

RESPONSE TO GRAND JURY REPORT**FROM****SAN RAFAEL CITY SCHOOLS BOARD OF TRUSTEES****Finding #1**

The scope of Special Education is generally believed to be unknown to the public at large. Public awareness of the impact Special Education funding has on the entire public school system is a first step to effective advocacy for a new funding policy. It is not just *those* children; it is *all* our children who are affected.

Response:

Public awareness is fostered through budget presentations to the Board of Education at least twice a year and through separate Special Education Board presentations at least annually.

In the negotiations process, the three bargaining units (SRFT, SRTA, and CSEA), are provided with Special Education costs.

These three areas: budget reports, Special Education reports, and negotiations, disseminate information to the public.

Finding #2

Assessments are the entry vehicle into Special Education. There are 75 public schools in Marin within the 19 school districts, each with its own assessment team augmented by the Special Education Local Plan Area (SELPA) and Marin County Office of Education (MCOE) staff on occasions. With that number it is no surprise that the quality of assessments can be uneven; here wait 75 opportunities for potentially expensive mistakes.

Response:

On-going appropriate staff development is essential to ensuring quality assessments. San Rafael City Schools provides continual, up to date information to staff through:

- Leadership Retreat in August
- Monthly staff meetings with Resource Specialists, Special Day Class teachers, Speech and Language Specialists, and psychologists
- Principals' meetings
- Regularly scheduled evening meetings with parents of Elementary and preschool SDC parents
- Appropriate site faculty meetings
- SELPA administrators' trainings at the beginning of the school year

This level of training contributes to controlling the costs of legal fees and Fair Hearings.

Finding #4

There is an increased awareness of the importance of Alternate Dispute Resolution, especially with the

arrival of the new SELPA director. A new proposed Five-Year Strategic Plan, calling for a staff psychologist and staff lawyer, will strengthen the role of the SELPA in assessments, Individualized Education Plans and due process. Additional training in assessment procedures for Special Education teachers should also lead to fewer legal fees.

Response:

District administrators have been trained in alternative dispute resolution (ADR) procedures including interest-based strategies.

Four to six Special Education staff members participated in the SELPA sponsored ADR training in the spring of 2002.

A few years ago an additional six staff members were trained in an earlier series of SELPA sponsored trainings in ADR techniques.

The ADR trainings also contribute to controlling the costs of legal fees and Fair Hearings.

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:

The appointment of an independent ombudsman could provide a valuable service. Other factors to consider, however, include:

- Clear definition of the role of the ombudsman and their decision-making power.
- How does this differ from the SELPA Director's role?
- Is this an added layer of unnecessary bureaucracy?
- Who would oversee the ombudsman?

- Is an ombudsman needed if the SELPA has an effective ADR program?
- What is the financial burden to districts: salary, consequences of the ombudsman's decisions
- Will this impede the development of trust between the district and parent?
- When would be the appropriate time to employ the services of an ombudsman?

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:

San Rafael City Schools will continue the activities enumerated under Finding #1. In addition, we will continue to include descriptions of the range of services available to children with special needs in secondary course guides. School Site Plans, both elementary and secondary, include a section on Special Education with goals and objectives. These Plans are developed and approved by the School Site Council and the Board of Education, and are available to the general public. These Plans serve as a guide for all expenditures at the site

level.

San Rafael City Schools is completing a reorganization of the special education classes, which has brought the range of services available to children with special education needs to the entire school community.

Special Education is a topic for parent and faculty meetings. Special Education teachers continue to be honored through the Golden Bell and Excellence in Education awards and other teacher appreciation activities.

Special Education students are involved in all aspects of the general education program, including academic classes, electives, and extra-curricular activities. General education teachers participate in special education meetings for their special needs students and share responsibilities for working towards goals of the IEP. The dedication of the general education teacher is recognized in concert with the dedication of the Special Education teacher.

Recommendation #2

The MCOE and all school districts should inform the public that federal and state 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:

Recognizing that special education is underfunded, San Rafael City Schools will continue to lobby for additional Special Education funding through state and federal avenues. We will continue to develop and institute cost saving measures while continuing to provide quality service to special needs students.

San Rafael City Schools will avoid presenting Special Education costs in a way that polarizes regular education and Special Education constituents.

Recommendation #3

The Marin County Schools Legislative Advisory Committee, in coordination with all school districts, should continue and intensify its lobbying efforts in Sacramento and Washington for adequate funding for Special Education and, as a result, mainstream education as well.

Response:

San Rafael City Schools will continue to actively participate in the Joint Legislative Advisory Committee (LAC) with the goal of addressing issues of inadequate state and federal funding of Special Education.

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:

San Rafael City Schools believes it is important to be responsible for its own Special Education assessments in order to develop a relationship with parents and an understanding of specific student needs. Effective and on-going staff training and parent education programs are essential to build those relationships. Partnerships with MCOE, the SELPA and Matrix help develop appropriate training programs for assessments.

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:

San Rafael City Schools will give total support to the new SELPA Director. We caution against full implementation of the Five Year Strategic Plan based on:

- Fiscal impact of the recommended additional positions to the districts in the SELPA
- Centralization of some decision making which may impact the District's independent responsibility and authority.

Report Title: SPECIAL EDUCATION IN MARIN

Report Date: April 26, 2002

Response by Jenny Callaway Title: President, Board of Education

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, 3 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 2, 4, 6 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: 6/24/02 Signed: (Jenny Fowler Callaway)

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