draw negative attention in school. Consequently, it is important for LEAs to analyze special education referral rates by gender identification and provide professional learning as needed to help address any disparities.

District Special Education Enrollment by Disability Category

The Individuals with Disabilities Education Act (IDEA) defines 14 categories of disability under which a student may be eligible for special education. In 2025-26, approximately 91% of the district's students enrolled in special education qualified under one of the four categories listed in Table 1 below.

Table 1: Percentage of District Special Education Enrollment in the Most Common Disability Categories, 2019-20 and 2025-26

	Autism	Other Health Impairments	Specific Learning Disability	Speech and Language Impairment
2019-20	18.96%	18.27%	29.63%	20.77%
2025-26	24.08%	18.41%	27.53%	20.79%
Percentage Point Change	+5.12	+0.14	-2.10	+0.02

Source: California Longitudinal Pupil Achievement Data System (CALPADS) report 16.1 for 2019-20 and CALPADS report 16.12 for 2025-26.

Note: Although IDEA defines 14 disability categories for special education eligibility, this table shows data only for the four most common in the district.

From 2019-20 through 2025-26, the number of district students qualifying for special education under the disability category of autism increased from 167 to 293 – an increase of 75.45%, according to district California Longitudinal Pupil Achievement Data System (CALPADS) reports. Despite this increase, the district's identification rate under the category of autism in 2025-26 aligns with the statewide trend.

Disproportionality in Special Education Identification

The [National Association of School Psychologists](#) defines special education disproportionality as “the extent to which membership in a given group affects the probability of being placed in a specific disability category.” In simpler terms, it refers to the over- or underidentification of certain student groups — such as English learners, students who identify as male, or students from specific racial or ethnic backgrounds — for special education.

Racial and Ethnic Balance of Students

For most racial and ethnic groups, the percentage of students enrolled in special education was approximately the same as the percentage of all district students.

However, in 2024-25, 36.39% of the district's special education students were Hispanic or Latino, while this ethnic group made up 24.51% of all district students; and 7.19% of the district's special education students were African American, while this ethnic group made up 4.00% all district students. Conversely, 18.87% of the district's special education students were Asian, while this ethnic group made up 34.00% of all district students.

This indicates an overrepresentation of African American and Hispanic or Latino students in special education and an underrepresentation of Asian students, as shown in Table 2 below. Table 2 compares the student groups (African American, Asian, Filipino, Hispanic or Latino, Two or More Races, and White) that together accounted for approximately 96% of district enrollment.

Table 2: Percentage of Students in Special Education, by Race and Ethnicity, Compared to Percentage of All Students, 2024-25

	African American	Asian	Filipino	Hispanic or Latino	Two or More Races	White
Percentage of Total Enrollment	4.00%	34.00%	4.26%	24.51%	10.48%	18.63%
Percentage of Special Education Enrollment	7.19%	18.87%	3.50%	36.39%	9.97%	20.13%
Percentage Point Change	+3.19	-15.13	-0.76	+11.88	-0.51	+1.50

Source: Enrollment by Ethnicity in 2024-25 - Castro Valley Unified School District (DataQuest).

Overrepresentation of Students who Identify as Hispanic or Latino

Although the reason for the district's higher-than-expected identification of Hispanic and Latino students for special education services is unclear, it is imperative that the district identify only qualifying students with disabilities. This is necessary for at least two reasons: first, even the most efficient special education programs do not receive enough funding, so it is essential that these finite resources be used for qualifying students with disabilities; and second, although special education services are vital for students with disabilities, students identified for special education may experience stigma, reduced expectations, and less access to the general education curriculum and teachers. These factors can limit their academic achievement and outcomes.

The district needs to evaluate whether it overidentifies Hispanic and Latino students for special education. The Association of California School Administrators (ACSA) has published a brief titled, [The Disproportionality of Latinx Students in Special Education](#), which discusses common causes of disproportionality of Hispanic and Latino students in special education and provides recommendations on how to address each of them. It would benefit the district to review this brief and use it to investigate its possible overidentification of Hispanic and Latino students in special education.

Overrepresentation of Students who Identify as African American

In 2025, the CDE identified the district as having an overrepresentation of students who are African American in special education under the disability category of other health impairment. As a result, the district was required to develop and implement a Compliance and Improvement Monitoring for Comprehensive Coordinated Early Intervening Services Action Plan (CIM for CCEIS Action Plan). The purpose of this plan is to identify and address any factors that contribute to disproportionality.

The district's CIM for CCEIS Action Plan includes a thorough root cause analysis of the factors leading to its disproportionality, and the following strategies to address them:

- Building and implementing a more robust, bias-resistant MTSS.
- Deepening student-teacher relationships through the integration of culturally responsive practices in all school settings and district-wide.
- Building more effective reciprocal partnerships with families and community.
- Building the capacity for and consistently implementing alternatives to exclusionary discipline.

The district's CIM for CCEIS Action Plan identifies professional learning focused on the use of academic, social-emotional and behavioral strategies and interventions, and anti-bias and anti-racism training. To complement these efforts, FCMAT provides additional recommendations for further building staff capacity, which are outlined in the "[Professional Learning Plan](#)" section of this report.

Underrepresentation of Students who Identify as Asian

The reason for the district's lower-than-expected identification of Asian students for special education is unclear. However, academic literature is informative. A review of 15 academic studies examining the special education identification of Asian students¹ found that most studies reported an underrepresentation of Asian American students in special education because of factors such as the model minority myth, which stereotypes all Asian Americans as academically successful and hardworking while ignoring the diversity within this group; cultural differences and parental beliefs about the stigma of disability labels; and lack of staff proficiency in Asian languages in school districts. It is imperative that the district identify all qualifying students with disabilities. Public schools are required under the IDEA to identify, locate, and evaluate all children who are suspected of having a disability. Failing to identify a student with a disability for special education can deprive the student of their rights to a free appropriate public education (FAPE) under the IDEA. This can impede the student's academic achievement and outcomes and may obligate the district to pay for compensatory education services.

English Learners in Special Education

According to [DataQuest](#), in 2024-25, English learners were 12.04% of all district TK-12 students and 15.90% of students in special education. English learners (ELs) are commonly overidentified for special education services. The district needs to monitor this data, because its percentage of special education students identified as ELs is higher than the percentage in the district's total population.

District Special Education Enrollment Compared to Countywide and Statewide Enrollment

FCMAT compared the district's total noncharter TK-12 enrollment and special education enrollment in 2024-25 with countywide and statewide noncharter TK-12 figures, as shown in Table 3 below.

1. Kulkarni, S. S. (2017). "Disproportionate representation of Asian students in special education: A systematic review of the literature." *Multiple Voices for Ethnically Diverse Exceptional Learners*, 17(2), 19-33.

Table 3: Comparison of Noncharter School TK-12 Total and Special Education Enrollment, 2024-25

	Castro Valley USD	Alameda County	California
Grades TK-12 Total Noncharter School Enrollment	9,570	190,094	5,078,498
Grades TK-12 Special Education Noncharter School Enrollment	1,113	24,594	734,454
Percentage	11.63%	12.94%	14.46%

Sources: Enrollment - Castro Valley Unified School District (DataQuest), Non-Charter School Enrollment for Grades TK-12 - Alameda County (DataQuest), and Non-Charter School Enrollment for Grades TK-12 - State (DataQuest).

As shown in the table above, the district identified a lower percentage of TK-12 students as requiring special education than both Alameda County and the state. However, from 2020-21 to 2024-25, the percentage of district students identified as requiring special education increased by 2.39 percentage points, from 9.24% to 11.6%, and the district needs to investigate the reasons for this. Possible reasons for increases in the district's identification rates are discussed in the "Factors Influencing Special Education Identification" section of this report.

Recommendations

The district should:

1. Annually monitor the percentage of students who qualify for special education, and assess the proportionality of the special education population compared with overall enrollment, analyzing it at least by gender, race, ethnicity, and English learner status. In addition, annually monitor special education enrollment by disability and compare it to countywide and statewide averages. Provide training on proper identification practices as needed.
2. Continue to implement its CIM for CCEIS Action Plan to reduce its overrepresentation of African American students identified for special education under the disability category of other health impairment.
3. Evaluate whether it overidentifies Hispanic and Latino students for special education. Consider using the ACSA brief, The Disproportionality of Latinx Students in Special Education, as a guide.
4. Determine the root causes of its lower-than-expected identification of Asian students for special education. Provide training on proper identification practices as needed.

Factors Influencing Special Education Identification

Education Code (EC) 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.” Identifying a student for special education before implementing general education interventions does not best serve the student. Students in special education can experience stigma, less access to the rigorous instruction given in the general education curriculum, limited interaction with their peers without disabilities, and lower expectations, which can limit their progress and outcomes. In addition, serving a student in special education through an individualized education program (IEP) costs more than serving one through interventions and general education supports.

As mentioned in the “District Special Education Enrollment Compared to Countywide and Statewide Enrollment” section of this report, from 2020-21 through 2024-25, the percentage of district students in grades TK-12 enrolled in special education increased by 2.39 percentage points but is lower than statewide and countywide averages for noncharter schools. The district’s increasing special education identification rate appears to be influenced by at least the student success team (SST) process, the multi-tiered systems of support (MTSS), and the special education eligibility determination process, as outlined below.

Student Success Team Process

Before a student with learning differences and/or behavioral or social-emotional needs is assessed for special education, the student should be referred to an SST. This school-based team is designed to help students with a wide range of concerns related to their school performance and experience. SSTs are responsible for reviewing students’ strengths and weaknesses, identifying appropriate interventions, setting specific, measurable, achievable, relevant, and time-based (SMART) 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. All local education agencies (LEAs) should have an SST process.

The district has a districtwide SST process and uses common SST forms. The district’s SST procedures are outlined in a flowchart, and the district has a referral checklist and accompanying forms to document the interventions and accommodations that have been attempted or are currently being used. The district has “Interventions Attempted” forms for English language arts, mathematics, and behavior and attendance. Staff interviewed described the district’s SST process accurately but reported differences in how it is used across district schools.

The district also uses Coordination of Services Teams (COSTs). These are school-based multidisciplinary teams composed of service providers, school administration, and school staff. COST meetings provide a regular opportunity to triage referrals, assess students’ support needs, and develop and monitor interventions. The COST links students and families with a continuum of integrated services and supports that facilitate student achievement and success in general education. A COST is not a replacement for a formal SST meeting involving the parent, student, classroom teacher, and other school staff.

Collectively, the district’s SST and COST processes focus on maximizing student support services in general education. However, both district and school staff reported differences in the implementation and effectiveness of the SST and COST processes across district schools. Thus, additional standardization and guidance appear to be needed. As part of its 2025 CIM for CCEIS Action Plan, the district acknowledged

this and is developing an MTSS handbook, which will be the guiding document to standardize its SST and COST processes. As part of this work, the district needs to consider the following two factors:

- Most staff interviewed were able to describe when and how an SST and COST are used at their school. However, the district's SST forms do not identify when a COST is used, and when staff were given a hypothetical student concern, they could not consistently identify whether a COST or SST would be used. For example, if a student has been on a 5150 hold (a legal mechanism for temporary psychiatric detention and evaluation due to mental health concerns), most staff indicated that a COST should be used to evaluate the student's needs; however, a few staff stated, and the district's "Rtl and SST Combined Flow Chart" notes, that a student who returns to school following a 5150 hold is to go directly to a Tier 2 SST for a support plan. While this guidance clearly addresses the SST process, it does not address the role of COST, which may be appropriate in this scenario.
- As described in the "District Implementation of MTSS" section of the report, staff reported that behavior support needs and chronic absenteeism are two causes of the district's increasing percentage of students identified for special education services. The district's SST form 2e, "Interventions Attempted – Behavior/Attendance," is used to document behavior and attendance concerns and accommodations and/or interventions. Because the causes, accommodations and/or interventions for a behavior concern may differ from those for an attendance concern, different SST forms to address behavior and attendance concerns, and separate suggested accommodations and interventions, may be beneficial.

Multitiered System of Support

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 education 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 (Rtl²) and positive behavioral interventions and supports (PBIS).

