From Disputes to Results

A Review of Special Education Disputes, Expenditures, Program Performance, and Leadership Effectiveness



OAH Caseload Comparison: Buckeye and Peer Districts

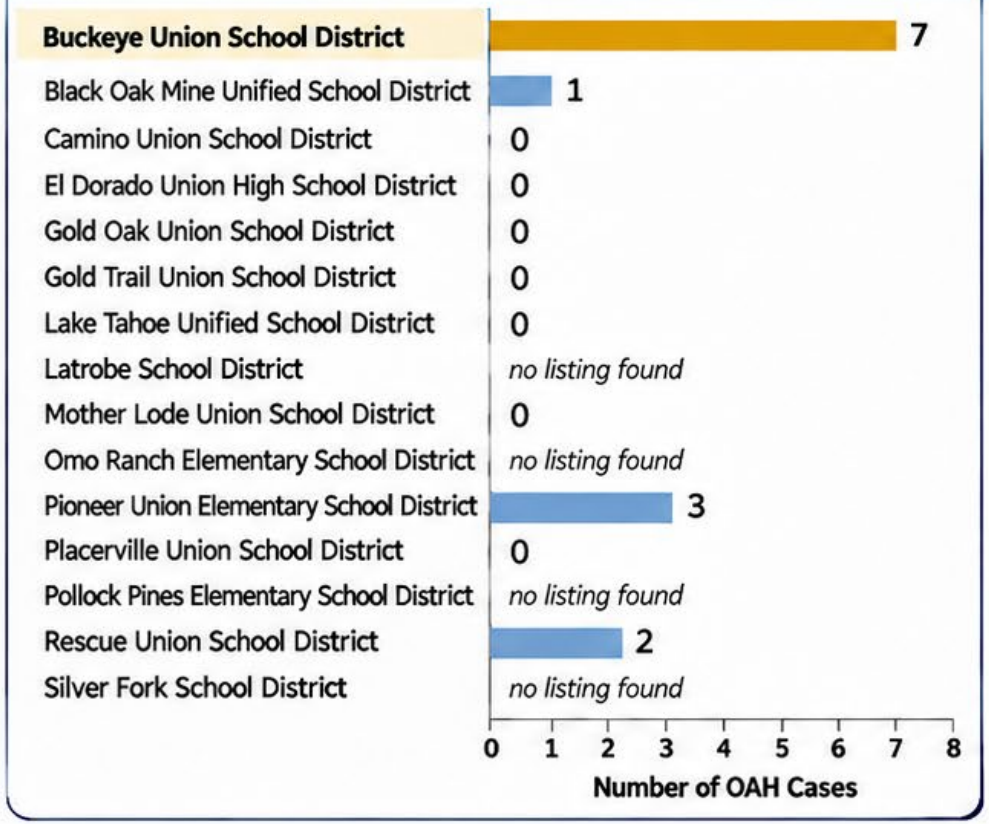
California Office of Administrative Hearings — Special Education Dashboard | Fiscal Years 2025 and 2026

Buckeye had the highest FY 2025 caseload in this comparison.

