

June 14, 2002

The Honorable Lynn O'Malley Taylor  
Marin County Superior Court  
P.O. Box 4988  
San Rafael, CA 94913-4988

Lowell W. Smith  
Foreperson  
Marin County Civil Grand Jury  
3501 Civic Center Drive, Room 303  
San Rafael, CA 94903

Your Honor and Foreperson Smith:

The Marin County Civil Grand Jury has done a tremendous service to the children, parents, school districts, and the community in issuing their report on Special Education in Marin County. Their recommendations will be very useful in addressing the education of our special needs students. As Marin County Superintendent of Schools, I generally agree with the recommendations and findings of the Grand Jury except as noted in the responses to the recommendations. My annotated responses to the listed Recommendations and Findings are attached to the **RESPONSE TO GRAND JURY REPORT FORM**. Both documents are enclosed in the quantities and format as given in the directions from the Grand Jury.

Marin County is very fortunate to have dedicated members of the community to serve on the Civil Grand Jury. Their efforts are very much appreciated. It is only when all of our citizens become involved in our schools that we can continue to always improve the difference we are able to make for children and their families—the most important work in the world.

Sincerely,

MARY JANE BURKE  
Marin County Superintendent of Schools

**RESPONSE TO GRAND JURY REPORT****FROM****MARY JANE BURKE  
Marin County Superintendent of Schools****FINDINGS**

I generally agree with findings 1-4 except as noted in the responses to the recommendations.

**RECOMMENDATIONS****Recommendation # 1**

The MCOE and all school districts should inform the general public about the role of Special Education in the public schools, the range of services available to children with special needs, and the dedication of the teachers of those children.

**Response:**

The Marin County Office of Education and all school districts currently employ a variety of methods through which the general public can be informed about the role of special education in the public schools. Listed below are a few examples:

- Discussion by Marin County Office of Education (MCOE) and Special Education Local Plan Area (SELPA) staff of special education countywide operations at school district board meetings which are open to the public and for which agendas are widely published in the community, as required by law.
- Regular meetings of the Special Education Advisory Committee (SEAC). This committee, which is open to the public, is composed of both special education and regular education parents, district and county office personnel including teachers of special education and regular education teachers, as well as administrators and community agencies. This committee meets monthly to discuss special education issues countywide and to advise the governing bodies of the SELPA.
- “Op-Ed” articles in *The Marin Independent Journal* and weekly newspapers discussing educational funding issues as well as describing specific programs in our schools, including special education.

**Response to the Grand Jury Report  
Mary Jane Burke, Marin County Superintendent of Schools  
(Page 2)**

- Speeches and other presentation opportunities throughout the community.
- Annual information sent to parents by MCOE and every school district in accordance with law contains information on all school district services and parents and students rights related to those services.

We will work with school districts and the SELPA to explore additional ways of implementing this

recommendation. (i.e. expansion of Public Schools Tour)

**Recommendation # 2**

The MCOE and all school districts should inform the public that state and federal funding is inadequate, and that the shortfall forces school districts to divert money intended for mainstream education into federal and state mandated Special Education.

**Response:**

Each year, school district budgets are developed in public board meetings and often involve a process that includes a district-wide budget committee composed of parents, interested community members, and board members. These committees help the district boards of trustees with input on priorities. They also are acutely aware of the shortfall in adequate funding for special education.

What we must avoid in raising awareness is the pitting of regular education parents and students against special education parents and students. That is to say, we must never “blame” the special students for the fact that their requirements for education and services result in a deficit that must be made up out of general funds. We can never forget that special students do not make a choice to be handicapped and parents do not choose to have special education children. Every child is the responsibility of the school district, county office of education, and the community.

Additionally, as a member of the Joint Legislative Advisory Committee (JLAC) along with the 19 school districts, MCOE actively participates to address issues of inadequate state and federal funding for special education.

**Response to the Grand Jury Report  
Mary Jane Burke, Marin County Superintendent of Schools  
(Page 3)**

**Recommendation # 4**

SELPA and all school districts should give serious consideration to centralizing the assessment process as much as possible, while still maintaining the personal touch necessary for good assessments. At the very least, there should be, as one of our respondents described it, “an organizing principle” behind every assessment.

**Response:**

The end goal of this recommendation is a concept that the Marin County Office of Education, the school districts, and the SELPA have been working to implement over many years. Rather than seek a “centralized” assessment process, what should be sought is a standardized approach that is seamless from district to district. Of course, the individual nature of the student’s need for assessment must always be recognized.

One of the ways to be sure that school districts and the county office who operate special education programs approach assessment in the same way is to centralize the training of staff (psychologists, teachers, speech therapists, etc). Already, much training takes place on a SELPA-wide basis and districts who set up their own training often invite other district personnel to participate. MCOE will work with the SELPA and districts to see how the current training opportunities might be expanded and more centralized. This is both programmatically and fiscally sound.

**Recommendation # 5**

The SELPA staff should be housed outside the core of the MCOE offices—if not in a separate location, then at one end of the building with its own entrance to the street, if possible. Being so situated would enhance the perception of independence from MCOE.

**Response:**

The MCOE is prepared to make other space available at 1111 Las Gallinas Avenue, including in a portable building, should the Operational Steering Committee (OSC) determine that such a move is necessary and would assist with the perception of independence from MCOE. We will continue to work with the SELPA on this issue.

**Response to the Grand Jury Report**  
**Mary Jane Burke, Marin County Superintendent of Schools**  
**(Page 4)**

**Recommendation # 6**

The Grand Jury urges all school districts to give the new SELPA Director and his staff all the help it can offer to complete the proposed Five Year Strategic Plan as scheduled.

**Response:**

Once the SELPA Five Year Strategic Plan is finalized – MCOE will support the SELPA director and staff to implement the plan. School Districts and MCOE will be actively involved through the Advisory Steering Committee (ASC) the Business Advisory Committee (BAC) and the Operational Steering Committee (OSC), the governing body of the SELPA.

Respectfully submitted,

MARY JANE BURKE  
Marin County Superintendent of Schools

**Report Title: SPECIAL EDUCATION IN MARIN**

**Report Date: April 26, 2002**

**Response by: Mary Jane Burke Title: Marin County Supt. of Schools**

## **FINDINGS**

- I (we) agree with the findings numbered: 1-4
- I (we) disagree wholly or partially with the findings numbered: \_\_\_\_\_

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

## **RECOMMENDATIONS (SEE ATTACHED RESPONSES)**

- Recommendations numbered \_\_\_\_\_ have been implemented.  
(Attach a summary describing the implemented actions.)
- Recommendations numbered \_\_\_\_\_ 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 \_\_\_\_\_ will not be implemented because they are not warranted or are not reasonable.

(Attach an explanation.)

Date: 6/14/02

Signed: Mary Jane Burke

Number of pages attached 4