Response to Instruction and Intervention

Response to instruction and intervention (Rtl²) is a nationwide approach targeting 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 acronym Rtl² to indicate a general education approach of high-quality, culturally responsive differentiated instruction and early intervention, prevention, and behavioral strategies. Rtl² uses universal screening and data analysis of all students' learning progress in the general education classroom.

A comprehensive districtwide Rtl² system not only prevents the inappropriate identification of students for special education but also ensures the delivery of services within students' least restrictive environments (LREs). An Rtl² system should define the following for tier 1 support (universal support for all students such as evidence based instruction, universal screening and schoolwide behavior support strategies) and tier 2 support (targeted additional support, often in small groups, for certain students who are not making adequate progress):

- 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 (PBIS) concentrates on fostering the emotional and behavioral learning of students, which leads to an increase in engagement and a decrease in problematic behavior over time. PBIS helps districts adopt and structure evidence-based behavioral interventions.

District Implementation of MTSS

The district's 2025 CIM for CCEIS Action Plan identified inconsistent implementation of interventions and MTSS practices across the district as a root cause of the overrepresentation of African American students in special education under the disability category of other health impairment. The district's CIM for CCEIS Action Plan states:

Empathy interview data indicated inconsistent implementation of the MTSS Framework and related processes. While 67% of respondents are aware of MTSS, most report inconsistent SST use, limited effective interventions prior to special education referrals, and uneven access to interventions across sites. Additionally, many are unaware of a district-vetted list of evidence-based practices aligned to MTSS tiers, raising concerns about equity and procedural compliance.

Inconsistent implementation of interventions and MTSS practices across the district affects all students and may increase the district's overall special education identification. Many staff interviewed by FCMAT identified a need to strengthen districtwide MTSS practices. The district has begun work to build and implement a more robust, bias-resistant MTSS; its CIM for CCEIS Action Plan lists the following expected measurable outcome and activities:

- **Expected Measurable Outcome:** By September 2027, CVUSD will strengthen and codify our Multi-Tiered System of Supports to better support students' academic, social-emotional, and behavioral success, which will result in at least 35% of our focal students meeting ELA standards and 20% of our focal students meeting math standards as measured by end of term assessment scores.
- **Activities:**
 - Develop a district MTSS handbook to codify the framework, and fidelity of implementation measures for students' academic, social/emotional, and behavioral success as well as student success team (SST), coordination of services team (COST) and section 504/SPED referral processes.

- Provide professional development and train certificated staff in all processes related to MTSS (data, analysis, interventions, progress monitoring) and the MTSS framework.
- Professional Development will include training on the use of high leverage Tier 1 & 2 academic, social-emotional and behavioral strategies and interventions.

The district's 2025 CIM for CCEIS Action Plan states, "Staff training on use of the MTSS process and implementation of Tier 1 & 2 strategies will lead to more consistent practices which will lead to more appropriate student referrals." FCMAT affirms this theory of action and concurs with the activities in the district's 2025 CIM for CCEIS Action Plan. As part of its work to strengthen its MTSS, the district needs to consider the following possible causes of its increasing special education identification rate.

- **Chronic Absenteeism** – A district's MTSS needs to identify Tier 1 strategies aimed at encouraging better attendance for all students, Tier 2 interventions designed to remove barriers to attendance for students, and Tier 3 interventions to provide intensive support to students who are missing the most school. Many staff interviewed perceive that the district's chronic absenteeism rate is high and reported that this may lead to academic, behavioral and/or social-emotional needs, resulting in a referral for a special education assessment. According to the 2025 California School Dashboard, 10.1% of district students were chronically absent. In comparison, 17.1% of students statewide were chronically absent. Even though the district had a lower-than-average rate of chronic absenteeism in 2024-25, it needs to ensure that its MTSS framework supports student attendance.
- **Student Behavior Support Needs** – A district's MTSS needs to identify Tier 1 supports applied to all students to prevent behavioral issues and promote positive school culture, Tier 2 individualized or small-group interventions that focus on skill-building and early problem-solving, and Tier 3 intensive supports for students with significant behavioral or social-emotional challenges that require highly individualized interventions. All district schools use PBIS, and staff identified components of the program in use at their schools, such as establishing clear expectations, consistent reinforcement of positive behavior, and using data to monitor and evaluate student outcomes and systems. Several staff interviewed reported that the process for a student to receive Tier 3 intensive behavioral support is unclear; the district's MTSS needs to clarify this.
- **Section 504 Plans** – School districts may use Section 504 plans to support students with disabilities who do not require specialized instruction. These formal plans specify the necessary accommodations and services to be provided in the general education setting. The best practice is for a district to have districtwide Section 504 plan processes, procedures, and forms. In addition, training on Section 504 plans should be provided at least annually to ensure students are served appropriately in the general education setting. Staff reported that the district has a Section 504 plan manual. Although examining the district's Section 504 plan processes and procedures is not in the scope of work for this study, staff reported that the Section 504 plan manual needs to be updated. In addition, training has recently been provided for administrators and counselors on Section 504 plans, but many staff said that additional training is needed.

Recommendations

The district should:

1. Follow its 2025 CIM for CCEIS Action Plan.

2. Update its SST process to specify how and when a school's COST is used to support student needs.
3. Separate SST form 2e, "Interventions Attempted-Behavior/Attendance," into two forms: one for behavior support needs and one for absenteeism.
4. Develop written guidelines for its COST, including how it coordinates with the SST process.
5. Ensure its MTSS identifies Tier 1 strategies aimed at encouraging better attendance for all students, Tier 2 interventions designed to remove barriers to attendance for students, and Tier 3 interventions to provide intensive support to students who are missing the most school.
6. Ensure its MTSS and the training for it include the process for a student to receive Tier 3 behavior intervention services.
7. Assess whether its Section 504 manual needs to be updated and whether training on its Section 504 procedures and processes is needed.

Service Options in the Least Restrictive Environment

The IDEA establishes nationwide minimum standards for providing education services to children with disabilities, as well as related services for eligible infants, toddlers, preschoolers, children, and youth with disabilities up to the age of 22. It mandates that each state ensure the availability of a 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))).

The IDEA also requires that students with disabilities be educated in the least restrictive environment (LRE). To determine the appropriate setting for an individual student, the IEP team reviews the student's strengths and needs and considers the educational benefit of placement in different educational settings. The CDE assesses LRE placement, and the results are published in indicators 5 and 6 of its Local Level Annual Performance Report. These reports, which are required by the IDEA, evaluate districts on 14 indicators for which the target is deemed to be either met or not met.

Preschool Least Restrictive Environment

In 2023-24 (the most recent report), the district's Local Level Annual Performance Report indicated it met one of the three targets for indicator 6, which assesses the placement of preschool students in the LRE, expressed as a percentage of the total number of preschool students who receive special education services, as shown in Table 4 below.

Table 4: District's 2023-24 Performance on Indicator 6 – Preschool Students in the LRE

Item Number	Indicator	Rate	Target	Target Met?
6a	Preschool LRE: Regular Program	14.29%	≥45.00%	No
6b	Preschool LRE: Separate Class	68.25%	<27.00%	No
6c	Preschool LRE: Home	3.17%	<3.50%	Yes

Source: Local Level Annual Performance Report 2023-24 (CDE).

In an inclusive preschool system, students with disabilities are included in classrooms alongside students without disabilities, and the teacher(s) in these classrooms support the development of all students. Researchers such as Strain and Bovey (2011)² and Phillips and Meloy (2012)³ have found that preschool age students with disabilities in inclusive learning environments gain more developmental benefits on intellectual, early literacy, and language measures than students with disabilities in segregated learning environments. Furthermore, the CDE states, "High-quality inclusion in early education supports children's development, relationships with peers, and a sense of belonging."

The district's Local Level Annual Performance Report indicates it needs to increase the percentage of preschool students it serves in the regular program and decrease the percentage served in separate

2. Strain, P. S., & Bovey, E. H. (2011). Randomized, controlled trial of the LEAP model of early intervention for young children with autism spectrum disorders. *Topics in Early Childhood Special Education*, 31(3), 133-154.

3. Phillips, D. A., & Meloy, M. E. (2012). High-quality school-based pre-k can boost early learning for children with special needs. *Exceptional Children*, 78(4), 471-490.

classes. Staff reported that most of the district's preschool age students with disabilities are educated in separate special day classes (SDCs) for most of their school day. The district has three special education preschool SDCs. One of these SDCs is located at the district's preschool site. The district's preschool site also hosts a state preschool program, and preschool-age students with disabilities in the SDC located there are included with their typically developing peers daily for recess and weekly for music and gardening. In addition, a few preschool students with disabilities who attend that SDC are also enrolled in the district's state preschool program for half of their school day, which provides them access to the LRE. However, the district's other two preschool SDCs for students with disabilities are located at different schools without any opportunities for inclusion.

The district's current preschool service options for students with disabilities do not provide enough students with access to their LRE. Because of this, and because an inclusive preschool program provides a foundation for successful inclusion of students with disabilities in the school-age years, the district needs to expand its inclusive preschool opportunities. The district would benefit from exploring the resources available through Supporting Innovative Practices (SIP), which provides education agencies with technical assistance in a three-tiered system, within California's Statewide System of Support, to help them build more inclusive and equitable systems.

School-Age Least Restrictive Environment

In 2023-24 (the most recent report), the district's Local Level Annual Performance Report indicated that it met one of the three targets for indicator 5, which assesses the placement of school-age students in the LRE, expressed as a percentage of the total number of school-age students who receive special education services, as shown in Table 5 below.

Table 5: District's 2023-24 Performance on Indicator 5 – School-Age Students in the LRE

Item Number	Indicator	Rate	Target	Target Met?
5a	LRE Rate: In Regular Class More than 80%	61.93%	≥64.00%	No
5b	LRE Rate: In Regular Class Less than 40%	20.93%	<15.00%	No
5c	LRE Rate: Separate Schools	1.85%	<2.80%	Yes

Source: Local Level Annual Performance Report 2023-24 (CDE).

The district offers a full continuum of special education options and services for school-age students. However, the district's most recent Local Level Annual Performance Report indicates that it needs to increase the percentage of school-age students it serves in the general education program and decrease the percentage served in separate classes. Access to general education settings and fostering interactions with neurotypical peers are essential to maximize the performance and outcomes of students with disabilities. Therefore, the district needs to continue to prioritize the LRE and support its continuum of service options that allow these students to access general education settings.

The district identified a need and has begun work to strengthen and codify its MTSS through its 2025 CIM for CCEIS Action Plan, which will better support the academic, social-emotional, and behavioral success of all its students, including those with disabilities. Action 1.2a of the district's 2025 CIM for CCEIS Action Plan states, "Professional Development will include training on the use of high leverage Tier 1 & 2 academic, social-emotional and behavioral strategies and interventions." This professional development will support including students with disabilities in general education.

The district has also been collaborating with the Santa Clara County Office of Education (COE) to increase inclusive practices for school-age students with disabilities. Professional learning has been provided for all general education teachers on strategies and models for including students with disabilities in general education environments. In addition, in 2025-26 the district established an inclusive practices lead at every elementary school. Staff explained that the intent is for the inclusive practices leads to participate in professional learning activities and collaborate with the Santa Clara COE, then share information and strategies to promote the inclusion of students with disabilities at their school. However, staff reported that because there are nine leads addressing nine different district initiatives at each elementary school, there is not enough time for all leads to present to staff. Staff reported that the inclusive practices leads have not been given time to present during staff collaboration at all district schools this year.

As stated by Gallagher, Faw and Cunningham in 2006, “In districts and schools, it is very challenging for districts to consistently prioritize only the few most important things.” The Policy Analysis for California Education (PACE) recently published a practice brief titled, “How Districts Scale Instructional Improvement That Lasts.” This brief states, “Senior leaders must exercise their authority to deprioritize some things so that the organization can align around a few ongoing, critical goals. ‘When everything is a priority, nothing is a priority’ is a common saying, and its intuitive truth is easy to see.” This PACE brief identifies common pitfalls and highlights the importance of district systems and the pivotal role district leaders need to play in successfully scaling improvement initiatives. This PACE brief may help the district successfully scale up its inclusion and MTSS work to support school-age students accessing their LRE.