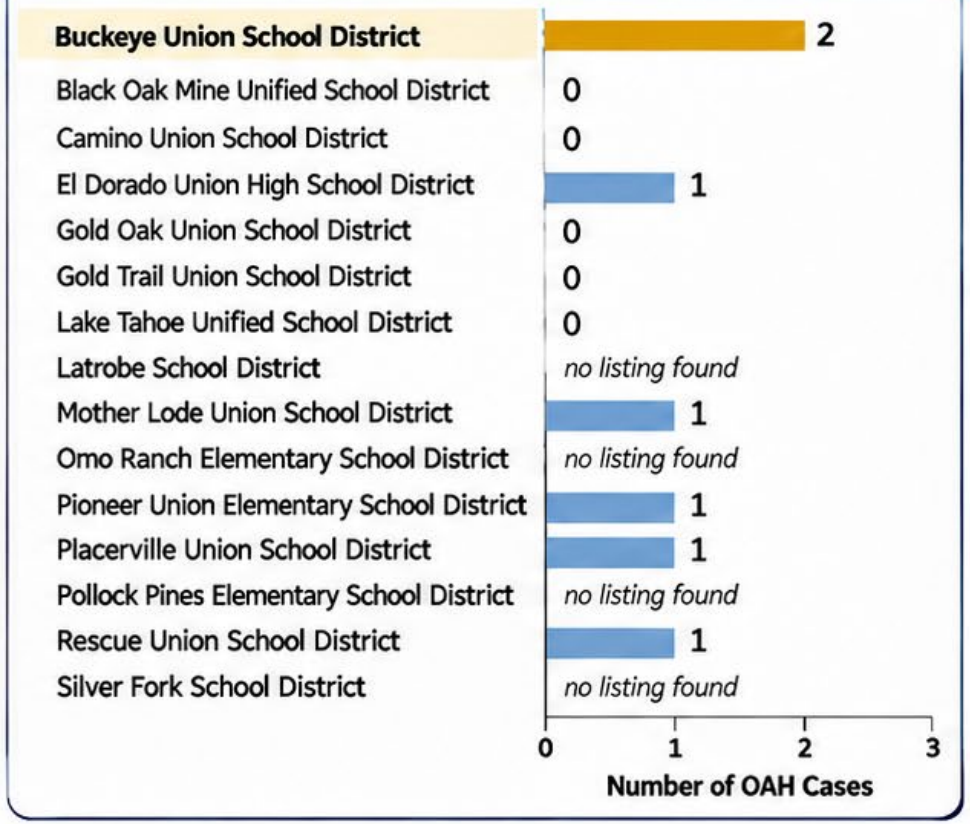
Buckeye remained the highest in FY 2026 among the districts reviewed.

FY 2025: 7 OAH cases | FY 2026: 2 OAH cases

FY 2025 OAH Caseload by District



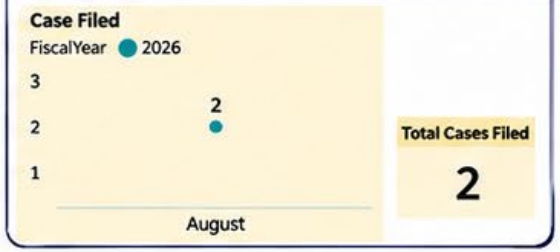
FY 2026 OAH Caseload by District



Buckeye FY 2025



Buckeye FY 2026



No listing found = district not found in the OAH dashboard search results reviewed.

Source data: https://www.applications.dgs.ca.gov/OAH/Dashboard/

THE SYMPTOM

OAH DUE PROCESS FILINGS

Being taken through OAH is a symptom —
not the root problem.

OAH filings are a serious step. Preparing a due-process case can take weeks or months, require extensive records and evidence, and is often overwhelming for families. Fewer filings do not always mean effective collaboration — sometimes it means families don't know how, or don't have the resources, to take that next step.

THE UNDERLYING CAUSES

The issues that drive disputes and must be addressed to improve results.

IEP Quality & Educational Benefit
*IEPs that are not well-developed or **not** reasonably calculated to meet student needs.*

Instruction & Interventions
Inconsistent, misaligned, or insufficient instruction and supports.

Training & System Alignment
General education, intervention, and special education staff not consistently trained or supported (e.g., curriculum pilots without SPED training).

Collaboration & Communication
Breakdowns in timely, meaningful problem-solving with families.

IEP "Graduation" Misconception
*The idea that a student "graduates" from an IEP once they reach grade level is **not** consistent with IDEA. A disability does not disappear simply because a student meets grade-level standards.*

Program Oversight & Leadership
The need for ongoing review of program performance, root-cause trends, and the effectivences of special education leadership.

