

Report Title: SPECIAL EDUCATION IN MARIN

Report Date: April 26, 2002

Response by: Barbara B. Wilson, _____

Title: Superintendent _____

FINDINGS

- I (we) agree with the findings numbered: ___ 1,2, _____
- I (we) disagree wholly or partially with the findings numbered: _____ 4, 5 _____

(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered ___ 1,2,3 _____ have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered _____ 6 _____ have not yet been implemented, but will be implemented in the future.

(Attach a timeframe for the implementation.)

- Recommendations numbered _____ require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered _____ 4 _____ will not be implemented because they are not warranted or are not reasonable.

(Attach an explanation.)

Date: _____ 6/24/02 _____ Signed: _____ Barbara B. Wilson, Superintendent

Number of pages attached ___ 4 ___

Finding #4

While there is awareness about Alternative Dispute Resolution, I know of no data that supports this model. My Ph.D. dissertation, concluded at UC Berkeley in 1997, reviewed as a case study all of the alternative dispute resolution cases in Contra Costa County, including a review of the research literature on alternative dispute resolution, and interviews with educators and parents involved. In fact, it was found that ADR did not work and had the potential of working to the detriment of children who might not receive the services that they otherwise may have been offered in the anticipation of needing to hold "onto some cards" to play during the ADR process. Even cases that had been settled through ADR showed little satisfaction by the participants. Both educators and parents identified themselves as winners or losers in the cases. Instead, it

would be better for the current state dispute resolution process to have highly trained hearing officers and also for due process (“fair hearing”) cases to gain the weight of precedent so that the “rules” are more clear to both parents and administrators in future cases and so that hearing office decisions are more consistent.

As the superintendents ranked their needs in terms of the implementation of the Strategic Plan, a centralized attorney was very low on the priority list. A staff psychologist may be useful in cases where the student does not attend the local school.

Finding #5

The role of the ombudsman would need to be made more clear before the finding could be supported. Certainly, SELPA funds are quite limited and any diversion of funding to support new administrative positions would directly impact Districts’ abilities to fund services to children.

Recommendation

#1

Our District works closely with the Marin Special Education Local Plan Area to publish and inform the public about special education in the public schools. Twelve percent of our students are identified and are receiving special education services which is far above the national average. This would indicate that we have done a good job of providing information.

Each of our schools has a school guidance team. The team consists of an administrator, teacher, psychologist, speech therapist, special education teacher and reading specialist. The team meets at each school one to two times per week on any student for which a teacher or parent has raised concerns. The team develops strategies for supporting these students. In many cases, the child is referred for special education assessment.

#2 The Larkspur School District has made a concerted effort during public budget forums to explain the impact of special education services on the general fund budget. We have done this in a way that is respectful to the needs of students with disabilities, but is also framed in a way to promote advocacy for increased federal and state funding. The Board of Trustees has passed resolutions that have been sent to state and federal officials asking for increased federal funding and for the existing federal funding to flow through to local districts rather than being subsumed by the State in its Proposition 98 requirements.

#3

The Larkspur School District is represented by both the Superintendent and a school board member on the Joint Legislative Action Committee (JLAC) that is a consortium of Marin County School Districts who lobby for improved funding and regulations for public schools. The top priority over the past several years has been special education.

#6

As chairperson of the Operational Steering Committee, I am working closely with Mr. LaLonde to develop the Five Year Strategic Plan. I do this by working with him monthly to schedule the agenda and to lead the OSC meetings. Currently, the OSC is working on the development of a new funding model, which must be decided upon this spring in order to meet our statutory requirements for budget development by June 30. After that period, we will have more time to work on the strategic plan.

#4

It is not necessarily accurate to assume that a centralized assessment process will generally provide the best service to students with disabilities. Local assessors are better aware of the context that students operate within on a daily basis. They have opportunities to make observations over a period of time rather than as an isolated event. Local assessors have more opportunities to judge if a standardized assessment is a valid and reliable measure of a student’s performance.

Centralized training of assessment personnel would be very appropriate. In this way, assessments would have more consistency in interpretation, personnel would be updated on a timely basis on test revisions or court decisions on the interpretation of various tests. There are often several tests to choose from that measure the same function. If there is SELPA-wide training on certain of these tests, it is more likely that those tests would be selected which would be helpful when students move from district to district or to county-operated programs.

One area where centralized assessment services may be appropriate is when there is no one on local staff that has the expertise or knowledge base to complete an appropriate assessment. This might include cases where the child is bilingual, there is a neurological or visual disability or when a student needs specialized technology assistance that may not be available within the district of residence.