Recommendations

The district should:

1. Monitor what percentage of the school day preschool and school-age students with IEPs spend in general education settings, with a focus on meeting or exceeding LRE targets in its Local Level Annual Performance Report.
2. Develop a more inclusive system to educate preschool students with disabilities and to increase the percentage of preschool students it serves in the regular program and decrease the percentage served in separate classes. Consider using the resources available through SIP.
3. Increase the number of school-age students with disabilities educated in general education settings for more than 80% of the school day, and decrease the percentage served in separate classes.
4. Examine whether the elementary school inclusion leads are being used in the district’s system as intended, and make adjustments if necessary to increase inclusive practices districtwide.

District Organization and Central Office Special Education Staffing

District Organization

A school district's organizational structure is crucial to the effectiveness of its special education program. An optimal structure fosters effective communication and collaboration across departments in the district's central office and schools. This collaboration is essential to meet the unique needs of students with disabilities and implement evidence-based practices that support inclusive education.

Special Education Program Support Staffing

Administrator/Leadership Positions

The Special Education Department has 8.50 FTE administrator/leadership positions supporting its pre-school and school-age special education programs, as shown in Table 6 below.

Table 6: Special Education Administrator/Leadership Positions, 2025-26

Position Title	Number of Positions	Total FTE
Director of Special Education	1	1.00
Assistant Director Special Education	1	0.50
Coordinator, Secondary	1	1.00
Coordinator, Preschool and Elementary	1	1.00
Program Specialist*	5	5.00
Total	9	8.50

Source: District-provided data.

Notes:

Positions listed in this table do not provide direct service to students.

The Mid-Alameda County SELPA director and assistant director special education is a split position, with 0.50 FTE supporting the district's special education program.

*The program specialist positions are not administrative/managerial positions in this district, but are included as leadership positions because they do not provide direct services to students.

Central Office Administrative Support Positions

The Special Education Department has 2.40 FTE administrative support staff, as shown in Table 7 below.

Table 7: Special Education Administrative Support Staff Positions, 2025-26

Position Title	Number of Positions	Total FTE
Special Services Department Specialist	2	2.00
Budget Analyst	1	0.40

Position Title	Number of Positions	Total FTE
Total	3	2.40

Source: District-provided data.

Note: The budget analyst is shared between the district's Special Education Department (0.40 FTE) and the Mid-Alameda County SELPA (0.60 FTE).

Special Education Staffing Comparison

FCMAT conducted an informal survey of unified school districts in California with student enrollment and unduplicated pupil percentages (UPP) similar to those of the Castro Valley Unified School District.⁴ The survey aimed to collect information on central office staffing in the school districts' special education departments:

- **Central Office Administrator/Leadership Positions** – Roles such as directors, assistant directors, coordinators, program specialists, and teachers on special assignment (TOSAs). These positions do not require an administrative credential.
- **Central Office Administrative Support Positions** – Roles such as secretaries, administrative assistants, filing clerks, and data technicians.

Table 8 below compares the Castro Valley Unified School District Special Education Department central office staffing with that of the four unified school districts that participated in FCMAT's survey.

Table 8: Administrator and Administrative Support Position Staffing Comparison

District	County	2024-25 Census Day Enrollment	2024-25 Census Day UPP%	2025-26 Administrator/ Leadership Position FTE	2025-26 Administrative Support Position FTE
Alameda Unified	Alameda	10,771	38.92%	9.00	2.00
Bonita Unified	Los Angeles	9,944	37.01%	4.00	3.00
Las Virgenes Unified	Los Angeles	9,767	26.77%	6.00	3.00
Santa Monica- Malibu Unified	Los Angeles	8,623	33.33%	6.00	3.00
Average FTE				6.25	2.75
Castro Valley Unified School District	Alameda	9,570	42.64%	8.50	2.40
Difference				+2.25	-0.35

Sources: Comparisons (Ed-Data) and FCMAT survey results.

Notes: Castro Valley Unified School District was excluded from the average FTE calculations.

Teachers on special assignments were included in administrator/leadership FTE if they are ongoing positions and perform special education program support functions in the central office.

Any variances in a school district's actual FTE are due to FCMAT's interpretation of the survey data.

4. The term unduplicated pupil percentage (UPP) refers to the percentage of students who are English learners, foster youth, or eligible for free or reduced-price meals. Each student is counted only once, regardless of how many categories they qualify for.

As shown in Table 8, Castro Valley Unified has 2.25 FTE more special education administrator/leadership positions and 0.35 FTE fewer special education administrative support positions than the average of the surveyed school districts. Staffing should align with program complexity, compliance requirements, and student enrollment trends. Higher staffing levels may reflect the district's efforts to manage compliance requirements and support inclusive practices. However, staffing that exceeds program needs can divert resources from direct student services.

Recommendation

The district should:

1. Annually monitor special education enrollment and program support needs to determine whether it needs to change the number of special education administrator/leadership and administrative support positions.

Special Education Teacher Staffing

FCMAT compared the district's special education teacher staffing to statewide guidelines and/or industry standards.

Resource Specialist Program Teachers

The RSP provides targeted instructional support and services to students with special education needs. RSP teachers play a critical role in managing caseloads, developing IEPs, and collaborating with general education teachers to support student success.

Education Code 56362(c) states:

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.

The contract between the district and the teachers' association specifies a maximum caseload of 28 students for RSP teachers.

The district has 27.00 FTE RSP teachers. Based on caseload estimates provided by the district, these teachers manage the cases of 653 students, averaging 24.19 students per teacher, as shown in Table 9 below.

Table 9: Resource Specialist Program Teacher Staffing, 2025-26

School Level	Total Teacher FTE	Total Student Caseload	Average Teacher Caseload	Education Code Maximum	Staffing Needed to Meet Education Code Standard	Staffing Above (+) or Below (-) Education Code Standard
Elementary School	10.00	226	22.60	28 students per teacher	8.07 FTE	+ 1.93 FTE
Middle School	7.00	188	26.86	28 students per teacher	6.71 FTE	+0.29 FTE
High School	10.00	239	23.90	28 students per teacher	8.54 FTE	+1.46 FTE
Total	27.00	653	24.19	28 students per teacher	23.32 FTE	+3.68 FTE

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

The districtwide resource specialist staffing is 3.68 FTE more than what is required to meet the EC 56362(c) caseload standard. Because the students who receive support from a resource specialist are not uniformly distributed into groups of 28 across district schools, the district may need more staffing than is required to meet the EC 56362(c) standard. In addition, EC 56362(c) specifies a maximum caseload, which is higher than the statewide caseload average observed in LEAs that serve students using an inclusive model.

Although the definition of an inclusive model varies among California's school districts, the intent of such a 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. As described in the "Service Options in the Least Restrictive Environment" section of this report,

the district did not meet two of the three indicators that measure school-age LRE on its annual performance report. Because of this, it may need resource specialist staffing that exceeds the 1-to-28 teacher-to-student ratio to provide sufficient services to increase students' access to their LRE. To determine this, the district needs to consider factors such as the number of specialized academic instruction (SAI) minutes in a student's IEP and the percentage of time a student is in general education. The industry standard for SAI-based programs supporting students in their LRE is 20-24 students per special education teacher.

Special Day Class Staffing – School-Age Programs

Neither the Education Code nor the contract between the district and the teacher's association define class size or caseload maximums for SDC programs. The industry-standard caseload ranges for SDC programs are shown in Table 10 below.

Table 10: Industry-Standard Class Sizes for Special Day Class Programs

Program Type	Industry-Standard Caseload Range
Mild/Moderate Support Needs Special Day Class – Noncategorical	TK-12 – 12-15 students per teacher
Extensive Support Needs Special Day Class – Noncategorical	TK-12 – 10-12 students per teacher
Special Day Class – Autism Focus	TK-12 – 8-10 students per teacher
Therapeutic Special Day Class – Mental Health and Behavioral Support Needs	TK-12 – 8-10 students per teacher

Sources: Industry standards.

Mild-to-Moderate Special Day Class Programs

The district has 17.0 FTE SDC teachers for students with mild-to-moderate support needs. Based on district-provided caseload estimates, these teachers managed the cases of 196 students, averaging 11.53 students per teacher. This means the teacher staffing level for this program is at the lower end of the industry-standard range, as shown in Table 11 below.

Table 11: Mild-to-Moderate Special Day Class Program Teacher Staffing, 2025-26

School Level	Total Teacher FTE	Total Student Caseload	Teacher Caseload Average	Industry Standard Caseload Range	Staffing FTE Needed to Meet Industry Standard	Staffing FTE Above (+) or Below (-) Industry Standard
Elementary School	9.00	106	11.78	12-15 students per teacher	8.83 FTE (12 students per teacher) 7.07 FTE (15 students per teacher)	+0.17 FTE (12 students per teacher) +1.93 FTE (15 students per teacher)
Middle School	4.00	38	9.50	12-15 students per teacher	3.17 FTE (12 students per teacher) 2.53 FTE (15 students per teacher)	+0.83 FTE (12 students per teacher) +1.47 FTE (15 students per teacher)
High School	4.00	52	13.00	12-15 students per teacher	4.33 FTE (12 students per teacher) 3.47 FTE (15 students per teacher)	Within Industry-Standard Range

School Level	Total Teacher FTE	Total Student Caseload	Teacher Caseload Average	Industry Standard Caseload Range	Staffing FTE Needed to Meet Industry Standard	Staffing FTE Above (+) or Below (-) Industry Standard
Total	17.00	196	11.53	12-15 students per teacher	16.33 FTE (12 students per teacher) 13.07 FTE (15 students per teacher)	+0.67 FTE (12 students per teacher) +3.93 FTE (15 students per teacher)

Sources: District-provided data and industry standards.

Extensive Support Needs Special Day Class Program

The district has 12.00 FTE SDC teachers for students with extensive support needs. Based on district-provided caseload estimates, these teachers managed the cases of 100 students, averaging 8.33 students per teacher, as shown in Table 12 below. The district also has 5.00 FTE SDC teachers for students with moderate support needs. Those teachers and their caseloads were not analyzed because FCMAT does not have an industry standard for that type of class.

Table 12: Extensive Support Needs Special Day Class Program Teacher Staffing, 2025-26

School Level	Total Teacher FTE	Total Student Caseload	Average Caseload Per Teacher	Industry Standard Caseload Range	Staffing FTE Needed to Meet Industry Standard	Staffing FTE Above (+) or Below (-) Industry Standard
Elementary School	5.00	37	7.40	10-12 students per teacher – cross-categorical	3.70 FTE (10 students per teacher) 3.08 FTE (12 students per teacher)	+1.30 FTE (10 students per teacher) +1.92 FTE (12 students per teacher)
Middle School	2.00	18	9.00	10-12 students per teacher – cross-categorical	1.80 FTE (10 students per teacher) 1.50 FTE (12 students per teacher)	+0.20 FTE (10 students per teacher) +0.50 FTE (12 students per teacher)
High School	5.00	45	9.00	10-12 students per teacher – cross-categorical	4.50 FTE (10 students per teacher) 3.75 FTE (12 students per teacher)	+0.50 FTE (10 students per teacher) +1.25 FTE (12 students per teacher)
Total	12.0	100	8.33	10-12 students per teacher – cross-categorical	10.00 FTE (10 students per teacher) 8.33 FTE (12 students per teacher)	+2.00 FTE (10 students per teacher) +3.67 FTE (12 students per teacher)

Sources: District-provided data and industry standards.

The districtwide extensive support needs SDC teacher staffing is 2.00 FTE to 3.67 FTE more than the industry-standard range. However, the district does not have specialized SDCs for students with autism, so these students are included in the district's extensive support needs SDCs. Because the industry-standard caseload for specialized SDCs for students with Autism is 8-10 students per teacher, the current level of staffing may be needed.

Therapeutic Special Day Class Program

The district has 2.00 FTE SDC teachers for its therapeutic SDC program (counseling-enriched classes). Based on district-provided caseload estimates, these teachers managed the cases of 17 students, averaging 8.50 students per teacher, as shown in Table 13 below.

