



**CALIFORNIA DEPARTMENT
OF EDUCATION**

TONY THURMOND
STATE SUPERINTENDENT OF
PUBLIC INSTRUCTION

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March 14, 2022

Parvin Ahmadi
Castro Valley Unified
4400 Alma Avenue
Castro Valley, CA 94546-0146

Subject: Notification of 2020–21 Annual Determination Pursuant to the Individuals with Disabilities Education Act and Selection for 2022 Special Education Monitoring Activities including Identification of Significant Disproportionality

Dear Superintendent Ahmadi:

The California Department of Education's (CDE) Special Education Division (SED) is providing this notification in accordance with the Individuals with Disabilities Education Act (IDEA), Section 616(e) and Title 34, *Code of Federal Regulations (CFR)* sections 300.600–604, and 34 *CFR* sections 300.646–300.647. The following will be addressed in this notification:

- 2020–21 Annual Determination under IDEA Part B
- Selection for 2022 Performance and Compliance Monitoring Activities
- Official Significant Disproportionality Determination for the 2022–23 Budget Year

2020–21 Annual Determination under IDEA Part B

In accordance with IDEA Section 616(e) and 34 *CFR* Sections 300.600–300.604, the CDE is required to make an annual determination on the performance of each local educational agency (LEA). The SED reviews LEA performance and compliance data related to implementation of IDEA requirements, as well as information related to valid, reliable and timely data, uncorrected noncompliance and any previous findings. As a result, every LEA receives one of four possible annual determinations, as follows: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention.

The determination for Castro Valley Unified is Needs Intervention in meeting the requirements of the IDEA, Part B, for the 2020–21 school year.

Selection for 2022 Performance Monitoring Activities

In the 2020 Monitoring Year, the SED made updates to its monitoring system, which continued into the 2021 Monitoring Year, including changes on how LEAs are selected for monitoring activities in either Intensive or Targeted monitoring. Intensive and Targeted monitoring include different types of activities based on the need of the LEA identified through the selection process.

The CDE is making additional updates to monitoring starting this year. LEAs selected for performance monitoring will again be identified for either Targeted, Intensive, or Significant Disproportionality monitoring, but beginning this year, monitoring will be further differentiated based on the need of the LEA. For the 2022 Monitoring Year, LEAs will be identified as Targeted Level 2, Targeted Level 3, Intensive Level 1, Intensive Level 2, Intensive Level 3, and Significant Disproportionality. LEAs will only be identified for one differentiated level and will participate and engage with different monitoring activities based on the differentiated level.

The monitoring level for Castro Valley Unified for the 2022 Monitoring Year is listed in the table below:

Performance Monitoring Level
Significant Disproportionality

Additionally this year, the CDE is introducing the Compliance and Improvement Monitoring (CIM) Process to replace previous monitoring activities such as the Special Education Plan. LEAs in Targeted Level 2, and Intensive Levels 1 through 3 will participate in the CIM. LEAs in Targeted Level 3 will conduct a review of policies, procedures and practices. LEAs in Significant Disproportionality will be required to complete a Comprehensive Coordinated Early Intervening Services Plan (CCEIS).

The CIM Process is designed to help LEAs identify systemic issues in the LEA that lead to poor student outcomes, create a plan that prioritizes high leverage activities, and implement the plan with fidelity. The CIM Process is a four-step process that walks the LEA through the necessary activities that lead to a cohesive and comprehensive plan. The CDE will provide templates and guidance for activities aligned to each step, listed below.

- Step 1: Gather and Inquire. The LEA gathers, reviews and synthesizes data and information to determine the current issues and problems that exist in the LEA.
- Step 2: Investigate. The LEA examines the problems identified in order to determine the causes of those problems, prioritizes the concerns and develops a theory of action to address the root cause.

- Step 3: Plan. The LEA identifies the highest leverage activity and develops a detailed plan for implementation including a timeline and milestones. This can be an independent plan or part of other improvement plans, including the Local Control and Accountability Plan (LCAP), developed by the LEA.
- Step 4: Implement. LEAs, technical assistance providers, and CDE monitor the implementation of the plan over time to determine if the LEA is meeting the timelines or milestones and to ensure appropriate supports are provided. If the LEA is not meeting timelines or milestones, the CDE will engage with the LEA to assist in efforts to implement the plan. The CDE will also determine if, at any time, the LEA needs to revisit and update the plan.

The CDE will provide a detailed introduction to LEAs in each Level on the following webinar dates:

Performance Monitoring Differentiation Level	Webinar Date and Time
Intensive Levels 1-3	March 28, 2022 at 3pm or March 29, 2022 at 3pm
Targeted Level 2	March 24, 2022 at 3pm
Targeted Level 3	March 23, 2022 at 2pm

Please visit the CIM website at <https://www.cde.ca.gov/sp/se/qa/cimprocess.asp> for more information about the Monitoring Levels, the support team assigned to your LEA and the activities for each level.

