

June 17, 2002

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

Your Honor:

In response to the request of the 2001-2002 Marin County Grand Jury, I am submitting the following responses to the report entitled: "Special Education in Marin."

**Findings #1, 2, 4, 5**

We generally agree with findings 1, 2, 4, and 5 except as noted in the responses below. Except as noted, our responses are those of Mary Jane Burke, Marin County Superintendent of Schools.

**Finding # 5**

The Grand Jury found a desire for an ombudsman among those we interviewed. We were told at least three times that the appointment of an ombudsman would be an effective and welcome development. The Appointment of this person, hired by a non-profit organization not connected with either MCOE or SELPA (but funded by SELPA), would be a good, immediate step as the Strategic Plan kicks in.

**Response:**

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The Ross School Board of Trustees concurs with the opinion of John La Londe as follows:

"I disagree partially with finding #5, i.e. 'The appointment of this person (ombudsman), hired by a non-profit organization not connected with either MCOE or SELPA (but funded by SELPA), would be a good, immediate step as the Strategic Plan kicks in.'

While there is no disagreement with the use of Alternative Dispute Resolution techniques as a powerful tool to resolve disagreement(s) between school districts and parents before they rise to a State-level complaint, in the past year the Marin SELPA has undertaken significant steps in building a format and process for addressing parent complaints. Specifically, twenty-two parents and school district employees received a five-day training on Essential Skills for Mediation. These participants have agreed to become neutral, third-party mediators (like an ombudsman) who will work with parents and school districts to attempt to resolve differences. Since this training and subsequent agreement has just begun the implementation phase, it is premature to move to an ombudsman position."

**Response to the Grand Jury Report**

**Ross School District**

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**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:

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- 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.

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- 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.

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- “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.

- Speeches and other presentation opportunities throughout the community.

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- 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.

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We will work with school districts and the SELPA to explore additional ways of implementing this recommendation. (i.e. expansion of Public Schools Tour)

## **Response to the Grand Jury Report Ross School District (Page 3)**

### **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.

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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.

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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.

### **Recommendation #3**

**Response:** See attached "Top Priorities"

**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 to the Grand Jury Report**

**Ross School District**

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**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 # 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:**

The Ross School District is looking forward to helping the SELPA director complete the Five Year Strategic Plan.

Respectfully submitted,

Elizabeth Robbins, M.D.  
President, Ross School Board of Trustees

ER/jj  
Attachment