Table 13: Therapeutic Special Day Class Program Teacher Staffing, 2025-26

School Level	Total Teacher FTE	Total Student Caseload	Average Caseload Per Teacher	Industry Standard Caseload Range	Staffing FTE Needed to Meet Industry Standard	Staffing FTE Above (+) or Below (-) Industry Standard
Middle School	1.00	7	7.00	8-10 students per teacher	0.88 FTE (8 students per teacher) 0.70 FTE (10 students per teacher)	Appropriate given one class at this school level
High School	1.00	10	10.00	8-10 students per teacher	1.25 FTE (8 students per teacher) 1.00 FTE (10 students per teacher)	Within industry-standard range
Total	2.00	17	8.50	8-10 students per teacher	2.13 FTE (8 students per teacher) 1.70 FTE (10 students per teacher)	Within industry-standard range

Sources: District-provided data and industry standards.

The districtwide therapeutic SDC teacher staffing is within the industry-standard range.

Special Day Class Staffing – Preschool Programs

The Education Code does not define class size or caseload maximums for preschool SDC programs. The industry standards for preschool SDC caseloads are shown in Table 14 below.

Table 14: Industry Standards for Preschool Special Day Class Programs

Program Type	Industry Standard Caseload Size
Preschool Special Day Class –Mild/Moderate Support Needs – Cross-Categorical	14 students per teacher
Preschool Special Day Class – Extensive Support Needs – Cross-Categorical	10 students per teacher
Preschool Special Day Class – Autism	9 students per teacher

Sources: Industry standards.

Preschool Cross-Categorical Special Day Class Program

The district has 3.0 FTE teachers for its preschool SDC program. Based on district-provided caseload estimates, these teachers manage the cases of 22 students, as shown in Table 15 below.

Table 15: Preschool Special Day Class Program Teacher Staffing, 2025-26

School Level	Total Teacher FTE	Total Student Caseload	Average Caseload Per Teacher	Industry Standard Caseload Range	Staffing FTE Needed to Meet Industry Standard	Staffing FTE Above (+) or Below (-) Industry Standard
Preschool Cross-categorical SDC Mild-to-Moderate Support Needs	1.00	9	9	14 students per teacher	0.64 FTE (14 students per teacher)	Appropriate given one class at this support need level
Preschool Cross-categorical SDC Extensive Support Needs	2.00	13	6.5	10 students per teacher	1.30 FTE (10 students per teacher)	+0.70 FTE (10 students per teacher)

Sources: District-provided data and industry standards.

The district's preschool SDC teacher staffing is appropriate. Given the relatively small size of the program, the current number of teachers is needed.

Recommendations

The district should:

1. Annually compare RSP teacher staffing and caseloads to industry standards and ensure it is adequate.
2. Evaluate whether adding RSP teacher staffing at the middle school level would allow it to provide better service to students.
3. Annually monitor caseloads and student needs in its preschool and school-age SDC programs to determine if it needs to make staffing changes.

Special Education Paraeducator Staffing

Special education paraeducators, also known as special education assistants or instructional aides, are trained professionals who work with students, typically under the direction of a classroom teacher. LEAs often employ special education paraeducators 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 intensive individual service (IIS).

The district employs paraeducators and registered behavior technicians (RBTs) in its special education program. FCMAT analyzed special education paraeducator staffing but did not analyze staffing for RBTs because there are no industry standards for these positions.

Industry-Standard SDC Paraeducator Staffing Ratios

The industry-standard base staffing for SDCs is to assign one paraeducator for every teacher of students with mild-to-moderate and extensive support needs. For SDCs serving students with autism, the base staffing standard is two special education paraeducators for every teacher. The industry standard for staffing in excess of any base staffing level is determined by an adult-to-student ratio, as shown in Table 16 below.

Table 16: Industry-Standard Paraeducator Staffing and Adult-to-Student Ratios

SDC Support Level	SDC Focus	Industry Standard Special Education Paraeducator Staffing	Adult-to-Student Ratio
Mild-to-Moderate	Cross-categorical	One to two six-hour special education paraeducators for a class size of 12-15	1-to-7
Extensive	Cross-categorical	One to two six-hour special education paraeducators for a class size of 10-12	1-to-5
All	Autism	Two to four six-hour special education paraeducators for a class size of 8-10	1-to-3

Source: Industry standards.

Note: Industry-standard staffing for special education paraeducators is determined by class size to meet an adult-to-student ratio that includes the classroom teacher and special education paraeducator(s).

District SDC Program Paraeducator Staffing

The district has informal paraeducator staffing guidelines but does not use an adult-to-student ratio to staff its SDCs, so those classes may be over- or understaffed. Assigning more paraeducator support than necessary is costly and may limit students' opportunities to gain independence; however, not assigning enough paraeducator support to an SDC can mean that students lack appropriate support and supervision. Therefore, the district would benefit from adopting adult-to-student ratios as the staffing guideline for its SDC programs.

When using adult-to-student ratios to determine staffing, the best practice is to include the teacher and classroom paraeducators in the adult portion of the ratio, and to remove any students who have 1-to-1 student support for most of the school day and their assigned 1-to-1 support person from the ratio.

FCMAT analyzed the district's 2025-26 paraeducator staffing in its SDCs for students with mild-to-moderate and extensive support needs, as shown in Table 17 below. The district's paraeducator staffing in its

preschool, moderate, and counseling-enriched SDCs were not analyzed, because FCMAT does not have an industry-standard adult-to-student ratio for these types of SDCs.

Table 17: Paraeducator Allocation by Special Day Class Compared to Industry Standards, 2025-26

School and SDC Class	SDC Enrollment	SDC Enrollment Less Students with 1-to-1 Support	No. of Paraeducator (s)	District Adult-to-Student Ratio	Industry-Standard Adult-to-Student Ratio	Paraeducator Staffing Above (+) or Below (-) Industry Standard
Castro Valley Elementary SDC Mild-to-Moderate Support Needs TK	8	8	2	3-to-8 or 0.38	1-to-7 or 0.14	+1
Chabot Elementary SDC Extensive Support Needs TK-K	8	8	3	4-to-8 or 0.50	1-to-5 or 0.20	+2
Chabot Elementary SDC Extensive Support Needs 1-2	6	5	2	3-to-5 or 0.60	1-to-5 or 0.20	+1
Chabot Elementary SDC Extensive Support Needs 3-5	7	5	2	3-to-5 or 0.60	1-to-5 or 0.20	+1
Independent Elementary SDC Mild-to-Moderate Support Needs 1-3	11	9	2	3-to-9 or 0.33	1-to-7 or 0.14	+1
Independent Elementary SDC Mild-to-Moderate Support Needs 3-5	13	12	3	4-to-12 or 0.33	1-to-7 or 0.14	+2
Jensen Elementary SDC Extensive Support Needs 1-2	8	7	2	3-to-7 or 0.43	1-to-5 or 0.20	+1
Jensen Elementary SDC Extensive Support Needs 3-5	8	8	2	3-to-8 or 0.38	1-to-5 or 0.20	+1
Marshall Elementary SDC Mild-to-Moderate Support Needs K-1	12	12	3	4-to-12 or 0.33	1-to-7 or 0.14	+2
Marshall Elementary SDC Mild-to-Moderate Support Needs 2-3	13	13	2	3-to-13 or 0.23	1-to-7 or 0.14	+1
Marshall Elementary SDC Mild-to-Moderate Support Needs 4-5	12	12	2	3-to-12 or 0.25	1-to-7 or 0.14	+1
Stanton Elementary SDC Mild-to-Moderate Support Needs K-1	11	10	2	3-to-10 or 0.30	1-to-7 or 0.14	+1

School and SDC Class	SDC Enrollment	SDC Enrollment Less Students with 1-to-1 Support	No. of Paraeducator (s)	District Adult-to-Student Ratio	Industry-Standard Adult-to-Student Ratio	Paraeducator Staffing Above (+) or Below (-) Industry Standard
Stanton Elementary SDC Mild-to-Moderate Support Needs 2-3	11	11	2	3-to-11 or 0.27	1-to-7 or 0.14	+1
Stanton Elementary SDC Mild-to-Moderate Support Needs 4-5	15	15	3	4-to-15 or 0.27	1-to-7 or 0.14	+1
Canyon Middle School SDC – Mild- to-Moderate Support Needs	11	10	1	2-to-10 or 0.20	1-to-7 or 0.14	Meets Industry Standard
Canyon Middle School SDC – Mild- to-Moderate Support Needs	14	14	1	2-to-14 or 0.14	1-to-7 or 0.14	Meets Industry Standard
Canyon Middle School SDC – Extensive Support Needs	10	10	3	4-to-10 or 0.40	1-to-5 or 0.20	+2
Canyon Middle School SDC – Extensive Support Needs	8	5	2	3-to-5 or 0.60	1-to-5 or 0.20	+1
Creekside Middle School SDC – Mild- to-Moderate Support Needs	6	5	1	2-to-5 or 0.40	1-to-7 or 0.14	Meets Industry Standard
Creekside Middle School SDC – Mild- to-Moderate Support Needs	7	7	1	2-to-7 or 0.29	1-to-7 or 0.14	Meets Industry Standard
Castro Valley High School SDC – Mild- to-Moderate Support Needs	14	14	1	2-to-14 or 0.14	1-to-7 or 0.14	Meets Industry Standard
Castro Valley High School SDC – Mild- to-Moderate Support Needs	12	11	1	2-to-11 or 0.18	1-to-7 or 0.14	Meets Industry Standard
Castro Valley High School SDC – Mild- to-Moderate Support Needs	14	13	1	2-to-13 or 0.15	1-to-7 or 0.14	Meets Industry Standard
Castro Valley High School SDC – Mild- to-Moderate Support Needs	12	12	1	2-to-12 or 0.17	1-to-7 or 0.14	Meets Industry Standard

School and SDC Class	SDC Enrollment	SDC Enrollment Less Students with 1-to-1 Support	No. of Paraeducator (s)	District Adult-to-Student Ratio	Industry-Standard Adult-to-Student Ratio	Paraeducator Staffing Above (+) or Below (-) Industry Standard
Castro Valley High School SDC – Extensive Support Needs	13	10	1	2-to-10 or 0.20	1-to-5 or 0.20	Meets Industry Standard
Castro Valley High School SDC – Extensive Support Needs	6	6	1	2-to-6 or 0.33	1-to-5 or 0.20	Meets Industry Standard
Castro Valley High School SDC – Extensive Support Needs	12	8	3	4-to-8 or 0.50	1-to-5 or 0.20	+2
Roy Johnson SDC – Extensive Support Needs	7	7	2	3-to-7 or 0.43	1-to-5 or 0.20	+1
Roy Johnson SDC – Extensive Support Needs	7	5	3	4-to-5 or 0.80	1-to-5 or 0.20	+2

Source: Industry standards and district-reported data.

Notes:

Only schools with SDCs were included in this table.

The district's paraeducator staffing in its preschool, moderate, and counseling-enriched SDCs were not analyzed because FCMAT does not have an industry-standard adult-to-student ratio for these types of SDCs.

The districtwide paraeducator staffing for SDCs for students with mild-to-moderate and extensive support needs is above the industry standards, in part because the district does not use adult-to-student ratios. If the district staffed its SDC programs using industry-standard adult-to-student ratios, it might be able to reduce staffing by 11 paraeducators in its SDCs for students with mild-to-moderate support needs and by 14 paraeducators in its SDCs for students with extensive support needs.

However, the district does not offer specialized SDCs for students with autism, which have a lower adult-to-student ratio (1-to-3) than SDCs for students with extensive support needs (1-to-5). Rather, district has decided to operate cross-categorical SDCs and still offers a full continuum of special education services and supports. Therefore, unlike districts that have SDC programs specifically for students with autism, the district may need its existing higher than industry-standard paraeducator staffing in its SDCs to support these more complex student needs.

1-to-1 Student Support

The term “special circumstances instructional assistance” (SCIA) is used to refer to both the assessment process and the role of a special education paraeducator. The district uses an SCIA assessment process to make decisions about assigning 1-to-1 student support. This process clarifies decision-making procedures and recognizes that 1-to-1 instructional assistance is a significant program decision that should be based on a thorough, data-driven evaluation that includes considering all less-restrictive alternatives. The dis-

district's assessment aligns with industry standards because it focuses on personal independence, promotes individual decision-making, works to maximize existing supports, and is based on data-driven assessment. Staff reported that the district's SCIA assessment is used consistently to determine whether there is a need for 1-to-1 student support.

