

Report Title: SPECIAL EDUCATION IN MARIN

Report Date: April 26, 2002

Response by: John La Londe Title: Marin SELPA Director

FINDINGS

- I agree with the findings numbered: **2, 3, 4**
- I disagree wholly or partially with the findings numbered: **5**

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

RECOMMENDATIONS

- Recommendation numbered **7** has 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 **4, 5, 6, and 8** 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: _____ Signed: _____

Number of pages attached: **6**

FINDINGS STATEMENT:

I disagree partially with finding number 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.

RECOMMENDATIONS RESPONSE:

Recommendation number 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."

This recommendation requires further analysis. Education Code 56320 requires that prior to the initial placement of an individual into special education, an individual assessment of the pupil's educational needs shall be conducted, by qualified persons, in accordance with identified provisions. These include the use of valid tests and other materials, administered by trained personnel, tailored to assess specific areas of educational need. In addition, no single procedure can be used as the sole criterion for determining eligibility. Since the Marin SELPA is responsible for the implementation of this Education Code section, it is the responsibility of the Marin SELPA to determine if all persons responsible for such assessments are appropriately trained in the administration of the assessment instruments, and, if not, provide for the necessary training. The results of this study and potential training will be shared with the Operational Steering Committee, which is the governing body of the Marin SELPA. Training dates, if necessary, would be scheduled for the beginning of the 2002-03 school year.

RECOMMENDATION RESPONSE:

Recommendation number 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."

This recommendation requires further analysis. The Operational Steering Committee is the governance body for the Marin SELPA. To date, this representative group of district superintendents has neither mentioned the question of "independence from MCOE", nor has it been raised by the Marin SELPA Director during meetings of the committee. As such, the Marin SELPA will survey the governing body in June 2002 to determine if there is a perception of lack of independence from the Marin County Office of Education. If it is determined that the perception does exist, the Marin SELPA Director will develop communication and reporting techniques designed to ameliorate these perceptions, irrespective of validity. The Marin SELPA Director will report back to the council the techniques that have been utilized.

RECOMMENDATION RESPONSE:

Recommendation number 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.”

This recommendation requires further analysis. The proposed Five-Year Strategic Plan for the Marin SELPA was designed to establish the SELPA as a strong, viable entity with a strong influence on the governance of special education within Marin County. However, it is yet to be determined if local school districts can fiscally support all of the components of the Plan. The Marin SELPA Director will continue to work with the Operational Steering Committee (the governance body of the SELPA) to establish the appropriate budget, policies and procedures needed to implement the Plan. The Marin SELPA Director will continue to revise and update the Plan based on parameters established by the committee. As each component of the Plan is addressed, the subsequent years' SELPA budget will be modified as appropriate.

RECOMMENDATION RESPONSE:

Recommendation number 7: "The Grand Jury most strongly recommends the continued pursuit by SELPA of Alternative Dispute Resolution techniques, which, properly applied, can significantly reduce legal costs to most school districts. Supplemental funds for that purpose are available from the state office of education upon application."

This recommendation has already been implemented. The Marin SELPA is a recipient of an Alternative Dispute Resolution Grant from the California State Department of Education (in the amount of \$16,666 for the 2001-02 school year). This grant will be reauthorized for the 2002-03 (projected to be approximately \$14,000). The twenty-two member team of parents and district staff who have already received a five-day training on Essential Skills for Mediation have requested that the grant continue to be used to train new team members and to enhance the skill level of existing team members.

RECOMMENDATION RESPONSE:

Recommendation number 8: "The Grand Jury recommends that the Marin SELPA considers the creation of the position of Ombudsman, similar to those established in the Sonoma County SELPA and others."

This recommendation requires further analysis. At this time there is no way to measure the success of the team of parents and school district employees who have already been trained in this area. However, data collection was begun during the 2001-02 school year and will be analyzed to determine the efficacy of the mediation process. This analysis will be completed prior to the start of the next school year (August 2002) and reported to the Operation Steering Committee, the governance council for the Marin SELPA.