PUBLIC EXPENDITURES: LEGAL & SETTLEMENT COSTS

*Identified costs over the last **5 months** (June – October 2026)*

$67,000 | **Fagen Friedman & Fulfrost (F3)**
(legal services; special education matters, share unverified)

$57,000 | **Four settlement-related attorney-fee payments**
Adams Esq. $22,000 • Snyder & Shaw $17,000 • Ruderman & Knox $10,000 • Abraham & Gautam $8,000

RECENT WARRANT ENTRIES (October 2026)
~$20,000 – Rood *(parent payee)*
~$5,000 – Abberegg *(education attorney)*

≈ $149,000 in identified legal and settlement expenses

(Partial review; not a complete audit; not all costs may be special education–related.)

A DIFFERENT INVESTMENT COULD SUPPORT STUDENTS DIRECTLY

$58,205 – $85,352
FULL-TIME SPECIAL EDUCATION TEACHER (ANNUAL BASE SALARY)

$32.50/hour
READING INTERVENTION TEACHER
(UP TO ~$16,900 FOR 130 DAYS × 4 HOURS)

Investing in trained staff, effective instruction, and early support addresses the causes — and reduces the need for future disputes.

Strong Numbers, Unresolved Questions

Buckeye special education: academic performance, parent involvement, and family experience

What the district reports

89th percentile statewide
Students with disabilities — English language arts

88th percentile statewide
Students with disabilities — Mathematics

30.1% met standards
ELA

26.8% met standards
Math

These academic results deserve recognition.

Parent involvement measure

100%
Indicator 8

Indicator 8 measures whether responding parents reported that the district facilitated their involvement.

Parents who do not respond are not included in the percentage.

Indicator 11
TARGET NOT MET

Indicator 11 measures whether initial special education evaluations were completed within the state's required timeline (generally 60 days) after parental consent.

Closely tied to Child Find: It shows how effectively the district identifies, evaluates, and responds to students who may need special education.

But families still reached OAH

Due-process filings still occurred.

If academic results are relatively strong and Indicator 8 is 100%, where is the breakdown occurring?

What the Board should examine

- **Were parent concerns meaningfully addressed?**
- **Were disagreements resolved early?**
- **Were the educational decisions appropriate?**
- **Are success measures capturing collaboration — or only participation in the process?**

Receiving support only after multiple advocates become involved is not the same as a system working effectively from the start.

Resolving a disagreement eventually is not the same as having a system that works effectively in the first place.

Instruction, Training & IEP Decisions

Three system questions that deserve answers — and the tools to improve outcomes

TRAINING & COORDINATION

MAGNETIC LITERACY PILOT

Records produced did not document special education teachers receiving the pilot curriculum or training.

Important distinction:

Missing documentation does not prove training never occurred.

THE SYSTEM QUESTION

- Aligned training across general education, intervention and special education?
- RTI and MTSS: coordinated support or separate silos?

GOALS AREN'T A CURRICULUM

IEP GOALS

tell us WHERE to go

≠

INSTRUCTION

shows HOW to get there

When progress stalls, re-examine the instruction.

IEP ELIGIBILITY & SUPPORTS

GRADE LEVEL ≠ AUTOMATIC IEP EXIT

Reaching grade level does not:

- automatically end an IEP
- make a disability disappear

WHAT MAY CHANGE

The type, intensity or delivery of specially designed instruction.

DETERMINATION

Individualized evaluation of needs—not grade level alone.

THE BOARD'S QUESTION

Are IEP teams receiving accurate guidance, aligned resources, and support to make individualized decisions?

Leadership, Collaboration & Accountability

Measuring more than compliance — are we addressing the root causes?

AAC Example From a Recent SELPA Meeting

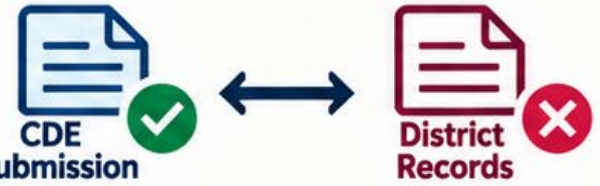
Parent identified a need for an AAC device. → Parent brought in two advocates to help. → After the advocates became involved, the district was able to collaborate. → The student eventually received the AAC device.

Not Success — Root Cause

A needed support was provided only after the family had to bring in multiple advocates.