The district has 53 staff who are assigned to provide 1-to-1 student support.

Causes and Consequences of High 1-to-1 Student Support Staffing

Although there is no established industry standard for special education paraeducators providing 1-to-1 student support, staff reported that the number of 1-to-1 student support staff has been increasing since the COVID-19 pandemic because student support needs increased and because teacher turnover has resulted in inexperienced teachers who need additional help in certain SDCs. As previously mentioned, assigning more paraeducator support than necessary is costly. In addition, although a parent/guardian or staff member's request for 1-to-1 support may be well meaning, according to the [University of Colorado at Denver's Paraprofessional Resources and Research Center](#), it can hinder the student's education in the following ways:

- The paraeducator may become the student's primary service provider, and the teacher's involvement and interactions with the student may be limited. The University of Colorado at Denver's Paraprofessional Resources and Research Center cautions, "This practice is further exacerbated when paraeducators are not qualified and or trained. It is not in the best interest of the students with most complex needs to be taught by the least qualified staff member."
- The paraeducator's constant presence may cause the student to become overly dependent on that adult to do things they could otherwise do independently.
- The paraeducator may create social barriers between the student they are supporting and the student's peers.

Best Practices for Assigning 1-to-1 Student Support

In addition to using an assessment to determine whether a student requires 1-to-1 student support, an LEA can identify when during the school day a student requires 1-to-1 student support and assign it only for those times (e.g., for mathematics or during recess). This is an alternative to assigning a staff member to provide 1-to-1 support for the entire school day, which is only necessary for certain students, such as those with a medical need for the 1-to-1 student support. It also helps the IEP team move away from the concept of assigning one adult to one student, which may enable the district to assign one special education paraeducator to more than one student when appropriate.

In addition, part of the SCIA assessment process focuses on planning for a student's transition to independence and developing annual IEP goals to support this. Annual IEP goals focus IEP services on deficit areas to strengthen skills, provide a basis for monitoring annual programs, and help the IEP team determine when service levels need to be adjusted. Staff interviewed reported that some students, but not all, have goals for independence and/or plans to reduce their reliance on 1-to-1 support.

Recommendations

The district should:

1. Use the industry-standard adult-to-student ratios to determine the assignment of special education paraeducators to SDCs, but adjust the ratios based on the student needs (such as autism support) in each individual class.
2. Continue to require that its SCIA assessment be used to determine whether a student needs 1-to-1 support. Provide regular training and support for staff on the SCIA assessment.
3. Evaluate whether a student who requires 1-to-1 student support needs it for the entire school day or only part of it. Assign 1-to-1 support only when it is needed.
4. Ensure that each IEP that calls for 1-to-1 support, except for medically necessary support, includes goals for independence and a plan to reduce their reliance on 1-to-1 support that is actively monitored.

Related Service Provider Staffing and Caseloads

Related services are the developmental, corrective and other 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 (OT).

FCMAT analyzed staffing ratios for the district's adapted physical education (APE) teacher, occupational therapists (OTs), credentialed school nurses, school psychologists, and speech and language pathologists (SLPs). Staffing ratios for other related service providers were not analyzed because there is no established industry standard for them, or because the SELPA provides those services. The industry standards for related service providers are shown in Table 18 below.

Table 18: Industry-Standard Provider-to-Student Ratios

Provider Type	Industry-Standard or Education Code Provider-to-Student Ratio
Psychologist	1-to-977
SLP (preschool)	1-to-40
SLP (ages 5-22)	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, Education Code 56363.3, and Pupil Services Staff by Type (CDE).

Adapted Physical Education

To determine if it needs to change the number of APE teachers, a district needs to annually review APE teacher caseload projections, assessment loads, the number of schools each APE teacher supports, driving times between schools, direct and consultation service minutes, and students' needs.

The district has a 1.0 FTE APE teacher, who has a caseload of 43 students receiving direct services, as shown in Table 19 below.

Table 19: Adapted Physical Education Teacher Staffing, 2025-26

Provider	Number of FTE	2025-26 Total Caseload	Caseload Average	Industry-Standard Provider-to-Student Ratio	FTE Needed to Meet Industry Standard	Staffing Above (+) or Below (-) Industry Standard
APE Teacher	1.00	43	43	1-to-45-55	0.96 FTE (to meet 1-to-45) 0.78 FTE (to meet 1-to-55)	+0.04 FTE (above 1-to-45) +0.22 FTE (above 1-to-55)

Sources: District-provided data and industry standards.

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

As shown in the table, the district is staffed almost within the industry-standard staffing range for APE teachers in 2025-26.

Credentialed School Nurses

To determine if credentialed school nurse staffing needs to change, districts need to annually review their enrollment, special education enrollment, duties performed by credentialed school nurses and other health specialists, schoolwide needs, and students' needs.

The district has 3.0 FTE credentialed school nurse positions with an average caseload of 3,190 students per FTE, as shown in Table 20 below. At the time of FCMAT's study, two of the credentialed school nurse positions (2.0 FTE) were unfilled.

Table 20: Credentialed School Nurse Staffing, 2025-26

Provider	Number of FTE	2024-25 Census Day Enrollment	Caseload Average	Industry-Standard Provider-to-Student Ratio	FTE Needed to Meet Industry Standard	Staffing Above (+) or Below (-) Industry Standard
School Nurse	3.0	9,570	3,190	1-to-2,274	4.21 FTE	-1.21 FTE

Sources: Pupil Services Staff by Type (CDE), district-provided data, and DataQuest.

As shown in the table, the district is staffed below the industry-standard staffing levels for credentialed school nurses. In addition, two of the district's credentialed school nurse positions (2.0 FTE) are unfilled, so the district has approximately one quarter of the staffing it needs to meet the industry standard. However, the district has contracted for licensed vocational nurses (LVNs), who perform health-related duties that do not require a credentialed school nurse. This helps meet student needs despite not being fully staffed with credentialed school nurses.

Occupational Therapy

To determine the number of OTs needed, districts need to annually review OT caseload projections, assessment loads, the number of schools each OT serves, driving time between schools, direct and consultation service minutes, and students' needs.

The district has 3.0 FTE OT positions, each with an average caseload of 36.7 students receiving direct services, as shown in Table 21 below.

Table 21: Occupational Therapist Staffing, 2025-26

Provider	Number of FTE	2025-26 Total Caseload	Caseload Average	Industry-Standard Provider-to-Student Ratio	FTE Needed to Meet Industry Standard	Staffing Above (+) or Below (-) Industry Standard
Occupational Therapist	3.0	110	36.7	1-to-45-55	2.44 FTE (to meet 1-to-45) 2.00 FTE (to meet 1-to-55)	+0.56 FTE (above 1-to-45) +1.00 FTE (above 1-to-55)

Sources: District-provided data and industry standards.

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

As shown in the table, the district is staffed above the industry standard range for OTs.

School Psychologists for School-Age Programs

To help determine how many FTE school psychologist positions are needed, districts need to annually review the following:

- 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.
- Individual student and school needs.

The district has 13.4 FTE school psychologist positions serving school-age programs, each with an average caseload of 714.18 students, as shown in Table 22 below. In addition, the district has a 1.0 FTE school psychologist who performs preschool assessments; this position is not included in this analysis.

Table 22: School Psychologist Staffing for School-Age Programs Compared to Industry Standard, 2025-26

Provider	Number of FTE	2024-25 Census Day Enrollment	Caseload Average	Industry-Standard Provider-to-Student Ratio	FTE Needed to Meet Industry Standard	Staffing Above (+) or Below (-) Industry Standard
School Psychologist for School-Age Programs	13.4	9,570	714.18	1-to-977	9.80 FTE	+3.60 FTE

Sources: District-provided data, *Pupil Services Staff by Type* (CDE), and DataQuest.

Note: Only the district's 13.4 FTE school psychologists who serve school-age students were included in this staffing comparison.

As shown in the table, the district is staffed above the industry standard staffing levels for school psychologists for school-age programs. Staff reported that school psychologists who serve the school-age program work in the comprehensive role of a school psychologist, which means they provide social-emotional and behavioral support, consult with and train teachers, provide 1-to-1 counseling, and complete assessments. Staff reported that most of these psychologists' time is spent on initial and triennial psychoeducational assessments.

Staff reported that their psychoeducational assessment load has continued to increase since the return to schools following the COVID-19 pandemic. This places significant demands on school psychologists and increases the district's need for these positions. Staff reported that the area with the largest increase is requests from medical doctors for a student to have a special education assessment. The district needs to begin collecting quarterly data by school on the following:

- Origin and number of referrals for assessments.

- Response to assessment request.
- Assessments completed.
- Students who qualify and do not qualify for services.

Tracking this data will enable the district to identify referral patterns by school, teacher, or service provider, which will support more informed decisions about staffing and resource allocation.

Speech and Language Pathologists

Education Code [56441.7\(a\)](#) establishes a maximum caseload of 40 students for SLPs serving preschool students. Education Code [56363.3](#) establishes a maximum caseload of 55 students for SLPs serving students ages 5-22. For SLPs serving students in both programs, FCMAT uses a blended maximum caseload of 47.5 students. Districts need to annually review SLP caseload projections and students' needs to determine if changes to SLP staffing are needed.

Speech and Language Pathologists Serving Students in the Preschool and School-Age Programs

The district has 2.0 FTE SLPs who provide speech and language therapy for preschool-age and school-age students. These SLPs have an average caseload of 20.5 students, as shown in Table 23 below.

Table 23: School-Age and Preschool-Age Speech and Language Pathologist Staffing, 2025-26

Provider	Number of FTE	2025-26 Total Caseload	Caseload Average	Industry Standard	FTE Needed to Meet Industry Standard	Staffing Above (+) or Below (-) Industry Standard
SLPs for Preschool-age and School-age Students	2.0	41	20.5	1-to-47.5	0.86 FTE	+1.14 FTE

Sources: District-provided data, EC [56441.7\(a\)](#), and EC [56363.3](#).

Note: Only preschool and school-age students receiving services from an SLP were included in the caseload average for comparison with the EC [56441.7\(a\)](#) and EC [56363.3](#) maximums.

As shown in Table 23, the district is staffed above what is required to meet the industry standard for SLPs serving preschool and school-age students.

Speech and Language Pathologists Serving School-Age Students

The district has 14.3 FTE SLPs who work exclusively with school-age students and who manage an average caseload of 49.02 students, as shown in Table 24 below.

Table 24: School-Age Speech and Language Pathologist Staffing, 2025-26

Provider	Number of FTE	2025-26 Total Caseload	Caseload Average	Education Code Standard Provider-to-Student Ratio	FTE Needed to Meet Education Code Standard Provider-to-Student Ratio	Staffing Above (+) or Below (-) Education Code Standard
SLPs – School-Age	14.3	701	49.02	1-to-55	12.75	+1.55 FTE

Sources: District-provided data and EC 56363.3.

As shown in Table 24, the district is staffed just above the Education Code standard staffing level for SLPs for school-age programs.

Recommendations

The district should:

1. Annually review staffing for all related service providers to determine whether it is aligned with industry standards and meets student needs.
2. Collect quarterly data to identify patterns in referrals for initial psychoeducational assessments that have been completed by school psychologists, particularly for students who do not qualify for services.

Professional Learning Plan

Training for Teachers

A district's professional learning plan for instructional staff should consider the needs of students with disabilities and align with evidence-based practices, such as an MTSS, as outlined in the 2015 report on one system. This alignment is essential to improve support for all students, including those with disabilities.

As described in the "School-Age Least Restrictive Environment" section of this report, the district identified a need to strengthen and document its MTSS through its 2025 CIM for CCEIS Action Plan, which will better support the academic, social-emotional, and behavioral success of all district students, including those with disabilities. Action 1.2a of the district's 2025 CIM for CCEIS Action Plan states, "Professional Development will include training on the use of high leverage Tier 1 & 2 academic, social-emotional and behavioral strategies and interventions." This MTSS work and associated professional learning is essential to support the inclusion of students with disabilities in general education settings, and to the success of all students. The PACE practice brief titled, "How Districts Scale Instructional Improvement That Lasts" identifies a need for districts to align around a few ongoing, critical goals. Accordingly, FCMAT concurs with the district's professional learning work for instructional staff in its 2025 CIM for CCEIS Action Plan and is not making additional recommendations in this area.