Selection for 2022 Compliance Monitoring Activities

In addition to monitoring in the performance areas, CDE will also be reviewing and monitoring 2021-22 compliance data on several key timelines. These include:

- State Performance Plan Indicator 11: One hundred percent of children were evaluated within 60 days of receiving parental consent for initial evaluation.
- State Performance Plan Indicator 12: One hundred percent of children referred by Part C prior to age three, who are found eligible for Part B,

have an Individual Education Plan (IEP) developed and implemented by their third birthday.

- Whether the LEA held an IEP meeting at least once per year.
- Whether the LEA conducted a “triennial” re-evaluation to determine the student’s continued eligibility for special education at least every three years.

This year the CDE will differentiate three areas of concern for noncompliance associated with the timelines above.

- Any Late IEPs/Initial Assessments: LEAs that have *any* overdue IEPs or assessments will need to review their local data systems to work to schedule the necessary IEPs, where applicable. The CDE will review the data again June 30, 2022.
- Late IEPs/Initials or No Improvement: LEAs who have students waiting longer than 120 days past the deadline for IEPs and assessments *or* have not made progress to reduce the number of students waiting on IEPs or assessments since October 2021 will need to review their local data and access technical assistance resources provided by SELPAs to support LEAs.
- Late IEPs/Initials and No Improvement: LEAs who have students waiting longer than 120 days past the deadline for IEPs and assessments *and* have not made progress to reduce the number of students waiting on IEPs or assessments since October 2021 will need to review their local data and receive technical assistance provided by SELPAs to support LEAs.

Technical assistance for this compliance area can be found at <https://caltan.info/resources/tag/high-quality-ieps>.

The compliance monitoring level for Castro Valley Unified for the 2022 Monitoring Year is listed in the table below:

Compliance Monitoring Area
Late IEPs/Initials or No Improvement

Disproportionality Identification and Official Significant Disproportionality Determination for the 2022–23 Budget Year

This letter includes information regarding Disproportionality and serves as official notification to those LEAs that have been identified as Significantly Disproportionate for 2022 Monitoring Year, impacting the 2022–23 budget year. Each year, the CDE is

required to complete calculations to identify disproportionate representation of students with disabilities (SWD) in the following areas:

- Disproportionate representation of SWD for suspension/expulsion by duration, setting, and race or ethnicity for discipline
- Disproportionate representation of SWD by race or ethnicity by placement
- Disproportionate representation of SWD by race or ethnicity overall
- Disproportionate representation of SWD by race or ethnicity within a specific disability category

Pursuant to federal requirements under the IDEA and Title 34, *CFR* sections 300.646–647, LEAs are identified as Significantly Disproportionate if the LEA is identified as Disproportionate in the same area for three consecutive years.

2022 Monitoring Year Disproportionality and Significant Disproportionality Identification	Status
Disproportionality	Disproportionate
Significant Disproportionality	Significantly Disproportionate

LEAs identified as Disproportionate are monitored under the Targeted monitoring described above. For LEAs identified as Significantly Disproportionate, the LEA is monitored under the Intensive monitoring described above and also required to take mandatory actions including, but not limited to reserving 15 percent of IDEA funds to provide CCEIS for the 2022-23 budget year. More information about the next steps for LEAs identified for Intensive monitoring for Significant Disproportionality can be found at <https://www.cde.ca.gov/sp/se/qa/cimprocess.asp>.

The data supporting the Disproportionality identification is accessible at the following link:

<https://www3.cde.ca.gov/exfiles/downloadurl.aspx?pid=173&dc=0449e40f297e46c6ab>

The data supporting the Significant Disproportionality identification is accessible at the following link:

<https://www3.cde.ca.gov/exfiles/downloadurl.aspx?pid=173&dc=28ef321095ca4a0e96>

<https://www3.cde.ca.gov/exfiles/downloadurl.aspx?pid=173&dc=28ef321095ca4a0e96>

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For questions specific to Disproportionality or Significant Disproportionality data, please contact Steven Rogers, Education Programs Consultant, by email at SRogers@cde.ca.gov.

The SED looks forward to supporting LEAs' efforts under the IDEA to improve outcomes for students with disabilities. We hope this communication is a helpful overview of the special education monitoring that you can expect to see from the CDE, SED in the coming months. If you have any questions or concerns, please reach out to me by email at CDESPEDDIRECTOR@cde.ca.gov.

I look forward to our continued partnership and collaboration in the future and truly appreciate your dedication and support for all children in California.