That highlights a breakdown in early **collaboration, not an example of a system working as intended.**

Record Inconsistencies: CDE vs. District



Parents should not have to file multiple FERPA requests to discover that what was submitted to the CDE differed from what the district actually did.

Leadership Effectiveness: Key Questions

The Director of Student Services should be evaluated on program performance, not just compliance.

- **Are IEPs developed to provide educational benefit?**
- **Are services implemented consistently and as written?**
- **Are teachers receiving the training and instructional resources they need?**
- **Are parents' concerns being meaningfully considered?**
- **When disagreements arise, are we learning from them or simply defending our decisions?**

The Opportunity

- Use existing resources (e.g., System Improvement Leads – The BASICS, MTSS supports, and SELPA technical assistance).
- Evaluate IEP **quality, implementation,** training, and parent collaboration.
- Identify root causes and make measurable changes to prevent future breakdowns.

We Don't Have to Reinvent the Wheel

We already have proven tools to diagnose the root cause, strengthen systems, and drive measurable improvement.

THE BASICS

A structured self-assessment for special education infrastructure.

- **B – Beliefs**
- **A – Accessibility**
- **S – Staffing**
- **I – Information Systems**
- **C – Communication / Collaboration**
- **S – Structure of Instruction**

Assess systems, identify gaps, and prioritize improvement.

THE FIVE WHYS | A ROOT-CAUSE ANALYSIS TOOL

Moves beyond symptoms to identify the underlying system issue.

1	Why is student progress concerning?	*Students with disabilities are progressing more slowly than peers.*
2	Why aren't they progressing?	*Students aren't advancing appropriately in the general education curriculum.*
3	Why isn't instruction producing progress?	*IEPs lack appropriate goals and sufficiently targeted instruction.*
4	Why aren't appropriate goals being developed?	*Teachers haven't received the necessary training in the related instructional standards.*
5	Why hasn't that training occurred?	*General and special education professional development is disconnected at the district level.*

ROOT CAUSE (EXAMPLE): *A system-level disconnect in professional development–not simply an individual teacher issue.*

SUPPORTING TOOLS

California MTSS Implementation Tools
LEA Self-Assessment, Fidelity Assessment, Schoolwide Implementation Tool, and LCAP/MTSS Crosswalk.

SELPA Resources
Technical assistance, professional development, and alternative dispute resolution.

Community Advisory Committee (CAC)
Parent input to inform priorities and system improvement.

BOARD REQUEST:

Direct the Superintendent to use these tools to conduct a comprehensive review of the special education program, including:

- IEP quality & implementation
- Instruction & training alignment
- Parent collaboration
- Recurring disputes (root causes)

RETURN WITH A MEASURABLE IMPROVEMENT PLAN WITHIN 90 DAYS.

5–Why Analysis Tool: Example

Section 4, 3.5

Specific Problem Statement: English Learner Progress Indicator

Why is that? English Leaner Progress Indicator is red at schools with high percentages of English learners.

Fishbone Diagram Area (Context): Special Education Services, English Learner Services, Policy, Procedures

English Learners with disabilities have disproportionately lower rates of English language progress and reclassification as compared to their non-SWD peers.

Why is that?

SWD ELs are not making the expected annual progress in ELD.

Why is that?

IEPs do not include linguistically appropriate goals and objectives for SWD ELs which is resulting in insufficient ELD instruction.

Why is that?

Special education teachers have not been provided with professional development about the ELD standards or supports for addressing language proficiency goals and objectives in IEPs for SWD ELs.

Why is that?

Root Cause:
A disconnect exists between district-level departments that provide professional learning opportunities for special education teachers and general education teachers. In the past several years, special education teachers have received professional development about IEP development and compliance, but have not participated in professional development about the CCSS or ELD standards alongside the general education teachers, nor is it standard practice to write CCSS or ELD standards-based IEP goals and objectives.

At this point, the team may need to review state guidance regarding reclassification (options allowed by the CDE for documenting that SWD are ready to be reclassified), local reclassification policy, and English language assessment processes and supports for SWD.