Training for Administrative Designees

Education Code 56341(b)(4) requires attendance at IEP meetings by a school district representative who is qualified to provide or supervise the provision of specialized instruction and is knowledgeable about the general curriculum and the district's resources. This IEP team member is commonly called the "administrative designee." Interviewees reported that district staff serving as administrative designees have received training on their role and responsibilities, on which students are eligible for special education services, and on the IDEA's procedural and substantive requirements. However, this training has not been conducted annually, nor has it always addressed all these topics. As described in the "Cost of Due Process, Mediations, and Settlements" section of this report, the district has a relatively high number of due process complaints, which annual training for administrative designees may help reduce. District staff serving as administrative designees at IEP meetings should receive annual training on 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 does not consent to the IEP.
- Lessons learned from due process lawsuits.

Training for Special Education Paraeducators

The best practice is for special education paraeducators to receive nonviolent crisis intervention training in accordance with recertification requirements and regular training on student support strategies throughout the school year. Staff reported that special education paraeducators participate in mandated training, receive nonviolent crisis intervention training, and have additional training during nonstudent workdays or on early release days. Despite this, most staff members indicated that paraeducators would benefit from additional training on the following topics:

- Disability awareness.
- Behavior intervention.
- Differentiation strategies.
- Providing accommodations and modifications.
- Inclusive practices.

Recommendations

The district should:

1. Provide professional learning for instructional staff as described in its 2025 CIM for CCEIS Action Plan.
2. Provide comprehensive professional learning annually for staff who serve as administrative designees at IEP meetings.
3. Consider providing professional learning for paraeducators on disability awareness, behavior intervention, differentiation strategies, providing accommodations and modifications, and inclusive practices.

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 (Chapter 854, Statutes of 1997), which 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 a school district, regardless of the number of students served in special education programs or the cost to serve them. California distributes special education funds to SELPAs based on their member districts' total ADA counts.

In addition to AB 602 state funding, districts receive a small amount of federal funds. These funds are designed to supplement the general education program, not to support a standalone program.

Because the combined state and federal funds are insufficient to pay for even the most efficient special education programs, districts make contributions to special education from local resources generated by all students, including those in special education. These contributions from their unrestricted general fund pay for the portion of special education costs that exceeds state and federal program revenues.

Federal law requires districts to spend at least the same amount of state and local funds on special education services in each successive year. This is commonly referred to as the maintenance of effort (MOE). If a district is considering reductions to its total general fund contribution to special education, it is required to follow the guidelines in the IDEA (20 USC 1413 (a)(2)(B)), which list the following circumstances that exempt a district from the MOE requirement by allowing it to reduce the amount of state and local funds it spends on special education:

- i. Voluntary departure, by retirement or otherwise, or departure for just cause, of special education or related services personnel;
- ii. A decrease in the enrollment of children with disabilities;
- iii. The termination of the obligation of the agency to provide a program of special education to a particular child with a disability that is an exceptionally costly program, as determined by the state educational agency, because the child:
 - a. Has left the jurisdiction of the agency;
 - b. Has reached the age at which the obligation of the agency to provide free and appropriate public education to the child has terminated; or
 - c. No longer needs the program of special education; or
- iv. The termination of costly expenditures for long-term purchases, such as the acquisition of equipment or the construction of school facilities.

The year-end expenditures charged to special education goal codes in the standardized account code structure (SACS), which is the state's financial reporting format, and allocated expenses in the Program Cost Report, are used to calculate special education MOE. Districts need to monitor their MOE throughout the year and analyze forecasts of MOE calculations at first and second interim financial reporting periods.

A district should be mindful that even if expenses are charged to non-special education income sources, they will still count toward the MOE if a goal code is used that indicates usage to support special education students.

In addition, a district should monitor reductions in expenditures to determine if any of the exceptions listed above apply that would allow it to reduce the amount of state and local funds it spends on special education.

Building Comparable Data

Resource codes in SACS are used to identify revenues and expenditures that have specific accounting or reporting requirements or that are legally restricted. Special education SACS goal codes are used to record special education spending, and therefore contain vital information about a district's unrestricted general fund contribution to its special education program.

The special education financial reporting methods used by districts, county offices of education and SELPAs can vary. For example, Castro Valley Unified School District excluded special education transportation expenses and some special education expenses charged to non-special education resources in 2024-25 but not in prior years, while other districts may include these expenses. There are also differences in how SELPAs allocate special education funds. Because of these differences, it is not always possible to accurately compare a district's unrestricted general fund contribution to those of other districts. However, a district should evaluate a contribution that is excessive compared to other districts or that is increasing disproportionately compared to other costs.

To calculate an unrestricted general fund contribution amount that can be compared year to year and includes all expenditures uniformly over the review period, FCMAT made the following adjustments to the district's SACS data:

- **One-Time Funds Adjustments:** To improve multiyear continuity, FCMAT used only ongoing special education income. FCMAT removed one-time funding totaling \$733,853 in 2021-22, \$921,476 in 2022-23, and \$143,407 in 2023-24. It appears that special education expenditures charged to these one-time state and federal income sources were ongoing and were budgeted by the district as such beginning in 2023-24. No adjustments for one-time funding were needed for 2024-25.
- **Special Education Expenditure Adjustments:** FCMAT included all special education expenses in its analysis. During the period reviewed, the district reassigned certain special education expenses to non-special education student goals to reduce its MOE, even though staff reported that these funds were spent exclusively on the special education program. To ensure that the unrestricted general fund contributions accurately reflected all special education services, FCMAT added \$14,150 from mental health, early intervention preschool, and Medi-Cal expenditures in 2022-23, \$213,024 in 2023-24, and \$1,396,224 in 2024-25, which had been reclassified out of special education SACS goal codes. In addition, the district did not accurately code to special education \$332,380 allocated for transportation in the 2025-26 budget, so FCMAT added this to the special education expenses.
- **Special Education Transportation Adjustments:** The district did not consistently differentiate between its special education and general education transportation expenses from 2021-22 through 2025-26. To determine which transportation costs are attributed to the special education program, salaries, benefits, fuel, and supplies were assigned by FCMAT according to miles attributed to special education transportation (69% of the total number

of miles). This resulted in special education transportation expenses of \$559,134 in 2021-22, \$688,346 in 2022-23, \$1,222,801 in 2023-24, \$1,594,165 in 2024-25 and \$1,846,592 in the 2025-26 budget. In addition, 94% of the district's contracted transportation expenses are attributed to the special education program. Because of this, FCMAT assigned the following contracted transportation expenses to the special education program: \$1,350,112 in 2021-22, \$1,644,499 in 2022-23, \$1,247,298 in 2023-24, \$1,136,756 in 2024-25, and \$804,697 in the 2025-26 budget.

- **Indirect Cost Adjustments:** Although the district charges few indirect costs, FCMAT charged full indirect costs to all special education programs using the CDE's approved rates for all the comparison years. The best practice is to charge the full indirect rate to all programs, including those with special education SACS resource codes, so that the true cost of the special education program can be determined.

District Special Education Expenses

FCMAT analyzed the district's special education income and expenditures, using only ongoing income from fiscal years 2021-22 through 2024-25 (one-time 2021-22, 2022-23, and 2023-24 income was excluded), as shown in Table 25 below. As described in the "Building Comparable Data" section of this report, FCMAT reported the costs for transporting students in the special education program, added special education expenditures that were transferred out of special education goals for 2024-25 and budgeted in 2025-26, and omitted expenses related to the State Teachers Retirement System (STRS) on behalf (resource 7610) for special education. Data from 2021-22 was used as the base for calculating the percent change in the "Historical 2022-23" column.

Table 25: Comparison of Adjusted Special Education Expenses Using Ongoing Income Only, 2022-23 through 2025-26

Category	Adjusted Historical 2022-23	Adjusted Historical 2023-24	Adjusted Historical 2024-25	Budget 2025-26	Average Annual Increase in Adjusted General Fund Contribution
Increase in Special Education Students	9.3%	12.6%	6.2%	N/A	9.4%
Increase/Decrease in Ongoing Income	-2.6%	6.1%	15.7%	-2.7%	6.4%
Increase in Certificated Salaries	11.9%	21.2%	14.7%	16.8%	15.9%
Increase in Classified Salaries	13.1%	16.6%	17.0%	6.3%	15.6%
Increase in Transportation Salaries	22.1%	78.8%	32.9%	15.3%	44.6%
Increase in Benefits	20.4%	18.1%	11.6%	12.1%	16.7%
Increase/Decrease in Books and Supplies	50.7%	6.3%	-23.0%	89.3%	11.3%
Increase in Transportation Fuel and Supplies	26.1%	25.7%	7.5%	23.9%	19.8%
Increase/Decrease in Services	33.9%	3.6%	46.9%	-34.9%	28.1%
Increase/Decrease in Transportation Services	17.9%	-31.8%	-9.7%	-29.2%	-7.9%
Increase/Decrease in Other Tuition	-4.2%	-31.4%	-27.7%	10.1%	-21.2%

Category	Adjusted Historical 2022-23	Adjusted Historical 2023-24	Adjusted Historical 2024-25	Budget 2025-26	Average Annual Increase in Adjusted General Fund Contribution
Increase in Adjusted General Fund Contribution	38.3%	24%	24.7%	5.9%	29%
Adjusted Dollar Amount of General Fund Contribution	\$13,594,260	\$16,851,443	\$21,011,691	\$22,244,393	N/A
Adjusted Dollar Amount of Special Education Expenses	\$24,373,166	\$28,426,387	\$34,248,756	\$35,115,411	N/A

Sources: Official SACS unaudited actuals, 2025-26 budget, district-provided transportation mileage, closing journal entries from 2024-25, and Enrollment Multi-Year Summary for Charter and Non-Charter Schools - Castro Valley Unified (DataQuest).

Notes:

Official SACS data were adjusted as described in the “Building Comparative Data” section of this report.

The “Adjusted Dollar Amount of Special Education Expenses” and “Adjusted Dollar Amount of General Fund Contribution” categories were adjusted to match footnoted entries in the district’s budget.

Special Education Funding and Expenses

The district’s ongoing special education funding increased by an average of 6.4% per year during the period reviewed. In 2025-26, the district is projecting a 2.7% decrease in special education income. Increases in special education income from 2021-22 through 2024-25 are attributed primarily to the district’s ADA increase of 1.7%, and SELPA increases in the statewide target rate and cost-of-living adjustments (COLAs).

District transportation income consists of the historical categorical allocation folded into the LCFF and the income generated from expenses coded to SACS function code 3600, as shown in the district’s unaudited actuals. These expenses in 2024-25 will normally determine 2025-26 reimbursement amounts. However, in certain school years district coding to SACS function code 3600 has been inconsistent, with no entries for expenses related to transporting students to an Alameda County Office of Education program or nonpublic schools (NPS) in 2024-25. Failure to consistently report all transportation expenses billed to the district will result in lost transportation income.

During the period reviewed, the number of students identified for special education increased by an average of 9.4% per year, and adjusted expenses increased by approximately 18.2% per year. Transportation expenses increased by 11.1% per year.

Staffing Costs

From 2021-22 through 2024-25, salaries for all certificated staff increased by an average of 10.1% per year, while those for certificated special education staff increased by an average of 15.9% per year. Staff reported that this was due to a reduction in contracted services, which were replaced by district employees, but expenditures for contracted services did not decrease proportionate to the discontinued services. Salaries for all classified staff increased by 12.6%, while salaries for classified special education staff, excluding transportation-related staff, increased by 15.6%, due primarily to increases in paraeducator staffing. Classified salaries related to transportation increased by an average of 44.6% per year, primarily due to an increase in students with IEPs that require transportation and a large reduction in contracted services.