Sincerely,

/S/

Heather Calomese, Director

Special Education Division

HC: sdb

cc: Mid-Alameda County SELPA; Focused Monitoring and Technical Assistance Unit



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February 3, 2025

Parvin Ahmadi, Superintendent
Castro Valley Unified
PO Box 2146
Castro Valley, CA 94546-0146

Subject: Notification of Annual Determination Pursuant to the Individuals with Disabilities Education Act, including Identification of Significant Disproportionality

Dear Superintendent Ahmadi:

The California Department of Education (CDE), Special Education Division, is providing this notification in accordance with the Individuals with Disabilities Education Act (IDEA), Section 616(e) and Title 34, *Code of Federal Regulations (CFR)* sections 300.600–604 and 300.646–300.647. This notification addresses the following:

- Annual Determination under IDEA, Part B and the monitoring support designation for the 2025 Monitoring Year
- Official Significant Disproportionality Determination for the 2025–26 Budget Year

The following table summarizes the Annual Determination, identification of disproportionality and/or significant disproportionality, the 2025 Monitoring Year Support Designation and Timeline Noncompliance for Castro Valley Unified, 01611500000000.

2025	
Annual Determination	Needs Intervention
Disproportionate	Disproportionate
Significantly Disproportionate	Significantly Disproportionate
2025 Monitoring Year Support Designation	Intensive Level 1 for Significant Disproportionality
Timeline Noncompliance	Noncompliant

2025 Annual Determination under IDEA, Part B

In accordance with IDEA Section 616(e) and 34 *CFR* sections 300.600–300.604, the CDE is required to make an annual determination on the performance of each local educational agency (LEA). The CDE makes determinations based on the LEA's compliance, disproportionality, and performance data related to the implementation of IDEA requirements. As a result, every LEA receives one of four possible annual

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determinations: Meets Requirements, Needs Assistance, Needs Intervention, or Needs Substantial Intervention. The data for identifying LEAs' monitoring designation and more information on special education monitoring is accessible on the California Technical Assistance Network (CALTAN) website, <https://caltan.info/lea/search>.

Official Significant Disproportionality Determination for the 2025–26 Budget Year

If identified in the table above, this letter is the official notification to LEAs identified as Significantly Disproportionate for the 2025 Monitoring Year, impacting the 2025–26 budget year.

Pursuant to federal requirements under the IDEA and 34 *CFR* Section 300.647(d)(1), LEAs are identified as Significantly Disproportionate if the LEA is identified as disproportionate in the same area for three consecutive years. LEAs identified as Significantly Disproportionate are required to take mandatory actions including, but not limited to, reserving 15 percent of IDEA funds to provide Comprehensive Coordinated Early Intervening Services for the 2025–26 budget year. More information about the next steps for LEAs identified for Significant Disproportionality can be found on the CALTAN website.

CDE will host in-person and virtual training designed to support LEAs in understanding special education monitoring beginning February 2025.

I look forward to our continued partnership and collaboration in the future and truly appreciate your dedication and support for all children in California. If you have any questions or concerns, please reach out to me by email at CDESPEDDIRECTOR@cde.ca.gov.

Sincerely,

/s/

Dr. Rachel Heenan, Director
Special Education Division

RH:sdb
Enclosure

cc: Mid-Alameda County SELPA Director; Focused Monitoring and Technical Assistance Unit

LEA: Castro Valley Unified (0161150)
SELPA: Mid-Alameda
County (0111)

Timeline Compliance Data	
Timeline Compliance Element	Number of Students
The count of children who were not evaluated within 60 days of receiving parental consent for initial evaluation. ¹	0
The count of children referred by Part C prior to age 3, who are found eligible for Part B, but who did not have an IEP developed and implemented by their third birthday. ²	5
The count of youth aged 16 and older who has an IEP that does not include the eight required elements of transition from school to adult life. ³	23
The number of students who did not have an annual IEP meeting within one year. ⁴	14
The number of students who did not have a “triennial” re-evaluation to determine the student’s continued eligibility for special education at least once in the past three years. ⁵	21

NOTES:

A “-” means that the LEA had no data in the Data Source and the corresponding Number of Students will be blank.

¹ State Performance Plan indicator 11, 20 U.S.C. § 1416(a)(3)(B).

² State Performance Plan indicator 12, 20 U.S.C. § 1416(a)(3)(B).

³ State Performance Plan indicator 13, 20 U.S.C. § 1416(a)(3)(B).

⁴ 20 U.S.C. § 1414(d)(4)(A)(i); Cal. Educ. Code §§ 56341.1(d), 56343(d). Meeting data pulled as of 12/16/2024 for students enrolled on Census Day 2024 and still enrolled in same LEA as of 1/6/2025.

⁵ 20 U.S.C. § 1414(a)(2)(B)(ii); Cal. Educ. Code § 56381(a)(2). Meeting data pulled as of 12/16/2024 for students enrolled on Census Day 2024 and still enrolled in same LEA as of 1/6/2025.