At this point, the team may need to review how ELD progress is entered, reported, and monitored to determine if SWD ELs are not being identified for and receiving additional ELD support.

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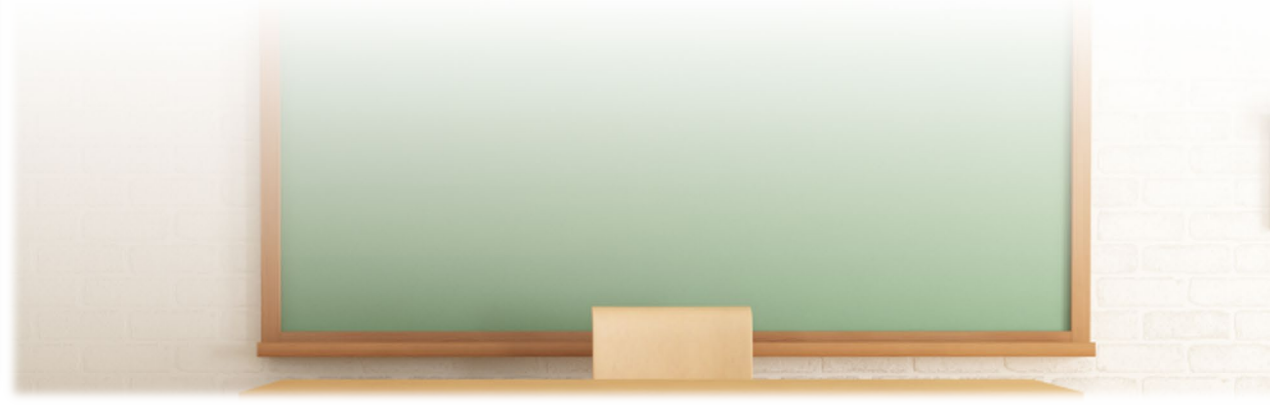

SWIFT Fidelity Integrity Assessment (SWIFT-FIA)

A Schoolwide Implementation Tool for MTSS and Inclusive Practices

ORANGE COUNTY DEPARTMENT OF EDUCATION

2016

Part of the California MTSS resources developed and shared by OCDE, which was selected by the California Department of Education in 2016 to **help lead the statewide scale-up of California MTSS.**

California MTSS

A framework for inclusive, data-informed, multi-tiered supports for all students.

What Is SWIFT-FIA?

A team-based assessment tool that helps schools examine and monitor their implementation of **inclusive, multi-tiered systems of support (MTSS)** and the conditions needed for all students to succeed.

When and How Often Should It Be Completed?

Recommended: approximately **every 3 months** (fall, winter, and spring) to discuss progress, identify barriers, and plan changes.

At a minimum: **twice per school year** to align with district planning and accountability cycles.

How Is SWIFT-FIA Completed?

A School Leadership Team reviews each descriptive statement and examines its current status across the stages of implementation:

Laying the Foundation	Installing	Implementing	Sustaining Schoolwide Implementation
Building readiness, shared understanding, and initial resources.	Putting key structures, practices, and supports into place.	Using the practices consistently and monitoring their use across the school.	Fully integrated, maintained over time, and used for continuous improvement.

Time Commitment:
- 90–120 minutes for the first administration.
- At least 60 minutes for subsequent progress monitoring.

Why SWIFT-FIA Matters for Buckeye Union

Measures Implementation

Shows where the district and schools are in the process across key MTSS features.

Identifies Supports & Gaps

Pinpoints what's working, where support is needed, and barriers to progress.

Drives Improvement

Informs action steps, resource allocation, and professional learning.

Strengthens Accountability

Provides a consistent, structured way to monitor progress over time.

Promotes Inclusion & Outcomes

Builds a more inclusive, coordinated system that leads to better student outcomes.

Parent Request for Transparency

As a parent, I would like to see the **SWIFT-FIA results presented to families at least twice per school year, and ideally every 3 months,** to review progress, identify barriers, and understand the outcomes of the assessment.