In its 2025-26 budget, the district is projecting a 16.8% increase in certificated special education employee staffing costs, a 15.3% increase in transportation staffing costs, and a 6.3% increase in nontransportation-related classified employee staffing costs.

Cost of Supplies

From 2021-22 through 2024-25, the cost of supplies increased by an average of 11.3% per year, while transportation supplies, primarily fuel, increased by an average of 19.8% per year.

Cost of Services

From 2021-22 through 2024-25, contracted service costs (excluding transportation) increased by an average of 28.1% per year. This increase was due primarily to a 46.9% increase in NPS and residential treatment center (RTC) service costs in 2024-25. Staff reported that this may have been because some invoices for an NPS that should have been accrued in 2023-24 may have been received late and charged to 2024-25.

The 2025-26 budget for all services appears to be underbudgeted by approximately \$1 million, particularly when considering recent increases. As described in the “Building Comparable Data” section of this report, the district reclassified more than \$1.4 million in service-related expenses from special education to general education in 2024-25 and appears to have budgeted \$332,380 in expenses for 2025-26. Because the district does not budget or expense all special education service expenditures to special education goals, FCMAT cannot validate the 2025-26 budget's accuracy for services.

As of second interim the district needs to increase its 2025-26 budget for transportation. Beginning in 2023-24, the district substantially reduced transportation expenses. The district reimburses parents who elect to transport their student who has an IEP that includes transportation, but does so using to a fixed reimbursement amount that does not appear to vary based on the distance they drive their student to school and days of attendance. This practice may not align with Internal Revenue Service (IRS) Publication 463 (2025), as further described in the “Parent In-Lieu Transportation Reimbursement” section of this report.

Cost of Nonpublic School and Residential Treatment Center Services

According to [DataQuest](#) and district CALPADS data, the number of district students attending an NPS or RTC increased by two students from 2021-22 through 2025-26, as shown in Table 26 below. Since the 2025-26 CALPADS report was submitted, the district has placed three additional students in an NPS or RTC. As a result, the number of students enrolled in an NPS or RTC is projected to remain relatively stable from 2024-25 through 2025-26.

Table 26: District-Reported NPS and RTC Enrollment, 2021-22 through 2025-26

	2021-22	2022-23	2023-24	2024-25	2025-26
Number of Students	16	16	18	22	18

Sources: Enrollment for Charter and Non-Charter Schools - Castro Valley Unified School District (CDE) for 2021-22 through 2024-25, and district-provided CALPADS report for 2025-26.

The district separates nonpublic agency services from NPS and RTC services by using the transaction description field in SACS and has been moving large portions of these and regional expenses in and out of the special education goal code. A spreadsheet maintained by the accounting department indicates that it has budgeted a 3.9% increase for NPS and RTC student services in 2025-26. FCMAT analyzed actual NPS

expenses and found the average cost per student over the last three years was \$120,355. The average cost per student increased by 11% between 2023-24 and 2024-25. The District has been able to fund all the NPS and RTC student services in 2025-26 using savings from items such as vacancies in the special education budget.

Staff reported that three staff members review NPS billing statements to make sure they match each student's individual services agreement, which is the contract that outlines the terms and conditions for providing special education and related services to a student enrolled in an NPS or RTC. Despite this, in certain school years the district does not appear to be collecting the expense data needed to generate all available transportation revenue for its students who are attending an NPS or a regional program. Transportation expenses for students in these placements are not being captured consistently for partial reimbursement, because they are not being coded to SACS Function Code 3600, as described in the "Transportation Program Expense Analysis" section of this report.

District Unrestricted General Fund Contribution

The district's adjusted unrestricted general fund contributions, excluding transportation but including expenditures for full indirect costs, reductions for one-time income, and changes due to closing journal entries that reduce MOE, are shown in Table 27 below.

Table 27: District's Adjusted Unrestricted General Fund Contributions to Special Education (Excluding Transportation), 2021-22 through 2024-25

Category	2021-22	2022-23	2023-24	2024-25
Adjusted Unrestricted General Fund Contribution	\$9,827,717	\$13,594,260	\$16,851,443	\$21,011,691
Percentage of Adjusted Special Education Costs	47.4%	55.8%	59.3%	61.4%

Sources: Official SACS unaudited actuals and 2024-25 closing journal entries.

Note: Official SACS data were adjusted as described in the "Building Comparative Data" section of this report.

In 2025-26, the district's unrestricted general fund contribution (not including transportation and potential increases in NPS service costs) is budgeted to be 63.3% of adjusted special education costs. Since 2021-22, costs for salaries, benefits, NPS placements, and NPA services have risen significantly, while special education revenue has not kept pace.

Cost of Due Process, Mediations, and Settlements

The IDEA requires school districts to implement all procedural safeguards for children with exceptional needs. For disputes that arise over identification, assessment, educational placement, or the provision of a FAPE, the procedures are to include the steps to resolve those disputes at the lowest level (EC 56500.3). Special education is a highly litigated area of federal law; most litigation involves disputes over providing a FAPE.

When FCMAT visited the district, it had one open case with the Office of Administrative Hearings (OAH), which was filed in January 2026. FCMAT reviewed district OAH cases over the last 10 years and found that all reported cases were settled prior to adjudication by OAH judges, except for one that was a unilateral placement by a parent. A unilateral placement occurs when a parent seeks better special education services and moves their child from an LEA to a private school. The LEA may be required to pay for the private

school program if it is appropriate and the court or hearing officer finds that the LEA was not providing the child with a FAPE. In the district's OAH case involving a unilateral placement, the judge ruled in favor of the district on all aspects of the case. The district needs to continue to ensure its IEPs meet the substantive and procedural FAPE compliance standard so it is able to defend its offer of FAPE. This is an LEA's primary defense against parents performing unilateral placements and subsequently requesting reimbursement.

Staff reported that the person who serves as the administrative designee at IEP meetings varies by school, and that the district does not provide comprehensive training for administrative designees at least annually. This lack of training may decrease the defensibility of IEPs and hinder the district's ability to resolve disputes at the lowest level. Additionally, dispute resolutions and mediation outcomes are not routinely shared with administrative designees as learning opportunities. Recommendations to address this are discussed in the "Professional Learning Plan" section of this report.

The best practice is for the Business Services and Special Education departments to track expenses separately and monitor budgets regularly for special education-related legal fees and settlement costs. Failure to separate legal fees and settlement-related costs prevents accurate budgeting and trend analysis. The district separates legal fees and settlement-related costs paid to parents, but it does not disaggregate from other costs its costs for NPA, NPS, or RTC services related to compensatory education resulting from a legal settlement.

The dollar amounts of the district's legal fees paid for internal support and to on behalf of claimants are generally low over the last three years, as shown in Table 28 below.

Table 28: District Special Education-Related Legal Support and Settlement Costs (Excluding Compensatory Service Costs), 2022-23 through 2024-25

Category	2022-23	2023-24	2024-25
Legal Settlement Costs	\$203,080	\$114,599	\$183,045

Source: District-reported data.

Recommendations

The district should:

1. Continue to monitor its unrestricted general fund contribution to the special education program.
2. Monitor and track special education expenses charged to non-special education revenues so that the full cost of the program is monitored and MOE managed.
3. Disaggregate, monitor and track special education transportation, NPA, NPS and RTC costs separately in SACS, and annually analyze trend data to use for budgeting.
4. Ensure it consistently records NPS, RTC, Alameda County Office of Education program, and regional program transportation expenses to SACS Function Code 3600 to generate transportation income.
5. Budget conservatively for increases in NPA, NPS, and transportation service expenditures. Develop a collaborative process for the business services and special education departments to compare year-to-date actual expenditures to budgeted expenditures at the interim reporting periods and adjust the budget accordingly.

6. Disaggregate from other costs the costs of compensatory education NPA services granted due to settlements, and report them separately.

School Transportation

State Funding for School Transportation

Historically, school transportation has been one of the most poorly funded areas in California's education budget. Before 1977, school transportation was fully funded. School districts reported their operational costs and were fully reimbursed in the subsequent school year. However, after the adoption of Proposition 13 in 1978, the state began reducing the percentage of reimbursement for school transportation. By 1982-83, districts were reimbursed at 80% of their reported costs, and the state imposed a cap, limiting reimbursements to the costs reported by school districts in that particular year.

From 1982-83 through 2012-13, costs rose significantly, COLAs were granted only occasionally, and the demand for special education transportation increased. The economic downturn during the great recession, beginning in 2007 and lasting several years, prompted the state to reduce all categorical programs, including school transportation, by approximately 20%.

In the 2013-14 fiscal year, California adopted the Local Control Funding Formula (LCFF). Under this formula, school transportation funding was allocated as an add-on to each district's LCFF entitlement. This funding must be spent on school transportation expenses, and districts must meet an MOE requirement, meaning that they must spend at least the amount received, to maintain the same level of funding.

The Budget Act of 2022 increased school transportation funding. Starting in 2023-24, the LCFF home-to-school transportation add-on receives the COLA. In addition, districts can receive from the state a reimbursement equal to 60% of total prior year transportation costs, less the LCFF home-to-school transportation add-on. The prior year costs are those reported in SACS function code 3600, excluding goal codes 7100-7199 (nonagency programs) and object codes 6000-6999 (capital outlay expenditures).

In addition, the trailer language for the Budget Act of 2022 reinstated school transportation data collection and required each district in California to adopt a plan by April 1, 2023 that states how it will offer pupil transportation to the district's unduplicated students (those who are English learners, socioeconomically disadvantaged, or are foster youth or homeless). The plan must be updated each year by April 1. Failure to meet this deadline could jeopardize compliance and result in reduced funding. The district adopted its initial Transportation Services Plan on time and has a multiyear plan for the 2024-25 through 2026-27 school years.

District Transportation Funding

According to the district's 2024-25 Second Principal Apportionment Home-to-School Transportation Reimbursement, the district's historical transportation add-on to the LCFF base grant was \$316,173. In 2024-25, the district's prior year transportation expenditures were \$3,099,089, so, the district received a reimbursement equal to 60% of total prior year transportation costs, or a total of \$1,859,453 in 2024-25. This amount included \$1,543,280 in funding attributable to the 60% reimbursement statute in addition to the \$316,173 LCFF base grant add-on.

The best practice is for a district to clearly align state transportation revenue with transportation expenditures in its accounting structure to provide transparency and more accurately show its unrestricted general fund contribution to transportation. The district does not directly allocate state transportation apportionment revenue to its transportation budget.

Recommendations

The district should:

1. Continue to ensure that its annual or multiyear transportation services plans for the following school year are completed and board-approved annually before April 1.
2. Clearly allocate and show state transportation apportionment revenue in the transportation budget to improve transparency and accurately identify its unrestricted general fund contribution to the transportation program.

District Transportation Costs

Cost Per Route and Per Student

Based on the district's 2025-26 adopted budget, routing information, and student data, the average annual cost for its special education alternative transportation passenger vehicle (district-operated van) routes and district-operated school bus routes is \$106,865 per route. This average was calculated based on seven general education school bus routes and 22 special education alternative transportation passenger vehicle routes.

The district's average annual per-student transportation cost is \$5,573, which is comparable to what FCMAT observes statewide. However, FCMAT could determine only a combined special education and general education per-student transportation cost, because the district needs to improve its tracking of general education and special education transportation costs.

Before LCFF, statewide annual average costs were approximately as follows:

- \$1,500 for a student receiving general education home-to-school transportation.
- \$6,500 for a student receiving home-to-school transportation as a related service in their IEP.

Although these statewide annual average costs are dated, they provide useful information about difference in costs between general and special education transportation.

Transportation Expense Analysis

The best practice is to separate special education transportation expenditures from other transportation expenses, allowing a comparison to statewide industry standards. In addition, all transportation costs, including special education transportation costs, must be recorded under SACS function code 3600. These costs include the following:

- Capital purchases for vehicles (although these expenses are excluded from the 60% recovery of prior-year transportation costs).
- Personnel costs, including applicable percentages for any staff overseeing or supporting transportation (including bus attendants).
- Vehicle maintenance and repairs.
- Fuel, parts, and equipment.
- Contracted transportation services.

Overall, the district tracks its home-to-school transportation expenditures correctly under SACS Function Code 3600. However, as mentioned in the “Unrestricted General Fund Contribution to Special Education” section of this report, the district did not enter under SACS Function Code 3600 any expenses related to transporting students to an NPS in 2024-25. This means that the district may have lost transportation income, because its transportation reimbursement is based on 60% of eligible expenditures recorded in this function.

In addition, to improve transparency about costs and allow for more accurate program analysis to improve long-term operational efficiency, the district needs to begin distinguishing between the following transportation program expenditures:

- General education home-to-school transportation.
- Special education home-to-school transportation for students who have transportation identified as a related service in their IEP.
- District support fleet services.

The district’s transportation program expenses appear lower than expected for a district this size, but this is difficult to analyze because the costs of the district’s general education home-to-school transportation, special education home-to-school transportation, and internal support fleet are not recorded or tracked separately. In addition, as discussed in the “Parent In-Lieu Transportation Reimbursement” section of this report, the relatively high percentage of parents who elect to receive reimbursement for transporting their student to school, which is generally the least expensive means to transport a student, contributes to lower transportation costs.

Recommendations

The district should:

1. Record and track separately from one another its special education home-to-school transportation, general education home-to-school transportation, and district support fleet service costs. Do so with the goal of enabling staff to calculate an average cost per student, cost per route, and cost per alternative transportation vehicle, so staff can compare costs to industry standards and make informed decisions.
2. Ensure it consistently reports all special education-related transportation expenditures under SACS Function Code 3600 to maximize its annual home-to-school transportation reimbursement from the state.

Using a Transportation Decision Tree

Special education transportation is defined in federal regulation (34 CFR Section 300.34(c)(16)) and is to be provided as a related service if it is necessary to help a child with a disability benefit from special education. For students who have been identified as needing transportation in their IEP, an LEA is responsible for arranging and paying for transportation. The IDEA explicitly states that transportation should not be a barrier to a student accessing their IEP and receiving a FAPE. The best practice is to use a transportation decision tree, which is a graphical representation of different options, when assessing a student’s need for special education transportation. Staff reported that the district has a transportation decision tree, but staff interviewed did not report that they use it to determine whether a student needs transportation as a related service.

Statewide, approximately 10%-13% of special education students have IEPs that require transportation. In the district, 20% of students with IEPs (268 students) have transportation identified as a related service; however, only 10.8% of special education students (148 students) are receiving transportation. Therefore, the district's provision of transportation service is within the expected statewide range, but its identified need for transportation is significantly above it. The cause of this is unknown, but if all 268 students with IEPs that require transportation were to elect to receive transportation, the district's transportation obligation would nearly double.

If a standard tool such as a decision tree is not used to guide decision-making, students who qualify for transportation may not receive it, which creates inequities and exposes the district to the risk of non-compliance under IDEA. In addition, students who do not qualify for transportation may receive it, which increases costs and may deprive students of the least restrictive environment. Clear guidelines can support IEP teams in applying criteria uniformly, helping ensure that students receive services in the least restrictive manner and that only students who meet disability or program-location thresholds are offered transportation.

Recommendation

The district should:

1. Train IEP teams to use the district's transportation decision tree, require its use, and monitor for consistency of use.

District Special Education Transportation Providers

Table 29 below shows the number and percentage of district students in the special education program who are transported by each of the district's transportation providers and the average load ratio in 2025-26.

Table 29: Number and Percentage of District Special Education Students Transported, and Average Load Ratio by Transportation Provider, 2025-26

Transportation Provider	Number of Students Transported	Percentage of Special Education Students Transported by Provider	Average Load Ratio
District-operated alternative passenger vehicles (vans)	93	54.7%	4.23 students per route
Contracted provider (First Alt) for students attending an NPS outside district boundaries	16	9.4%	2 students per route
Parents who receive in-lieu reimbursement for transporting their student	39	22.9%	N/A
Contracted provider (First Alt) for students attending a school inside district boundaries	22	12.9%	N/A
Total	170	100.00%	N/A

Source: District-provided data.

District Alternative Passenger Vehicle (Van) Routes

The district operates 22 van routes to transport 93 students who have transportation as a related service in their IEPs. This is 4.23 students per vehicle, which is approximately half of the maximum capacity of these vehicles. While reduced occupancy is common in specialized transportation due to individual student needs, the district should regularly analyze how students are clustered to determine if there are opportunities for increased efficiency by placing additional students on van routes or using larger vehicles.

The district employs 24 Class C drivers to operate its alternative passenger vehicles, which means it has two permanent substitute drivers.

Parent In-Lieu Transportation Reimbursement

The CDE Special Education Transportation Guidelines state the following:

...transportation options may include, but not be limited to: walking, riding the regular school bus, utilizing available public transportation (any out-of-pocket costs to the pupil or parents are reimbursed by the local education agency), riding a special bus from a pick up point, and portal-to-portal special education transportation via a school bus, taxi, reimbursed parent's driving with a parent's voluntary participation, or other mode as determined by the IEP team.

If a parent is reimbursed for driving their student, the industry-standard practice is for the LEA to reimburse the parent according to the mileage driven from their home to school. The district does not follow this industry-standard practice; instead, it reimburses parents a fixed amount regardless of distance driven. This practice may not align with IRS Publication 463 (2025), which states, "For 2025, the standard mileage rate for the cost of operating your car for business is \$0.70 per mile." The district needs to review whether its fixed reimbursement approach for parents aligns with applicable regulatory guidance and fiscal best practices.. The district has a higher-than-average percentage of parents transporting their students and receiving the fixed reimbursement; this may be occurring because the fixed reimbursement is more than the mileage rate reimbursement.

Recommendation

The district should:

1. Review whether the district's fixed reimbursement approach for parents aligns with applicable regulatory guidance and fiscal best practices. Consider transitioning to a mileage-based reimbursement after conducting a cost comparison analysis to determine the fiscal impact.

Transportation Program Operations

The district's transportation program operates within the Maintenance, Operations, and Transportation (MOT) Department. The MOT Department operates 22 special education routes serving 93 students and seven general education bus routes serving 463 students. The district manages a total of 29 routes with a relatively small administrative support structure.

Staff Supervision and Organizational Structure

The MOT Department leadership team includes one of each of the following positions:

- Director of MOT.
- Transportation Supervisor.
- Transportation Office Technician.
- State Certified School Bus Instructor.

Staff reported that the transportation supervisor frequently works extended hours to ensure operational oversight. The district needs to assess whether additional supervisory or administrative support is necessary to ensure sustainable program oversight.

Alternative Passenger Vehicle Transportation

The district uses alternative passenger vehicles (district operated vans) instead of school buses to transport students with an IEP that require transportation. Although alternative passenger vehicles are not subject to school bus regulatory requirements, the passage of Senate Bill (SB) 88 created extensive compliance requirements under the following legal codes:

- EC 39875 and EC 39877.
- Vehicle Code (VC) 34520.3.
- Government Code (GC) 12954.

These laws authorize drivers with a valid California Class C license to transport students in vehicles designed to seat no more than nine students plus the driver (10 occupants total), provided statutory requirements are met. This is commonly done statewide to transport small groups of students and is particularly effective in regions with high traffic density. The district's use of alternative transportation vehicles is appropriate and operationally sound. In addition, the district transportation team demonstrated strong understanding of SB 88 requirements and compliance obligations.

Driver Qualifications and Compliance Requirements

District employees driving alternative passenger vehicles must meet the following requirements:

- Hold a valid California driver's license for the class of vehicle driven.
- Submit Department of Motor Vehicle (DMV) authorization for release of driver records information and enroll in the employer pull notice (EPN) program.
- Complete required safety training consistent with EC 39877, including:
 - Pre-trip vehicle inspections.
 - Safe loading and unloading procedures.
 - Seatbelt and child restraint use.
 - Emergency response procedures.
 - Passenger vehicle safety.
 - City driving.
 - Defensive driving.

- Inclement weather operations.
- Distracted driving and road rage awareness.
- Enroll in a drug and alcohol testing program consistent with VC 34520.3 (if driving is the employee's primary duty).
- Complete a medical examination (biennially, or annually after age 65) by a certified national registry medical examiner, and provide a medical examiner's certificate.
- Maintain first aid certification.
- Comply with driving time limits (no more than 10 hours of driving within a work period or beyond the 16th hour after coming on duty following eight consecutive hours off duty).

As of July 1, 2025, teachers and coaches who transport students must also comply with the above requirements.

Routing and Student Identification Procedures

The best practice is for an LEA to use a special education transportation request form that clearly specifies the information needed for routing assignments and that contains information needed to meet the students' needs during transport, such as medical and/or behavioral support needs.

Staff reported that the district uses the following process to determine what type of transportation a student will receive:

- The Special Education Department uses a shared internal Google sheet that identifies which students have IEPs that require transportation.
- A student's parent is offered reimbursement for transporting their student in lieu of district-provided transportation.
- Students who attend an NPS are assigned to a contracted external transportation provider (currently First Alt).
- Students who are neither attending an NPS nor being transported by their parent are assigned to a district alternative passenger vehicle route.

Transportation staff reported difficulties obtaining timely and complete student information from the Special Education Department, particularly regarding students' behavioral support needs, what type of program the student attends, and confirmation that the student's IEP requires transportation. For example, transportation staff reported that in several instances a student was placed on a routing list before transportation was made part of the student's IEP. Transportation staff discovered this when they contacted the parent.

Recommendations

The district should:

1. Conduct a workload and organizational review of the MOT Department structure to determine whether additional supervisory or clerical support is needed to ensure sustainable oversight of 29 student transportation routes.

2. Periodically analyze route design, student clustering opportunities, and vehicle use to determine whether greater operational efficiency may be achieved while maintaining individual student service levels.
3. Develop, train staff on, and require the use of a special education transportation request form that clearly specifies the student information required for routing assignments and to support students' needs during transport, such as information about program, medical needs, behavioral support needs, and any necessary equipment.

Drug and Alcohol Testing

Federal Department of Transportation (DOT) regulations require strict separation of DOT and non-DOT drug and alcohol testing pools to preserve the statistical integrity of random selection processes. The district uses an outside drug and alcohol testing provider. When using an outside drug and alcohol testing provider, the best practice is to perform an annual compliance review process to ensure adherence to federal drug and alcohol testing regulations. The district has not done so, and it recently found that the outside drug and alcohol testing provider may have combined the district's DOT commercial driver testing pool with the district's non-DOT Class C driver testing pool. The district's transportation supervisor addressed this issue with the provider during FCMAT's on-site visit.

Recommendations

The district should:

1. Obtain written confirmation from the district's drug and alcohol testing provider verifying that it is maintaining strict separation of DOT commercial driver and non-DOT Class C driver drug and alcohol testing pools.
2. Establish an annual compliance review process to ensure continued adherence to federal drug and alcohol testing regulations.

Appendix

Study Agreement



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 Castro Valley Unified School District, 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 district'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, adapted 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 district 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 district 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 in the district'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 districts of comparable size and structure, and make recommendations for greater efficiencies, if any.
8. Review the costs of due process activities, mediations and settlements for the past three years and make recommendations for improvements, if any.
9. Review the district's professional development/training program as it relates to special education, and make recommendations for improvement, if any.
10. Review the district's unrestricted general fund contribution to special education and make recommendations for greater efficiency, if any.
11. Review special education transportation for efficiency and effectiveness, and provide recommendations for potential cost savings measures, if any. The review will include but not be limited to the role of individualized education programs, routing, scheduling, operations and staffing.
12. The Team will present the final report to the district's governing board at 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. \$1,200 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 \$42,000.

- 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	Draft Agreements are valid for 30 business days.

ACTION	TIMELINE
uploading documents requested by FCMAT.	
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 documents and data to FCMAT's online SharePoint repository.	Within 10 business days of the Client's 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: Suzy Chan, Assistant Superintendent of Business Services

Telephone: (510) 537-3000

Email: schan@cv.k12.ca.us

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:



11/6/2025

Nia Rashidchi, Ed. D., Superintendent
Castro Valley Unified School District

Date

For FCMAT:

Michael H. Fine Digitally signed by Michael H. Fine
Date: 2025.11.07 08:33:08 -08'00'

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

Date